

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION III

**Blockade Runner
Wrightsville Beach, North Carolina**

December 7-9, 2022

Transcript

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Additional attendees and participants are attached.

The Full Council Session III of the South Atlantic Fishery Management Council convened at the Blockade Runner, Wrightsville Beach, North Carolina, on Wednesday, December 7, 2022, and was called to order by Chairman Carolyn Belcher.

DR. BELCHER: We're going to start off with some of our agenda items from Session III, so we'll be able to get ahead a little bit, but we're going to start off with the report from the Coast Guard, and so Lieutenant Cameron Box is going to talk to us about his update.

LT. BOX: Good afternoon. I was hoping to be there in-person, and our unit is limited on funding right now, and so there's only -- With OVS going on, and the non-stop migrant surge, we're only able to support so much, but moving on to the LMR metrics analysis, and so this is a slide just depicting some of the numbers in comparison to Fiscal Year 2021 and 2022, and so a significant change, as you can see, and so we went from having around 1,500 LMR boardings to 735, just between the two-year difference, and, mainly, as you guys know, really the uptick of the migrant interdiction operations began in January of 2022 and onward, and so, as I kind of discussed at the September meeting, we moved into the Operation Vigilance Sentry 1 Bravo, and then there are actually discussions about a shift to 2, which would be the next step up, which could be good, or it could be bad, and we'll see how that goes.

The Quarter 4 for Fiscal Year 2022, you have the breakdown for the District 7 AOR for all the LMR boardings that were conducted, and so, in July, we had 148, in August 177, and September twenty-one, and, again, so this includes not only the South Atlantic area, but also the Caribbean, the Caribbean Fishery Management Council, and some of the initiatives going on -- We have, this week, Sector San Juan is currently attending the Caribbean Fishery Management Council meeting, and, this week, we have, currently, the South Atlantic Fishery Management meeting this week, and then we have the March one coming up, and then we have Sector Key West, who attends the Florida Keys National Marine Sanctuary meetings, as well as Sector Charleston, and they attend the Gray's Reef National Marine Sanctuary meetings.

Other stuff on the slide is, I mean, not super applicable to LMR specifically, and we have migrant and human smuggling metrics and counter drum metrics, and I won't go into all of that, unless you guys have interest in it, but the numbers are available there.

There are a couple of items that I wanted to share from a couple of sectors, and so Sector St. Petersburg and Jacksonville are both still pretty -- And Charleston, and the three of those sectors are still pretty -- They try to stay active in the LMR mission set, and they work a lot with FWC and NOAA, but, right now, Sector St. Petersburg, if you aren't aware, their eighty-seven-foot cutters are being utilized for the Sector Key West AOR, area of responsibility, and so, really, what my folks at Sector St. Petersburg passed was the stations are really the primary Coast Guard assets being used to conduct LMR boardings, and, really, we do lean heavily on FWC and NOAA, just to continue the flow of operations.

Jacksonville also shared that they have been coordinating with the Savannah Air Station to increase effectiveness to support the LMR patrols, and they've also been increasing patrols of the Oculina Bank, with support from NOAA and FWC to target some of the heavier normal commercial traffic, and their goal also is to also continue to work with Sector Charleston, with the Jacksonville and Charleston boundary line, and then I have Sector Miami, and Sector Miami is trying to plan some operations for January of 2023, and so next month, with NOAA, as well as Key West, but, as you

know, or don't know, Sector Key West is still -- We're still dealing with just the constant flow from Cuba right now, and so the Haitian migrant surge has -- I wouldn't say slowed down, but we don't see nearly as much Haitian traffic being interdicted, and it's mostly primarily Cuban chugs being interdicted right now, along with fishing vessels in the South Florida Straits.

The majority of our assets are being used down in the South Florida Straits right now, and we're lucky to have anything even in the North Florida Straits, maybe one eighty-seven that is mission capable, and some of the station small boats. Some of the assets that we're using in the South Florida Straits as well are actually from different districts, and so District 8, District 5, or District 1, and we've even managed to pull, outsource, some of the buoy-tender cutters, the 225-footers, to do migrant ops, and that's really not a -- It's definitely out of the norm for a buoy-tending cutter. Usually, they don't get involved with law enforcement operations.

That's kind of just the gist of what's been going on for District 7 and the LMR mission, and I do understand that we had some questions about the rocket launch initiative, or implementation, of a splash zone, and so let me just pull up something that I have to go over some of the changes coming down.

Basically, we have a space launch and recovery coordinator at the district, and his name is Lieutenant Ryan Gilbert, and so I kind of reached out to him, because, for the enforcement branch, we're not really involved too much in the space safety zones, and so he definitely provided some other insight, and so, basically, I will just discuss what he mentioned to me, and so the rule for the closure is for specific areas when a space capsule will reenter and splash down in the water for recovery. This happens maybe four times a year, and has now the potential to become more, as the industry continues to grow, and it's only for a very short period of time.

As far as for enforcement-specific items, it can only be enforced to U.S.-flagged vessels outside of twelve nautical miles from the shoreline, and the notice of regulation is an update to the one that's already in existence. For notification purposes, and I know there was a lot of concern about that for our fishermen, and Sector Jacksonville will publish an SMIB to the public homeport page, and I'm sure everyone is tracking what the SMIB is broadcasting, the marine band radio, and there also will be put on -- It will also be published on the Jacksonville social media accounts, and there's also an email that will go out, with the information, to all the port partners ahead of the activation of the safety zone.

The one caveat that he mentioned was knowing where the capsule will splash down, and they would have to wait for Space Force, NASA, and SpaceX to provide the actual splashdown area, and so it can change up to a few hours before the reentry of the capsule, and, of course, it's dependent heavily on the current weather, the location of the capsule in orbit, and other items.

They typically have activated the five zones with the notice twenty-four hours prior to the splashdown and then reopen all but the one actual splashdown safety zone once they know for sure where the capsule recovery will occur, and that is pretty much the gist of what I was provided for this, the SpaceX safety zones, but that's pretty much it, unless there were questions, more questions, about it, and feel free to please ask, and, if I don't have a good answer for you, I can definitely get one.

DR. BELCHER: Okay. Thank you, Cameron. Are there questions or comments for Cameron? Laurilee.

MS. THOMPSON: So, Cameron, in your report, it talks about releasing residual fuels into the ocean, benzene and oils and hazardous substances, and do you guys have any idea how that's going to impact the water, or potential impacts to like coral habitats and stuff like that on the bottom? Are you coordinating with any -- Are they coordinating with like National Marine Fisheries Service or anything like that?

LT. BOX: Good question, and is that for the splash zones?

MS. THOMPSON: Yes, that's for the actual splash zone, that they will be releasing these chemicals into the ocean, and so, yes, that's the question about the splash zones, and then there were other questions, you know, from the fishermen, and so it's my understanding that you're going to close five areas, all at the same time, twenty-four hours before the splashdown, and then, eventually, you will decide where the splashdown will actually take place, and the fines are pretty -- Are the fines, and the restrictions, going to be comparable to what we're seeing now with the rocket launches, where there's like a \$250,000 fine if you're in one of the wrong areas? Is this all going to be like comparable to rocket launches, or is this a whole different procedure for rocket landings?

LT. BOX: Okay. Good questions, and so, I mean, I can't really speak too heavily for the enforcement and the rocket -- You know, the SpaceX -- Like all of this is definitely out of my wheelhouse, in terms of the SpaceX items, but I can definitely reach out to Lieutenant Gilbert, because he's kind of the subject-matter expert when it comes to the SpaceX and the space launch and recovery items, and so, if you would like, I would be happy to coordinate with Lieutenant Gilbert and ask, you know, hey, what's the comparison between the two, and what's currently in play, and what is coming, just because, like I said, I can't really speak too heavily into the space launch and recovery items, just because, again, it's totally out of -- It's in the district, but it's not in my department, per se.

MS. THOMPSON: Okay. Yes, because, I mean, it's not in our wheelhouse too, but it's real, and it's taking place, and it's increasing, and it is -- It's definitely, you know, going to have an impact on the fisheries, and potentially on the habitat, and I'm sorry that I'm not better prepared. I had stuff, but I didn't realize that it was coming up this afternoon, and so I am desperately looking right now for comments.

LT. BOX: I wish I would have brought him on this call, because he could probably definitely answer some of this stuff better than I can.

DR. BELCHER: Myra.

MS. BROUWER: Hi, Cameron. Thank you for that. What I would suggest, maybe, is, if council members have questions, I would be happy to consolidate them, and compile them, and maybe send them to you, and perhaps you can get your contacts there to answer them. Just, you know, so the council members are aware, there was a letter that staff put together, and submitted it, and we did a very quick turnaround, and that letter addressed some of the concerns from fishermen,

and so I just wanted to make sure that the council members remembered, and we talked about that as well, and so, if that's okay with you all, we can proceed that way.

DR. BELCHER: Okay. It looks like everybody agrees with that. Any other further comments, or questions, for Cameron? Mel.

MR. BELL: Just a simple one, I think. Earlier in the year, I guess, at least at Sector Charleston, there was an effort to interact with the for-hire boats and kind of check paperwork, and that sort of thing, and I think there's -- I know we've got a meeting coming up, in January, I think, to talk about this, and other things, but I guess there were some paperwork discrepancies, based on how people were registered, or how they were licensed, or how they were considered, if there were considered a chartered vessel versus a charter boat, or what we call a charter boat, in state vernacular. That resulted in some termination of trips with passengers onboard, apparently, and, as you can imagine, we got phone calls about that, and I was just curious, and was that a D7-wide thing, or was that just sort of a Sector Charleston thing, or were you aware of any of that?

LT. BOX: No, and so I'm not totally sure which case this was, in particular, and so I would imagine that it was definitely -- If it was a vessel termination, it would have fell under the sector commander, and they have the authority to do the vessel terminations at the sector level, but I could definitely reach out to Lt. Behr, who is kind of my touchpoint for fishery-related items, to kind of see if there was, you know, some kind of discrepancy, or was -- I mean, from what it sounds like, was it just documentation that was lacking, or was it -- I guess what other details were for this case, in particular?

MR. BELL: I don't have a lot, and I think it was -- Some of it might have been that they didn't have something they needed, like proof of participation in a drug screening program kind of thing, but there was quite a bit of confusion over how they were actually licensed and classified, and you don't need to worry about it, and, I mean, I think we've got this meeting in January to sit down and talk about stuff, and I don't think it's still going on, and I haven't heard any more about it, but I just know, initially, we had a little bit of -- We had a couple of unhappy campers, but that's okay, and I don't think anybody -- I think folks were just going right by the book, and so there wasn't any problem there.

DR. BELCHER: Okay. Thanks, Mel. Anybody else have comments, or questions, for Cameron? Okay. Seeing none, thank you for your time today, Cameron.

LT. BOX: Thank you very much for squeezing me in today, and I'm sorry that, on Monday, I wasn't able to get it on the part of the normal agenda.

DR. BELCHER: It's all good on our end. Chester.

MR. BREWER: Laurilee has brought up a subject that I -- I don't know whether you could say concerned, but I've been thinking about, certainly, for quite a while, and this first got started when they wanted to come in and build a new launchpad essentially right on the Mosquito Lagoon, wasn't it, and so that battle was fought, and, from the standpoint of I think our environment, it was won, and they made them -- They haven't gone away, but that particular battle -- But I think it's a matter of a lot of concern, because they're not talking, with regard to these SpaceX -- These launches, and these recoveries, and they're talking like one a week.

MS. THOMPSON: One a day.

MR. BREWER: Really? Anyway, if we're talking about closing off areas for the launches, and closing off areas, five areas, until twenty-four hours ahead of time, for the recovery areas, that could have a real effect on things that we are concerned about and are in our wheelhouse, and so I was going to propose, and I appreciate Myra talking about getting these things -- I think we need to have a face-to-face with either the Coast Guard or SpaceX, or both, and have a presentation for us, as to what it is they're thinking about. That was just my thought, but it is something that is going to be a -- I mean, it's quite an impact.

DR. BELCHER: Georgia has also dealt with the fact that we were looking at a space port, which is currently at least arrested for the time being, and we totally feel your pain on that too, but, I mean, that was the nice thing, is at least it was brought to our attention, and we were able to respond to it, and I think the good news is that, you know, staff will be alert to helping us keep an eye on it, so that we can make sure to have commentary as we go along. Kerry.

MS. MARHEFKA: I'm glad that you came back to it, because I really wanted to say that too, and so thank you for doing that. It's an astronomical number of days that, if we look at it in a positive way, may end up being days with hooks out of the water, and so, if we're going to have -- You know, if our fleet is going to have to suffer from it, it would be nice to know, you know, that maybe we could give that -- I'm not saying we could, but I am concerned about this, and I think Laurilee brought it to our attention, and, until I saw that letter, you know, three weeks ago, I didn't understand the significant impact that it would be, and I think it would be important to hear from them explicitly, too.

DR. BELCHER: Myra.

MS. BROUWER: Just a thought, and your Law Enforcement Advisory Panel typically meets around February, and I haven't looked at the calendar, to try to set that up, but, rather than -- If you would like to have such a presentation perhaps brought in through your advisory panel, and then report back to you, as opposed to having the presentation being given at a council meeting, that is an option, and so I'm just throwing that out there.

DR. BELCHER: Laurilee.

MS. THOMPSON: I think they need to answer to us and not the law enforcement. I think SpaceX and NASA need to come and explain to us what are their intentions, and, you know, there is other things that are happening too, like space junk in the ocean, and these rocket pieces are falling all over in the ocean by us, and then our draggers are dragging them up, and it's tearing up their nets, and they hang up, and sometimes they can't get the nets back. They're not being compensated, and I feel like NOAA, or I guess NOAA is in charge of -- Or they work with NASA, but those guys ought to be compensated for their gear loss, you know, and lost fishing time, when they run into a piece of a rocket on the bottom. It's not their fault.

There's a lot of stuff that's involved, and I will say that the agencies haven't been real upfront, even to the barrier island communities that are involved, and it's almost like the days of the Cold War, when they first started out there, and nobody knew what was going on, and there's a lot of

developmental expansion, a lot of permits for additional storm water, fresh water, thousands of gallons a day of fresh water to go into the Indian River Lagoon closed system, and, I mean, it's big, and so there's a lot of stuff going on out there.

DR. BELCHER: Thanks for those comments. Okay. Going down the list, I'm just going to have Monica check with us, on the mic, about any litigation briefs that she would like to discuss.

MS. SMIT-BRUNELLO: I reported on a few litigation matters that are ongoing in the Gulf that I think you all would be interested in, but those are still ongoing, and we don't have any judicial decisions yet, and so, if we get a decision by the close of council meeting this week, I will let you know, but, otherwise, I guess I will hold it over and talk about it at the March meeting, or, if it impacts you in any way, I will let you know prior to that, and I will send you all an email, and we can talk about it.

DR. BELCHER: Okay. Thanks, Monica. Laurilee.

MS. THOMPSON: I'm sorry, and I forgot, and thank you for that letter. I really, really appreciated seeing that, because there were literally -- We had such a short comment time, and we couldn't get the word out, and so there was my sister's letter, and Mike Merrifield's letter, and the South Atlantic's letter, and a letter from Gerald Pack, and that was it, and so your letter was hugely appreciated by the industry, absolutely. Thank you.

MR. CARMICHAEL: We appreciate you all bringing that to our attention, and, you know, Roger really led on that, and so I really appreciate the job that he did in getting that out in extremely short order, and so, yes, I'm glad to hear that that's really appreciated, and so thank you.

DR. BELCHER: Okay. Next, we're going to move into the staff reports, which is with John and Chip.

MR. CARMICHAEL: I think I'll go through this part, and then Chip will come up, and I want to go through this and the CCC report, and then we'll get into the SAFE reports with Chip. What I have here is the attachment for the staff report, and I've just highlighted some things that I want to bring to your attention, and so, in Citizen Science, the SAFMC Release project is continuing, and you've got an update of things that are going on there. You know, this is an ongoing effort for us to collect more data, and it's really exciting to see how this is continuing to expand and have a reach throughout the region and to start getting some data coming into us is really going to be encouraging.

Another citizen science project is the SciFish, and we're working on a customizable app with ACCSP, and this will reduce the application development cost for all of the partners, and so all of the coastal states and others, being able to get in and have apps that will collect data that we need, developed really quickly and easily, and so that's an exciting project that we've heard about.

I'm excited to say the FISHstory, our project that we worked on with the historic photos, is being expanded, and we're working with NC State and SEFSC, and so encouraging partnership there, and we're always glad to see that, and we're expanding that with funding provided through ACCSP. The coordinating council met in November of 2022, and this was one of the supported projects, and so seeing that effort also continue is very exciting.

We're also working on SMILE, and that means Size Matters: Innovative Length Measurements, and so it's a way of getting lengths from fish by divers, and we're working with REEF and SECOORA, and Chester is smiling, and so that's good.

There's a special issue of *Fisheries*, which is the monthly magazine of the American Fisheries Society, and it's devoted to citizen science. There is articles on FISHstory, and there is other articles on how citizen science is being used throughout the nation, and it is open access for a temporary period of time, through January 15, and so I really encourage people to go on there, and that means that anybody can go to this link and look at this and read these articles, and it's just really good to see citizen science expanding within fisheries and recognize the role that this council has played in supporting citizen science, and our staff in doing this, to start making this a reality in our fisheries world.

On the website site, we're working on a new public comment tool, and so you know we have the Wufoo form, where individuals go in and file their comments, and then you go in and you can view their comments, and it's not one of the most user-friendly things that has ever been derived to take comments, and so we have been working with a contractor to come up with something that will ported through Google Docs, which will be much more user-friendly for both the commentor and the commentee.

It's very similar to what is used in the Gulf Council, and so, those of you that have been to the Gulf Council and looked at theirs, you will recognize that. Our plan is to roll this out for the March council meeting, and then every meeting from that point forward will use this new form, and so hopefully that's going to be a welcome change to you guys and the commenters.

Other than that, work continues on the website, with new things being added, and it's proving very flexible, and we're able to add new content, some of the latest stuff addressing the best fishing practices, and there's some really nice content on there, and we can continue to add to that. We're always seeking new images and videos of descended fish, et cetera, and so that's a new part that's just getting rolling, and then a big project, hopefully, over the coming year is getting all the historic briefing books on the website as an archive. We went back a few years in initial development, but it's always been our plan to go back as far as we can, as far as the historic briefing books, those that are fully electronic, and get that information available to you on the website, so that you can see the full record of any of the past actions that have been taken.

The MREP, Marine Resource Education Program, held workshops not too long ago, wrapping their things up, and I want to look ahead to the management workshop though, which will be February 21 to 23 in 2023, and none of us are ready for 2023 to be here, but it's coming fast, and so the management workshop is going to be in Tampa, and we're looking at an additional day to cover some things that were missed in November, and this program continues to be great. We've got lots of folks that want to take part in it, and those behind it are always looking for ways to better meet the demand and get as many people involved in it as they can and through the program.

Remember we have our South Atlantic Council seminar series, and Chip looked at that, to get a sense of the participation that we've had, and so we've done seven seminar series presentations, and a number of topics there that you've seen, and it's been a real wide variety of topics, and the

idea behind this was to make this technical information available to council members, AP members, the SSC, and the public, to really have a broad audience.

On average, and this is across the seven webinars, we've had sixty people registered and forty-eight people attend it, and that's pretty good. That's a lot of people sitting in and listening to fairly technical conversations. There's an increasing trend in attendance, which is very encouraging. I think, as word gets out, and, you know, people see these as a good use of their time, it's good to see that increase, and we have average three council members, five SSC members, and four AP members coming to each one of those, and so I think it's really encouraging statistics, and it tells us to keep doing this, and it's a great way to get information. If you have a topic, and, if you see something that you think is really interesting, and you talk to a researcher that you think has some information that's useful, please let Chip know, because he is always on the lookout for good topics, particularly things that will be of interest to you.

We are working, administratively, on updating the handbook, and it was last approved in June of 2019, and there's a lot that has gone on in the world of both employment, harassment, various policies, and so we've been working on this for a while, and we are at the stage now where we've had it go through a thorough review by NOAA GC, and so thank you to Monica for getting that to happen and facilitating that and your efforts to review it.

Kelly and I have been going through it, and we've just about wrapped up an I think easier to follow version, so you can see all of the changes that have happened, and so we will provide the full series of edits to the Executive Committee, and we will likely meet via webinar, have a closed-session webinar, to talk about those policies, before the March meeting. Then, at the March meeting, we will have the open consideration and bring it to you, the Full Council, for approval, and so look for that, at the March meeting, to approve it, and there's going to be, I would say, considerably additional content relating to things like codes of conduct, and particularly harassment, because the agency has been very effective recently in getting policies and such related to harassment in the hands of the councils, so that we can include them in our handbooks.

Then we're just about to the end, and so I do want to point out another thing, a nice call-out for staff, and staff was co-authored on a paper, and you have the link there, on consistency in stock assessments that was published in *Fish and Fisheries*, and so, beyond what you see that comes across this table, we do have our staff working in a number of other scientific areas, to do things that hopefully feed back into the efforts that we're doing here, and so, if you have any questions, as always, reach out to the individual staff, and they will more than glad to talk about any of these topics. Then do you want to get into the SAFE reports? All right. Come drive.

DR. COLLIER: For those of you that don't know what a SAFE report is, it's another acronym for you guys, and we haven't had one in a long time, and it's probably been almost twenty years since your last SAFE report, but a SAFE report is a Stock Assessment and Fishery Evaluation report. We're supposed to get those to you every so often, and it's not really defined, on the timeline, about how often you get them, but they are described, in National Standard 2, as a requirement, and so we're going to try to do our best to get you these SAFE reports in a timely fashion. Right now, my plan is to get it to you every two years, and they're going to be developed for each FMP, independently.

In the beginning, it might be a little crude, and it might be a little shorter, but, over time, we're going to be adding more and more information into them, because this is going to be all code driven, and it should generate the graphs and some of the text itself, and so it should be fairly efficient.

This is one of the advantages of what John and the Southeast Fisheries Science Center have been working on, and they've been doing a great job of sharing data, and this is going to be a product of sharing the data, and so the SAFE reports are supposed to be including information on the condition of the stock, essential fish habitat, marine ecosystems, and fisheries. Another requirement of a SAFE report is it's supposed to be available digitally, and so this is. Right now, it's located on an outside hosting site, but I think we're going to be putting a link into some of the webpages, and I'm just not exactly certain where that's going to be. Nick and I are working on the exact placement of them right now.

Getting into the actual SAFE reports, we have two of them developed, and you can find the links in the staff report, and we'll start here, with the dolphin wahoo, thinking more of kind of a data-limited species, and we don't have a stock assessment, and so it doesn't have all those bells and whistles that you see in many of the snapper grouper species, like red snapper.

It's going to start off with an introduction, and, as you scroll down, on the left side, you're going to have this nice little table of contents that kind of populates, and so you can go to individual graphs, or pieces of information underneath it, a little bit more easily. We provide where the information comes from, and that's actually a requirement of SAFE reports, is we're supposed to be telling you where it comes from, and so what I'm doing is trying to provide clickable links, and you guys can get right to the data.

Then we have the overfishing information. For dolphin wahoo, because it's not fifty-five species, I put it in the front, but, for snapper grouper species, they're going to be probably at the individual species level. That way, you're not looking at fifty-five species at one time and getting overwhelmed with the graph in the beginning. Then we have your OFL and ABCs and some of the discard information, and so that's going to be provided for you, and it's going to be a -- Hopefully, it's going to be a nice little place where you guys can find all your information that you need very quickly.

We provide some brief life history, some information on the assessments, and then we also include some of the recent management changes, and staff kind of indicate what's most important, and, for dolphin wahoo, it was basically since Amendment 1 is what staff wanted included, and so it's a pretty long list of what's been going on. It also describes things are ongoing, or, even if it's kind of in a parking lot somewhere, it's still being added to this, so that you guys know exactly what you were thinking about during that time period.

Then we have information on the ACL, the catch information, and some sector trends. That way, you can see what's going on in each sector, whether it's recreational or commercial, and you can see it relative to the ACL. We do have information on economic trends as well, and what we did for this was looking at directed trips and value, directed trips for the recreational, and that's coming from MRIP, and then the value is ex-vessel value.

We do have social trends, and the social trends are likely to vary by species, depending on the information that's available. One of the things that -- I will get into that later, but one of the things that we've been using for all species is whether or not a closure occurs, and fishermen have indicated that closures are very -- They don't like them very much, and they like the fishery to be going on year-round, and it really causes issues for some of the areas, and so we do describe whether or not a closure occurred for each of the sectors.

Then the second part, for most of these, we're going to have the fishery performance report described, and we feel that it's very important to get that information to you guys, as well as everyone else, giving what the AP has described as going on in the fishery, and it seems to indicate very well what the social trends are.

Then one of the nice ones that we have for dolphin wahoo, and this is particular for dolphin, is there was participatory workshops that went on, I guess last year, or two years ago, and they found some very interesting information, and so sea surface temperature came out as a very important piece of information to include, and so I pulled some of the information from the report and put that in here for you guys to consider as well.

Very similar information goes into wahoo, and then the other part of the participatory workshops, which was very important, are these interactive graphs, where you can actually see -- You can see the wheel, and so let's say you want to see what are the impacts of regulations, and you can see the -- How they're related to each other, and it's -- This was done through Mandy's work, and so these are great pieces of information, and it's very complex in the beginning, but, as you scroll through, you can see how the different things interact, and it's a really neat style of graph, and red means it's going to that, and blue means that it's going away, and so it's very great to have that in here, and those will be in here probably for about three or four SAFE reports, just trying to make sure that we're keeping relevant information in the document, and then, as it times out, we're going to remove pieces and interchange it with other information. Then the final piece that's a requirement is having references, and so we provide the references, where we're getting this information, and it's all provided to you.

I could go through the snapper grouper ones, and I do have it developed for the overfished and overfishing, and it's going to be very similar information, with the added stock assessment graphs that are included in there, and so I don't feel like we need to go through everything. What we would like to do is, in the beginning of these, just have kind of like a chart that would tell you kind of what the condition of these different trends are, and is the fishery going down or up, are the social trends going down or up, are the economic trends going down or up, and, that way, you would have a very quick reference in the beginning, and you can go over to the left side and look at the species that you're concerned with, and you would be able to immediately go to that species, or that piece of information, that you would like to go to.

If there's any questions, and I know I've been babbling on and showing you a lot of information in a graph, and these are light, right now, if you compare them to other areas, but it is a ton of information, and it's light on writing, and so you guys get to interpret yourself what is important.

DR. BELCHER: Thanks, Chip. Any questions for Chip? Kerry.

MS. MARHEFKA: Not a question, but just a comment. Thank you. I think this is going to be so useful, as a place to go and reference and get information, and I remember, twenty years ago, and they weren't, and I know this has been a struggle for a really long time, and I just want to tell you that I can see myself using this, and I know it's a lot of work, and thank you. Thank you. This looks great, and I'm really excited about it.

DR. BELCHER: Other comments, or questions, for Chip? Dewey.

MR. HEMILRIGHT: I think this is a great reference, and so, when I read something that somebody has wrote, I will be able to pass this on to them, to give them a reference point for some fact-based type of stuff, you know, but this is really good, and I look forward to looking for it as it matures along. Thank you.

DR. BELCHER: Jessica.

MS. MCCAWLEY: One more time, and where is it on the website?

DR. COLLIER: It's not on the website yet. Right now, it's just as a link, and these were draft reports, and we wanted to make sure that the SSC was fine with it, and so it's likely to be on each FMP page, and then we might include a link under the science as well, and the other thing is my goal is to have this to the SSC in April, and then to you guys in June, and that's my plans for it. We'll see how it works out. Things might have to adapt, but that's the plan for right now.

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

MS. MURPHEY: I just want to say I love the wheel.

DR. BELCHER: Mel.

MR. BELL: I wouldn't stare at the wheel too long. You might get sucked into a time portal or something. On this page right here, it doesn't show it, but I think, earlier, when you were showing the previous amendments and all, you had, you know, a title, or a description, of what the amendment was, and that will be in there, right, because that would be helpful. In the version I saw earlier, it looked like you did.

DR. COLLIER: Yes.

MR. BELL: There you go. Cool. That makes it a lot easier to kind of figure out what was in there.

DR. BELCHER: Anything else for Chip? Okay. Thanks, Chip. John, CCC report.

MR. CARMICHAEL: Sure. I also find the listings of the amendments on the website to be very useful, because you can -- You know, there's little tidbits there about what each one addressed, and when, and that's a really good way that I've found for keeping up with them, and so, yes, we all use that website quite extensively as well, and I think this is a great companion to the fishery performance reports that we get from the fishermen themselves, and having this with that, you

know, really gives you a place to see what's going on in that fishery, as much as we can provide it.

All right, and so the next topic then is a meeting of the Council Coordination Committee. Just a reminder that this is a gathering of all the council EDs and chairs and vice chairs, along with representatives of NMFS, usually twice a year, and we get updates from the agency about things that are happening on a national basis, policies, budgets, guidance, all of that kind of stuff, and share a lot of information and practices, et cetera, and so I will go through here, and this is the document, and I have highlighted some things that I want to call out in the presentation, but it's the same document that you have in the briefing book, and this is the report from the CCC meeting.

This meeting was in Washington, D.C., and it was hosted by the Mid-Atlantic Fishery Management Council, and, just looking ahead, the Gulf Council -- Hosting shifts each year, and the Gulf Council is hosting next year.

We began, as we usually do, with updates from NMFS, where we hear about the different priorities that are going on in the agency, from Janet Coit, the Assistant Administrator. She presented to us and talked about where the agency is headed, and then we get a summary of various things that NMFS has been working on, and we get regular updates, as the agency is developing policies.

There was a recently-completed report by the GAO on allocation, and I will highlight that, because, if you recall, the South Atlantic and Gulf Councils were mentioned as needing to review allocations, and this was part of it, and so I think we provided you that report, back when it came out, and they noted that the recommendations are being operationalized in the Gulf of Mexico and South Atlantic, and we'll make some progress on that this week, when we talk about Spanish and begin to apply our allocation tool. They also noted that NMFS has an allocation policy, and it's due for a review, potentially, and so that will come up at our next meeting, to talk about when to do that review and what it will consist of.

NOAA has been working on plans for a proposed rule regarding data confidentiality, and so there's a number of topics there. You know, with the modern, electronic world we're in, data is an ongoing topic, and there's lots of data coming in, and it comes in various different ways than it used to, and so confidentiality is going to be looked at again.

We got an update on the budget. Right now, we're under a continuing resolution through December 16, 2022. They, at that time, and this was back in October, expected a budget to be approved perhaps sometime after the election, and we'll see how that plays out, I suppose. In the draft budgets, there was some increase in the amount of money that goes to the councils and commissions, and that's a section lumped together, us and the interstate commissions, an increase from \$1.5 to \$3.5 million, and so it probably doesn't keep up with inflation, given where things are, but, you know, an increase is always better than a decrease, and so we are very glad to have it.

Along those lines, one thing that was pointed out is, while there have been increases, the council and commission line has really declined, in real terms, since 2019, and most of the councils are more along the lines of funding that they had about 2015 or so, and so there's been some increases in recent years, but it's not really keeping pace with inflation, which will be, you know, probably

something we begin to talk about as we move past the COVID travel reduction years and begin to look into the next few years down the road.

One encouraging thing is the Inflation Reduction Act, that people have probably heard of, and there's \$3.3 billion in that to go across NOAA, and, at that time, they were still working on where that money was going to be spent, and distributed, and I understand that's probably still the case, but hopefully some money for consultations and permitting, and potentially \$150 million for new facilities and marine operations, which hopefully marine operations includes things like surveys and law enforcement, and \$2.6 for coastal climate preparedness and marine and fisheries stock assessments, which is encouraging to us, because we all need more of that as well.

As an action on this, the CCC reiterated a request that these funds be allocated to address shortfalls in data collection for marine fisheries stock assessments, and this has been a common thread of CCC comments, and in the councils, as opportunities have arisen, about the importance of maintaining the basics of data collection and stock assessments. There is a lot of initiatives out there that are competing for resources, you know, things like wind, things like climate change, and consistent messaging, coming from the CCC, that we've got to do the basics. The only way we can deal with wind, and climate change, and other challenges, is to continue to collect that basic, everyday fishery information that we rely on for all of our stocks.

Speaking of that, there was some discussion of the climate, ecosystem, and fisheries initiative, and so a way of providing climate information across NOAA, and another common theme we see is the bottom line is additional resources are needed to fully implement the initiative, and so the agency becomes subjected to a number of initiatives that will come, you know, out of Congress, or potentially out of the administration, and they need to respond to those, and they're not always given the money to do it, and so the unfunded initiatives are definitely real, and something that cut into getting the basic business done, which is why the CCC continues to be very steadfast in saying that's all good, but you've got to stick with the basic fisheries, and we've got to have that information to implement Magnuson.

There was some discussion of what's call the DISMAP tool, and it's something that NMFS rolled out back before the May CCC meeting, and so I'm thinking March or April, and it's about the distribution of species in response to climate change, and it supposedly will show how stocks will shift. The challenge with it, right now, for us -- As you guys are well aware, there is a Northeast Center, which collects data down to the Virginia-North Carolina line, and the Southeast Center, which collects data up to the Virginia-North Carolina line.

Our method of collecting data, in many cases, is involved with things like, you know, traps, and some longlines, and their method of collecting data is predominantly trawl. The two don't really compare, and so the species may be crossing over those lines, and so a big challenge, with this tool right now, is that it's really set up to illustrate species changes within either the Northeast or the Southeast, and so, for us, that's a concern, because our primary challenge is climate change is likely going to be those species that shift from our area into the Northeast area and into the jurisdictions of the Mid-Atlantic and New England Councils.

If something shifts along our coast, we can deal with it quite well, and we have the governance in place, and we do it, and so one of the things that we've raised, several times, with the CCC, and to the agency, is about getting this tool so it call really look at things across that critical junction

between the Northeast and Southeast. They're well aware of the issue, and they're talking about resolving it, potentially, by 2024, and so certainly not a small endeavor to somehow link together trawls and pots, but it's certainly critical, if we're going to truly respond to climate change.

An interesting sidebar that wasn't really expected to come up is there was discussion of hybrid meetings and that sort of thing, and we talked about that, but we also talked about the meeting the basic science, as I said, and so the CCC has been steadfast in this thing, that we need to meet the basic science. One of the issues in the Northeast has been port sampling, but, in general, everyone, nationwide, and so we know some regions we feel like have an awful lot of resources, but the reality is that everyone, nationwide, is struggling to meet the assessment needs, in light of all these other competing needs, and so we're not alone, and I just wanted to bring that out.

Representative Huffman, who has been one of the authors on Magnuson changes, addressed the CCC and talked about the state of future Magnuson bills, and I think most of that is largely uncertain at this time, and it really depends on the direction that Congress goes post-election and that sort of thing, and so, for the most part, it seems that that's largely on hold, but, as things develop on the legislative front, we will, of course, keep you in the loop.

There was something that I think is interesting to hear, for our group, was about improvements to the federal disaster response, and certainly I know the states are well-versed in the challenges of getting disaster monies, post-hurricane and that sort of thing, and the delays can be up to years, while you wait to get those relief funds, and so there's some discussion on legislation that would potentially provide some relief to that, and hopefully give some things that money can be spent on and lead to improvements in the overall disaster response, and so just something to keep an eye on and see where that goes over time.

They presented on the climate governance and scenario planning, which is the scenario planning workshop we've talked about, and we will talk about a little bit more at Full Council, and people just briefed on experiences around the nation, and Toni Kerns, from ASMFC, was talking about the experience here that we're in the midst of, and Bill Tweit, from the North Pacific, talked about their experience, because they have been working a little bit ahead, and they are some early adopters of these types of things, and so just showing that, at the CCC level, it's a great chance to see how other regions have dealt with stuff like this.

Along the governance lines, and dealing with climate change, is there is guidance that will be coming out addressing the jurisdictions of councils, and so it's about which council has the lead on a particular FMP, or a particular stock, and so this is something that NMFS has been trying to do, with the idea of getting ahead of potential climate change issues and having some guidance on how you may decide who is responsible for a stock, or, if a stock were to move appreciably out of one council's jurisdiction and into another's, how they might deal with the need to perhaps shift FMP authority from one council to another. This is in the draft phase, and we're continuing to review it and keep track of it, and we expect, at some point, to provide some council comments on this process.

That was the first day, and there were a lot of updates. There's a lot of topics that usually come at us, and it's like a firehose the first day, just getting up-to-speed, and the second day was discussion of best practices. Everyone is allowing virtual public participation, dealing with the post-COVID world really, but all the councils also noted that they really feel there is challenges in getting full

engagement and participation from virtual participants in hybrid meetings, and I think that's something that we certainly will recognize.

There was some discussion of what NMFS is trying to do in that regard, and how they're managing their employees and all of that, but the CCC really, in terms of a recommendation, encouraged NMFS to consider developing internal best practices for remote participation and to develop policies to ensure that key participants are able to attend meetings in-person, and so I think we've all experienced, and other councils shared as well, just having meetings where you feel like it would be a lot better if someone were in the room and not going remotely, and then the challenges of remote presenters, when you don't really have control over what's going on on their end, and so it's a shared challenge.

The agency has, you know, informed us that they're working on it, and all the councils are trying to work on it too, but the councils, for the most part, feel there's a lot of value in the face-to-face meetings, particularly for council meetings and AP meetings and SSCs, and we want to continue to do this.

There's been an ongoing discussion of preventing harassment, and the agency has worked on model policies for dealing with harassment, you know, both at the staff level as well as the council member, and even advisory, but just all of our public meeting levels, and so this is why you received information on the training plan, and you all should have received an email about taking your harassment training, and NMFS has made that available. It is a contract that they told us that expires in March, and so hopefully you can all get that done by March. We'll not sure what they will do as far as follow-up, but the councils have asked that there be some provisions in place for follow-up, for new members, for new staff, et cetera, so that this can be done, because I think we all know this kind of training is not something that just -- That you can do it once and think you've solved any issues, and you've got to come back to it repeatedly.

When we get to the handbook, one of the things that I mentioned earlier that will be included in there is updated policies from NMFS for council employees, for council members, for council advisors, that address harassment and behavioral expectations, and so I think that will greatly strengthen our handbook. We had language in there that you developed, but this will certainly help improve that.

There is discussion on international issues, and there was an update on equity and environmental justice, another one of those ongoing topics, and the CCC has had a working group, and it has agreed to formally establish that now, to deal with equity and environmental justice. There is some terms of reference for the group, and they will probably meet once a year, and there's been some discussion of a council EEJ workshop, but, at this point, we're waiting to see more information from NMFS, more guidance and direction, before the CCC commits to supporting that and funding that.

This I highlighted, because this comes up a lot, and NMFS is facing funding challenges in fully implementing EEJ, and so you hear this in climate, and you hear this in wind, and we've heard this in reporting, within our own region, and so it's a very real issue within the entire agency, I think.

America the Beautiful, hopefully folks remember this initiative to set aside 30 percent by 2030, and the CCC has had a subcommittee working on that, and they're just about done with their report,

and it's expected to be done soon, you know, maybe January, and we'll probably provide it to folks then, and we'll have a discussion of that in May, and so this is going to get into what the councils have done already, as far as protecting areas.

You know, it's going to deal with the MPAs, and the protected areas, and all of that sort of thing that abound within the oceans that the councils have implemented through Magnuson, in hopes of showing that, you know, maybe the picture is not so bad, in the oceans, as some of the initial rhetoric may have suggested.

We had a few updates on various committees, and there's a number of scientific areas that the CCC works in and has various standing groups that report back out to us, and, this year, we held the National SSC, as it's mostly known, but it's technically the Scientific Coordination Subcommittee meeting, and this was hosted by the North Pacific Council, and they met out in Sitka, and it's a very exciting place, for those who got to go, and they talked about fisheries management and changing ecosystems, and so it's folks from all the SSCs get together and have invited presenters and talk about a fairly technical issue that's relevant to all of the councils.

The recommendations, really summarized, coming out of there is we need to be working now for the complex management decisions that are going to come from climate change, and complex decisions need new, complex data, better analytical tools, and there's probably no surprise there, and we need a more sophisticated toolbox for dealing with these complex management decisions from our changing environment, and stakeholder engagement is going to be critical to actually make this a success. I think those are all things that we probably kind of realized, in the back of our minds, but this certainly solidifies the importance of all of them.

There is a communications sub-group, which is all of our communications representatives, and we're planning to have an in-person meeting of them, and it's been a number of years since they all got together, and they really share their best practices for sharing information across councils, and so it's a good opportunities for the Kim of all the councils to get together and talk about how they approach the communication challenges of the council world, and they've also got a joint meeting calendar, which is kind of useful if you're involved in multiple council businesses. At the council website, you can go on there and see when every council is meeting throughout the year, which can be really helpful in scheduling.

We got an update on the FAO Committee on Fisheries summit report, again the regular updates that we get, and we got an update on the National Standard 1 Technical Guidance, and so this has been an ongoing thing, to update the National Standards, and there were three sub-groups, and two and three were done in July of 2020 and September of 2022, and this has all been provided to you in the past, and, if you have any questions about it, we're glad to provide them again to you, and help you find it.

The next one that's up is first sub-group, which is working on MSY, reference points, and status determination criteria. This is definitely near-and-dear to our heart, and MSY drives much of what we do. The initial draft is out for review by the Science Centers, and we are hoping that we will get perhaps a final document for our May meeting, and we can then get into this and see how it's going to potentially affect our council business and our efforts to estimate MSY and status criteria. Let me see if there was anything else.

Endangered species is something the CCC has been pretty engaged in, and the general gist here is trying to get the councils to have a stronger voice in the process and to be involved earlier, so that we can more comment on draft proposals and not just react to things that are really put out and proposed and being said this is going to be done, and so there's a working group on that that's been addressing this issue for quite a while, and I'll just highlight a few of their changes now, where they have their recommendations.

There's a statement to encourage NMFS to work in close coordination with the councils, to have NMFS involve the councils early in the consultation process, to involve councils in developing RPMs, in addition to RPAs, and resolving disputes during the coordination process, and so it's kind of getting to like, if we don't agree with NMFS, necessarily, have some better way of resolving that. This is another thing that it's not a huge issue with us, in many cases, and it hasn't been in the past, but I think, as we're seeing this whale speed zone be proposed, it may elevate considerably, in our eyes and in importance to us in dealing with endangered species actions.

There's a lot of acronyms and such in there that I know are new to a lot of us, because we don't deal with it as much, and so, you know, don't -- Just, as always, feel free to reach out to us and ask about that, if you run across something in this, with any questions, and we're here to help you through it and learn our way through it, but I just wanted to highlight those few things, and there's a lot of information in this report, if you're interested, about this process and how the different councils interact with it and sort of where NMFS is.

Probably the biggest challenge that we face is, when it comes to this Endangered Species Act, you know, councils aren't really able to get a lot of information early, and we are, in many ways, the same as the general public, and things have to go through an entire process, and then be ready to be disseminated to the public, before we can get access to it, and look at it, and part of that is because we're not agency employees, and we're a public body, essentially, and so we're not able to tap into some aspects of the agency's development process, as a result. There is a working group report, and it's available with the meeting materials, and the CCC adopted that, and it just specifies what the CCC would like to have done on this issue.

Then we wrapped up with a little bit of other business, and I will point out that the next meeting will be May 23 through 25, hosted by the Gulf Council, as I said earlier, and it will be at the Key West Marriott Beachside Hotel in Key West, Florida, a place that most of us know quite well, having spent a week, and maybe a few extra days, there back in June, thanks to travel difficulties, and so that concludes my whirlwind report of the CCC meeting. Is there any questions on any of these specific topics? 3:42. Pretty good, huh?

DR. BELCHER: Three minutes to spare. Bob.

MR. BEAL: Thank you, Madam Chair. Just really on day-one of the comments from the CCC meeting that John mentioned, you mentioned the Inflation Reduction Act and three-plus-billion dollars available across NOAA as an agency, for a wide swath of projects, including stock assessments and operations and all sorts of things, and one of the pet projects that I've taken on, and I've talked to Mel Bell about it a bit, is replacing the Lady Lisa.

That's the vessel that is docked right outside Mel's window, and it's what I call a floating artificial reef. It's in pretty rough shape, and it is better than that, but not much, but, you know, the State of

South Carolina has identified over a million dollars to purchase a vessel, but that's not enough to purchase a vessel and retrofit it for the survey work that it does for SEAMAP, and a number of other things, and so, you know, I think, within the big chunk of money that's available through the IRA, and the broad topics in that three-plus billion dollars, the hope is that maybe about another million, or million-and-a-half, can be set aside to retrofit a vessel, if South Carolina is able to purchase it, to conduct the NEAMAP survey and do these sorts of things.

I think it's just an FYI at this point for the council, but, you know, the prioritization process of spending that \$3 billion is nebulous, at best, to me anyway, and I haven't really figured out who the gatekeeper is, necessarily, but I think we're going to keep working on that, at ASMFC, to make sure, because ASMFC kind of coordinates some of the SEAMAP activities, and so I just wanted to bring that to everyone's attention, and we're trying to get that vessel updated and replaced and make sure there is no holes in the time series of SEAMAP data in the South Atlantic.

I can keep this council informed, and there may be a point, somewhere along the way, where a letter from this council, or something like that, might be helpful, but I don't think we're there yet, and, you know, there is different ideas, or I've heard different things, about how NOAA may prioritize that money, and there may be an application period for projects and that sort of thing, and so we'll keep an eye on it, as ASMFC, and let this council know if there's any way that you can help.

DR. BELCHER: Thanks, Bob. Mel.

MR. BELL: Just for those that don't know, it is a -- The Lady Lisa is a South-Carolina-owned vessel, but she has served as a regional asset for the whole time we've had her, and she's forty-three years old, wooden-hulled trawler, and so she's in a little bit better shape than Bob alluded to, but she is old, and, also, if you know anything about repairs on a wooden vessel, or finding people that know how to repair a wooden trawler, it's just -- You know, she's ready to be replaced.

As a point of inflation, when we started down this process, with our general assembly and getting money, we honestly thought we could afford -- This was years ago, several years ago, that we could afford a vessel for the \$1.2 million we had or so, but, now, it's just -- You know, because of inflation, it's just ridiculous, the price, but that's just the nature of everything, and so we're just a little short right now, and the plan is for us to try to procure a steel-hulled vessel, and we would like to convert to a stern trawl, which would match what NEAMAP does, and so we're talking about, you know, similar gears, or methodologies, across that line, stern trawl and stern trawl, steel hull and -- Anyway, that's the plan, and, like Bob said, it's not a real simple thing, but we're -- I think we would have a better chance with this than passing the hat around or something to you guys, but that's our intention, but it is a regional asset that supports SEAMAP, as well as the reef fish stuff, and we do our longline work off there, and we've done some longline work over the years off of there.

DR. BELCHER: Okay. Dewey, quick, and then we're going to have to break to get ready for public comment.

MR. HEMILRIGHT: For Mel, how are you all going about securing, or looking for, a vessel? Do you all have an outfit that's looking for you, because there's a ton of vessels.

MR. BELL: We're a little farther along, and we're actually down to five possibilities, and we've got a -- It's a bid process and all, because it's state procurement, but we're hoping to, by the end of the year, kind of know which one we're liable to end up with, and so we're a little farther along, and the idea was to have the vessel in place kind of towards the beginning of the year, and we would do some initial refurbishment on it, and then to basically put this vessel in a condition that would be good for the next twenty or thirty years or whatever, and that's where the additional refurbishment money would be needed.

DR. BELCHER: Okay. I am going to go ahead and break us for now, and we're going to start back at four o'clock with public comment, and so I'll be getting with staff to figure out how we're setting up for the queue, but, again, we'll break until four o'clock.

(Whereupon, the meeting recessed on December 7, 2022.)

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DECEMBER 8, 2022

THURSDAY AFTERNOON SESSION

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The Full Council Session III of the South Atlantic Fishery Management Council reconvened at the Blockade Runner, Wrightsville Beach, North Carolina, on Thursday, December 8, 2022, and was called to order by Chairman Carolyn Belcher.

DR. BELCHER: We're going to start back, but, before we get back into council business, we would like to present Steve Poland with -- Well, I'm going to let you talk about what it is. It's under Mel's guidance, and so Mel can be the one to do the inaugural presentation.

MR. BELL: We have a little bit of unfinished business, and so this goes back to -- Recall that I was Chair a little while back, and I took over as Chair during what I call the troubles, the COVID time, the troubles, but so we went into virtual mode, and so recall that we had a number of our council members leave during our virtual world, and so we were unable to give them any sort of recognition of their service, and sort of send them off.

Now, we kind of said goodbye to them on the web, but that wasn't what we wanted to do, and so what we've been trying to do is catch up, and so, recall, at the last meeting, we presented David Whitaker, who had left during that time period, with a plaque, and that's what we wanted to do with Steve Poland, and so, Steve, come on up. Remember that Steve was my Vice Chair during that period, and then Steve got a better job offer, and so --

MR. POLAND: Not better, but just different.

MR. BELL: He had a good opportunity, and, while we hated to lose him, we were glad for Steve, in terms of his career and all, but we didn't get a chance to send Steve off with any kind of official remembrance of us, and so what I have here is a plaque, and it's proudly presented by the South Atlantic Fishery Management Council to Steven J. Poland for his exemplary service and

contributions to the conservation and management of South Atlantic fishery resources as a member of the council. Steve, we're catching up here, and thank you for coming today, and we wanted to present you with this.

MR. POLAND: Absolutely. Thank you, Mel. I appreciate it.

MR. BELL: Thank you.

MR. POLAND: That's awesome, and I do miss everybody. I miss the process. I don't miss the travel, but I just miss the destinations, but thank you. Thank you, all, and this is great.

DR. BELCHER: Okay, and so, continuing on, we will now go into Full Council Session III. We're in the homestretch. Myra is going to talk with us about the Council Member Ongoing Development training that we attended in Denver, Colorado, last month, and she'll give you the update on that, and then, as folks want to fill-in, for those of us who went, we can augment what Myra presents, and so go ahead, Myra.

MS. BROUWER: Thank you, Carolyn, and so Carolyn, Trish, Kerry, Jessica, and I had the opportunity to attend the Council Member Ongoing Development, CMOD, meeting in Denver in November, and I just wanted to give you a very quick kind of rundown of what that was all about and the kinds of take-home messages and what everybody else is up to. This is something that originated, in my understanding, at the CCC, and so it was put together to give council members an opportunity to sort of, you know, compare notes, and learn from each other, and so it was a two-day meeting. It was facilitated by Katie Latanich and Kim Gordon, who many of you probably know from the Fisheries Forum that they conducted that was really useful for council members and staff.

The topic of this year's CMOD meeting was ecosystem-based fisheries management and ecosystem-based approaches to fisheries management, and so EBFM is the acronym that you will hear me talk about here during this presentation, and so, in the beginning, at the very first gathering, we had several council staff present how each of the councils has approached ecosystem-based fisheries management and the kinds of techniques and lessons learned and all that good stuff, and so I'm going to start with just kind of a quick rundown, and, you know, this is not something that is in your briefing book, and I was just going to do this basically just verbally, but I figured you kind of probably wanted a visual, other than just me sitting here talking, and so these are my notes.

The North Pacific, their journey in EBFM started with some litigation, which prompted a programmatic evaluation of their groundfish fisheries, and so they have built a management framework around ecosystem-based fisheries management, and so they've got objectives and an ecosystem vision statement, and they have two fishery ecosystem plans, one for the Aleutian Islands and one for the Bering Sea. Their documents are strategic documents, and the quote there is "action informing and not action forming", and they do like a big evaluation of the cumulative effects for those two ecosystems.

They have a climate change taskforce, and so they produce a synthesis report for the council, and they talked about ongoing challenges, of course, and kind of shared their experience, and managing expectations is a challenge, stakeholder buy-in, kind of the same things that we all have to deal

with, and then how to fit this approach of EBFM into the existing management framework has also been something they've struggled with.

The Pacific Council started addressing EBFM in 2009, and they do have ecosystem advisory sub-panels for each of their FMPs, and "inform, but do not overwhelm" is the quote that kind of exemplifies what they've been trying to do, and they did talk about a krill harvest ban that was initially disapproved that they kind of pushed through, and that was sort of an example of how they've incorporated this into their management, and they've been very involved, as you know, with the climate change scenario planning process, and we heard from Jonathan Star earlier this week, and so they've gone through everything that we've been doing along the east coast for the last couple of years, and so they have a climate and communities initiative scenario planning, is what they call it.

The Western Pacific, moving down, they have -- They operate under what they call the three pillars of EBFM for their region, which are science and data, the council process, and building community resilience and stakeholder engagement. They did hold an ecosystem science and planning workshop in 2007, and they were able to develop objectives to guide the implementation of their fishery ecosystem approaches, and so they have focused on shifting from the species-based FMPs to sort of a place-based FEP, and so they have FEPs for their island regions. They include an ecosystem chapter in their SAFE reports, and they have ecosystem considerations in every amendment that they produce.

The Gulf of Mexico Council staff reported on what their council does, and they have an Ecosystem Committee and Special Ecosystem Scientific and Statistical Committee, and also an Ecosystem Technical Committee, is what I understood, and so they talked a lot about the red grouper work that's been going on in the Gulf, and we heard about the red tide history survey that the Southeast Fisheries Science Center has been conducting and how that's been incorporated into the red grouper assessment, and they modeled red tide removals as a fleet in that assessment, and so it was really interesting to hear that project. They also talked about having contracted with LGL Ecological Associates for development of their Gulf of Mexico FEP.

In the Caribbean, they've been moving from species-specific FMPs to island-based FMPs, and sort of similar to what the Western Pacific has been doing, and they talked about this being a direct response to stakeholder requests, and fishermen said we want you, council, to do this, and go about it in this manner, and they have developed goals and objectives and are waiting for their ecosystem status report, and that hasn't been completed for that region yet. They do have a mission statement, and they've completed a conceptual model for their FEP and an outline for their FEP.

The Mid-Atlantic has an ecosystem approach fishery management decision framework that's been structured after NOAA's integrated assessment guidance, and so they do a risk assessment, in which they prioritize their actions, and they have refined those priorities in a conceptual model, and that was completed in 2019, and then they're in the process of analyzing that with a management strategy evaluation, which is for summer flounder, and they're looking at -- They have identified and have started evaluating management procedures to reduce recreational discards in that fishery. They also have an unmanaged forage fish amendment, and they have designated ecosystem component species through that, and they obtain an unmanaged species landings report from GARFO, which I believe they get annually, and they do also have a Northeast Regional Marine Fish Habitat Assessment, which they employ in their ecosystem-based activities.

New England, the last council, they also have a risk policy type of approach that is related to ecosystem-based fisheries management, and their staff prepares this very large risk matrix, and then they present it to the SSC, and they go on to then build a structured framework for decision-making based on that, and they are currently developing an ecosystem plan for Georges Bank.

They talked about their outreach and public education type of material that they have on their website, and they have something that they called an example FEP, which kind of describes just the framework that the council is using, and it focuses, like I said, on Georges Bank, and so they have stock complexes and fishery functional groups and harvest control rules that are applied to those groups, as opposed to single species.

We also heard, you know, about specific projects, and we talked about how it was difficult for the regions to figure out a systematic approach to incorporating EBFM into what they do, and so one of the take-aways that I got out of those various presentations was that a lot of councils are already doing EBFM, and there's a lot of regions that have multispecies, and stock complexes, and all the councils have to, you know, address non-fishing activities in the regions, and so, you know, they've talked about it doesn't matter what you call it, as long as it's meeting the needs of the stakeholders, and so that was kind of nice to hear, that there's this acknowledgement that councils are already in fact doing a lot of work to meet EBFM.

We also -- Again, you know, this is kind of just a listing of everything that's happening in various regions, and so I wanted you all to kind of see the different products and things that are being developed. In Alaska, they have these ESR, ecosystem status report, in brief summaries, which have a section that is specifically geared towards management, and it gets filled out after the council discusses and makes decisions on things, and so it was really nice to see how that is put together. They have ecosystem and socioeconomic profiles, and this is something that's developing in Alaska and in New England, and it is appended to and presented with stock assessments, to help managers kind of integrate all the information at the same time, and they do also have stock-specific indicators.

A little bit more on that, and let's see. We talked about ecosystem status reports and how the various councils are using them, and there are some councils that get them more frequently, and, you know, staff also have ways to, like I said, synthesize a lot of this information and make it more digestible for managers. I think I'm going to probably just stop there, because this is just going on forever, and so I apologize that it's so lengthy, and so I would be more than happy to answer questions, but, basically, it was a really good meeting, and I got a lot out of it.

I think there was a really good response from council members and staff that were present, and there were folks from the Science Center, and also the regions, and they had a very interesting little training, or what would you call it, but like an interactive thing, where we talked about making motions, and how to go about making effective motions, and I found that really interesting, and also really revealing, because different councils do things very differently. For example, some councils have public comment after every motion, and so that sounded really painful, and so, anyway, it was a really good meeting, and I think the feedback that I think they got was that the CCC hopefully will continue to encourage and, you know, councils will continue to put this on, and the facilitators were amazing, and so, anyway, now I will stop, and you guys talk.

DR. BELCHER: Monica.

MS. SMIT-BRUNELLO: Myra, if this isn't already in the briefing book, could you make sure it gets in the briefing book? I think it might be really helpful to look back on it, for me, and for other council members, and staff, whomever, and think about other ideas and other ways we might approach things.

MS. BROUWER: Sure. I will make it pretty, and we'll put it up on the website.

DR. BELCHER: Andy.

MR. STRELCHECK: Thanks for the presentation, and it's always interesting to kind of hear the differences going on across the councils, and across even NMFS regions, in terms of how much work has been put into both climate science and EBFM. I think two comments, and one is the on-ramps, and so I really appreciate that. I think, you know, people often get kind of intimidated by what is meant by ecosystem-based fisheries management, and I think there's some on-ramp opportunities that we can be taking advantage of, at a smaller scale, in terms of how we manage -
- Taking into account ecosystem considerations, and so I really want to look toward those.

The other thing is that we have certainly been building a lot of tools, metrics, risk assessments, analyses in the region over time, and we'll continue to be doing that, and I want to figure out a way as how we now plug that into the management process and really fully utilize that, because I think there is a lot of information that's now forthcoming that is available to us, and it's a matter of, you know, the on-ramp, in terms of how that then gets utilized for this council, and so I just wanted to note that. Thanks.

MS. BROUWER: The last little bit that I will just point to the link on there is the website where all the presentations are going to be posted, and they're developing a summary report of the meeting, and I don't think that's been finalized yet, but I encourage everybody to check out those presentations, and they were really, really informative.

DR. BELCHER: John Walter.

DR. WALTER: Thank you, Myra, and I really like the cross-council like exploration of what different councils are doing, and I think I sometimes feel that we're somewhat maybe behind the curve of some of the other councils, but then, again, I also find that I think that we can learn so much what they've done, in a lot of ways, and maybe not make some of the -- We can go down the path that's most valuable and efficient for us, and I think one of the things that is clear is you don't need to do it all, and starting smaller, on the key things, may be exactly what's needed, and I think that's -- Like, for instance, maybe we don't need to set something like an entire ecosystem-type quota, or something like that, like some of them, and we could probably be very efficient with other things.

I will put a little plug in for some of our Science Center, and particularly Kevin, who is going to be giving the ecosystem status report and the climate vulnerability analysis, which is really one of our first steps in being able to address EBFM in a more comprehensive context, and I think you'll get a good overview of that, and, as we want to embark further on it, then I think that the next steps -- Kevin could probably talk about, and be happy to talk about, the next steps of like risk

assessments or scenario planning, like the climate scenario planning, and so I would just want to say stay tuned for what's coming next this afternoon. Thanks.

DR. BELCHER: Thanks. Those of us who were in attendance, is there anything that you all wanted to say, in addition to what Myra put out there? Jessica.

MS. MCCAWLEY: I thought Myra did a really great job summarizing kind of what we learned from the training, and I didn't go to any of the Fisheries Forums of the past, but I definitely thought that this format, and this training, was super useful, and I look forward to continuing the discussions here at our council, and so I'm just really appreciative to have the opportunity, and I thought it was great.

DR. BELCHER: Kerry or Trish, anything that you want to add?

MS. MARHEFKA: Just echoing everything, and it was a great experience, and I hope -- These guys were slightly ribbing me that it was a boondoggle, and so just -- The reason that I bring that up is because there is going to be opportunities for this in the future, and I think that they were wondering how useful it was, to bring back to the CCC, and it is more -- It's the most useful thing I've done, outside of a council meeting. It's incredibly useful, and I hope that everyone gets a chance for this particular boondoggle, because it's very, very educational, and I learned so much, and so I hope that the CCC is supportive of more of these in the future.

DR. BELCHER: I will add to that. I mean, having attended the National SSC meetings, as an SSC member, all those many moons ago, and having that ability to see how everybody is dealing with these new initiatives, as they've hit the table, and, at that point, we were talking about how are we dealing with modeling uncertainty and ABC control rules and all of that, and it was a really good informational exchange, to see -- Because you come in, and you're loaded for bear, with, you know, we've got all these species, and we can't do anything, and then you realize that, okay, well, maybe we're not as bad off as some other people are, but you start learning about the different tools in the toolboxes and the things that, you know, some of these -- We don't deal with these -- We've got long-lived species, and so the gives and takes of the different approaches and what may work and doesn't work, necessarily, based on regions.

I really enjoyed my time with the National SSCs, and this, to me, and I put that on their record, reminded me a lot of that. It's a lot of that exchange of brainpower, and what are you doing, and how are you getting there, and what are the things that pushed you over the edge to get there type of things, and so it was definitely -- I would not hesitate to tell anybody that, if you have the opportunity to go to one of these -- It's a really good share of information. Any other questions for those of us who went or Myra? Okay. Thanks, Myra. Moving on, next on our agenda is the Habitat Protection and Ecosystem Advisory Panel Report from Cindy Cooksey.

MS. COOKSEY: Good afternoon, everyone. I just wanted to introduce myself, as I have been Chair of the Habitat AP for a year, but this is my first chance being able to present a report-out to the council, and so, again, Cindy Cooksey, and I am with the NOAA Fisheries Southeast Regional Office Habitat Conservation Division, and I am located out of Charleston, South Carolina.

I am providing this brief summary of the activities and the discussions that we had at our November AP meeting, but we actually covered a tremendous amount of material at the last meeting, and so

I would recommend that everyone really take a good read-through of the material in the briefing book, our written write-out, because I will really only have time to kind of skim through the highlights of what we went over.

Our meeting started out by having Pace Wilber, with the NOAA Fisheries Habitat Conservation Division come in and provide an update, an overview, of EFH consultations occurring in the Southeast, and one of the kind of big messages that the AP panel member were able to focus on, in discussion, after Pace's presentation, was the fact that the EFH review workload has shifted, over the past few years in the Southeast, and there has been a reduction in the overall number of public notices that are currently being reviewed.

However, HCD has shifted their focus to be heavily looking at large-scale infrastructure projects, and, by that, they're meaning port projects, as well as offshore wind energy projects, being two big examples, and so, while HCD is reviewing a fewer number of projects and public notices, because of the amount of acres being potentially impacted by these large-scale projects, they are still able to review and provide EFH recommendations on the majority of acres being impacted in the Southeast.

The AP members made note of the fact that the state agencies rely very heavily on their federal partners in the regulatory review process and that they would like to see the same kind of presentation that Pace provided from the Fish and Wildlife Service, to get a handle on what their permit review numbers are, and then a particular note, from Pace's presentation, was his report that eDNA sampling has determined that Atlantic sturgeon are spawning above a fish passage restoration project at the Cape Fear Lock and Dam Number 1, and so that was very good news.

After that, we had David Dale, again with NOAA Fisheries HCD, come in and provide a presentation on the considerations and responsibilities in the EFH five-year review process, and he was able to provide some clarifications to the panel on where responsibilities are and what our previous reviews have been, and so, in essence, under Magnuson-Stevens, the five-year review of EFH designations is a council responsibility that NOAA Fisheries is assisting with, and the initial five year review was the development of the EFH users guide, that hopefully many of you are familiar with, and that FEP II constituted the last, previous, five-year review.

Now we have our next five-year review is due in 2024, and the AP would like to begin planning for that review at this time, and our discussions led us to believe the approach of evaluating the current designations and then determining how best it conduct the five-year review would be our best approach. David was able to talk to us about what some of the other councils have done as part of their review process, and we think that going in and getting a handle on what we currently have, compared to the latest science, and then evaluating our options, would actually include going in and modifying the EFH users guide, revisiting FEP II, and/or recommending the designations, if that's needed.

Our AP recommended out that, if directed by the council, we would start planning for a spring AP meeting to take a deep dive on one federally-managed species complex and their EFH designations, specifically penaeid shrimp, and the idea is that the AP can conduct a narrowly-focused working session to engage outside experts in providing updates on the latest science on penaeid shrimp life histories, with specific regard to the changing climate, a review of the existing EFH designations, and then a discussion on avenues to complete the EFH five-year review.

Eventually, over the next couple of years, we would then be able to carry that same process forward for our other complexes.

That then moved us on to the draft EFH policy statement on beach dredging and large-scale coastal engineering, and so, approximately two years ago, the AP formed a subcommittee, in order to address this policy, which was originally authored in 2015. For the first year, myself, and the other members of the subcommittee, worked on reviewing the policy, as well as editing it, and then, in November of 2021, during that AP meeting, we went through the policy, line-by-line, with the entire panel, collecting comments.

Then we went back and went through all of those comments and revised the draft policy yet again, and then, at last month's meeting, we presented the final draft and went through it line-by-line, with the entire panel, which we've now finished the edits, and we are now going to be submitting it to the council for consideration of approval, which I understand will occur in March.

The next morning, we were able to start off our full day of the panel with a session focused on offshore wind energy activities, and I must say this was actually a really interesting and unique opportunity, in that, working with BOEM, we were able to bring together all three leaseholders for North Carolina, and they were able to provide presentations for us, and so, as you probably all know, the most recent offshore wind sale in the Southeast was for Carolina Long Bay, which was divided into two leases, and those leaseholders are TotalEnergies and Duke Energy.

Then we've also had the long-standing wind energy area, Kitty Hawk, which is -- That lease is owned by Avangrid, and so representatives from all three of those companies were able to present to us, and the panel was able to engage in a rather long and nice discussion with the parties, and kind of the highlights of that were members discussing how to ensure future efforts to minimize impacts on EFH and associated fisheries, as well as the value, investigating the value, that new structures could provide as research platforms, as well as fishing opportunities for council-managed species.

Members did raise concern over cable routing in through North Carolina estuaries and suggested that the companies coordinate on shared routes, where possible, to reduce potential impacts, and the North Carolina coastal management perspective very strongly recommended that no cables be routed through Pamlico Sound. Additionally, members were concerned regarding cables impacting migratory routes, and BOEM noted that their recent EMF studies, conducted to-date, have shown there has been no impact to fish movement.

The council also recommended, to the companies, that they reach out to Chris Taylor, with NOAA's National Centers for Coastal Ocean Science, who did early work characterizing the Carolina Long Bay area and that they would do well to engage with them as they plan their site characterization studies moving forward.

This then led us into a discussion on the existing EFH policy statement on energy, and so, considering that this statement dates back to 2015, where there were different concerns, primary energy concerns, and that was offshore oil and gas and energy exploration. However, now we have this rapidly-developing renewable wind and offshore energy in the South Atlantic region, and the AP is recommending that the council direct us to initiate an update and refinement of the

EFH policy statement on energy exploration and development, similar to what we have just been completing for beach nourishment.

Then we had the opportunity for Tom Hourigan's group, with deep-sea corals, to provide an overview of the research that they have been conducting in the Southeast on mapping and characterization of deep-water lophelia reef habitats on the Blake Plateau, and it was quite a fascinating series of the three presentations that they were able to provide to us, and the recommendations, and kind of discussion points of highlight were that the panel was able to provide comments on the research and mapping, as well as recommendations on additional future research, and as well as avenues that the council may want to consider in long-term conservation of these newly-discovered deepwater lophelia habitats that are coming out of the research that they've been conducting.

We did note that mapping has shown that the initial boundaries of the coral HAPC did an excellent job of capturing many of the deepwater coral habitats. However, new concentrations of deepwater corals have been discovered, as part of this work, and we recommend that the council look at potentially expanding the coral HAPC boundaries to include these newly-discovered and documented areas. We also wanted to make sure that we reached out to the Coral AP, so that they can be also briefed on this research and mapping and consider supporting the Habitat AP recommendation, which I have already done, by reaching out to the Coral AP Chair.

Council staff provided members an overview of the east coast climate scenario planning initiative as well as preliminary results of their scoping process. The panel then discussed how efforts can advance our coordination, understanding, and planning, to address future conditions associated with climate change, and members noted that climate change is already impacting certain species. They discussed managing comprehensively and shifting away from managing species-by-species, and they also noted that, once completed, the South Atlantic climate vulnerability assessment would help identify species vulnerability, which would affect future management challenges in these various scenarios.

We then had a series of presentations related to regional research and tools supporting EFH conservation, including updates on regional surveys, the data portal integration between SEAMAP and SECOORA, which helps provide long-term habitat and species information needs supporting the council's habitat conservation efforts. Members appreciated the updates and encouraged the continued integration of this information into the FEP II, as well as other council applications. Members also discussed the information provided in the FEP II dashboard that is not currently available online. This information is valuable, and, while presently under review, as part of the council's website changes, the panel recommends the information be added back to the website, when possible.

Lastly, our panel finished up with a presentation from Beth Dieveney, with the Florida Keys National Marine Sanctuary, on their restoration blueprint and the proposed rule supporting it. Overall, the members' comments focused on, given the cascading adverse impacts the sanctuary is experiencing, the proposed rule seems to be a well-balanced approach and addresses the comments that the council submitted on the draft EIS. It was important to emphasize that the staff are actively engaged in commenting on water quality impacts and that there was a general consensus from the panel of supporting the proposed rule, and so thank you, and that's a summary of our November meeting. Are there any questions?

DR. BELCHER: Thank you, Cindy. Questions or comments? Laurilee.

MS. THOMPSON: That was awesome, Cindy, and I can't -- I don't see it in our stuff, and would I be able to get her presentation that she just did? That would be really good. My question, and I have a bunch of questions, actually, but, for the ongoing activities at the Kennedy Space Center, does NOAA Fisheries have any kind of voice in what's taking place there, you know, because we've done a lot of work to set aside the Oculina Reef habitat, and the lophelia and deepwater corals habitat, and space junk is raining out of the sky onto these essential fish habitats off of Cape Canaveral, and I know that it's happening in the Oculina Reef, because our rock shrimp boats are towing inshore and offshore off the reef, and they are progressively collecting more and more space junk.

It's tearing up their nets, and they're losing their catches, and they're losing fishing time, and now we have a new proposal, where we were commenting on splashdown areas, where things that are coming back from space are going to land in the ocean, and they're going to release the residual fuels that are still onboard the spacecraft into the ocean, and that includes benzene and oils and other hazardous substances that are so terrible that boats aren't allowed in the area where they're going to be. That's my first question, and I will pause to see if you guys -- Do you have any kind of input on what's taking place there?

MS. COOKSEY: One, I am absolutely fascinated to learn about the fishers pulling up the debris, and I would love to figure out some way to document that, because, you know, as part of the regulatory process, we would have, in the past, reviewed a permit for those activities, and I've recently been involved in the permit review for spaceport activities off the coast of Georgia, and one of the concerns that we brought up was the potential for debris fall, and there was no information anywhere to get a handle on how much of a hazard that was, and so I would love to be able to learn more about that, but, because this is an activity that's already been permitted, I am personally not aware of many options we would have to address that issue now.

MS. THOMPSON: Are you sure that it's been permitted? I have tons of pictures, and I've got all kinds of pictures, from all kinds of boats, and it's getting worse, and, you know, eventually, they're going to be launching -- Their goal is to launch a rocket a day, and so it's impacting air traffic, and it's actually impacting air traffic to the Orlando International Airport, and it's impacting cruise ships, and it's certainly impacting commercial and recreational fishing boats.

Then my next question is does NOAA Fisheries -- Are you guys reviewing the permits that are being requested by the commercial space businesses and all the development, the new development, that's taking place at the space center, because they are -- If all of these permits go through, and all this development happens, they're going to be dumping a lot of new fresh water into the Indian River Lagoon, the northern Indian River Lagoon, the northern Banana River Lagoon, and the southern Mosquito Lagoon, and these are closed systems. The Banana River has a two-and-a-half-year residency time, and the northern IRL is a year-and-a-half, and so is the southern Mosquito Lagoon, and so all of this stuff that they're going to be putting into these estuaries is -- It's going to alter the salinity of the estuaries.

We've already lost most of our seagrass, and we're doing seagrass restoration projects, and we're desperately trying to get stuff back, and we've lost our clams, and we've lost our oysters, and, if

they put that much fresh water into those closed systems, we'll never be able to restore them, and so is NOAA Fisheries -- Are you involved in the permitting on the development that is taking place on the Kennedy Space Center?

MS. COOKSEY: So I am personally not familiar with that particular issue, but, from the regulatory perspective, if there are federal permits being issued, say from the Army Corps of Engineers, serving as a federal nexus, then, yes, NOAA would be involved, as part of that, and certainly I would love to talk with you more offline on that, and see if I can find out additional information, and/or who might be a better resource to put you in touch with.

MS. THOMPSON: That would be incredible, because we're having a really hard time chasing these projects down. They're not real out in the open about when they're having these comment windows of opportunity. I mean, I can get plenty of people that can comment, but we just can't figure out when the windows are open, and so that would be good. I've taken enough of your time, and so thank you very much, and I would love to talk with you offline.

MS. COOKSEY: Absolutely.

DR. BELCHER: Are there further questions for Cindy? Andy.

MR. STRELCHECK: Not necessarily a question for Cindy, and I certainly want to thank her for serving as the AP Chair, and for her presentation today, and I guess I did have a question for her, but it's maybe a process question for the council, and so they are recommending looking at these deepwater coral HAPCs, and potential expansion, and does the AP have specific recommendations, and then, if so, how do we plug that into our planning process and priorities?

MS. COOKSEY: We did not have specific recommendations, other than recommending that the council begin considering this, moving forward, especially given the fact that the coral program is still completing their modeling effort associated with the data that has come out of their cruise research, and so it's not ready to actively pursue, but we wanted to get that on your upcoming agendas.

MS. BROUWER: Andy, the Habitat Committee is scheduled to meet in March, and so that's where a lot of these topics are going to come back to the council, including, you know, coral items, and EFH items, and these various policy reviews, and so we'll flesh-out that agenda for March.

DR. BELCHER: Jessica.

MS. MCCAWLEY: Just so I understand, to ask Myra a question, and so then the revised policy that's in the briefing book, that has to do with beach renourishment, we don't need to act on it at this time, and that will just go to the committee for the March meeting, and is that right?

MS. BROUWER: That is what we were envisioning, so that committee has a little bit more time to kind of digest it, and I know we heard some public comments on that last night, and so that's the idea.

DR. BELCHER: Are there further comments, or questions, at this point for Cindy? John Walter.

DR. WALTER: Thanks, Cindy, and I was going through the report, and it's really comprehensive. There is a ton of information there, and links to a lot of things, and one thing that I really wanted to highlight was all of the activity with offshore wind, and it seems like that there is -- One, there's a lot going on, but then, with the recent opening-up of the South Atlantic to potential new lease sales, there is the potential for more.

I think one of the things that we saw, in the Gulf of Mexico, was that prior upfront planning is really the key to mitigating for any kind of other problems, and that it's that upfront planning before the lease sale is when all the action happens, because, once the lease sale happens, there's a lot of work, but a company is in it for millions of dollars, and I think what would be really good to do is to consider embarking upon a comprehensive marine spatial planning for the entire South Atlantic, so that that deconflicting, or finding the right places, for wind can be done, and I think the model in the Gulf really sets a standard for that.

It also -- The same kind of -- That's the model that was used for the aquaculture opportunity areas, and I've heard a number of people say that they're interested in aquaculture getting a little bit more off the shore and into the water, but that requires finding the right place for it, which is what the aquaculture opportunity area modeling exercise did, and I think what would be useful, where my point is, is that hearing from the council that that might be a priority could certainly help NOAA prioritize that kind of an exercise, that this is something that particular our partners at NCOS are experts in, and we, as a Science Center, can provide a lot of the curated datasets for that exercise, and, if we heard that that was indeed a priority, and I think it should be, because I saw the success of the Gulf, then a letter, perhaps, from the council would help to motivate that. Thanks.

DR. BELCHER: Thanks, John. Other comments or questions? Dewey.

MR. HEMILRIGHT: I would just like to add to John's comments about the spatial management part and how helpful it would be, beforehand, if that was available. In the pelagic longline industry, and I'm sure you all have heard me talk about Areas E and F off the central Atlantic area, and we're going through some exercises, with the deconflicting and looking at spatial management, with the help of the team down in Beaufort, and it's been very -- It was a very good exercise, and it helps with -- On November 14, when they come out with the new areas, the areas that pelagic longline, through our vessel monitoring system and other things, of deconflicting, whether it be the Department of Defense and others, but it was able to make a smaller area, a smaller footprint, that was suitable, or possibly suitable, for wind turbine activity.

I would highly recommend anything the council going, forward, beforehand, that would help with looking at spatial management, beforehand, before leases happen, in partnership with BOEM and NOAA together, because I think it's very helpful, given the limited amount of space in the ocean and where we fish at, and some places are -- They were used for vessel monitoring systems, which is pretty -- It's very accurate, and it shows your footprint, versus some other things that we don't have yet for fisheries, but I would highly recommend that the council send a letter supporting something, a management tool, or a tool to look at, for spatial management, going ahead, because I think it would be very helpful for everybody.

DR. BELCHER: Thanks, Dewey. Other comments or questions for Cindy? Okay. Thanks again, Cindy.

MS. COOKSEY: Okay. Thank you.

DR. BELCHER: All right. Next on the agenda is Atlantic Large Whale Take Reduction Team Update, and this is Charlie Phillips. Charlie.

MS. BROUWER: While Charlie is making his way up here, I will note that Attachment 3 in the briefing book is the letter that the council submitted addressing the speed rule for North Atlantic right whales, and so that's the attachment that is associated with this item.

MR. PHILLIPS: Hi there, and it's nice to be back and see some old faces, and I will -- When Zach Bowen nominated me to be the liaison for the whale team, many years ago, I didn't think it was a really important thing. I was wrong. Thanks, Zach, wherever you are. With that said, I have gone through days and days of webinars, and I don't mean two hours a day, and I mean like eight hours a day, and it has been some of the hardest negotiations between fishermen and the regulators that I have ever seen, and the fishermen have been working with the regulators to the best of their abilities, asking questions, and most of the risk is in the Northeast. It's a little in the Mid-Atlantic, but almost of all of it is in the Northeast, and it's going to be centered around lobster gear and snow crab gear and things like that.

They're changing the regulations on gillnets, monkfish, dogfish, almost everything, and I don't think anybody has got away. Even down here, in the Southeast, and our risk was basically zero, because, even though we have whales, we don't have any gear in the water, because our black sea bass pots are closed where the whales are.

The risk that we do have is I think it was three-tenths of a percent, 1 percent Georgia, or one-tenth of a percent Georgia, one-tenth for South Carolina, and 0.2 for Florida, and these are the estimated risk, and so they've even talked to the state managers about modifying blue crabs regs, and where they fish, to maybe try to move them closer to shore, to have some closed seasons, cap the number of traps, and those are, you know, ongoing conversations, because a lot of the blue crab fishery is, obviously, managed by the states, and different states have different regs, and some of it has to go through the legislature, like South Carolina, which is not, you know, cut-and-dried.

I don't know if you all know, but I've been working with ropeless, with some of the scientists, for a while, and the regulators, up north, they would really -- They are banking on ropeless as being the solution, or at least part of the solution, and so I think the team is going to recommend that our black sea bass closure area become part of the TRT rules, and so, that said, they will let black sea bass fish ropeless during the closed season, and so the council is going to have to figure out what kind of gear markings they want to use, and things like that, or do they want gear markings, or how they're going to run those rabbits.

It would be good for the fishermen to be able to fish inshore, closer, in the winter months, and, if we can do it safely with whales, that's great. If we can help figure out how the gear works, then maybe somebody else can use it later, up north or something, and maybe they can or maybe they can't, but, really, what we would like to do is, you know, try to make it work for our fishermen, and so I would expect that's going to be part of the final rule.

They did -- I think they've had the final -- I'm going to call it negotiations, for lack of a better word, because, when NOAA lost the lawsuit, and they had to do something, because the NGOs

said they weren't doing things fast enough, and they lost the lawsuit, it became a matter of not when, or if, but we're doing it, and they have a decision tool that measures lines in the water and cooccurrence, and that's how they measure risk.

The risk that they were trying to take out was they were looking at 88 to 90 percent risk, and that's how much risk they were taking out of the water, and most of that's going to be in the Northeast, because that's where all the lines are, and so those guys are going to undergo some really hard regulations.

One of the things that they're looking at is trying to make the trawls longer, for lobsters, so that you've got less endlines per, you know, number of traps, and maybe doing one endline, or maybe a ropeless on one end and a buoy on the other, but, because they've got mobile gear up there, people dragging for scallops and groundfish and stuff, and, if it's not marked, then you've got gear conflict, and so NOAA has put in that they are committed to trying to have geolocation, some kind of geolocation, technology that everybody can use, and so, if you put ropeless gear out, everybody can figure out where it's at, and you're not interacting with it, but it's going to have to be real-time.

You can do it through cellular, and like, the black sea bass guys, and, if we wanted to do it, we could do it through cellular, because there's not many of us, and there's nobody dragging there, and, if we set a trap on top of another trap, it's not that big of a deal. If you set out a string of lobster traps, and you don't get back to the dock for three or four days before you can upload, or download, your data, and your stuff is probably going to -- There's a good chance it's going to be drug-up by somebody, and so it's got to be real-time, or it's just not going to work for those guys offshore.

They've got -- I heard one of them say that, if they figure out, by the end of 2023, that they can't make it work by the end of 2024, their fallback is maybe just closing the areas, or I guess some of them -- They've gone to a lot more weak rope, and so that lowers the risk, but it is -- It's pretty dire, and I will use that word, and I asked them, and what about the speed limit rule, because I figured somebody want to know about the speed limit rule, and they would not let us talk about the speed limit rule at TRT. It was not part of our deliberations. Our deliberations were vertical lines in the water, gillnets, and they would not let us talk about it.

I did hear one of the industry people from Maine, and she said that they were looking at a 27 percent risk reduction, and I don't know if that's the number or not, but they were looking at some kind of risk reduction that was much less than what the commercial guys were going to have to deal with, and, when I asked the NOAA team, I said, what do I tell the council, and they said, we're still taking public comment, and we don't have a rule yet, and so they don't know what they're going to do yet.

The judge may have it already framed in a box on what they're going to do, but they haven't told us what they're going to do, and so, like I say, this is probably some of the hardest deliberations that I have seen in any time since I've been doing any of this fishery management stuff, and everybody really came to the table. You know, I think everybody was at the table in good faith, and, obviously, when you've got such a wide range of stakeholders, you're going to have a wide range of ideas on what will work and what won't, but everybody was at the table in good faith, and the NOAA team did a really good job of, you know, focusing the questions, and the comments,

and we had breakout groups for the Southeast, Mid-Atlantic, and various places, because there was a different answer for just about every area.

Some of the places were willing for longer closures, and some of them could fish weak rope. If you were in really deep water, and weak rope didn't work, they were looking at maybe longer trawls, but everybody came to the table and trying to look for a solution. You know, everybody - - There is nobody like wringing their hands like we can't fix this, and some of the fishermen are definitely wondering how I'm going to survive under these regs, but, anyway, it was --

I will say it was heart-wrenching, sometimes, listening to the fishermen up there and trying to figure how they were going to survive, when the risk reduction they were giving up seemed like a very small number, compared to the regulations they were going to have to deal with, and so we should be very glad that we don't have to deal with this, and I'm afraid that it's not over, because, if they don't figure out the geolocation, then some of their fallbacks are going to be even more regulations, more closed areas, and harder things to do, and so what can I tell you after that?

DR. BELCHER: The line is out in the lobby, apparently, for questions. Laurilee, Jessica, and then Mel.

MS. THOMPSON: It's nice to see you, Charlie. I like your shirt. It's perfect.

MR. PHILLIPS: It's my special shirt.

MS. THOMPSON: What about the Canadian fisheries? Are they under the same pressure that the Americans are?

MR. PHILLIPS: They have been changing rules, on a regular basis, but, obviously, an American judge cannot force Canada to do anything, but they have also -- They've got different formats on how they do something, and, actually, there's a place up in northern Maine where -- I didn't even know it until a few weeks ago, and I know you all will be surprised, but the United States and Canada both claim a small chunk of ocean, both of them, and so the Canadians fish there, and the Americans fish there, and so they're trying to figure out --

That was one of the issues, was trying to figure out -- The Americans said, well, if we see whales, and we have to pull our gear out of the water, the Canadians are working a different set of rules, and so they're just going to go cover it up with their gear, and so we're going to have to work with the Canadians on at least places like that, and I have all ideas that Canadians will keep doing what they're trying to do, because a lot of the whale entanglements, and deaths, have been noted in Canada, because, as we know, the whales are moving further north.

It's been documented that the whale sizes are getting smaller, and that could be because they're not growing well, because they get entangled so often, and it could be that they're not growing well because they can't find enough food, and the food has changed, and I don't know, and there is probably numerous answers to that question, but I know that Canada is doing stuff, but they don't fall under what that judge's ruling is.

DR. BELCHER: Thanks, Charlie. Jessica.

MS. MCCAWLEY: First, thanks for continuing to sit on this group for us, and I know it's a ton of meetings, and so I really appreciate it. I was under the impression that, in the Southeast, that they were also looking at changes for Florida's blue crab fishery, and is that not part of this?

MR. PHILLIPS: Yes, that is definitely part of it, and Florida has a few tenths of a percent risk, and that was the number out of their decision support tool, which they used to finalize, you know, what they wanted to do last week, and it's being peer reviewed in January, and they would hang us if we did that for a fish rule, and I know that they're just in a box, you know, and it's not where they want to be, but they're having to move forward, because they don't have a choice.

They have to go do something, but, yes, Florida is going to -- They're asking Florida, Georgia, and South Carolina all to do something to try to lower the risk with -- Clay George sits on it for Georgia, and the state managers from South Carolina and Florida, you know, and they've had a fisherman on the team, a crab fisherman from Florida, and he's on the team, and so they talked about everything from trap caps to closed seasons, to maybe grandfathering people in, and South Carolina goes through the legislature, and so they can't just go decide something, and it's got to go through the legislature, and so it's not going to be, you know, a really clean process on doing that.

MS. MCCAWLEY: Just to follow-up, what is the timeframe that they're going to be asking states to implement these rules, and so it sounds like they're going to make some decisions in January, but then is there a timeframe with which the states would have to implement what they're rolling out, and like is it six months, or is it a year, or is it two years?

MR. PHILLIPS: I think they want to have the final rule in by 2024. I think, you know, NOAA lost the case, and, from what I understand, they had a really short window to fix it, and then the plaintiff and NOAA came to an agreement to give NOAA two years to put something together, because, you know, they've got to do like you all do.

We have to give public comment, and we have to go through steps, and you just can't do it quickly, much less get stakeholder feedback and sit there and then run models and figure out what you want to do, or what you think you can do, and so I'm thinking 2024 was when they were going to have it finally all done, and I think I heard that they could mandate stuff in state waters, but I don't think they want to. I think they would rather the states deal with it and work together with the states. I don't think they want to be heavy-handed about it, but they just need to figure out how to make it happen. That's my gut feeling.

DR. BELCHER: I've got Mel, Judy, Kerry.

MR. BELL: Thank you, Charlie, for being here and for continuing to serve.

MR. PHILLIPS: It's the big money you pay me.

MR. BELL: If you only knew what you were getting into, and so I've been paying attention to the crab stuff, and kind of getting briefed on that, for us, but you mentioned sea bass, and so you well remember, a few years ago, we dealt with an amendment to really tighten up our fairly small black sea bass pot fishery, and we drew a line, and I believe there's, I don't know, like thirty permits, or something, out there, and each one was limited to like thirty-five traps, and they had to stay with

them constantly, and they couldn't leave them, and so are you saying that they're looking at that and wanting to change that as well, to go to like ropeless or something?

MR. PHILLIPS: They are willing -- I believe, when it comes out, they are going to be willing to allow black sea bass traps to be fished in the closed area with ropeless gear, and they -- Because they don't understand how people fish stuff, and they said, well, you have to use sinking line, and I said, well, no, no, no, and we can't use sinking line, because all that's going to do is -- Even if the buoy pops up, then that line is going to lay on the bottom, and tie-up in the coral, and it's different if you lose a fifty-dollar trap than when you lose a fifty-dollar trap and a five-hundred or a thousand-dollar piece of gear, and so, no, we need floating line on the bottom, and we can put some sinking line on top, so it can stay off the top, or out of the boat props and whatnot like that, which I think is what some fishermen off of Florida are doing now.

They said, oh, okay, but we have to tell them what we can do and what we can't do, because they don't really know. You know, they're trying to make it work, but they don't know, but they're going to be willing -- So, actually, we're going to get something that we've never had before, and we probably -- I think the fishermen, because I've talked to Jimmy Hull and stuff, and he said I would like to just fish my buoys and stuff, like I regularly do, in the summertime. You know, I don't want to have to go take ropeless gear out there, and I would rather just go fish buoys, because there's no whales, and the whale team said -- They didn't see a problem with that.

Actually, we can -- We may end up winners, as a lack of a better way of putting it, because, you know, like I said, we can be kind of guinea-pigs on trying to figure out how to make this work better, and then they're still working on geolocation stuff, and you can do it with cellphones pretty easy, even if you had to bring the cellphone back to the dock and download it to the cloud, and people can know where things are, but it's the real-time stuff. If you've got long trawls out, and mobile gear, and that's going to be an issue, but we don't have that, really, issue down here.

MR. BELL: Okay, and so what we've done -- That would stay in place, but this would just be a potential enhancement for what we don't have access to now.

MR. PHILLIPS: You know, what we have is the South Atlantic Council has a closed area. What the TRT wants to do is make it a TRT closed area, which is really not going to change anything, but allow -- But the council would have to say this is the rules on how you fish ropeless, and one of the things that, you know -- Jimmy Hull, for instance, he has worked some timer gear, and you can drop it and set the timer for thirty minutes, or an hour, or whatever, and just go round and round and round and pull the timer gear, and they --

I think they would be amendable to letting somebody that was say strike fishing fish timer gear, because it's a lot cheaper and easier, but, if somebody say wanted to go drop their traps and go beeliner fishing and then come back, or, since we're not going to have any interactions, you, theoretically, could let the guys come to the dock and then go back and pull their traps, re-bait them, and go fishing and pull them again, and there's no real reason to have to make them bring the traps back to the dock, if you're using ropeless, which could make it a much more efficient fishery, and so we just have to rethink the whole how we want to run those rabbits.

DR. BELCHER: I've got Judy, Kerry, Bob, and Monica.

MS. HELMEY: Charlie, it's great seeing you.

MR. PHILLIPS: You too.

MS. HELMEY: I haven't seen you in a while, and so do you -- You kind of smiled, a little bit, when you said Georgia might get the good end of this, and are you thinking that, because you can handle the traps, so that they're ropeless, and you'll be able to come out ahead, and then is the season -- Can you have them change the season when you fish?

MR. PHILLIPS: Well, they're still going to leave that closed season for when the whales are here. I guess you can still fish gear with buoys, you know, offshore of where the whales are, and nothing is really going to change except the closed season will be part of the TRT NOAA regs, but they will allow ropeless gear to be fished when it can't be fished now, because we don't recognize ropeless gear. It would be an acceptable gear, and we would, obviously, work with Protected Resources and stuff on figuring out exactly what to work, how to work it, how to mark it, and does law enforcement need to know where it is or not, those kind of questions.

MS. HELMEY: I know you said they wouldn't talk to you about the speed zones and everything, but have you got any idea about what they're thinking? Are they going to go all the way thirty miles out?

MR. PHILLIPS: If I had to guess, I am going to say that, wherever there is a whale cooccurrence, they're going to do something, unless -- You know, I've heard the pilot boats were saying, well, we have to go a certain amount of speed just to be safe, and even ferry boats, and we're saying -- Crossing Long Island Sound, or wherever they go, they need to go a certain speed, and so I'm sure there's going to be some exceptions. What they will be, who knows, but I will be real surprised if they don't do some kind of speed limit rule, because it's documented that we have death from recreational and charter boats and stuff, and so I will be surprised if they don't do something. After what I saw happen with the lobster guys, I will be real -- I just can't see it not going through, of some sort, shape, make, or kind.

MS. HELMEY: So it's by the end of 2023?

MR. PHILLIPS: No, and I think it's going to be by the end of the 2024, but I guess they will -- Once they get more public comments in, and then they finally finalize what they can do, and, obviously, the judge is still involved, you know, on what's what, and so there's a lot of moving pieces to this, and that's not counting all the lawyers that are getting class action suits together to sue about it, and so I've heard there is one or two of those going on.

DR. BELCHER: Kerry.

MS. MARHEFKA: Real quick, just back to the black sea bass stuff, do you have a sense of, for long-term planning purposes, when you think that it may be appropriate for the council to start discussing gear markings and the other things that will need to be changed for these guys?

MR. PHILLIPS: I would start sooner rather than later, and that gives you plenty of time to talk to the fishermen, talk to Protected Resources, and we're doing -- Kim Sawicki is still doing experimental work, you know, with gear, with different fishermen and stuff, and she's used some

of my boats, at times, and captains, and so -- But it gives you time to pull some of the stakeholders together. I think Georgia Sea Grant put it for a grant to just start bringing fishermen together, so they could know -- So they could start figuring out what they needed, so they could tell the council this is what we need, and everybody can get on the same page.

DR. BELCHER: I've got Bob, Monica, and then back to Laurilee.

MR. BEAL: Thank you, Madam Chair. Charlie, you said these meetings are long and grueling, and you're kind of underselling that. They're a lot worse than that. I'm not on the TRT, but some of the members of my staff are, and I know they're worn-out when they're over, but, just to respond to Jessica's question about timing a little bit more, the Center for Biological Diversity sued the federal government for not doing enough to protect the whales, basically, and Judge Boasberg, from the D.C. District Court, issued an order, I don't know, a month or so ago, that says the federal government has two years, actually two years from tomorrow, to get the rules in place, and so Charlie is right that it's two years.

However, in order to get those rules in place, and go through all the public comment periods, the proposed rule, the final rule, all those steps, NOAA Fisheries is indicating that they will probably need a real good idea of what's going to happen by mid-summer of this year, or of next year, and so, six or seven months from now, it seems like they really want to have a pretty detailed plan, moving forward, and at least something that's kind of mature enough to take out to public comment at that point, and so, even though two years is a long time, there's a whole lot of steps that have to happen between now and there to get these things in place, and so, you know, stay tuned for the next six or seven months, for sure.

DR. BELCHER: Thanks, Bob. Monica.

MS. SMIT-BRUNELLO: Well, Attorney Beal did a great job, and I don't even need to talk about some of the things that I was going to talk about, but, Charlie, I was wondering, also, do you have an idea of when the ropeless technology might be available, more widespread, and I believe the cost is fairly steep right now, maybe, for fishermen, although, maybe when they weigh it as to can I fish or can I not fish, and so I would use it, but I don't know what the cost is, but I was just kind of wondering, in these meetings, if it came up as to when they thought they might have the ropeless technology available.

MR. PHILLIPS: It's kind of available now, and they've been -- Kim Sawicki brought down a bunch of fishermen together and the -- Several of the equipment manufacturers, and they all gathered up, I don't know, a month-and-a-half ago, and they were close to my dock, and Chops brought his boat down from North Carolina, and then we were using one of my boats, and they were just trying different gear, and then they were modifying the gear a little bit, and they even modified where, if the trap actually hung up, when they released the gear, the mechanism came to the top with the buoy, and so, if you lose the trap, at least your mechanism came back, and so I think the timer gear -- I think Jimmy Hull is fishing with that, and it's fairly expensive, you know, two-hundred-and-fifty-bucks or so, and it wasn't very expensive, and so they're getting the gear where we can use it now, and it's just a matter of what gear works for what fishermen's preferences, and I think -- But they spent like five or six days or so, every day, fishing -- Working on gear and just -- It was pretty intense.

I was back and to over there a little bit, but I'm trying to run my other rabbits and keep people paid and stuff, and so I wasn't over there as much as I would have liked to have been, but I still talked to them, but, yes, I think, if we wanted to do it, we could -- They've got gear they could use now.

DR. BELCHER: Laurilee and then Tim.

MS. THOMPSON: I was at the first time -- In fact, I'm the one that introduced Kim to Jimmy Hull, and so I was at Jimmy Hull's the first time she brought the gear to the restaurant, and I think it would be really beneficial for the council to have Kim do a presentation, and she could do it online, and she wouldn't have to come here, but I think it would be -- She's got videos, and it's fascinating, and I think it would be really good if, at the March meeting, if Kim could do a presentation on the ropeless fishing gear for the council.

DR. BELCHER: When we did the EFP, we got the presentation from Kim, and so that would have been your time on the council, I think.

MR. PHILLIPS: She's been working with more gear and stuff since then, too.

DR. BELCHER: Tim.

MR. GRINER: I just wanted to pile-on to what Charlie was saying a little bit, and Chops is my dock mate, and so my boat is right beside his boat, and so I get a chance to talk to him a lot, and he's convinced that this is not going to be an issue for those guys, and they have really been working with Kim, and Charlie's group, and they've got this thing already dialed-in, and it's not going to be an issue, and it's gone from what everybody thought was going to be a fairly expensive proposal down to, as Charlie said, very, very manageable.

From what Chops is telling me, they've come up with a system that they really like, and they like it a lot, and it works very well, and so it's not going to be anything, and it's basically almost off the shelf right now, and so, when the time comes, I think maybe we have Chops, or some of these guys in here, if you want a little bit more explanation, and, as Kerry said, as we start working through whatever amendments we have to do to change the gear types, those guys will be able to tell us exactly what it is, how to craft it, and what we need to do, but, as far as these trials and the gear, I think that a lot of the concern has been alleviated and that this is not going to be a \$5,000 electronic unit and all kinds of expensive stuff that these guys are going to have to have. It's going to work well, and I'm pretty sure that Chops and them have got it figured out. Thank you.

DR. BELCHER: Andy.

MR. STRELCHECK: Charlie, thanks for being here. First, I mean, when we talk about right whales, you know, it reminds me of how simple red snappers are compared to right whales, but, in all seriousness, thank you for your continued involvement, and it's an interesting process, with the Take Reduction Team and the work that, obviously, goes on and negotiations between federal managers and fishermen.

What I wanted to express -- The council did receive a presentation in September. To reiterate, I mean, the North Atlantic right whale population is in dire straits, and it is in substantial decline, and reproduction is, you know, not keeping up with recovering this population, and so the agency

is in a very difficult predicament, based on what Bob said, with a lot of litigation surrounding it. There's a lot of, obviously, innovative solutions, and I appreciate Charlie's work, and others, on testing these new, innovative gear types, but, really, I wanted to commend the council for having the foresight, years ago, to also establish the closures for black sea bass pots and do the work that we did, a number of years ago, because we would probably be facing some pretty tough discussions now, at this table, if that hadn't been done. I know it wasn't a pleasant effort back then, but it's certainly, I think, paying off now.

I did want to comment on the speed rule and just say that we are, I think, upwards of 90,000 comments, and so it's going to take a while to wade through, obviously, all of that input, and I can't, obviously, speak to the speed rule and any sort of internal deliberations, but certainly we have a lot of information to go through, and we have to weigh that against, obviously, the conversation and risk associated with North Atlantic right whales, and so I just wanted to say thanks to the council for your previous efforts, and thanks, Charlie, for all the work you're doing.

DR. BELCHER: Okay. Any further comments, or questions, for Charlie? Seeing none --

MR. PHILLIPS: I have one. Bob, back to your note on timing, one of the lobster groups that were fishing deepwater gear out of Maine, they asked could they go back to their, you know, people and bring back some options, and I think they said January 20, or somewhere like that, was when they had to be turning in their -- They couldn't change anything after that, and it had to be done, and so you're right that they're doing stuff like right now, and, after that, there's going to be very little changes to it.

DR. BELCHER: Thanks again, Charlie. Okay. The next agenda item was SSC Recommendations Not Addressed in Committees, and my understanding is Jeff is good to go, and so we will be moving on to the next item, which we're going to do reverse order, which is the Southeast Fisheries Science Center report, and we're going to be getting an update on the dolphin MSE stakeholder meetings from Cassidy Peterson.

DR. PETERSON: Thank you. My name is Cassidy Peterson, and I'm the Management Strategy Evaluation Specialist at the Southeast Fisheries Science Center, and I am happy to take some time to update everyone on the dolphin management strategy evaluation.

The motivation for this project really started in 2020, with the dolphin wahoo stakeholder participatory workshops, spearheaded by Mandy Karnauskas and Matt McPherson. In these workshops, we went out to stakeholders and asked them to derive conceptual models detailing what is driving the local abundance of dolphinfish in their region, and we found some clear regional differences in the use, reliance, and the value of the dolphinfish fisheries in these different regions, and we noted some clear increases in the utilization of the resource, which is, of course, accompanied by increased user conflicts.

That really begs the question of can we design a new management approach that reduces user conflicts, maximizes the ability to achieve stakeholder-defined management objectives, and is appropriate for the life history strategy of dolphin, and so, of course, dolphins are internationally-exploited and highly migratory species, and so that really limits the U.S. capacity to collect data on the stock, which precludes a full stock assessment, and it really limits the ability for the U.S. to -- The capacity for the U.S. to manage the stock.

Dolphinfish are short-lived, highly-productive species, and that productivity is highly environmentally driven, and so we get some big fluctuations year-to-year in availability of dolphin. However, they are currently managed with a static catch limit, and so, in years when dolphin are really abundant, maybe we're not catching as much as we could, and, in years where dolphinfish aren't quite as abundant, there is nothing to safeguard the equitable take across different regions and sectors of dolphin.

We want to propose a more adaptive approach, and we're proposing an empirical management procedure. This is a non-model-based, or sometimes called indicator-based, management procedure, and so, in these management procedures, we use an index of abundance and use this as an indicator of stock status, and so, when the index of abundance is going up, we can probably increase our takes of dolphin, and vice versa, when the index is going down. This will be a full stakeholder process, and it is ongoing with collaboration across the Southeast Fisheries Science Center, the South Atlantic Fishery Management Council, NC State University, and Beyond Our Shores Foundation.

Right now, we're ongoing with the first round of stakeholder workshops. We went to south Florida in October, and southern New England in November, and, next month, we're going to go to Virginia, North Carolina, and South Carolina, and so keep in mind that these preliminary results will change after we go to the Carolinas, but these workshops are designed to really introduce the concept of management procedures and management strategy evaluation to the stakeholders, to understand, from the stakeholders, how they value the dolphin fishery and gain -- How we can develop conceptual management objectives from that.

We want to understand the uncertainties that the management procedures should be robust to, to receive input on the indicator-based management procedures that we're proposing, and to identify some key participants who want to be involved in the process as it moves forward.

Some of the conceptual management objectives that we have heard so far from south Florida and southern New England really highlight ensuring that stakeholders continue to get opportunity and access to the fishery, and so they want to make sure that there are no fishery closures and that they can continue to harvest dolphinfish. They tend to prefer larger sizes, even if that doesn't necessarily coincide with support for minimum size limits.

Typically, in management of fishes, there is a tradeoff between stability in management advice versus the ability to sort of maximize take, if the TACs could change up and down from year-to-year, and we found that these stakeholders were preferring stability, and we definitely found some clear regional and gear/sector differences in fishery goals and objectives. This included differences and preferences for trip and bag limits, what was driving the fishery, whether it was more of a leisure fishery or driven by the desire to bring home meat, and there were some clear economic and market differences across the regions.

Some of the uncertainties that we've heard thus far include current and historical recreational catch uncertainty, uncertainty in the rate of international exploitation, uncertainty in the level of post-release mortality, the inability to completely enforce regulations on dolphin, especially in Florida, where state and federal regulations differ. Importing has a big impact on economic and other market considerations, and so the level of importing was something that was flagged as well.

We also heard that there might be some proposals for alternate movement patterns that we could probably build into the management strategy evaluation. We heard, over and over again, that the fishery dynamics, and associated stock behavior, was unique and different in each area, and so building in some sort of area-specific fishery differences is something that we'll be considering, and, of course, changing availability, specifically reduced availability, in south Florida.

We also heard some management recommendations, some of which we might be able to include in our management strategy evaluation. These include expanding the minimum size limit up the coast and considering area and gear-specific management measures. We also heard recommendations that we probably can't address in our management strategy evaluation, notably that dolphin management should be collaborative across the Gulf, Caribbean, and New England Councils.

The management strategy evaluation analytical team will be led by Matt Damiano and Jie Cao at NC State University, and the dynamics of the model will be spatial and seasonal, and it will include fish movement. It will be a length-based population dynamics model, and we're going to potentially include some sort of climate linkages into this model. Whether or not it's directed related to climate, or we just include some form of non-stationarity, has yet to be determined, and, again, we're going to be exploring empirical management procedures, and, right now, we're looking at what indices we might be able to use for their predictive ability.

We have yet to complete the first round of stakeholder workshops, and we are going to use the input that we get from this interaction with stakeholders to really build our management strategy evaluation tool, and so it's going to influence how we build our operating models, which will comprise sort of the management procedure testing ground, and we are also going to be using this first round of stakeholder workshops to identify volunteers who want to continue to be involved in the process. We're looking for a small group of maybe ten to fifteen individuals who want to continue to be involved in the process, and hopefully they will equitably represent the different regions and sectors of the fishery.

This small group will be working back-and-forth, iteratively, with the MSE analytical team to build and refine the management strategy evaluation, and so that will include building the management procedures from scratch, identifying how we should be measuring performance, and identifying performance metrics that reflect the goals of the fishery, and assessing what performance metrics should be weighted most heavily, and so this will be an iterative process that will hopefully lead to an optimal management procedure that makes everyone happy, or at least makes everyone equally unhappy.

This is a tentative timeline, and it's subject to change, but, again, in January, we're going to finish the first round of stakeholder workshops, and we anticipate taking pretty much the rest of 2023 to really build the management strategy evaluation, including the operating models and the management procedures, and then, in the winter and spring of 2024, this is when we will convene the small group of stakeholders and work back-and-forth with them and the analytical team to further refine the management procedure into something that's going to be useful and suitable for all of the stakeholders. Hopefully, we will be done, or close to done, in mid-2024, and that's all I have, and feel free to reach out to me with comments, or questions, and some more information can be found at these two links.

DR. BELCHER: Thank you for that, Cassidy. I've got Kerry and Tim.

MS. MARHEFKA: Thanks, Cassidy. I appreciate that. I was wondering, in your experience at the stakeholder meetings, did you find, one, that people walked away sort of having a concept of what an MSE, and, two, did you find that there was any confusion over, you know, NMFS doing the MSE, versus what the council is currently doing at the moment?

DR. PETERSON: We tried to present management strategy evaluation as sort of like a torture test, or a stress test, in the way that you would torture test a vehicle before the manufacturer releases it to the public, or like a computer or something like that, and we're going to get into more details, and the nuts-and-bolts, of the management strategy itself with the smaller group, and so we only did kind of a surface overview, and it seems like a lot of the stakeholders were really happy that we were kind of involved in the process, although I can't say that I would bet that all of the stakeholders left with a really good understanding of what we wanted to do, but many of them, I think, have a better idea.

DR. BELCHER: Tim.

MR. GRINER: That was very close to what I was going to ask, and thank you, Cassidy. I just was curious, and not so much did they understand it, but were they excited by it, and were they accepting of it, and were they glad to see this moving in this direction, and, just generally, were they overall happy that this is happening?

DR. PETERSON: I would say for the most part. Feel free to ask John and Julia for their perspectives, because they've also been involved, and I would say for the most part, and I think there were some participants who mostly wanted to be heard, and were less there to give us the input that we were asking for, but we're happy to listen, and we're happy to take their input, as we can.

DR. BELCHER: Dewey.

MR. HEMILRIGHT: Please don't let the folks that want to override and have their message -- Please don't let that stop you from going with the science, because there is other folks that want to look for the outcome of it, and I know particularly for myself, and I was in Canada, and my phone blew-up after an article that was written, which was very interesting, and it's their right to have people's opinions, but don't let that stop you, because it is an issue that's going to take a lot of work, and from everybody, and this fish has a tail, and it swims, and it doesn't live in a shoebox, and so thank you.

DR. PETERSON: I will respond, just to say that that article that you're referencing was from a reporter who came to one of our stakeholder workshops, and that reporter didn't talk to any of the scientists who were there hosting the workshop, and he was just there to kind of magnify the concerns from some of the stakeholders, and so, if you're more interested in our take on it, one of these links is going to have that for you.

MR. HEMILRIGHT: Well, he also didn't respond to my email, and so don't let that worry you, but thank you.

DR. BELCHER: Other comments or questions for Cassidy? Okay. Thanks again, Cassidy, for your time. John.

DR. WALTER: I just wanted to kind of give some insight into the process and touch on that the goal of this is to provide a suite of management procedures that the council, this council, will then decide upon to enact for management, and so this is not just to come up with something hypothetical, but this is to come up with what the management will be, and so it will be to this council to make that decision and to be paying close to attention to when it comes to its end, and we don't embark upon these lightly, and that's the reason that it is taking a lot of people on it, and, Kerry, you asked does it matter whether NMFS does it or the council does it, and, well, actually, I think it's probably got to be all of us, and I think we are working together, but it just happens to be that we've got some external partners from NC State working on this one.

It's something that the Center is sort of spearheading, because we saw this as an opportunity to do something that hasn't been done before, an empirical management procedure, and we really have not put that into practice, and, since this is really going to be a model-resistant stock, and an assessment model isn't going to work too well, we wanted to do something that would change the paradigm and set a process that we could potentially use for other species in place, and we fully support the council's reef fish MSE, and we have a number of people on the technical team, and just whoever does it -- Someone has got to do the work, and I think we're going to all have different roles to play, but critical roles at each step. Thanks.

DR. BELCHER: Thanks, John. Next up, we have an update on the South Atlantic Ecosystem Status Report and Climate Vulnerability Assessment from Kevin Craig.

DR. CRAIG: Thanks. I am going to give a brief update on the ecosystem status report and the climate vulnerability assessment that we've developed for the South Atlantic region. I'm not going to go into a lot of details about what's in the report, and we were asked to provide some examples about how these ecosystem monitoring products can be used to help inform management, based on experiences in other regions, and so what are they?

The ecosystem status report is part of the EBFM implementation plan for the region, and the climate vulnerability assessment is part of the Southeast Regional Action Plan, and so these are both filtered down from larger kind of national initiatives to address climate issues, as well as EBFM, and so ecosystem status reports are basically a synthesis of what we know about the past and possible future states, and so marine ecosystems based on an indicator approach, and I will talk a little bit more about that in the next slide, but the ESR for the South Atlantic has been completed.

It's available at this link shown here, and the climate vulnerability assessment focuses just on climate effects, and it's a process to determine the relative vulnerability of fish stocks to changes in climate, either through effects on their productivity that would affect their abundance in the region or things that might cause shifts in their distribution, either into or out of our region, and so the CVA is currently in the final stages of review within the Center, and we're expecting that that will be available in early 2023.

The ecosystem status report has a number of indicators across these different categories, and these are things like indicators related to climate, physical conditions, like sea surface temperature, and this plot, at the bottom, is from the report, and it shows the monthly average sea surface temperature in the South Atlantic region, and so you can see the increase in temperatures that started around 2014, that were alluded to earlier today, and so we're seeing warming in the South Atlantic, and particularly in the wintertime. We're not getting the cooler winters that we have seen historically.

The report also tracks a number of other indicators related to ecosystem services, and so we have indicators related to fishery landings, both from the recreational and commercial sector, and revenues, indicators related to protected species, like dolphin strandings and sea turtle nesting sites, as well as more human-dimension-type indicators, things like population trends along the South Atlantic region, changes in fishing effort, as well as social indicators related to engagement, or reliance, on commercial and recreational fishing. There is forty-six indicators in the report. As I mentioned, it's available online, and there's also a two-page summary, at the beginning, that kind of gives the major messages from that report.

While the ESR focuses on quantitative indicators across a broad range of ecosystem components, the CVA is much more focused on climate, and it takes more of a qualitative approach, and so this is the process, or the framework, by which the CVA was conducted. It's based on existing knowledge and expert opinion, and we have seventy-one species that are in the CVA that cover a range of commercially, recreationally, or ecologically-important species, and there is an expert scoring panel that is assembled to score species relative to factors that might change, under changing climate that they might be exposed to, as well as biological attributes of those species that might make them particularly resilient, or sensitive, to effects of climate, and that gets rolled into a species vulnerability score.

The report has a narrative for each one of those seventy-one species, and so, if there's a particular species of interest, and like we were talking about Spanish mackerel earlier today, you can go to the CVA and find, very quickly, what's known about climate effects on that species and how changes in climate might be expected to influence both productivity as well as distribution shifts.

This is the kind of information that you can get out of the CVA, and so at the top are species that would be particularly vulnerable to climate change, and I would make note that we don't have anything in the low category. Most of the species are in the moderate-high to very high category, and then, along this horizontal axis here is the potential for species changes in distribution, and so most species have either a moderate to high probability of shifts in distribution under projected future changes in climate, and so that's something that we're probably likely to see in the South Atlantic, in the coming years, and I would also note that dolphin, or mahi, are the most sensitive, in terms of the potential for distribution shifts, because they're highly migratory, and they're very sensitive to temperature, and so that was part of the basis for the work that we did that Cassidy described with the dolphin and wahoo, through the participatory workshops.

How do different regions use these? This is an example from the New England Fishery Management Council, where they're using their report, which they call a State of the Ecosystem Report, to track performance relative to fishery management objectives, and so they articulated a defined set of objectives that they want with respect to their fisheries, things like maximizing seafood production, maximizing commercial profits, maintaining stability, in terms of diversity of

fishing opportunities, and then they developed indicators to track performance relative to those objectives, and so they produce this report each year, and so, each year, you can look and see how are commercial profits this year relative to the last few years, or relative to some long-term average, or are they trending up or down, those sorts of things.

They also track risk to meeting those management objectives, things like changes in habitat, storm intensity and frequency and nutrient pollution, and so the key is to identify those objectives and then develop the indicators that you can track performance and risk relative to those objectives, and so that's one use of the ESR.

Another use is to support stock assessments, and that can be done in a couple of different ways. The gold standard is to incorporate that information directly into the stock assessment model, and, you know, we are seeing increases in the number of examples of that, and we heard about the red tides with red grouper in the Gulf of Mexico, where that environmental effect has been incorporated directly into the assessment, and it's also been done for yellowtail flounder recently, in the North Atlantic, where there is a relationship between bottom temperature, this area of cold water called the cold pool, and yellowtail recruitment, and that's been incorporated directly into the assessment, but that same kind of information can also be useful for decision-making, even if it's not incorporated formally into the model.

In the North Pacific, the information from the ecosystem status report gets presented to the council, and to the SSC, along with the information from the stock assessments, and so it provides a context for discussions and for decision-making, and they're using that, in this more qualitative way, to help set single-species quotas, while taking ecosystem information into account, and so it's not necessary that it be formally incorporated into the assessment model in order for it to be useful, and we may have an analogous situation developing in the South Atlantic, where there is temperature increases.

I mentioned earlier that they're also associated with a number of other changes in ocean conditions, and we're seeing declines in upwelling of nutrients that may be affecting the base of the food web and influencing recruitment across a suite of grouper species, and so this is something that we can potentially track through an ecosystem status report.

Another example that I think many people have heard about, or may have been involved in, is the ecosystem-level risk assessment that the Mid-Atlantic has done, and so, in this case, they use information from their ecosystem status report, from the climate vulnerability assessment, and from their stock assessments, to get a more comprehensive picture of risk for the suite of species, and so this is from a paper that describes the process that the Mid-Atlantic used.

What's nice about this is you can look at any particular species and see what is at risk, where the risks are, relative to fishing, relative to changes in the ecosystem, or relative to changes in climate, and so some species have very little risk across all of those categories, and there is others that have relatively higher risk for multiple categories, and you can also look across these issues, and so, in this case, not many species are at risk with respect to ecosystem considerations, and this is mostly things like abundance of prey, or abundance of forage fish, but most of them are at risk, with respect to climate and potential changes in distribution, and then fishing is somewhere in the middle. This gives a nice way to both prioritize individual species, in terms of what the major

risks might be, as well as focus on particular issues that may be a source of risk across multiple species.

I am not going to talk a lot about this, in the interest of time, but, you know, dolphin, or mahi-mahi, are a nice nexus that bring together a lot of these issues, and we've seen increases in sea surface temperature, and we know -- We've found that those are reflected at the local scale in south Florida, and we know that mahi is very highly sensitive, based on the CVA, but we also know that there is increases in fishing effort as well, and the ecosystem status report is tracking changes in recreational effort as well as employment and the ocean economy, and so this is giving us a way to start to develop alternative hypotheses, or different explanations, for what might be going on, with respect to mahi, that we can then test, or incorporate, into an MSE framework, as Cassidy described earlier.

The last thing I wanted to mention was I think these ecosystem monitoring products do provide an opportunity to enhance cross-regional collaboration, and so now we have ecosystem status reports and CVAs for all of the council jurisdictions up and down the Atlantic seaboard, and this is a Venn diagram that we put together from the Atlantic Coast Science and Coordination Workshop that brought people together from the South Atlantic, the Mid-Atlantic, and the New England regions.

It turns out that we're actually tracking a lot of the same indicators, although we're doing it independent of each other, and so I think having these monitoring products, up and down the seaboard, provides an opportunity to both enhance collaboration, and coordination, across the regions, but also, as John mentioned earlier, to learn from what other regions have done and see what we can replicate here and tailor for the South Atlantic.

Just to summarize, ESRs and CVAs can be useful in decision-making, providing information or context to support stock assessments, evaluating performance and risk, and they can help identify actions that could be taken to reduce vulnerability, or increase resilience of stocks, and they're also useful from a strategic planning perspective, developing scenarios for how an ecosystem might change into the future, and they can be a way to help prioritize species, or habitats, or monitoring efforts, identifying information gaps, and, you know, improving cross-regional coordination along the Atlantic seaboard, which is likely to be increasingly important as we move forward.

I will stop there, and we are looking for feedback and opportunities to discuss these further, and I have listed the people involved here, and we welcome any feedback that you might have, and so feel free to contact us. Thank you.

DR. BELCHER: Thank you, Kevin. Are there questions or comments? Okay. Seeing none, thank you, again, for your time today. Okay. We have one more section of business for today, which is the NMFS Southeast Regional Office Report, which involves the Protected Resources update and an update on the SEFHIER program. Andy.

MR. STRELCHECK: Let me bring up my notes. One moment. While I'm looking for my notes, I guess a couple of things to report-out on first. You should have received a letter from me yesterday approving Amendment 50 for red porgy, and so thank you for the great work on that, and so we're moving forward with the final rulemaking.

On the Protected Resources front, I think you recall, at the last meeting, we discussed not giving a kind of detailed report, or summary, or presentation, and so I think just a couple of new things to report, and we had issued a proposed rule for Nassau grouper critical habitat, and I think that published in mid-October, and the comment period runs through December 16. That would designate critical habitat in the South Atlantic's jurisdiction, primarily in the Florida Keys, in a variety of areas, as well as Puerto Rico and the USVI.

In addition, we had proposed the listing of Caribbean queen conch, and that proposed rule comment period is open currently, and it closes on December 15. We just met with the Caribbean Council this week to discuss the rulemaking, and had a public comment period on November 21, and so that is ongoing. You're well aware of the right whale speed rule, and so I don't have to update you on that.

Switching gears, and I don't think there's anything else on protected resources, but, with National Standards, and it came up during, I think, the Section 102 Workgroup, about revisiting National Standard 1, and we recognize that some of our other National Standards have not been reviewed, or revised, in quite some time, and so the Office of Sustainable Fisheries is going to begin, I think, looking at potential revisions, or at least a review, of National Standards 4, 8, and 9, which pertain to bycatch, communities, and allocations, and so just kind of a heads-up on that, that there may be a request for, you know, feedback, input, with regard to that.

In terms of SEFHIER, I guess a lot of things to report on, but, first and foremost, prior to this meeting, Myra and John had reached out to my team, asking for us to kind of come in and provide landings estimates, and I know people are anxious to receive those landings and data, and we have been taking a very kind of strategic and methodical approach, in terms of getting to estimation of landings statistics, and I guess I just want to say that we're not there yet, and I know that's maybe disappointing to constituents, but, to give you kind of an indication, I mean, we've spent the better of part of now two years working on implementation of this program.

We are getting about 37 percent compliance in the South Atlantic, and that's with a lot of time and effort going into this, and, when I say 37 percent compliance, those are vessels that are fully compliant and reporting on a regular basis. There is certainly a large number more that have reported to us, but one of the biggest concerns, right now, that we have is -- Well, one, making sure that people know about the regulations, and, two, that they're reporting on a regular basis, but what we're seeing is that there's a lot of no-fishing reports that are being submitted to us, and, comparative to our headboat program, to the Gulf program, it's a disproportionately large number of no fishing reports, relative to logbooks, that are being reported.

I think this is just a continued challenge for us, and we recognize that we need to continue to work with constituents, in terms of educating them about the program and the requirements, and I think there's certainly some enlightenment coming about, based on holding up permit issuance when they recognize that they have not turned in logbooks, but, in reference, for comparison, we started the VMS requirements in the Gulf of Mexico in March of this past year, and I think we're above 85 percent compliance, in terms of vessels having VMS, and we're closer to 95 percent, in terms of full compliance, in terms of reporting requirements, in the Gulf.

I think that's just a difference in terms of how the programs are being run and the frequency of reporting and the VMS requirements that they're having to abide by, and so I wanted to

acknowledge that, and that we are continuing to, obviously, work on focusing on improvements to the program, but there are, obviously, a lot of challenges involved with just starting a new program and getting reporting up and running, and so, with that, I think I might have one other update. No, and I will stop there, and so I will take any questions.

DR. BELCHER: Thanks, Andy. Comments or questions for Andy? Mel.

MR. BELL: I was just curious, and do you have a breakdown by state, in terms of compliance from the different states, I mean, of the total? I'm just curious.

MR. STRELCHECK: We should. I don't have that on me at this point, but I can ask my team for that information, and we can circle back with you.

DR. BELCHER: Tom.

MR. ROLLER: I just want to reiterate Mel's comment, and that would be very helpful, to see state-by-state compliance.

DR. BELCHER: Chester.

MR. BREWER: Thank you for the report, Andy. At one point, I was given to understand that the Service was going to be taking a look at National Standard 1, and, I mean, I could be mistaken on that, but you have just listed that you were going to be taking a look at -- I think you said 4, 6, and 8, and I could be wrong, and is there now a ranking, or was there -- What's the rationale for taking a look at those three standards, if I was correct, as opposed to diving into National Standard 1?

MR. STRELCHECK: I mentioned it's National Standards 4, 8, and 9, which pertain to allocations, communities, and bycatch, and I don't think they have ever been reviewed, or revised, or at least not recently, and, National Standard 1, we did take a look at, and made some revisions, back in 2016, and that doesn't inhibit us from continuing to go back in and make some adjustments and changes, but I am not aware of at least any movement, right now, to make modifications to National Standard 1.

DR. BELCHER: Other questions or comments for Andy? Monica and then Dewey.

MS. SMIT-BRUNELLO: Just, Chester, in 2016, in addition to National Standard 1, they did some revisions to National Standard 3 and 7, and so it looks like they're trying to group them together, maybe, and do them as they go along.

DR. BELCHER: Dewey.

MR. HEMILRIGHT: On the SEFHIER reporting part, you said that the compliance was at 37 percent, and, as part of compliance, and you said there was a lot of no fishing reports, and, as part of the compliance -- How does renewal work? Like I understand this is a two-year program, and we've been starting it for two years, and I guess, right now, we're going through the compliance assistance phase, and I am just wondering how long do we continue in the compliance assistance phase, as the program works, before there is some teeth in it, to where, if you don't report, you don't get your permit renewed, because I would think that you all would have the ability -- You

probably have social media websites that these for-hire have, some way of telling if they're going fishing or not, and I'm just trying to understand, and when does it change to get this compliance worked up, or is it still in the phase where the program is trying to get its feet?

I know, in the general category of bluefin tuna, it took a while to get past 50 percent compliance, with the call-in of catching a bluefin tuna, and it took some enforcement actions, and some dollars changing pockets, for that compliance rate to get higher, and I was just wondering, because this is a vital program, even though it's not been standardized for MRIP or something, but it's vital to give an idea of also what's being caught out there in the South Atlantic, particularly by professional charter boats who are going fishing, and taking people, and they're catching fish, and so I will wait for your answer.

MR. STRELCHECK: I appreciate the question, Dewey, and I can also look to the Office of Law Enforcement, if they want to weigh-in, and so there has certainly been a ramp-up of compliance assistance, that we're going to continue to work with fishermen on, but there's also kind of egregious non-compliance, you know, willingly bucking the system and not participating. There are complaints that are being referred to the Office of Law Enforcement for follow-up, and so we're moving also beyond that compliance assistance and into potentially some enforcement actions and cases that could be pursued for non-reporting.

What is the challenge, for us, that is, you know, the huge difference between the South Atlantic and Gulf, is that you don't have a hail-in or hail-out requirement, and you don't have a vessel monitoring system requirement, and they have to report weekly, versus the Gulf reports at the end of each fishing trip, and so Susan is well familiar with how rigorous and accountable the Gulf program is, and, ultimately, that, I think, is resulting in much better reporting, just simply because there is more checks-and-balances for the system, but it also is making it harder for us to just do communication and outreach and determine whether or not trips occurred or didn't and follow-up with people, to make sure that they're submitting reports.

MR. O'SHAUGHNESSY: I will expand upon that a little bit. We're working closely with the SEFHIER staff, and they have started to send us a number of referrals for non-compliance, and non-reporting, and my five enforcement officers across the South Atlantic have been regularly visiting numerous vessels, to discuss the non-reporting, and we're finding there is still folks that they're not electronically savvy with emails and with smartphones or anything, and so it's a case-by-case basis.

We have other people that stand there and say they're not going to comply, and there have been some fines issued for those type of people. Other ones, we're doing a lot of outreach, and working with the SEFHIER program, and getting them in contact with the SEFHIER staff to make those corrections, but we have started to move into where my officers are physically visiting those that are non-compliant, with a number of reports that we receive from the SEFHIER staff, and so we are transitioning as well to that phase.

DR. BELCHER: Thanks for that. Are there additional comments, or questions, at this point in time? Okay. Seeing none, we will go ahead and recess for today. A reminder that, tomorrow morning, we need to meet in closed session, at eight o'clock, to come back and circle around to AP discussions, and so eight o'clock, and then we go back into Full Council at 8:30 tomorrow, to finish up our business, and so I will see you at eight o'clock.

(Whereupon, the meeting recessed on December 8, 2022.)

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DECEMBER 9, 2022

FRIDAY MORNING SESSION

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The Full Council Session III of the South Atlantic Fishery Management Council reconvened at the Blockade Runner, Wrightsville Beach, North Carolina, on Friday, December 9, 2022, and was called to order by Chairman Carolyn Belcher.

DR. BELCHER: Okay. We're going to go ahead and get started, back into Full Council Session III, wrapping up with our committee and council reports. First off is the Executive Committee Report. The South Atlantic Council's Executive Committee met via webinar on November 21, 2022. The committee approved the meeting agenda.

In closed session, we discussed personnel and contract budget items, which are -- You can see those in the draft budget. The committee approved linking future changes to SSC and AP Chair stipends to the federal budget COLA, as is done for council member stipends. The committee recommended retaining Charlie Phillips as the Large Whale Take Reduction Team representative and Chester Brewer as the ICCAT and HMS representative.

Budget and activities schedule review, Kelly provided an overview of the 2022 budget and expenditures and proposed draft budget for 2023, and the expenditures were provided in a budget for us to review. Due to the lower than anticipated travel expenses related to continuing use of remote meeting options, our budgets are definitely operating in the black, which is nice, right, and the proposed 2023 budget slightly exceeds assumed status quo funding for 2023 and the 2022 budget, due largely to increased contractual expenses related to ongoing projects, such as the MSE.

Contractual expenses for 2023 also included a temporary one-year increase in the state liaison grants. These are temporary expenses that can be covered, over the short-term, by the budget savings of recent years. The committee did not consider the predicted overage a significant risk, because the council activities schedule typically overestimates actual travel expenses, and 2022 expenditures will likely fall under budget. The committee approved the draft 2023 budget, and the budget will be revised if 2023 funding is significantly different than assumed.

We reviewed the workplan and discussed how the workplan is used to guide the annual activities schedule and draft budget. The workload for 2023 is manageable across most council meetings. The committee recommended asking the council to consider delaying the dolphin longline amendment until the Southeast Fisheries Science Center dolphin MSE is completed and additional information can be obtained on the Atlantic-wide stock and fisheries. Dolphin may also be a topic to consider through the climate scenario planning project.

Coming out of that meeting, we had one motion, which is to approve the draft 2023 operational budget, as presented and modified, and I present that on behalf of the committee, and it was approved by the committee, and so this is, again, the language that I am still not used to, but I submit this motion on the behalf of the committee. Any opposition? Okay. So that motion passes.

Now on to the next one, which is Full Council I, which was our closed session, where we discussed AP Selection. Sorry. My bad. This is the open part. Kim is still working on the closed, and so, in Full Council I, the council approved the agenda for the meeting and the transcripts from September 2022. We received reports from the NOAA Office of Law Enforcement, and the state agencies and council liaisons provided reports to the council as well.

We discussed the commercial electronic logbook amendment, and the interdisciplinary development team will continue to develop the amendment for the March 2023 meeting, when the council will consider approval for public hearings, and we received a presentation on the proposed Hudson Canyon National Marine Sanctuary. Let's see. I'm trying to pick up just the highlights on this. LeAnn Hogan, with ONMS Eastern Region, was the one that presented the presentation to us, and direction to staff is what was basically the action that the council took at that point, and so, with that, we need to turn this into a motion then, and it's just a draft. Myra.

MS. BROUWER: I put this in here, and we received the presentation from LeAnn, and it was just not -- We talked about the council potentially submitting a letter, and the Office of National Marine Sanctuaries has allowed until February 1 for the council to respond, and so I included these bullets in here, to make sure that that is in fact the intent of the council, and so we would prepare a letter to submit to the Office of the National Marine Sanctuaries, basically saying that we do intend to assign a staff person to serve on the sanctuary advisory council, to kind of keep up with what's going on, and, you know, in the letter, we would reiterate that the Magnuson Act is what the council considers to provide the most appropriate framework for fisheries management.

We would provide whatever input we receive from the Coastal Migratory Pelagics AP and the Dolphin Wahoo AP and then basically just say that, if it's necessary down the line, the council would provide draft fishing regulations for these fisheries when the Hudson Canyon designation process is further along.

DR. BELCHER: Any other discussion or comments to staff on how we would like to proceed with the letter? Okay, and so next was the Florida Keys National Marine Sanctuary proposed rule, and council staff reviewed draft comments on the proposed changes, including the AP's input on the proposed rule, and a Shrimp AP webinar has been scheduled in January of 2023, to provide members an opportunity to provide input on the proposed rule. The Gulf of Mexico Shrimp AP will be notified of the webinar and will be invited to participate in the discussion. The council had no additions or modifications to the recommendations developed to-date and directed staff to continue to coordinate with FWC in completion of the council comments.

Acceptable Biological Catch Control Rule Amendment, staff presented the draft amendment, including draft rationale for each action. **The committee reviewed the draft amendment and made the following motions and gave the following guidance: revise the purpose statement by making "control rule" "control rules"; revise Action 3 discussion language to clarify that, in addition to the council being able to set additional conditions, on a stock-by-stock basis,**

for annual carryover eligibility, the council can also set additional limitations on the amount of underharvest that may be carried over, and these additional conditions and limitations must be included in the amendment that specifies ABC with carryover, when applicable; staff will provide the full language for proposed framework procedures via email, and the council will consider approval of the amendment after reviewing this language. At this point, we have a draft motion on the board, and would somebody care to make that motion? Andy.

MR. STRELCHECK: I guess John Walter bailed on me, and so the Science Center did have a couple of comments on the ABC Control Rule. Mike, I think he might have shared those with you. I mean, I can talk about them, or, if you want to, just for council consideration, and how would you like to proceed, Mike?

DR. SCHMIDTKE: I can pull up the decision document, really quick, just so folks can see what we're talking about, and then I can kind of provide some of the Science Center comments. All right, and so the portion that the Science Center gave some additional comments on are, under the selected preferred alternative for the ABC Control Rule, which is Preferred Alternative 2, the council, right now, has selected a Preferred Sub-Alternative 2b as one of the actions that would be taking place, moving forward, and it's allowing the council to deviate from the default accepted probability of overfishing, or P*, by up to 10 percent for an individual stock.

This is a place where the Science Center wanted to make sure this clarification -- That the deviation by up to 10 percent is in an up or down fashion, and it could either go up or down, and so, also, just note, on the record, that at no point can the P* exceed 50 percent, because that is where the OFL is, and then the other point was that there would be some -- I guess some rationale given, in those cases, where, especially in those cases where the council elects to deviate from the default and set ABC equal to OFL, or set the P* equal to 50 percent, rather, which would be setting the ABC equal to OFL, there would need to be some pretty strong rationale for that, because what the council would be saying, in that situation, is that scientific uncertainty from that OFL estimate is negligible, and so that was something that the Science Center, I guess, would like a bit more language, a bit stronger reasoning, on cases where that would apply.

If you all have any additional rationale to add, concerning support for that sub-alternative, or if you want to change your selection of that sub-alternative, then that's something that we can address now, and I think that hit it, and, John, please correct me if I missed anything.

DR. WALTER: No, I think that's right, and we did provide some text that could be added to that that might help, and I can provide that text, but I think people need to see text to know what the intent there -- It's just that, if the ABC and the OFL are set equal, under 50 percent, there is no buffer, and so anything that goes above that is then overfishing, and so there is risk in that, and so I think that's just what we want to clarify on that, in addition to what Mike has very aptly noted about that setting it at 50 percent is saying that it's washing out the scientific uncertainty. Thanks.

DR. BELCHER: So, while Mike is pulling language up, is there further discussion from the group on this? We'll wait for Mike to get the language up then. Andy.

MR. STRELCHECK: While we're waiting, I mean, I think this is, you know, not changing the alternative, with the exception of the up or down language, and it's really just providing some kind of further clarification, in terms of the circumstances under which the council would or wouldn't

want to deviate from the recommendation, and I think -- I hope we would all agree with this language and that there would be kind of limited circumstances in which we do deviate, but this provides at least some further clarity for those circumstances and justification for why we may deviate.

DR. BELCHER: Monica.

MS. SMIT-BRUNELLO: John, so is the idea that this would go in the discussion in the document, just to add further, you know, discussion as to what is meant by this particular preferred alternative?

DR. WALTER: That's correct. It would go into the document under just adding clarification.

DR. SCHMIDTKE: John, if you could just help me note which reviewer the suggested language is, because I know there's the addition of up or down within the sub-alternative. The numbered points?

DR. WALTER: Correct.

DR. SCHMIDTKE: Okay. I will just zoom-in on those.

DR. BELCHER: Comments? Jessica.

MS. MCCAWLEY: Does this further limit the species that this would apply to? I don't think it does, but I just want to make sure.

DR. SCHMIDTKE: I guess it sets the precedent that --- You know, really, this highlighted language is really kind of the crux of it, that cases where P* equals 50 percent should be infrequent and well justified, based on understanding of the stock at that time. I wouldn't say that it necessarily limits it anymore, because the cases are already limited, when ABC would equal OFL, and so -- Red snapper has been recommended for ABC to equal OFL.

MS. MCCAWLEY: So in no case? I don't know. That wording, to me --

DR. BELCHER: I guess my general feeling is, knowing that there's a scientific review body in here that's basically helping inform that step-down, I can't think of a time that the SSC would ever say that it was okay to set ABC equal to OFL.

The language is written to allow for it to be up to, but I think, again, I don't know that, in the time that I've sat on that SSC, I don't think any of us would ever have felt comfortable setting those two values equal to one another, and so, I mean, I guess, to me, I'm having a hard time, because it seems to me like it's understood that there would have to be a strong enough record for that to even happen, and I can't think of any time we have ever argued, within the SSC, to really support that ever happening. I mean, it would be good to -- If there was something that we were, all of a sudden, omnipotent and could know it all, but I don't know when that would ever happen, and so I don't know. Jessica.

MS. MCCAWLEY: Yes, but I guess I'm also coming back to the wording in the document from the council that says in no case can we assume that scientific uncertainty is negligible, and that just seems like a statement like that should come from the SSC and not the council, and like it's just a strange statement to come from the council, I guess, is where I'm a little hung up.

MR. GRINER: This is going to show my ignorance on the development of the OFL, but is there not an inherent buffer in the OFL to begin with?

DR. SCHMIDTKE: No, and the buffer comes from P^* being different from 50 percent. 50 percent is the OFL, and any changes less than 50 percent -- The difference between those numbers and the P^* that's applied for ABC, that would be the buffer that gets established, and so the case where P^* equals 50 percent -- That is setting ABC equal to the OFL, which, again, is a very rare case, and the only recent one is the current recommendation from the SSC for red snapper, and they gave reasoning for that, and, basically, the run that would have had the fishing mortality -- I don't know if I can explain this one. Chip might need to do this one.

DR. COLLIER: In some cases, especially with highly-variable recruitment, you can get recent landings above the long-term landings, and so, if you look at recent red snapper recruitment, it's much higher than long-term landings, and so, therefore, the MSY -- The OFL and the MSY are set equal to each other, and not exceeding it, but, because recruitment is so much higher than the long-term averages assumed, it does wreak havoc on setting a buffer between the two, because, if you're going above where it was in the past, as far as recruitment, you should be able to get more fish out of the population. Mel is saying that does not sound right. His eyes are.

DR. WALTER: One of the good things about, I think, the changes to this whole ABC Control Rule is it put things, and responsibilities, more in the right place. Scientific uncertainty is the purview of the SSC, and risk is the purview of this council, and so, if the council wants to take a higher level of risk of overfishing, that's what that 10 percent up or down is doing.

It's saying other factors, because, ultimately, the responsibility of overfishing is the decision of the council, and then you can say we want to go up, but then it's also adding a little bit of caution that that would be only applied infrequently, because it's essentially adding, or saying, that there's a higher probability of overfishing, and setting it at 50 percent means there is no buffer. As soon as you go over it, however you call it, a removal, you are then overfishing, with the concomitant negative consequences. Perhaps what's a little bit confusing is that, based on new scientific understanding, is the last sentence, and I think new scientific understanding and the council's risk tolerance, because that's what we're talking about here. Thanks.

MR. WOODWARD: Can we get the preferred alternative language back up on there, because I'm trying to figure out how to take this and merge it into that and not have it be this tome of words and numbers and things, and it's almost like that last sentence, that we just modified, perhaps could be added to the preferred alternative and communicate the intent that there should be caution taken, you know, when considering the use of this preferred alternative, but that's just a suggestion, for brevity.

DR. BELCHER: Andy.

MR. STRELCHECK: Just for clarity, I don't think we're suggesting including it in the alternative, as much as in the discussion of the alternative.

DR. BELCHER: Well, that helps, but, still, I don't like the in no case can we assume the scientific uncertainty is negligible. I just don't like that wording.

MR. STRELCHECK: Would replacing "in no case can we assume" -- Just say that it is unlikely that scientific uncertainty is negligible?

DR. BELCHER: I think that seems reasonable. Other folks?

MS. THOMPSON: I don't think we need that. I think we can just start the sentence at the word "adjusting", and just take out everything in front of "adjusting", and just make a statement that adjusting the P* above the value should be infrequent and well based on scientific understanding.

MS. MCCAWLEY: Yes, I like that better.

DR. BELCHER: Other thoughts from folks? Andy.

MR. STRELCHECK: I guess just a question for you, or staff, and do we want a motion to request staff include this language, as well as the other recommendation, in the ABC Control Rule Amendment, or is staff direction sufficient?

DR. SCHMIDTKE: So this can be -- I think we have pretty clear guidance that you all want this in there, and this can be part of the "as edited" portion, following this council meeting, before we submit.

DR. BELCHER: Spud.

MR. WOODWARD: But we are talking about modifying the language of the preferred sub-alternative to be overfishing up or down by 10 percent, right?

DR. SCHMIDTKE: Correct. That as well.

DR. BELCHER: Is everyone still okay with that, those edits, as being proposed? Anything else? Again, right now, there's language on the board for a draft motion. Spud.

MR. WOODWARD: I will make that motion, Madam Chair, to approve the Comprehensive Acceptable Biological Catch Control Rule Amendment to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region, Dolphin and Wahoo Fishery of the Atlantic, and Golden Crab Fishery of the South Atlantic Region for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessarily editorial changes to the document and codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.

DR. BELCHER: Do I have a second for that? It's seconded by Mel. Is there further discussion or comments? Okay, and so, John, roll call vote.

MR. CARMICHAEL: Roll call. Bell.

MR. BELL: Yes.

MR. CARMICHAEL: Borland.

MR. BORLAND: Yes.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Griner.

MR. GRINER: Yes.

MR. CARMICHAEL: Helmey.

MS. HELMEY: Yes.

MR. CARMICHAEL: Marhefka.

MS. MARHEFKA: Yes.

MR. CARMICHAEL: McCawley.

MCCAWLEY: Yes.

MR. CARMICHAEL: Murphey.

MS. MURPHEY: Yes.

MR. CARMICHAEL: Roller.

MR. ROLLER: Yes.

MR. CARMICHAEL: Strelcheck.

MR. STRELCHECK: Yes.

MR. CARMICHAEL: Thompson.

MS. THOMPSON: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Yes.

MR. CARMICHAEL: **Madam Chair, the motion passes unanimously.**

DR. BELCHER: Monica.

MS. SMIT-BRUNELLO: I think Mike probably discussed this, but, just for the record, the framework, the actual frameworks, for the three FMPs, Mike sent those around to you, and that's going to be an appendix to the document, which should be really useful for us, going forward, and we can have that all in one place, and so thank you, Mike.

DR. BELCHER: Okay. Continuing on with the report from Full Council, East Coast Climate Change Scenario Planning Workshop, Jonathan Star presented an update of the East Coast Scenario Planning Initiative, and he introduced a set of four scenarios that can each describe different conditions that fishery managers might face over the next twenty years, as climate changes continue to impact fisheries.

He explained that the process is now in the application phase, where fishery managers apply these scenarios, using them as a platform to identify specific challenges and opportunities and to generate ideas about how best to prepare for a future of climate change. This application phase started with a series of three manager meetings in the fall of 2022, ideas from which informed this SAFMC scenario workshop. Similar workshops will be held with ASMFC, NEFMC, and the Mid-Atlantic Fishery Management Council. The ideas emerging from these workshops, in aggregate, will be prioritized and discussed in a summit meeting to be held in February of 2023.

Council participants recognized many features described in the scenarios, suggesting that some aspects are already in evidence today, including difficulty coordinating management actions across jurisdictions, challenges of stock assessments, low levels of trust, and problem with water quality and pollution. Council members noted more optimistic examples that surfaced in other scenarios, such as the emergency of boutique fisheries and public-private partnerships to fix habitats. Participants also stressed the importance of being realistic about competing ocean uses. Offshore wind and aquaculture are sure to be highly influential.

Council members were asked to prioritize several issues that would be discussed and addressed in more detail in a forthcoming summit meeting involving representatives from the South Atlantic, Mid-Atlantic, Northeast, and the Atlantic States Marine Fisheries Commission. The three highest-ranked issues were the balance of funding and attention for data and science, challenges of the cross-jurisdictional structure, and implications of making decisions in situations of less clarity and certainty. John.

MR. CARMICHAEL: I want to remind everyone that we sent out an email for you to express interest in attending the workshop, the summit, and I heard back from positives on Tom, Kerry, Jessica, Trish, and Spud, and we're also looking at sending two staff folks, and so that gives us still a few more slots, if anyone is interested. I have Carolyn standing by, if necessary, and so is there anyone else that's interested in attending this? Please let me know. It's going to be February

15 to 16, probably on the South Bank of the Potomac, in the D.C. area. I'm not sure exactly where just yet, but, if you are interested -- Anyone else interested now, or thinking about it?

MR. GRINER: When is it again?

MR. CARMICHAEL: February 15 and 16. I'm expecting that it may include travel the day before, and even potentially -- Well, most folks can get out of D.C., and there's a lot of direct flights, the 16th even, probably, but I would expect travel on the 14th and all day on the 15th and 16th. We have a good crew, and, if that fills in the folks that we have that are interested, and I'm sure there's some larger groups, such as ASMFC, that may appreciate a few extra slots, if we can offer them up. All right. Thanks.

DR. BELCHER: Now we will move into the closed session for Session I. The advisory panel and SEDAR Pool appointments, the council reviewed applications for several APs and for the SEDAR Pool. Applicants for the open seats were advertised, following the September 2022 council meeting, and both new and applicants on file were presented for consideration, and we have draft motions below to consider, which involve appointing the following individuals, and so I'm going to need folks to make these motions. They can be done all at once, and so is that Mel down there offering to do it?

MR. BELL: Sure. Do you want them all at once?

DR. BELCHER: If it makes it easy for you, go right ahead.

MR. BELL: That's fine. **I move to appoint the following individuals to council advisory panels and the SEDAR Pool. Coral AP, reappoint Dr. Sandra Brooke and Dr. Steve Ross to a one-year term to the Coral AP; appoint Kristen Ayers to the Coral AP; reappoint John Cramer and Dr. Nichole Fogerty to the Coral AP. The Mackerel Cobia AP, reappoint Stephen Donalson, Charles Locke, and Thomas Newman to the Mackerel Cobia AP. Deepwater Shrimp AP, reappoint Mike Merrifield and Marilyn Solorzano to a one-year term to the Deepwater Shrimp AP. Reappoint Jason Vogel song, Lee Vogel song, Nancy Jones, and Damien Solorzano to the Deepwater Shrimp AP. The Shrimp AP, reappoint Gary Exley, John Woods, and Janie Thomas and Marilyn Solorzano to the Shrimp AP. Appoint Brian Fluech and Jeffrey Milliken to the Shrimp AP. Spiny Lobster, reappoint Gary Nichols, Mimi Stafford, Sean Espenship, Bruce Irwin, and Justin Smith to the Spiny Lobster AP. Reappoint Mickey Whittington for a one-year term to the Spiny Lobster AP. The SEDAR Pool, appoint Greg Mercurio to the SEDAR Pool.**

DR. BELCHER: We missed one, Mel.

MR. BELL: Which one?

DR. BELCHER: Right above the SEDAR Pool.

MR. BELL: Sorry. **Appoint Erica Ross to the Spiny Lobster AP.**

DR. BELCHER: Do I have a second for the motion? Tom Roller. Any further discussion, or comments? Okay. **That motion is good to go.** Okay. Advisory panel policy revisions, the

council discussed modifications to the current advisory panel policy and provided the following direction to staff.

Meeting frequency, modifying the AP policy to include a goal of holding one in-person meeting of every two years. AP members are expected to attend the meetings in-person, unless otherwise excused. Effective dates for appointments, include a new provision to state that AP appointments become effective on July 1 for appointments made in June and January 1 for appointments made in December. Term limits, modify the language in the AP policy to eliminate term limits on the following APs: Coral, Deepwater Shrimp, Golden Crab, Wreckfish, and Shrimp was in question, and were we --

MS. IVERSON: Yes, Madam Chair. Thank you. In my notes, I could not remember if you wanted to include shrimp in that list of advisory panels where you would not readvertise the seats or there would be term limits.

DR. BELCHER: Okay. Laurilee, conversation?

MS. THOMPSON: Well, I think we should include the Shrimp AP in that list.

DR. BELCHER: Okay. Other comments on that? Does anyone object to that? Okay. Furthering on, including rationale for doing so, stating these are small, specialized APs, fisheries with few participants, and it is difficult to find qualified new applicants. Another bullet is termination of membership, and add language to clarify just cause and better define violation of council policy. All AP members are to receive copies of the AP policy and code of conduct upon appointments.

Ad hoc workgroups, add a section to the AP policy allowing for special ad hoc workshops, including exceptions that they do not require applications. Timing, these changes are to be incorporated into the AP policy and included in the South Atlantic handbook for the review during the council's March 2023 meeting.

Advisory panels and workshops, the council discussed approaches to having representatives from the golden crab fishery and the wreckfish fishery provide input into the management process and provided the following direction to staff: reinstate the Golden Crab AP to model the recruitment process after other advisory panels and create a Wreckfish AP and model the recruitment process after other advisory panels. Moving on to the draft timing and tasks, this is one of these -- I am going to need someone to make a motion on the draft timing and tasks. Kim.

MS. IVERSON: Just for clarification, very quickly, when we discussed reinstating the Golden Crab Advisory Panel and creating the Wreckfish AP, there wasn't discussion on how those APs - - What the membership specifically would be, and so I think it would be helpful if staff were to bring forward some proposed memberships for those APs at the March meeting, and then you can review that and let us know your preference. Thank you.

DR. BELCHER: Kerry.

MS. MARHEFKA: I thought we -- I remember having a discussion about that, at least specifically for wreckfish, and I remember saying to form the Wreckfish AP in the same manner that we would any other AP, in that there should be a recreational representative, because they have a portion of

the ACL, and you should look at dealers, and you should -- They should be, obviously, maybe not the same size, but in the same manner.

MS. IVERSON: Right, but I don't think it was specified and agreed upon. I mean, those recommendations certainly would be considered, but I think it may be clear, for me, as far as moving forward and advertising those seats, the makeup of that advisory panel, and so we would have specific number of people and the representation, so it's clear, and I don't want to necessarily get into it today, but, in March, we could do that, because the council will be looking at advertising for those seats for the June meeting, for June approval.

MS. MARHEFKA: I mean, we can add that in direction to staff, and like I think I kind of recall us having a conversation that we would trust you all's judgment, as far as -- I mean, I don't know the budget, and so I wouldn't know like what's a number of people we're allowed to have, or not allowed, but do you -- Can we have you guys write up what you think is reasonable, I guess is my question.

MS. IVERSON: Absolutely, and that's what I'm thinking would be given to you to look at in March.

DR. BELCHER: Okay, and so, again, I'm going to need someone to make the motion on the timing and tasks. Kerry.

MS. MARHEFKA: I move that we accept the timing and tasks motion for the Advisory Panel Selection Committee, and do I need to read the items? Okay. That includes send notification letters to appointees and email notifications to those not selected by December 20, 2022; conduct an orientation of new AP members by the March 2023 council meeting; staff to provide options for membership of the Golden Crab and Wreckfish AP at the council's March 2023 meeting; and advertise for open seats on advisory panels, SSC, and SEP following the March 2023 council meeting.

DR. BELCHER: Do I have a second for that motion? Jessica. Is there further comments or discussion? Okay. **Seeing none, we're good on that motion as well.** Moving on, we are now looking at the Snapper Grouper Committee Report, and so Jessica.

MS. MCCAULEY: Thank you, Madam Chair. The committee met, earlier this week, and approved the minutes from the September 2022 meeting and the agenda for the December 2022 meeting and then got an update on the status of amendments under formal review and then started discussions of release mortality reduction in red snapper, which is Reg Amendment 35. I'm going to read a little bit more about this one.

Regulatory Amendment 35 considers revisions to South Atlantic red snapper catch levels, following the most recent stock assessment, and gear changes intended to reduce dead discards throughout the snapper grouper fishery. The Snapper Grouper Advisory Panel Chair and SSC Chair presented comments and recommendations from the AP's and SSC's October 2022 meetings, and the Southeast Fisheries Science Center presented results of a hypothetical run of the SEDAR 73 model that assumed discards to be 50 percent of estimated levels throughout the time series and 100 percent compliance with descending device usage when necessary.

Council staff presented a decision document describing actions and alternatives, as currently developed, and the committee also discussed development of the white paper requested in September 2022 that would describe long-term management options to reduce dead discards in the snapper grouper fishery. The committee made the following motions and gave the following guidance.

Motion Number 1 was to approve the edits to the purpose and need statements. On behalf of the committee, I so move. Is there any discussion? **Any objection?** All right. **Seeing none, that motion carries.**

The committee then made Motion Number 2, which was to select Alternative 2 as preferred under Action 1. On behalf of the committee, I so move. Any discussion? Andy.

MR. STRELCHECK: All right. Well, at the last council meeting, I came with lots of motions in Full Council, and I'm not going to do that to you today, but I have spent a lot of time thinking about this, as I'm sure all of you have, and I just wanted to kind of read some notes, and thoughts, that I have on the situation.

We're in a tough spot, and I think we all know that, and that's an understatement, to say the least. There's also broad disagreement, in terms of the need to take action, and we all agree that red snapper is rebounding and making adequate rebuilding progress. We're seeing higher-than-average recruitment, and we also know that fishing mortality remains too high, and that's largely driven by discards in the recreational sector and too many young fish being harvested before reaching older age classes.

The challenge has been there's a lot of questions, and people are seeing, obviously, this rebound, and we're still saying that overfishing is occurring. I think what we've been able to at least demonstrate, this week, is that the assessment, in and of itself, is robust to many of these different assumptions and data inputs, including the magnitude of recreational discards.

We also know that new data, and tools, are on the horizon, but they're not going to be available for several years, and I'm referencing the South Atlantic Great Red Snapper Count, the snapper grouper MSE, as well as a number of other studies. I look forward to those results, as do I think all of you, but I also want to be clear that that doesn't negate the council's responsibility, which includes me, in terms of the MSA and addressing overfishing, and so that's the challenge at-hand.

I do want to say that Reg Amendment 35 is a step in the right direction, in terms of addressing the overfishing, but it's not going to end it, and that's our obligation under the law. The gear modifications are expected to reduce catch per unit effort, and therefore the number of fish discarded, thereby lowering discard mortality, but I expect that's going to just be by a small amount, and so I've said, in past meetings, that actions considered in Reg Amendment 35 do not address the root cause of the problem, and I just want to continue to emphasize that, and we should not lose sight that the problem with discards is much larger than red snapper, and it impacts our entire snapper grouper fishery, and we really need to get a handle on that. That's why I've pushed so hard on the white paper, and I think the MSE is going to be so important, going forward.

Today's regulations are the most restrictive in history, and they're only getting more restrictive, tight trip limits and bag limits and size limits that have been maxed out, very short seasons, and

early quota closures, and I think our stakeholders, which we don't have many in this room, but some are going to be listening, are frustrated. They are disappointed, and we have a responsibility, obviously, to manage these fisheries, and we can't continue to go down the same path that we have been and expect a different result, and so where does this leave us?

We can proceed down the same path with Reg 35, and I don't think the outcome is going to change, ultimately, or we can try to forge a different path. In my opinion, Amendment 35 is not going to get us where we need to go, and it's going to create more frustration. You have bestowed the responsibility of setting the season on me, the Regional Administrator, and I will say that I staring down the barrel of a one-day derby fishing season that is going to be wildly unpopular, as all of you well know, and that's not a solution. That is a huge problem, and I think all of us can agree that it's just not going to work, going forward, and it's just going to create more frustration.

The commercial fishery is also seeing a 35 percent decrease, despite accounting for, at least based on the assessment, only about 5 percent of the overall fishing mortality, and so it's kind of a lose-lose on all ends, the way I'm looking at this, despite such of the success of rebuilding this stock, and so I mentioned, in committee, about closing the fishery, and I also don't view this as a solution, but it is a viable option for reducing fishing mortality that I think the council needs to be considering, but I don't want it to end there, because, to me, what Alternative 5 affords and provides, which Alternative 2 would not, is that we could then pair that with some innovative strategies to look at exempted fishing permits, use some of that quota that has been lost to directed harvest, to essentially evaluate new approaches that would hopefully enhance the fishing experience as well as address some of the questions about discards and discard mortality.

I am not going to make a motion today, and I just wanted to kind of read my thoughts, and perspective, on the issue, and what I would like the council staff to do is potentially incorporate this concept, and idea, of using exempted fishing permits as part of an Alternative 5, as a possible pathway for looking at alternative ways to manage the fishery, and ask for public input and comment in January, when you hold your meetings, to solicit further information.

I recognize, right now, that the EFPs are uncertain, and what does that mean, and what would they look like, but, in my opinion, what they would be intended to do would be to collect data to inform the development of management strategies that ultimately turn discards into landed catch, and that would be assessing anything from where and when catches occur, species overlap, discard hotspots, performance of gear modifications, et cetera, so that we could address and help all sectors of the fishery, and so I wanted to thank you for allowing me the time to make those comments, and I hope that you, at least in general, agree with them, even if the approach we disagree on.

MS. MCCAWLEY: Thank you, Andy. Any more discussion, at this point, on -- We're on Motion Number 2, which was to select Alternative 2 as the preferred under Action 1. All right. Any more discussion on Motion Number 2? **Any objection to that motion?** All right. **Seeing none, that motion carries.**

All right, and so then the committee made Motion Number 3, which was to move Alternatives 3 and 4 under Action 1 to the Considered but Rejected Appendix. On behalf of the committee, I so move. Is there any discussion? Is there any objection? All right. **That motion carries.**

All right, and then the committee made Motion Number 4, which was to move Action 2 to the Considered but Rejected Appendix. Once again, Action 2 is the use of electrically or hydraulically-powered reels. **On behalf of the committee, I so move.** Any discussion? **Any objection?** All right. **Seeing none, that motion carries.**

Then the committee made Motion Number 5, which was to move Draft Alternative 3 and Draft Alternative 4 under Action 3 to the Considered but Rejected Appendix. Once again, these are alternatives under the action that has to do with one hook per line. **On behalf of the committee, I so move.** Any discussion? **Any objection?** All right. **Seeing none, that motion carries.** All right. Mike.

DR. SCHMIDTKE: I just wanted to note that one thing that you all did not do in committee was select a preferred alternative for Action 2, and I just wanted to ask if that was something that you wanted to do before this goes out for public hearings. Sorry. Action 3, which is now Action 2, the single-hook action.

MS. MCCAWLEY: So I see people making faces and nodding their heads that maybe we don't want to pick a preferred at this time, and so it looks like, yes, that people are nodding their heads that no preferred at this time, and so then we get to the direction to staff for this action. The direction to staff included clarifying that this action addresses multiple separate hooks, revise the language by tying it to the existing circle hook regulations for the snapper grouper fishery. By tying to the existing snapper grouper circle hook regulations, fishing for bait using sabiki rigs would not be affected.

All right, and I'm going to keep going, and so then the committee made Motion Number 6, which was to approve Regulatory Amendment 35 for public hearings. On behalf of the committee, I so move. Any discussion? The public hearings are listed there on the screen, including one webinar public hearing that will be held. **Any objection to this motion?** All right. **Seeing none, that motion carries.** That brings us to the end of Amendment 35 from the committee. Monica.

MS. SMIT-BRUNELLO: You know you've heard me talk about, in several other meetings, about how the Magnuson Act requires you to end overfishing, and, in this regulatory amendment, you're not ending overfishing, and you're addressing overfishing, and we changed the purpose and need to reflect that, but, in the summary section, there is a little bit of discussion of the MSE process, and I know that you're going to be getting a presentation on that, I believe, in March, and, before you see this document again in March, I would suggest that we beef-up the discussion about all the other things the council is doing toward addressing the overfishing of red snapper.

I do think you've got a pretty good amount of legal risk if you're not ending overfishing in this document, but at least you could explain, more thoroughly in the document, that -- I would even discuss a little bit more of what the MSE is, and there's a paragraph on it, and maybe that's sufficient, but I would have staff look at that, and I suggest you talk about the South Atlantic Great Red Snapper Count and what that means and when you expect to receive that information.

There's other studies, and research, I think, that's going on with red snapper, I believe at the Center, and Scott Crosson is doing some -- A research project, and I would -- Maybe we even want to get a presentation on that in March, and I don't know, and that's up to you, but I would try to highlight,

in terms of what all other things are going on, and discuss that upfront, so that it doesn't look like, all right, we've got this difficult problem, and we're not going to deal with it, and we're just going to lower the amount of catch level, when, in fact, the council has a lot of other things that are ongoing, but are not finished, but they're in the process, and so I think it would really make the document better, and help the council, as well as the Fisheries Service, I'm sure, but it would be better to discuss this in the document upfront.

MS. MCCAWLEY: Thank you, Monica. I will look over here to staff, and do we want to add some bullets about that, in the direction to staff above this, at the bottom there? What I took, from what Monica was stating, was adding the list of items, or what else we're doing, that are helping to end overfishing, including talking about the management strategy evaluation and the Great Red Snapper Count. We are already talking about the outreach and education pieces, I think, in the appendix of that document, but, Monica, can you look at what Myra is putting up there, and see what you think about that, and if we're missing anything here? While we're doing that, Mel.

MR. BELL: Just for the record, overfishing is a problem of dead discards, and so dead discards is something we are constantly working on, through our emphasis on the use of descending devices and best practices, and so, while that's not quantifiable, like we would like it to be, anytime we get a better understanding, better use, of descending devices, and people take that onboard, we're moving -- Every time we have that discussion, that's us basically moving towards reducing dead discards, and therefore moving towards reducing overfishing, but we're not there, and 35, as-is, will not get us there, but it's worth noting the importance of our emphasis, over and over and over again, and, yes, it's in an appendices, perhaps, but that focus is moving us in the right direction, and, just to be clear, we are addressing dead discards and, therefore, overfishing in that fishery, every time we push that concept.

MS. SMIT-BRUNELLO: Well, right, and I had written down, you know -- I know the document will highlight the best fishing practices amendment, and you've also got a Sea Grant person, communication, citizen science, and, I mean, you're doing a lot of things that are kind of moving toward this direction of helping to end the discard problem, or helping to address the discard problem, but you're not there, and so I think you can, you know, play-up, in effect, and explain all these other things that are ongoing, like descending devices, and I've listed those, and I'm happy to work with staff to come up with some good explanation and discussion in there, but I think that would really help the public see that, yes, you're going towards this direction, and it's a difficult problem to solve.

MS. MCCAWLEY: Thank you, Monica. Before I go to Dewey, are you suggesting that this needs to be completed before it goes to public hearing in January or just when it comes back in March?

MS. SMIT-BRUNELLO: No, when it comes back to you in March.

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

MR. HEMILRIGHT: Given Monica's question about making the administrative record of things you're doing, do you make the administrative record of things you have chosen not to do that would end overfishing and circumvent things that are going on that's going to take many years to cultivate, and so do you put that in the record of things, or does that not go into the record of things that this council, or SERO, has chosen not to do?

MS. SMIT-BRUNELLO: Well, that's already in the record. I mean, the record is clear, so far, of some things that were brought before the council that could be, you know, taken as council action, and, if you're talking about potential closed areas, timing of -- I mean, those sorts of things, that was brought before the council at the last meeting, and the council determined they didn't want to go that route, but that's in the administrative record.

The administrative record, when we talk about the record, building the record, it is all the discussion you've had at the past meetings, and it's documents you've looked at, and it's anything that comes before you as a council, in terms of the action you're looking at, and so that is part of the record already, and I guess I would leave that to the council, if they want to put in a discussion of not doing closed areas, and I don't know that they would want to, and I don't know that, in other amendments, there is much discussion of actions that aren't chosen by the council, but they're part of the record already, and so is that what you were meaning, Dewey?

MR. HEMILRIGHT: Yes, and I understand that it's already part of the administrative record, and so that's good. That's fine.

MS. MCCAWLEY: All right. Thank you for that discussion. Then I'm going to move on to the management -- I'm sorry. John.

DR. WALTER: One thing that struck me is there's going to be a lot of connection with stakeholders in this outreach, which is a really good opportunity for getting some feedback. We're going to get feedback on the amendment, sure, but there's not a whole lot of meat in the amendment for people to give feedback on anymore, because a lot of the options have been taken out, and so the feedback that really needs to be obtained is the what is going to go into -- What would actually be palatable to stakeholders and move the bar here, and that's something the MSE is going to have to elicit. It's going to have to get that out, and I am wondering if there's any utility in using that to say, hey, what are ideas that you think might work, that you would like to see implemented, and if there's a way to structure this facetime with fishermen constructively, given that there's a lot less on the -- A lot less options for them to give feedback on. Thanks.

MS. MCCAWLEY: It's a good point, and I guess I would ask for some, you know, latitude here, because I think that also partly depends on how many people show up and want to give comment, and so if it's just like six people, then I feel like you could have a more robust back-and-forth discussion, but, if there's 200 people at a public hearing to give comments, and there's a limited time to get it in, you don't want to cut people down to one minute and say, well, what would you do, in your one minute, and so I guess I would just say I think that that kind of depends on how many people show up to give comments at these hearings. I think it's a great idea, but I just don't know if it can be executed, based on the number of people that have shown up for these types of hearings in the past. All right. Any more discussion?

All right. Then on to the management strategy evaluation, and so the council is conducting a management strategy evaluation, or MSE, to explore long-term management strategies for the South Atlantic snapper grouper fishery. Council staff, the Snapper Grouper AP Chair, and the SSC Chair provided updates and comments, based on presentations by Blue Matter Science and subsequent discussions at the most recent AP and SSC meetings. The committee made the following motion and gave the following guidance.

Motion Number 7 is to schedule the management strategy evaluation contractor to present in-person at the March 2023 council meeting, and, on behalf of the committee, I so move. Is there any discussion? Any objection? All right. That motion carries.

Then the direction to staff, for the MSE, is to work with Blue Matter Science to develop a guidance document to inform on process steps and participants; move John Walter's MSE presentation at the council's seminar series to an MSE webpage for wider distribution; and reference completed MSEs to note successful methods and challenges that can be considered when developing the snapper grouper MSE.

All right. Moving on to private recreational permitting and reporting, Snapper Grouper Amendment 46, I am going to read some more from this paragraph. Amendment 46 considers the establishment of a private recreational permit for the South Atlantic snapper grouper fishery. The Snapper Grouper Recreational Permitting and Reporting Advisory Panel met on November 21, 2022, via webinar, and to provide feedback on the council's previously-identified items regarding private recreational permitting and reporting.

Additionally, the South Atlantic and Gulf of Mexico Fishery Management Councils recently convened a meeting of their joint workgroup to address Section 102: Fishery Management Measures of the Modernizing Recreational Fisheries Management Act of 2018. This workgroup met on October 12, 2022 and developed a series of recommendations for the councils to consider in future management decisions affecting the recreational sector. After receiving summary updates from the Permitting AP and Section 102 Workgroup meetings, council staff reviewed an options paper for Amendment 46, and the council provided the following guidance on options to consider in the amendment for scoping.

This is one of the items that we said we wanted to come back and look at this list again and see if there was anything that we wanted to delete, I guess you could say, from the list, before we go to scoping. I am going to ask John Hadley to walk us through that list, so that people can comment on the list, now that we're going to see it, what we talked about, kind of all in one place here in the committee report.

MR. HADLEY: Thank you for that, and so we're going to go over three basic options that we discussed when we were reviewing the options paper. The first one, and so this one focuses on establishing a permit, and so this is looking at the range of options you want to consider for establishing a permit, and so, when we were discussing this at the table, the committee discussed examining a vessel permit, and then potentially an angler-based permit, and so those are kind of - - That's your a and b there under Item Number 1, and then, within the angler-based permit, there were three basic options that were mentioned at the table, looking at, if the permit was angler-based, it could apply to all anglers, or it could apply to anglers fishing from a vessel only, which lines up with the Florida state reef fish angler designation, and then it could apply to at least one angler on a vessel would need a permit, and so that's sort of the suite of options there.

Then the second major item, under the establishment of a permit, would be which species would be covered by the permit, and so the bookends there were looking at all species within the snapper grouper complex, or potentially matching up that group of species with Florida's state reef fish

angler designation, and you can see the list of species that fall within that thirteen-species category, and so, with that, I will turn it back over to the council.

As mentioned, if there's something in here that you don't want to consider further, we can certainly mark that out at this time. I will mention, under other notes, kind of to capture the discussion that was on there, and not necessarily items that would be within scoping, but just to capture the committee's discussion, it was noted that the permit would be a federal, rather than a state, permit, and then your staff, and your IPT, would be coming back to you with additional information, looking at renewal terms, whether or not a fee could apply, and some of the details with that, but that wouldn't necessarily be brought out to scoping.

MS. MCCAWLEY: All right. Thank you, John. Mel.

MR. BELL: I had mentioned this, and maybe, I guess, nobody agreed, but so you've got the range, in terms of the species, of everything in the complex or the thirteen that are Florida-centric, but something in the middle is -- There are other species, that aren't in the Florida list, that are in the complex, but, you know, fall under ACL management or something, but might be important to other states, and should there be like a middle-ground there, or just leave it like that, and it's the thirteen or everything, right?

MS. MCCAWLEY: That's up to you. What's in the middle-ground? If we're going to add that, we need to give staff some direction. I think ACL management is all fifty-five.

MR. BELL: Okay. I'm just thinking there's stuff in the complex that we don't necessarily care about.

MS. MCCAWLEY: Well, other folks have their hands up. Would you like me to go to others? Okay. I see Andy and then Spud.

MR. STRELCHECK: I think Mel is suggesting that white grunt needs to be added. Poor little white grunt. In all seriousness, I've been thinking about, you know, the alignment of this with other reporting mechanisms, and so we have the for-hire reporting now, and we have commercial e-logbooks, from paper-based, and it seems like we need to not just limit this to snapper grouper for consideration, but also include dolphin wahoo and mackerel cobia, at least in the range of alternatives, and we don't necessarily have to select that, but that seems very reasonable, given our other logbook programs at this point.

MS. MCCAWLEY: All right. Thanks, Andy. Spud and then Kerry.

MR. WOODWARD: Just responding to what Mel said, you know, maybe the species in the snapper grouper complex for which we are able to conduct stock assessments, and, you know, that might be a -- Obviously, that's a greatly smaller list than the total complex, and that might be -- You know, if you're trying to throw alternatives out there, maybe that's one that you could use as sort of that middle-ground.

MS. MCCAWLEY: All right. Thank you, Spud. Kerry.

MS. MARHEFKA: I like Andy's idea of having an option to maybe mirror the South Atlantic coastal -- I forget what it's called, because that does have dolphin, wahoo, barracuda, just as an alternative, and I'm not saying we can do it.

MS. MCCAWLEY: Okay. Myra.

MS. BROUWER: The only thing I will say there is that this is an amendment to the Snapper Grouper FMP. If you want to expand it, we can, but --

MS. MCCAWLEY: Leave it to us to just complicate this up even more. Maybe that's part of what we're getting feedback on at the workshop, but, yes, that's a good point. Laurilee.

MS. THOMPSON: So does that mean that they would have to have a separate permit then for dolphin wahoo and mackerels?

MS. MCCAWLEY: That we would have to amend those FMPs.

MS. THOMPSON: Okay, and so we can amend those FMPs to have something that says that the permit is -- You know, the permit is being added to those FMPs?

MS. MCCAWLEY: That's correct, and so, basically, what it sounds like you're saying is a private recreational permit for all anglers fishing in federal waters, and that's what it sounds like I'm hearing, and are we really going there? Okay. I see people saying no. Okay. Andy and then Trish.

MR. STRELCHECK: Well, I would like to remind us that we're at the scoping early phase of this, and so I don't think we're locked-in that this has to be a snapper grouper action, and I think it would be very short-sighted of us to just think of snapper grouper, given the challenges we're hearing about with dolphin right now and mackerel cobia.

MS. MCCAWLEY: All right. Trish and then John Carmichael.

MS. MURPHEY: I was just going to say, you know, based off the feedback from the AP, and this is such a monumental task anyway, maybe we should build the foundation, starting with snapper grouper, and, as we get better at it, then expand out to other -- So I support just keeping this in the Snapper Grouper FMP.

MS. MCCAWLEY: Thanks, Trish. John.

MR. CARMICHAEL: I was just going to reflect on the purpose and need for even talking about permits, and that started a number of years ago, and it was to deal with species where MRIP gives you extremely high PSEs, and you didn't think it gave you adequate data. I don't think that applies to the other stocks, and I think to do so, just for the sake of a permit, should be taken with great caution.

MS. MCCAWLEY: All right. We've had some discussion here, and so, if we can scroll down just a little bit, to look at the a, b, and c for what would go out to scoping here, it looks like we're

suggesting all species within the snapper grouper complex, assessed stocks, and then the thirteen species for the Florida State Reef Fish Survey. John Walter.

DR. WALTER: After having a lot of discussion on Spanish mackerel, and recreational catches of Spanish mackerel, I would say that that kind of might elevate it at least for, as Andy says, scoping purposes, and it may be impossible to implement, but it's something that could at least be looked at, and we had a lot of discussion, and we redid an assessment, based on landings that people questioned, and so it does seem like at least we should look at other ones, and that's just my two-cents. Thanks.

MS. MCCAWLEY: What I just heard was let's ask people that at the port meetings. I'm just saying we're in the Snapper Grouper Committee. Chester.

MR. BREWER: Let's not forget what we were trying to accomplish at the beginning of the discussions about this permit. The purpose of the permit was to, quote, and I think everybody uses the word now, to determine the universe. The universe that we were trying to determine was the number of people that were going offshore to go bottom fishing, and that's what we wanted to know.

We wanted to get some sort of idea of how many people were actually doing that, and so b is great, but I think, if we now start talking about adding in pelagics to this, as what we're targeting, we're going to be overly complicating it, and I'm going to speak to some other points here in a little bit, but I think we need to, certainly at the beginning, keep this thing simple and set up a framework that we can build off of later, but let's go ahead and get the mechanism in place, and then we can build off it at a later time. Thank you.

MS. MCCAWLEY: Thanks, Chester, and I can't even remember how many years we've been talking about this particular amendment, and we've never been able to move it. People have been asking us to do this, and it just seemed like, the more we complicated it, the slower this thing went, and then it just was at a screeching halt. Andy.

MR. STRELCHECK: I keep hearing the more we complicate it, and we haven't done anything with it at this point. All we're asking for is some public input on it, and it's a scoping comment. I would rather get public input and they tell us that, yes, that's a good idea, or, no, it's not, and then let's figure out how to proceed, right, but now we're talking about we're going to maybe know the universe of snapper grouper effort, and we're not going to know the universe of dolphin wahoo effort, or mackerel cobia effort, right, and so let's think about the long game just as much as the short game here, in terms of what this could do to benefit us. I'm not saying that this is my preferred alternative, but I'm just asking for you guys to go out to scoping with it.

MS. MCCAWLEY: I don't know that we've done nothing here, and we had two separate workgroups that worked on this for some time, and we sent them off to have conversations about this, and to try to make determinations as to whether the state could administer it, or whether it needed to be a federal permit, and so I feel like we have done some work on this, but what's the pleasure of the committee for a, b, and c here? Do we want to add more species? Laurilee.

MS. THOMPSON: So the for-hire people have to fill out some kind of a thing that lets you know what fish they caught, and why wouldn't we have this match whatever is being filled out on the for-hire permit, and, that way, you have more similar data coming in, but from a different source, like from the recreational people, and so whatever -- Does the for-hire vessels -- Do they have to have a separate permit for dolphin and wahoo, versus bottom fish? Do they? Yes? Okay. Then I will shut up.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: I am confused, and I confused myself. Yesterday, or whatever day we were in committee, we weren't sure that we could find the money for any of this, and one of the reasons -- There was a point where we were just looking at shallow-water grouper species, or deepwater species, and we were going to really scale it back, so we could make this happen, and I guess my concern -- I like dreaming, pie-in-the-sky, and that's my favorite thing to do, but, when I come down to reality, my concern is I don't want to go out to the public and overpromise and underdeliver.

If we go out to the public talking about -- I think this will be popular, and I think we're hearing that people really want us to start doing this, and so I don't think it's that it's going to be controversial. I think they're going to think that we're creating this amazing system that we're not even going to be able to finish, and so I've come back around to keep it simple stupid the first time around.

MS. MCCAWLEY: Okay, and so I guess, John or Myra, the public could tell us if they want other species, and we would just be asking them, or putting this in the document, and they would tell us that, hey, I want this for everything the council -- We could still get that feedback, right? Okay. All right. I see thumbs-up, and are we good with what we have here? Okay. I'm going to turn it back to John Hadley to move to the next item here.

MR. HADLEY: All right. Thank you, and so the next -- This topic focuses on establishing sort of education component to go along with the permit, and so, in general, the options -- The items to include for scoping, as discussed at the table, and some of these are pulled out of the scoping document, would be implementing an education component immediately when establishing a permit, building in some sort of option that would keep the door open, so to speak, on an education component, but may not implement it initially with the permit, and so, basically, signal that education component may be coming in subsequent years, but not right away. Then, also, this education component could be mandatory or voluntary.

Another option would be that this could not be considered further in this amendment, and that could either be removed indefinitely or sort of a placeholder in a subsequent amendment, once a permit were put in place, and so, as far as the options that would be sent out for scoping, Items 1, 2, and 3 are the items that would be -- If they remain, those are the options that would be taken out for scoping.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I think this is relevant enough to be included for scoping, because I think it's something we very definitely are considering at some point in the future, and, I mean, we've

just approved an aggressive outreach and communication plan, and so I think it's germane to the comment we're seeking, and so I would leave it in there, and I think those options cover it well enough.

MS. MCCAWLEY: All right. Any other discussion on this section here? All right. Back to you, John.

MR. HADLEY: All right. Thank you, and so this is the last option, and Option 3 looks specifically at reporting, and so whether or not there would be some sort of reporting requirement implemented to go along with a private recreational permit, and the sort of range of options look at whether to implement reporting immediately when the permit is established, the option that could leave the door open to kind of stagger reporting sometime after the permit requirement is put in place, and so that would be Option Number 2, and then reporting -- There would be options that reporting could be mandatory or voluntary, and then the species covered -- We'll probably add, I would imagine, the assessed snapper grouper species to that list, but we could have all species, the assessed species, or match the thirteen species that fall under the Florida state reef fish angler designation, and so, with that, I will turn it over. I will turn it over to the council.

MS. MCCAWLEY: All right. Chester.

MR. BREWER: With full recognition of what Andy had to say about this is just scoping at this point, I remember that it was seven or eight years ago that we started talking about this, and I'm ecstatic, quite frankly, to see it starting to actually move, but I -- I realize that I may be talking a little bit too early, but I may not have a chance, as I wander off into my dotage, and I may not have another opportunity to make this statement, and so I'm going to go ahead and make it now.

That is, if you include, in this document, when we're talking about permits, doing, you know, the mandatory or voluntary or whatever it is reporting, you're going to get so wrapped around the axle that certainly I won't be on the council anymore, and probably most of us won't be on the council anymore, and it may not get done within like my lifetime, and so I would really, really, really recommend that the reporting, which I think is a wonderful thing, and we should be going forward with it, but that it not be included with regard to this amendment, from the standpoint of permitting. Thank you.

MS. MCCAWLEY: Spud and then Andy.

MR. WOODWARD: Well, as I contemplate my dotage, at some point in the future, you know, I kind of -- I'm a little squeamish about this too, because I think what it does is it will elicit a lot of very specific questions that we won't be prepared to answer, and I think that could be troubling, you know, and people go, well, is that daily, or is it weekly, or is it monthly, and have I got to do it, or does somebody else got to do it, and we're not going to --

You know, you can look at this scoping process one of two ways, and it's either to say, well, I don't have an answer, but tell me how you want us to do it, or should you be prepared to give people answers that you might not have, and so, you know, I can go either way, but I think, you know, there is some legitimate concerns about we can't give people the answers that they will be desperately seeking in this process, and so, I mean, I could go either way on this, but, if we do

leave it in there, I think we need to be prepared to at least frame it up with some bookends about what we would be contemplating, so we can respond to people.

MR. STRELCHECK: I mean, I agree with Spud, in terms of there's going to be, I'm sure, lots of questions about what does this mean, in terms of reporting, and I like the option to, you know, reserve kind of the potential for reporting, but not necessarily implement it, and I think that needs to be a component of this, and I think what I'm not comfortable with is the voluntary versus mandatory. I think there's plenty of scientific evidence, in terms of bias, and potential for bias, associated with voluntary reporting and the shortcomings of voluntary reporting, and so I think, for me, that shouldn't be an either/or, or an option in the document at this point, and it's either we're going to require reporting or not, and certainly the details of how we do that would have to be worked out.

DR. BELCHER: We're going to go ahead and take a ten-minute break. We've got a little bit of technical difficulties going on with the mics, and so that will give folks some time to check-out, and so come back at 10:15.

(Whereupon, a recess was taken.)

DR. BELCHER: If everybody would like to leave by lunchtime, we probably should come back to the table. Jessica.

MS. MCCAWLEY: All right, and so, trying to kind of summarize where we are here on what to include for scoping on -- I believe we're on Item Number 2, Option 2 here, and so -- Maybe we're on Option 3, and so we're figuring out what we're going to put in there about reporting, and so I was going to summarize, but go ahead, Monica.

MS. SMIT-BRUNELLO: Well, you can summarize, and I will say it after.

MS. MCCAWLEY: All right. It seems like there was debate about placing in the document whether reporting would be mandatory or voluntary, and then you've also heard, from some folks around the table this morning, that maybe we don't even put this -- Don't even take it out for scoping at all, that we should just focus on the establishment of the permit and not get into this reporting component in the future, and so I'm trying to -- That's kind of my summary, and we'll go to Monica, but then I'm trying to figure out -- We need to make a decision about is it in or is it out for scoping. Monica.

MS. SMIT-BRUNELLO: I just thought it might help if I read the vision statement that you had in the amendment, and that might help focus, or give you some ideas, but the vision statement, right now, in the options paper is a permit for the private recreational sector of the South Atlantic snapper grouper fishery will facilitate the collection, validation, and analysis of harvest and discard data to improve the catch and effort estimates used for fisheries science and management decision-making.

MS. MCCAWLEY: Thank you, Monica. All right, and so, based on that, what do we want to do here? Spud.

MR. WOODWARD: Well, after hearing the discussion, I feel a little strongly that I think we can delete this and still accomplish what we need, as far as the scoping process. I mean, this is the beginning of something, certainly, and not the end of it.

MS. MCCAWLEY: All right. Thank you, Spud. I'm just looking around the table and making sure that people don't feel strongly in the opposite direction, and I see heads nodding in agreement with you, Spud. Andy.

MR. STRELCHECK: I will just note that I feel strongly in the opposite direction.

MS. MCCAWLEY: Thank you, Andy. Anybody else here? All right. I am going to turn it back to John.

MR. HADLEY: Thank you, and so, just for clarification to staff on what we bring back to you in March, we will not further discuss reporting in this amendment, and I just want to make sure that's the understanding here. It sounds like it, but just for clarification, so we're all on the same page.

The next item is approving the amendment for scoping, and, as part of that, we had a little bit of discussion, during the Snapper Grouper Committee, on the various other activities, council-related activities, that are going on between now and March, and so, assuming that this is approved for scoping, we would be holding two scoping sessions via webinar, and then there would be a comment period related to that, and that would be several weeks, and, also, you will continue to get feedback, again, on this from your Technical AP, during their meetings, from your Snapper Grouper AP, as well as your meetings, and so there will be additional opportunities, on top of the scoping sessions, for the public to provide comment and feedback to you, and so, with that, I will turn it over, and we would be looking for a motion, and there's a draft motion there, to approve the amendment for scoping.

MS. MCCAWLEY: Thank you, John. Spud.

MR. WOODWARD: Yes, ma'am. I am willing to make this motion, but, before that, just in the interest of full disclosure, I just wanted to let everybody know that I've had a conversation with Monica regarding what mechanisms may be available if we were -- In the future, if we wanted to allow states to have some sort of exempted status from this, in terms of, if a state chose to create some sort of permitting, or licensing, mechanism, that would provide the equivalent data, reporting, or whatever we end up with, what mechanisms might be available to facilitate that, similar to what happened with the National Saltwater Angler Registry, and so it doesn't need to be in this amendment or anything, but just that, probably in the future, she'll come back just with some guidance, based on what has happened in the future, just for us to contemplate. **With that, I will move that we approve Amendment 46, Private Recreational Permitting and Reporting, for scoping.**

MS. MCCAWLEY: All right. Thank you, Spud. We have a motion by Spud. Do we have a second? Seconded by Chester. Any more discussion here? I just want to make sure it's clear that we've edited what's going out, and so this would be approving this as modified, I guess, or -- Okay. I see heads nodding yes. Any more discussion on this? **Any objection to this motion?** All right. **Seeing none, that motion carries.** All right. Thank you, John.

Now we're going to move into gag and black grouper, which is Amendment 53, as Allie is running over here, and so Amendment 53 is considering changes to catch levels and management measures for gag, in response to the most recent stock assessment, and the committee reviewed a decision document and made the following motions and gave the following guidance.

Direction to staff to modify the purpose and need to reflect that the recreational accountability measures are not being changed for black grouper. **Then the committee made Motion Number 9, which is to move Sub-Action 4b to the Considered but Rejected Appendix, and, on behalf of the committee, I so move.** Once again, this is the action that would modify the commercial spawning season for gag, and so any more discussion on this motion? **Any objection to this motion?** All right. **That motion carries.**

All right. **Then the committee made Motion Number 10, which was to select Sub-Alternative 2a and Sub-Alternative 3 as preferred for Sub-Action 5a. On behalf of the committee, I so move.** Once again, this is establishing a recreational vessel limit for gag. All right. Any additional discussion on this one? **Any objection?** All right. **That motion carries.**

All right, and we also had some direction, and it's listed there as clarification, about establishing a vessel limit and folks being restricted to the current bag limit of one per person per day, and so that will be clarified next time when we see this.

Then the committee made Motion Number 11, which is to move Sub-Action 5b to the Considered but Rejected Appendix. On behalf of the committee, I so move. Any discussion? This is the recreational spawning season closure for gag. **Any objection?** All right. **Seeing none, that motion carries.**

Then the committee made Motion Number 12, which was to select Alternative 2 as the preferred alternative for Sub-Action 5c. On behalf of the committee, I so move. This is prohibiting the retention of gag by captain and crew. Any additional discussion? **Any objection?** All right. **Seeing none, that motion carries.**

MS. BROUWER: Sorry, and I'm just noticing here that the direction to staff says, "consider revisions to the recreational vessel limit alternatives", and do you want us to change those to address captain and crew retention? I'm not sure, and, Allie, I will pass it to you, but we just wanted to make sure that was clear.

MS. MCCAWLEY: I thought -- I'm looking to Allie, but I thought that the IPT was going to go back and look at this and figure out if it's best to keep this separate or if the vessel limit alternative needed to be modified to be clear about how this is working, because we were having a debate about a vessel maximum of say two fish is really two fish, or is it four fish, because the captain and crew get an additional bag limit, and so I think that's probably discussion for the IPT.

MS. IBERLE: Yes, and so that was my question, would be is that the discretion of the IPT, or do you want to go ahead and give direction for us to modify those alternatives, and the other item was the clarification of the vessel limit being constrained to the current bag limit, and I want to ask if we want wording in there that implicitly states that. Right now, it's implied, using the no action alternative, and so I want to make sure that the IPT is clear on whether or not you want language in there about that as well.

MS. MCCAWLEY: Let's start with that one first, and I would say yes, and I would add that, and then I will look around the table, and I'm okay with the IPT trying to figure out the different between modifying the vessel limit action or keeping a separate, I guess it's a sub-action, for captain and crew, but I will defer to the IPT to bring back something at the March meeting. Okay. I see thumbs-up. All right. Thank you for that clarification.

Then the committee made Motion Number 13, which was to select the same preferred alternatives for the black grouper sub-actions as the gag sub-actions, and, on behalf of the committee, I so move. Any more discussion on this? This is because of identification issues. Then, basically, staff would go through the document and select -- Match up all of those preferreds, so that they match up for gag and black grouper. All right. I see heads nodding that they understand. All right. Any more discussion on that motion? **Any objection to that motion?** All right. **Seeing none, that motion carries.** All right, and so then -- I am just reading all the direction to staff, and it's matching the direction to staff on gag.

All right, and so then the committee made Motion Number 14, which was to direct staff to conduct two webinar public hearings in January 2023 for Amendment 53. On behalf of the committee, I so move. Any discussion? **Any objection?** All right. **That motion carries.**

All right, and so a note here that the Regional Administrator suggested the council consider requesting that NMFS issue an interim rule to adjust catch levels for gag, given that rulemaking for Amendment 53 will take several months, and so I'm assuming that we will talk about that again at the March meeting, when we're seeking to finalize this amendment. Andy.

MR. STRELCHECK: My recommendation is, if you wanted to request the agency do an interim rulemaking, that we discuss that today, and I think, if we want until March, we would have limited time to implement an interim rule. As I mentioned in the committee discussion, the idea that I had would be to keep the interim rulemaking simple, specify the catch limits for both the commercial and recreational sector. If the council wanted to consider adding any of the management alternatives, we would want specific direction from the council now, but you would want to request that interim rule I think today.

MS. MCCAWLEY: Okay. Discussion on this? Kerry.

MS. MARHEFKA: I guess I would love to hear from staff, and what does that mean for them? What does that mean for the process overall, I guess?

MS. BROUWER: Typically, my recollection is that an interim rule does require an environmental assessment, and so there would need to be an EA prepared for an interim rule, and so that would be my question to the SERO folks.

MR. STRELCHECK: While Rick is coming up, you know, we would be largely preparing the interim rule and working some with council staff, taking the information that you've already put in Amendment 53 to create that interim rule, but Rick can discuss a little bit more about the process.

MR. DEVICTOR: That's correct, and I think they're working, or have been, on one in the Gulf, right, for gag, and so, yes, we typically do it on our end, and, yes, like Andy said, we would take

what's in the amendment right now as sort of the basis, and I think it would give us a good head-start on it. I think it would help us to be very specific on which levels you're considering here for the catch limit levels, and, of course, if you have any ideas about trip limits or anything like that, or keep it simple, but try to be as specific as possible, if you have this, so it's clear.

MS. MCCAWLEY: Thanks, Rick. Tim.

MR. GRINER: Okay. Well, I guess now I'm a little confused, and I thought the interim rule was just to implement the start date in 2023, but keep limits and everything else the same, and so it seems like we've already done that, and I thought this was just to get started in 2023.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Right now, the catch limits, and any existing regulations, are going to remain in place until we're able to finalize rulemaking for Amendment 53. You, right now, are scheduled to take final action in March, and that will then be submitted to the agency sometime thereafter, and we still have to go through a proposed and final rulemaking process, and, typically, that takes up to six months, and so, by the time that we would have the new catch limits, and any management measures, in place would likely be next fall.

As a result of that, the catch limits that are on the books would be fished, and we would likely exceed the new catch limits by that time, and then, ultimately, have to close both the recreational and commercial sector at the time of final rulemaking on Amendment 53, and so the interim rule is essentially an effort to make sure we get the rebuilding plan kicked-off, constrain catch to the catch limits we're proposing in the rebuilding plan, and that we would set the seasons and, close the commercial quota, when those lower catch limits that we're proposing in Amendment 53 are met, and so that's essentially the intent of the interim rulemaking.

MS. MCCAWLEY: Myra.

MS. BROUWER: Thanks for that, Andy, and I guess a further question I would have is how soon do you anticipate being able to implement an interim rule, and like what could we expect, in terms of timing?

MR. STRELCHECK: You know, the reason I'm saying, you know, if you request it now, and we have the commercial and recreational closed season, right, and so we have some time to get the rulemaking developed and an environmental assessment completed. I wouldn't commit to May 1, but I think we could certainly have it done by, you know, early summer, and available for the potential for closing the fisheries at the time we project the catch limits and quotas to be met.

MS. MCCAWLEY: I think that it's just kind of late in the week, and I think people are tired, and maybe haven't really thought about this fully, and I know, in the Gulf, the Gulf Council got a couple of PowerPoint presentations about the interim rule, because I think it's a little confusing, to me, if you just implement the catch limits, but you kept the commercial trip limit in place, and I think it's just going to be met even sooner, and so then you need to consider implementing the catch limits and some of these other management measures, but it's just -- It's hard for me to kind of visualize that in my head, about what all would need to be done. Tim.

MR. GRINER: So, if you think of it along those lines, and you go back to that 85 percent of the trips are under 250 pounds, I don't see that changing. You know, I don't see that changing starting in May for some reason, and I see that continuing, and so what are we really talking about here? You close, what, September, or you close October, and, I mean, I don't think we're really talking about much of anything. If you're going to have to project out -- If you get this implemented in mid-summer, then you're going to project where we are at that point, or you're going to go through the -- Go ahead and make final rulemaking in March, and then it starts in the fall, and you go ahead and close immediately, and what is the real difference in the closure? I don't see any difference at all.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: On the commercial side, Tim, we're substantially lowering the catch limit, and so we would do our normal quota monitoring, when the fishery opens, and this would give us the ability to close the fishery once we hit this lower commercial catch limit, right, whereas, if we didn't go the interim rule, the fishery is going to remain open until such time that the Amendment 53 final rulemaking goes into place, and those could coincide with one another, in terms of kind of how the harvest is going, and I don't know that for certain, but this, to me, is much more safeguarding the benefits of getting the rebuilding plan off to a solid start, making sure we're constraining it to the catch limit, as proposed in 2023. Then, on the recreational side, same story, except we would have to be doing some projections, to determine when we think the catch limit would be met on the recreational sector, and could implement that closure date based on the projections with the lower catch limit.

MS. MCCAWLEY: You wouldn't happen to have a PowerPoint on this, would you, like with a table or something? I just am having a difficult time visualizing this, and I think that you already said trying to do an interim rule following the March council meeting is too late, and the reason I bring that up is it just seems like some of the management measures need to be implemented, but we don't know what we're going to pass in March, because we haven't had these additional hearings, and so it's just hard for me to make a recommendation here to you. Andy.

MR. STRELCHECK: So maybe we continue on with the committee report, and we have the decision tool, and we have a lot of information in Amendment 53, and we could be very specific, in terms of what catch limits are the preferred options for commercial and recreational, and then at least give you some indication of what the projected season lengths would be without any changes to other management measures, as well as potentially changes to the trip limit, which was I think 300 pounds and the two-fish vessel limit.

MS. MCCAWLEY: I guess I will bring up the same concerns I had in the Gulf on gag, is that it seems like you would want the states to go consistent, and we haven't talked to our commission about this. If you guys were to put in some interim management measures, and also the fact that, if we direct you to go put in some interim measures, because we look at the drop in the catch limit and decide that that's not enough by itself, that that might not match up to what the council approves in March, after hearing public comment, and so I just -- It's a conundrum, for me. Andy.

MR. STRELCHECK: I mean, certainly we can bring back, if you made a recommendation now, the more details on the interim rulemaking, and I recognize you're wanting, you know, that information and detail now, and we'll provide you what we can, I think, before the end of this

meeting. In terms of aligning with the state, I think the main difference is we aren't looking at, on the recreational side in particular, fixed seasons, right, and so that was the main difference in the Gulf, is that we looked at a fixed season that opened and closed in the Gulf for 2023, whereas, here, we haven't made any changes, other than we're opening on May 1, and we would close the fishery once we project the quota to be met.

MS. MCCAWLEY: Yes, but we're also talking about modifying the vessel limit and other things, and I think that we would want to do that in state waters as well, and we certainly haven't talked to our commission about an interim rule on that, and then my question is I guess you would only do the interim rule on gag, and so then black doesn't match up with that, and so I just -- I have so many questions and thoughts in my head. Andy.

MR. STRELCHECK: Sorry to take so much time, and so the interim rule, as we've discussed in the Gulf, and for anything that the South Atlantic would request of us, should be very explicit, right, and so I'm not suggesting that it just be the gag vessel limit. If the South Atlantic Council wants the gag and black grouper vessel limit to be in effect for the interim rule, then you would recommend that to us.

What we can't have is just, you know, you're requesting an interim rule of the agency, and then providing us the discretion, because we could implement any number of things at that point, and we want the specificity of what catch limits would you want us to implement, and any sort of management measures that come along with that, and so let us maybe do some quick work behind the scenes, and we can circle back to this at the end of the Snapper Grouper Committee report.

MS. MCCAWLEY: Myra.

MS. BROUWER: Just to point out, and maybe this will help that thought process along too, but we're looking at public hearings for this amendment on January 10 and 11, which means the briefing book for those public hearings, and preparing how we're going to present this to the public, needs to happen by the end of this month. I'm a little concerned about how we would explain the interim rule, and how catch levels would change and, you know, are we going to be ready to explain all of that to the public, you know, fully by a couple of weeks from now.

MS. MCCAWLEY: Okay, and so -- Go ahead, Monica.

MS. SMIT-BRUNELLO: Well, to further complicate things maybe, an interim rule is used to reduce overfishing. There is a decision, in the Middle District of Florida, which encompasses part of the west coast of Florida, and the EEZ out there, and part of the east coast of Florida, right, and so there's a federal district court decision that said, a while back, that those measures have to be specific to the fish, essentially, that is undergoing overfishing, and so I don't know that -- I don't agree with that. However, in that particular district, that is what one judge has said, and so I don't know that you should include black grouper in that, and that would be my recommendation.

MS. MCCAWLEY: Okay. While folks are working on what does this look like, maybe we can continue through the committee report, to snowy grouper and some other items here, and then we'll come back to this discussion. All right. Let's talk about snowy grouper, Amendment 51, and so Amendment 51 considers changes to catch levels and management measures for snowy

grouper in response to the most recent stock assessment. The committee reviewed a decision document and made the following motions and gave the following guidance.

All right, and so Motion Number 15 is approve the modifications to Action 4, Alternative 2. On behalf of the committee, I so move. Is there any discussion? All right. Once again, this is modifying the snowy grouper recreational accountability measure text. **Is there any objection to this motion?** All right. **Seeing none, that moves us to a draft committee motion to approve this amendment.** Would someone -- We said we would wait until Full Council to make this motion, after we took public comment on this earlier in the week, and so would someone like to make this draft motion that's on the board here? Mel.

MR. BELL: Madam Chair, I move to Amendment 51 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document and codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.

MS. MCCAWLEY: All right. Motion by Mel. Do we have a second? All right. It's seconded by Carolyn. I am going to turn it to John Carmichael.

MR. CARMICHAEL: All right. Thank you very much. Roll call vote. Bell.

MR. BELL: Yes.

MR. CARMICHAEL: Borland.

MR. BORLAND: Yes.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Griner.

MR. GRINER: Yes.

MR. CARMICHAEL: Helmey.

MS. HELMEY: Yes.

MR. CARMICHAEL: Marhefka.

MS. MARHEFKA: Yes.

MR. CARMICHAEL: McCawley.

MCCAWLEY: Yes.

MR. CARMICHAEL: Murphey.

MS. MURPHEY: Yes.

MR. CARMICHAEL: Roller.

MR. ROLLER: Yes.

MR. CARMICHAEL: Strelcheck.

MR. STRELCHECK: Yes.

MR. CARMICHAEL: Thompson.

MS. THOMPSON: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Yes.

MR. CARMICHAEL: **Madam Chair, the motion passes unanimously.**

MS. MCCAWLEY: All right. I am going to keep moving through the Snapper Grouper Committee report, and so then we moved on to golden tilefish and blueline tilefish, which is Amendment 52. Amendment 52 considers changes to catch levels and management measures for golden tilefish, in response to the most recent stock assessment, and considers changes to accountability measures for golden tilefish and blueline tilefish.

The committee reviewed a decision document and provided the following guidance, and so we had a lot of discussion about Action 3, modifying the fishing season for commercial golden tilefish hook-and-line and longline components, and so the committee discussed Action 3 and clarified the purpose of the proposed change. There is a number of bullets there, and I will read them.

Action 3 responds to an industry request to delay the onset of commercial harvest of golden tilefish with longline gear to avoid oversupplying the market in the first part of January and extend the harvest into the Lenten season, when prices tend to be relatively high. Longline endorsement holders expressed preference for a January 15 opening, to improve social benefits to families at the start of the year. Between 2016 and 2021, the commercial golden tilefish longline component landed the full ACL by March. Therefore, delaying the onset of fishing by two weeks would not be expected to prevent the full ACL from being caught during the remainder of the year.

With the increase in the ACL, analyses project that the longline fishery would extend into April. The council discussed the problems that would arise with changing the fishing year, versus just delaying the onset of the longline commercial season for golden tilefish, and so the commercial

longline and hook-and-line commercial fishing years begin on January 1. Therefore, modifying the fishing year for one commercial component and not the other would complicate tracking the overall commercial ACL. Issues could also arise as a result of different fishing years for compilation of information prior to a stock assessment. In the event that harvest would one day extend beyond the end of the calendar year, the council could make adjustments to allow fishers the opportunity to harvest the entire ACL.

I will just look around the table, and we had a lot of discussion on this in committee, and I think we ultimately decided that we were good with the way that the new action was written, and we agreed with the preferred that was selected, but I will just look around the table, to make sure that everybody is still okay on this. Okay. It looks like people are nodding yes. All right.

Then the committee made Motion Number 17, which was to move Action 6 to the Considered but Rejected Appendix. On behalf of the committee, I so move. Any discussion? Any objection? All right. Seeing none, that motion carries.

Then we have a draft motion there, if someone would like to make this motion. Once again, when we were in committee, we said we would wait until we got to Full Council to take any additional comments throughout the week, and would someone like to make this draft motion? Kerry.

MS. MARHEFKA: I move that we approve Amendment 52 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.

MS. MCCAWLEY: Is there a second? It's seconded by Carolyn. Any further discussion? All right. Over to John.

MR. CARMICHAEL: Okay. Thank you very much. I am ready for this year to be over, like the rest of you all, and I wrote 2023 on these. All right. Bell.

MR. BELL: Yes.

MR. CARMICHAEL: Borland.

MR. BORLAND: Yes.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Griner.

MR. GRINER: Yes.

MR. CARMICHAEL: Helmey.

MS. HELMEY: Yes.

MR. CARMICHAEL: Marhefka.

MS. MARHEFKA: Yes.

MR. CARMICHAEL: McCawley.

MCCAWLEY: Yes.

MR. CARMICHAEL: Murphey.

MS. MURPHEY: Yes.

MR. CARMICHAEL: Roller.

MR. ROLLER: Yes.

MR. CARMICHAEL: Strelcheck.

MR. STRELCHECK: Yes.

MR. CARMICHAEL: Thompson.

MS. THOMPSON: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Yes.

MR. CARMICHAEL: Thank you very much. **Madam Chair, it passes unanimously.**

MS. MCCAWLEY: All right, and so then the committee received additional AP recommendations for items that were not on the committee agenda from our AP Chair, and so we talked about a list of those, and then the committee went to Other Business, which was a discussion of the special management zones, and so there's a bullet there to add discussion of Amendment 36, special management zones, evaluation and extension to future planning priorities and consider the timing and prioritization of this discussion relative to the expiration of the SMZs on July 31, 2027. Any additional discussion on this particular other business item? All right.

We have a draft timing and tasks motion, and do we want to go ahead and make this, even though we're waiting on an item here? Okay. Would someone like to make the timing and tasks motion? Spud.

MR. WOODWARD: You might have to scroll it up, so I can read the bottom, but I will try. All right. **I move that we direct staff to do the following: continue to develop Regulatory Amendment 35 (release mortality reduction and red snapper) and Amendment 53 (gag and black grouper) for the committee's consideration of approval for formal secretarial review at the March 2023 meeting; conduct public hearings for Regulatory Amendment 35 (release mortality reduction and red snapper) and Amendment 53 (gag and black grouper) prior to the March 2023 council meeting; conduct public hearings for Amendment 53 via webinar; conduct in-person and webinar public hearings for Regulatory Amendment 35; prepare Amendment 51 (snowy grouper) and Amendment 52 (golden tilefish and blueline tilefish) for submission for secretarial review; conduct two scoping sessions for Amendment 46 via webinar ahead of the March 2023 meeting; continue to develop Amendment 46 (private recreational permitting and reporting) for review at the March 2023 meeting; and develop a guidance document for the management strategy evaluation; and request Blue Matter Science provide an overview presentation of the MSE at the March 2023 meeting.**

MS. MCCAWLEY: All right. Motion by Spud and seconded by Laurilee. It's under discussion.

MS. THOMPSON: So I think we talked about not doing public hearings for Amendment 53, and so it's in there to do public hearings, and via webinar, and I think you need to scroll back up. In Bullet Number 2, it says to conduct public hearings for Amendment 35 and Amendment 53, and I thought we took public hearings --

MS. MCCAWLEY: It's conduct public hearings for 53 via webinar.

MS. THOMPSON: Okay, and so that's just clarifying that the public hearing for Amendment 53 would be a webinar. Okay. Thank you. Just checking.

MS. MCCAWLEY: All right. Thank you for requesting clarification on that. Any more discussion on this timing and tasks motion? **Any objection to this timing and tasks motion?** All right. **The motion carries.** I think that concludes the Snapper Grouper Committee report. Andy.

MR. STRELCHECK: All right, and so are we good to go back to the interim rule discussion? Okay, and so, based on what's in Amendment 53, and your preferred alternatives for rebuilding and allocation, the annual catch limits, in an interim rule, would be 85,326 pounds for the commercial and 90,306 pounds for the recreational sector.

In terms of what does that then mean, in terms of season lengths, and these are all projected, and so keep that in mind, and that's the caveat, that we would do in-season quota monitoring for commercial, and, for recreational, we would likely look at more recent data. Commercial, if you decided not to include the vessel limit, or, excuse me, the trip limit, it would be closing in June, late June, June 25, and, if you included the 300-pound commercial trip limit, the projection is July 15, and so about a three-week difference. For recreational, without the two-fish gag vessel limit, July 24. With the two-fish gag vessel limit, we project around August 21.

MS. MCCAWLEY: Tim.

MR. GRINER: The recreational closure -- When I looked back at the last ACL, where we are today, they've only caught 30,000 pounds, but I know that's a few waves behind, but, last year,

their total catch was 80,000 pounds, and so it seems to me that there wouldn't even be a recreational closure, under the interim rule, or even after the amendment was implemented, and it seems, to me, that, either way, the commercial is going to close, and we're just talking about a few weeks, and so it seems, to me -- I don't want to try to act like we're circumventing this public hearing process.

MS. MCCAWLEY: Thanks, Tim. Kerry.

MS. MARHEFKA: This one is challenging, because I have no doubt that gag is in trouble, and is in need of protection, as soon as we can do it. I am, however, very concerned about going out to public hearing with an interim rule already moving forward and the perception that we have already made up our minds on something that we have yet to take public comment on, and so, I think, for that reason, because we have public hearings coming up in January, I don't know that I'm comfortable doing this at this meeting.

MS. MCCAWLEY: Thank you. I would just say, from the FWC point of view, I really would have needed to have gotten direction on this from our commission, like we received direction from them on the Gulf gag interim rule, and so I don't feel like I could support this at this time. Spud.

MR. WOODWARD: Just a couple of clarifying questions. I think, based on what I heard from Monica, this would not apply to black, and this would only be to gag, and how long would the interim rule be in effect?

MR. STRELCHECK: Our authority provides six months, and it can be extended for an additional six months.

MS. MCCAWLEY: Okay. I saw a staff hand over here. Allie, was that you?

MS. IBERLE: Yes, and so, when you're looking at the landings for this fishing year, those are being tracked in CHTS, and so you have to be mindful, when we're comparing that, because of the units.

MS. MCCAWLEY: Mel, did you have your hand up?

MR. BELL: Yes, and I'm kind of like Kerry, and I appreciate the intent of it, but I'm just a little concerned about the perception of going into public hearings and having done what it is we're asking for them for input on, or why are you asking us, and you already did it, and, I mean, that's how it would be perceived, and I understand that, technically, it's different, but that would just be my concern.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: All right. Well, I mean, given the comments around the table, it sounds like, you know, there is not interest, at least at this meeting, to move this forward, and so I would ask, I think, for discussion to be added at the March meeting, to the extent the agency could do some front-loading of this, in the event that you want to move towards an interim rule, and we'll consider that, and it will just make the deadlines tighter for us to get it implemented.

MS. MCCAWLEY: Do you mind bringing back some slides, a PowerPoint, kind of what you talked about here, so we can see some of those things, and do you mind doing that? Okay. I see heads nodding. Okay. All right, and so, after that discussion, is there any other business to come before the Snapper Grouper Committee? All right. Seeing none, that concludes the Snapper Grouper Committee Report, and I'm going to pass it back to Carolyn.

DR. BELCHER: Thanks, Jessica. Next is the Mackerel Cobia. Tom.

MR. ROLLER: Thank you, Chair. On Thursday, December 8, the Mackerel Cobia Committee met, and the first item of business was approving the minutes from the September 2022 meeting and the agenda.

We started off with updates on amendments recently submitted to NMFS. At the December 2021 meeting, the council approved CMP Amendment 32, Gulf cobia catch levels and management measures, for formal review. The Gulf Council approved CMP Amendment 32 for final action at their October 2021 meeting. The document was transmitted to NMFS on February 18, 2022, and the proposed rule published on July 7, 2022. The final rule published on October 21, 2022, and regulations were effective on November 21, 2022. At the March 2022 meeting, the council approved CMP Amendment 34, the Atlantic king mackerel catch levels and management measures, for formal review, and this document was transmitted to NMFS on August 5, 2022.

The next item was the Mackerel Cobia Advisory Panel report. The Mackerel Cobia Advisory Panel met on October 5th and 6th in Charleston, South Carolina. The AP Chair, Ira Laks, provided a summary of advisory panel discussion and recommendations on items being discussed at this meeting, as well as other items relevant to the coastal migratory pelagics fishery.

The next item was CMP Amendment 33, updates to Gulf king mackerel management based on the SEDAR 38 update in 2020. Staff presented an update on Amendment 33, which would modify sector allocations for Gulf king mackerel. At their October meeting, the Gulf Council passed a motion to stop work on Amendment 33. Additionally, the Gulf Council recommended additional modifications to CMP Fishery Management Plan objectives. Both councils must concur on the goals and objectives of the CMP FMP before any modifications can be adopted. The council agreed that it was important to continue discussing the CMP FMP objectives, but did not want to finalize anything until port meetings had been completed.

The next item was Atlantic Spanish mackerel management. At the September 2022 meeting, the council requested the Southeast Fisheries Science Center rerun the SEDAR 78 assessment model with new landings to address uncertainty with MRIP estimates in the terminal year. The SSC reviewed the changes at their October 2022 meeting. SSC Chair, Jeff Buckel, presented the SSC's recommendations and proposed path forward.

Additionally, in September 2022, the council requested staff apply the allocation decision tool to the Atlantic Spanish mackerel fishery, considering both sector and regional commercial allocations. Staff explained that, because catch level recommendations were not provided following the October 2022 SSC meeting, the Atlantic Spanish mackerel annual catch limit remained in MRIP-CHTS. The data that goes into the allocation decision tool is in MRIP-FES, making it challenging to complete the necessary analyses and interpret the results. The committee

ultimately decided to wait and discuss the allocation decision tool once catch level recommendations are available.

The committee also expressed their frustration with the Spanish mackerel assessment (SEDAR 78) and the importance of having accurate catch level recommendations to move forward with needed management discussions. We do have a draft motion here, and I will look at the council, if anyone would like to make that motion.

MS. IBERLE: Staff has drafted this motion for you all. Based on discussions that you had around the table yesterday, it seems like you guys are very interested in having the SSC sort of make a firm decision on what they would like to do with the Atlantic Spanish mackerel assessment and have catch level recommendations come out of the April SSC meeting, so that you're not waiting until the October SSC meeting, and then basically a year from now, before you're getting catch level recommendations, and so we have a draft motion that staff developed for the council to discuss and consider that would direct the SSC to provide catch level recommendations at their April 2023 meeting, whether that be from an updated assessment or using a data-limited approach.

MS. MCCAWLEY: Laurilee.

MS. THOMPSON: **I can make a motion that we direct the SSC to provide catch level recommendations for Atlantic Spanish mackerel at their April 2023 meeting and they either work from the updated assessment or using a data-limited approach.**

MR. ROLLER: Is there a second? Carolyn. Is there any discussion on this motion? **Seeing none, the motion passes.** The next item on the agenda was is the little tunny white paper. On September 19, 2022, the council received a letter from the American Saltwater Guides Association requesting to consider re-adding little tunny to the CMP FMP. In response to the letter, the council directed staff to develop a white paper examining false albacore with respect to the Magnuson-Stevens Act criteria for conservation and management. Staff presented the white paper to the council for discussion.

The council provided the following direction to staff to have the AP develop a fishery performance report for little tunny every three years. In the fisheries overview, include the following: landings, state versus federal, on the Atlantic coast, include information on landings source for federal landings (MRIP or large pelagics), international, including CPUE, and length distribution. Was there any further discussion on the direction to staff on this item?

Seeing none, moving on, the next item was mackerel port meetings. During their October 2022 meeting, the Mackerel Cobia Advisory Panel requested the council conduct port meetings to gain a comprehensive understanding of the commercial and recreational king and Spanish mackerel fisheries to improve management efforts for these fisheries. Council staff presented a draft plan for conducting port meetings, and the committee was in support of conducting port meetings, but did not want them to begin until catch level recommendations for Atlantic Spanish mackerel have been provided.

The council provided the following direction to staff to begin developing a plan for conducting port meetings, to include the Gulf Council and ASMFC in discussions, and include both the Mid-Atlantic and New England regions. Is there any further discussion with this direction to staff?

Seeing none, I'm going to move on to Other Business. After hearing public comment regarding king mackerel tournaments on Wednesday, December 7, 2022, the committee requested staff provide information on regulations surrounding fish caught during tournaments in each state and how those fish are being accounted for when looking at landings relative to sector annual catch limits.

There was direction to staff to provide information on how king and Spanish tournament landings are addressed. The highlighted item here is just some clarification, after the original discussion, from staff, and this is to request that NMFS provide the weight and number of tournament fish caught over the last ten years. Do we believe that is a reflection of our discussion, and is there any more comments, or discussion, on this item?

Moving on, we're going to go to timing and tasks. I will also note that Item 4, the highlighted, was also developed by staff, per our discussion, and I'm looking to see if there is anyone that would like to make the timing and tasks motion here. Spud.

MR. WOODWARD: Somebody's got to do it. **I will move that we adopt the following timing and tasks for staff: provide updated landings information and conduct a fishery performance report for little tunny once every three years for review; begin developing a plan for conducting port meetings along with Atlantic coast, seeking input from the Gulf Council and Atlantic States Marine Fisheries Commission; provide a brief summary of federal regulations as they relate to king and Spanish mackerel fishing tournaments and work with NMFS to gather the weight/number of tournament fish over the last ten years; and, lastly, work with the SSC and Southeast Fisheries Science Center to provide the information necessary to develop catch level recommendations at the April 2023 SSC meeting.**

MR. ROLLER: Do we have a second for this motion? Carolyn seconds the motion. Is there any discussion? **Is there anyone opposed to the motion? Seeing none, the motion passes.** Does anybody have any other business to bring before the Mackerel Cobia Committee? Seeing none, that concludes the Mackerel Cobia Committee Report.

DR. BELCHER: Thanks, Tom. The last report-out is from the Outreach and Communications Committee. Spud.

MR. WOODWARD: Thank you, Madam Chair. The Outreach and Communications Committee met on December 8, 2022. After approving the meeting agenda and the transcript from the previous meeting, we received a report from Scott Baker, the advisory panel chair, who provided a summary of the October 2022 advisory panel meeting and information on that panel's recommendations, as it relates to the council's outreach and communications efforts.

Next, staff provided a presentation on a draft best fishing practices outreach campaign, in response to a September 2022 request from the council that such a campaign be identified and included as an appendix to Snapper Grouper Regulatory Amendment 35, with the goal of helping to improve release survivorship in the snapper grouper fishery.

Staff provided an overview of the comprehensive campaign, its goals and objectives, an overview of current outreach and education efforts, including the South Atlantic Reef Fish Extension

Communication Fellow and the council's RELEASE citizen science project evaluation and proposed expansion of the council's outreach and education efforts. Expansion of best fishing practices outreach and education is designed to increase the overall use of best fishing practices, including the use of descending devices, in the fishery, by increasing stakeholder awareness of the need to improve survival of released fish. The expansion includes the addition of a best fishing practices outreach specialist to complement current efforts. Specific duties were outlined for this specialist, and continuation of support for the citizen science project coordinator is also included.

The committee supported including the appendix in Snapper Grouper Regulatory Amendment 35, and the committee also authorized the immediate implementation of the actionable items within that appendix. That concludes my report, Madam Chair.

DR. BELCHER: Thank you, Spud. Okay. Moving on to our final items, the next item is the council workplan, and so John Hadley.

MR. HADLEY: All right. Thank you, everyone. In front of you is a revised version of your workplan. If you want to follow along on your own laptop, outside of the presentation screen, it's at the very bottom of your briefing book on the webpage. You can just click on that, and the revised version will download and pop-up in Excel.

What you have here is some things have shuffled around, based on what occurred this week, but, just to kind of orient everyone, and there's a few items that we'll flag as we go through here, but, up top, we have your FMPs underway. Below that, we have the known FMP amendments, rather, that are coming soon, and so those will be the planned ones. Then you have your other council activities that are addressed at your meetings down below that, and then, also, down here at the very bottom, you have sort of your bullpen, so to speak, for future amendments that will be coming sometime soon, but aren't necessarily right on the horizon, or there is no timing specified for those.

From the very top, I'm going to kind of work down and highlight a few items for the council to consider, and, overall, as you may recall, in several December meetings of the past, the idea here is to really take some time and -- You know, take some time and look at your workplan, at least for the next year or so, and things are going to change, as issues arise, or other topics arise, but, in general, as far as what we can plan, kind of look out over that time horizon, in 2023, and make sure you're comfortable with that.

Starting from the very top here, we're working down, and we have several amendments that will be coming off of the workplan, since they do have final approval. One thing to keep in mind for that is, once they are approved by the council, staff will be working to prepare those for submittal to the agency, and then the agency certainly has a lot of work to do, after that, to package the amendments up for rulemaking, and so that's not necessarily the end of them, so to speak, and the work does begin on the backend of that, of getting those regulation changes in place.

Moving down, one of the differences in your workplan that was from the version that was previously provided in the briefing book is the yellowtail snapper assessment response. We'll move that up to underway, items underway, and that was pushed back one meeting, and it was originally supposed to be discussed by the council at the March meeting, and it's being proposed that that be pushed back to June, to allow the Snapper Grouper AP to discuss that at their upcoming spring 2023 meeting, if that's okay with the council. If not, we can push that back up, but the AP

has not had a chance to really dive into and discuss the updated assessment results for yellowtail snapper, and so that's one of the changes.

The other item is CMP 33 will be coming off of your workplan, and so that's been really removed, and it's been removed in the tallying, so to speak, of the workplan items overall, and then, moving down, we do have the assessment response for Spanish mackerel, and that has been pushed back to reflect the discussion that your SSC will have in April. Hopefully, if all goes well, you will have an assessment response to review in June.

During the Executive Committee, it was -- The dolphin wahoo pelagic longline amendment was discussed, potentially moving that back, given the other efforts that are happening with the dolphin MSE, other measures that are being -- Dolphin regulations that are being examined in the Caribbean, and just other efforts related to dolphin, and I believe, in the Executive Committee, it was brought up that that could be pushed back a little bit.

Then, moving down, we have a few, several, items that are added on here for March, and, really, March is where there is a time crunch. We do have the snapper grouper discard white paper, and we're asking for clarification on whether or not to move forward with that, at least for the March meeting, given the staff workload in relation to other items, particularly in relation to amendments that are moving forward.

Then we also added a block for the discussion on the snapper grouper MSE presentation in March, and that's probably going to be a pretty hefty discussion, and we're probably looking at half-day or so, and so that was added to this as well, and then, also, an item to look at a plan for upcoming mackerel port meetings, and so that's sort of, in a nutshell, the revisions of what's been added and what's been shuffled.

As you see, down here at the very bottom, the tally, as you go through that, is above the council's target of eight, and so it's very, very full, probably a little bit overly full at this point, and so there is -- We're asking for guidance on how to move forward with that, particularly some of the changes that have been made, as well as -- There again, do you want to have the discussion of the white paper in March? If so, I think, from a council staff perspective, we're going to be in quite a pinch to achieve that by March, and so, with that, I will turn it over.

If it's okay -- Again, please provide input on any portions of this, but, from the items that we're looking for input specifically, in regard to the yellowtail snapper amendment, Snapper Grouper Amendment 44, and is that change in timing agreeable, then how to handle the dolphin wahoo pelagic longline amendment, and then, there again, how to handle the snapper grouper discard white paper for March.

DR. BELCHER: Jessica, I will let you go first.

MS. MCCAWLEY: On yellowtail, I'm good with that timing. I just don't want us to get too far away, and it looks like finalizing in 2024, and remember we had to send this back to FWRI to run the stock assessment and add more data, and so just trying to be cognizant of -- I don't think they want to run this again, a second time, and so just I'm good with it, and I don't think there's any hurry, other than just we don't want the data to be too stale by the time we take the final action on that.

Then maybe it's up there, and I just don't see it, but the SMZ item that Kerry brought up, and is it further down? What was it listed as? I see it. I'm sorry, and so another question, and so then, if we -- In that middle section there, a little bit above where you are right now, even if we took the discard white paper off the list, we're still over, right, for March, and we're still -- Okay. All right. That was my question. I will stop.

DR. BELCHER: John.

MR. CARMICHAEL: Yes, you're still going to be a little tight on the overall meeting workload, though, as it shows, we're doing pretty good in terms of the FMPs, and I did want to point out, you know, that we just approved three for submission, and we've got two coming up in March, and that's very good. One of the things we said about this was, to get to the ability to bring in things like the SMZ, we've got to take care of these statutory things, and so I do think the council should give itself a big pat on the back for the accomplishments of, you know, the last few months, and this meeting, and the next one, getting these things done. It will create a lot of work for NMFS, I think, and so it will be good for us to move into a period, for the rest of the year, where there aren't quite so many things coming up for approval.

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

MS. MARHEFKA: Thank you for bringing that up, but I see that like March is ambitious, and I wouldn't try to cram that in in March. I think we have time, and I think we're waiting, a little bit, for Monica to find out what the procedure will be, whether it will be a framework or a plan amendment, but, you know, if we are opening up in June, I would love to see that move up from that bottom, under other amendments, and maybe move up to other council activities, if everyone would be amendable to that, and maybe we can start working on it in June or September.

DR. BELCHER: I've got Laurilee, Trish, and then Tim.

MS. THOMPSON: Well, since it's going to be tight for staff to finish the snapper grouper discard white paper, it seems like we could move it to the June meeting, and, if it's a five-year review of essential fish habitat, it doesn't seem like a three-month, you know, delay on that would hurt, and we could move that to June, and then that would get it down to 8.5, and get June up to eight.

DR. BELCHER: Trish and then Tim.

MS. MURPHEY: Since Laurilee brought up the discard white paper, I'm just going to be frank, and I think that just needs to go away. I think we've got everything going on, as far as all the different, you know, Amendment 35, the permitting, the MSE, the snapper count, and I just don't think that any new information is going to come out of that. I really think it's busywork, and I don't mean to be rude, but I just think it's busywork that, you know, better -- Staff's time would be better suited on other things.

Then really a question on the dolphin MSE and the dolphin rec, and I'm just curious about the timing of the dolphin MSE and the Dolphin Reg 3, and do we want to -- I guess I'm confused, and are we still going to continue to discuss recreational management measures, or are we going to wait on the dolphin MSE, because I am trying to remember what the timeline was for the dolphin

MSE, and I know they were going to have all their meetings done by the end of January, and I guess we would get an update from that in March, and so then is there some modeling, or analysis, following that, or will that all be done? Is that done -- I guess will it be finished in March, to start adding to the Reg 3?

DR. BELCHER: John.

MR. HADLEY: To clarify the timing on the dolphin MSE, by March, you will have wrapped up essentially phase one, and so that's the initial dolphin stakeholder workshops, and so you'll have that feedback summarized and available for you. The MSE, I believe, is scheduled to be wrapped up -- The MSE itself, and so the whole process, is scheduled to be wrapped up sometime in the middle part of 2024, and so there's kind of two parts to that, but you will have phase one, but you won't have the whole product, so to speak, by your March meeting.

DR. BELCHER: I've got Tim, Andy, and Chester.

MR. GRINER: A couple of things. First, on that dolphin MSE, I'm fine with then holding off on the dolphin wahoo pelagic longline measures, and I think we definitely need to get our arms around that MSE first, and probably the same with the recreational measures. If we go on down to the very bottom, there is one that I would like to take a look at, and I'm just curious how much effort would be involved, and, I mean, we've been kicking this thing around for a long time, but this spiny lobster, getting some more access to the spiny lobster, how difficult -- I mean, how much time are we really talking about on that?

MR. HADLEY: From a timeline perspective, and so how long would that development process last? Is that your question?

MR. GRINER: No, and how much staff time would it take to get it started? I mean, is it something that's really that intensive on staff time?

MR. HADLEY: Well, it would take a new plan amendment, I think, and so it would be a full plan amendment, and so it would have to go through the process of that, and start by getting a white paper and a scoping document together, and then -- It would need to go through the Gulf as well, I'm being told, if it involves spiny lobster, and so there may be an extended amendment development process to go along with that, and so probably two years or so.

MR. GRINER: Thank you.

DR. BELCHER: I've got Andy, Chester, Trish.

MR. STRELCHECK: I mean, I'm not seeing the need to discuss dolphin at the next meeting, given kind of the ongoing MSE work that's happening, and certainly I could see that delayed. I realize that people don't agree with me, in terms of the white paper, and I certainly don't view this as busywork. I view it as something that could be highly informative of the MSE process, and John spoke to that earlier in the week, and so I think it's really important that the council start looking at the different tools and options that we might be able to consider for reducing discards in the snapper grouper fishery, and that can help inform the MSE process, and the fact that we're getting an MSE presentation in March seems to align really well with that timing.

Also, just to clarify, at the last council meeting, we did give staff direction, and had a motion that was voted on, to bring that back in March, and so we were very explicit, in terms of the timing, and it was just beginning development and not completing an entire document.

DR. BELCHER: Okay. Chester, Trish, Jessica, and then Tom.

MR. BREWER: I want to talk, just for a moment, about the dolphin longline measures. I am certainly one of the ones that was following this very closely, and I got pretty upset about it, quite frankly, and I have been pushing this, pretty hard, for, I don't know, six years, but, as we've gotten deeper into it, with the other information that we've been able to garner, I don't know that we have identified the -- We've identified the problem, but we have not, as yet, really identified the source of the problem, and, until we are able to identify the source of the problem, I don't know how we try to go about, quote, solving it, and it may well be, from the stuff that I've read, what I've become aware of, it may well be that this problem is not one that's going to get solved in our EEZ.

I think that there's a high probability that this problem is not going to be solved in our EEZ, unfortunately, and so I think that -- God help me, but I think that can be moved back for a pretty good while, until we've got the information that we need to at least identify what the source of the problem is. I've been talking with John, and I've got some theories about what the source of the problem is, but it has nothing to do with our pelagic longline industry. Dewey, is that okay with you?

MR. HEMILRIGHT: As long as you're speaking, I'm fine.

DR. BELCHER: Trish, Jessica, and then Tom.

MS. MURPHEY: With the dolphin MSE going, I was wondering what thoughts were on pushing the Regulatory 3 up to after the MSE was finished, so that it would -- I mean, I think that was one of the purposes, was for it to inform these amendments, and so I am wondering if we could push that up, up or back or whatever, back, to when the MSE is finished, because that looks like that might take some work pressure off, and, again, I just think, as far as the snapper grouper discard paper, I think we're already looking into the different ways we can do it through the MSE, and so, again, I just think -- I don't know, and maybe I'm just hardheaded on this one, but I just think this one just needs to go away. Sorry, Andy. I still like you.

DR. BELCHER: Okay. Jessica and Tom.

MS. MCCAWLEY: I'm good moving the dolphin longline, postponing that for some length of time, and so it sounds like the dolphin MSE will not be fully complete until sometime in 2024, and I would still like to see us get -- It doesn't have to be in March, and maybe it's in June, but a report-out on what happened at the stakeholder workshops that already occurred and then have a discussion then to say do we want to pick back up with the amendment or fully wait until sometime in 2024, and so I would just like to hear a report-out on that, and it doesn't need to be March, because I know it's too full.

DR. BELCHER: Okay. I've got Tom and then back to Trish.

MR. ROLLER: Thank you. I agree with Jessica there, regarding at least seeing a report on the MSE workshops, but I do support moving all the dolphin recreational longlining into the future, to more correspond with getting more MSE information out. I am going to agree with Trish on moving the grouper snapper discard white paper from March, and I'm going to defer to staff on that one, and I know workload is a little heavy, and I do agree that we're addressing a lot of those issues a little bit piecemeal. I mean, this is also important, given the tight workload, and agreeing with some of the previous comments, to try to get addressing the sunset SMZs up here in the work calendar at some point.

DR. BELCHER: I've got Trish, Mel, and then John.

MS. MURPHEY: I was just going to follow-up with Jessica, and I think that's a great idea, to get a report-out, and we can keep up with what's going on, and, as we move forward, if we need to start doing things, we can, but I think that's a great idea, Jessica.

DR. BELCHER: Mel, you're up.

MR. BELL: We had a question about the Law Enforcement Committee, and I'm not sure -- Normally, we would meet in March, but I'm not sure what we would really cover that we would be asking them to look at, because we've cleared some things now, and we're sort of at a period where -- We've even talked a little bit about the LE AP meeting in February, and that might be one that's a little schedule challenging, but, also, what do we want from them? There may be one thing, I think, that we could get them to look at without even meeting, and so, if we need to save a little time, that's something to consider, I guess, and Myra and Spud and I have talked a little bit about that, but it's just a matter of what it is that we would really, timing-wise, need them to look at and weigh-in on and then the committee discuss.

DR. BELCHER: Thanks. John.

MR. CARMICHAEL: I certainly appreciate the comments regarding dolphin, and trying to push that back a bit, the longline, to better identify the problem, and I think that is the bottom-line issue that we have to face, and that certainly helps the workload considerably, not just in March, but probably throughout the year, and I think that brings us the opportunity to bring in the SMZ topic, perhaps as coming in, while the dolphin things continue with, you know, the MSE and the other stuff that's a little less within our control, and perhaps we can start factoring that into our plans.

You know, you talked a lot about the MSE for red snapper, and snapper grouper, and we're intending to have probably a morning-long discussion, have a presentation from Blue Matter, the consultants, and probably that really falls under the long-term red snapper response issue, but, you know, that's a pretty big chunk of time, and so I think that parallels, somewhat, as has been said many times, the issues in the white paper, and clearly there's a bit of an impasse here on this so-called white paper.

The position that we had at Snapper Grouper, for staff, has not changed, and, again, I will point out the A's, and that's where we have a big, heavy load, going into getting those done, and we're behind, because we haven't gotten greater amberjack wrapped up and submitted yet from the past meeting, because of preparing for this meeting and preparing to bring finals to you for those A's,

and the next topic is the meeting schedule, and, if you haven't glanced at that, this is the busiest January and February that I will say we've ever had.

We just talked about a lot of public hearings, you know, and we've got to wrap those public hearings up, and we've got to get this stuff done, and we know the red snapper ones are going to be controversial. Nothing has changed in that regard, but we just don't have the time to work on that, and so maybe a way forward is for Andy's staff, and the Science Center staff, the agency, to come back with a little bit more clarity for you, the council, about what is in that white paper, because, you know, you could read that as just we're going to give some cursory information, or you could read that as that's kind of an outline of what you're going to do in the red snapper response amendment, and I think people are all over the map on that.

If they can come back with some better information on what it would consist of, the level of analysis and information that's envisioned, and even provide some of the things, such as the data that's included in there, and, you know, I don't think there's -- After talking about this, and working with snapper grouper, I just don't think that there's somebody sitting out there on their hands with the genius idea that's going to solve this discard problem.

We know the tools that are before us, and we know the management options that we can consider, but it's just a matter of figuring out how to have a conversation about them and really, you know, put them in perspective of a fifty-five-species fishery. As Mel has reminded us a lot when he was the chair, it's not just a red snapper problem, but it is a snapper grouper fishery problem, and I feel like that's where we've been.

You know, maybe we can do that as part of talking about the MSE, and, you know, if you're looking at a shorter discussion, rather than say a half-day, or a couple of hours, on this white paper, then I think we can get to a manageable workload in March. It will be another, probably, Monday morning until noon Friday meeting, without a doubt, but I think we can get this down into like the eight-and-a-half units workload.

DR. BELCHER: Jessica and then Andy.

MS. MCCAWLEY: Two points, or one point and one question, and so the presentation that Kerry and I saw at the AP meeting -- I mean, that was more than a two-hour discussion, and it was maybe almost a four-hour discussion, and so just trying to be mindful that it is probably going to take a fair amount of time, and then, secondly, when I heard you explaining dolphin, it sounded like you were talking about the longline amendment, and is it still okay that we get some report-out on where the stakeholder workshops are, like at June or something, so that we can just hear how that's going on and figure out if we want to continue with those recreational management measures or punt that off?

MR. CARMICHAEL: I think absolutely, yes, and we would continue to do that, and it's really focused on the longline issue in particular, and I think, John, we could do that in March or June, and what are your thoughts on getting the stakeholder -- I think March is pretty full, and it will give you a little more breathing room, particularly because we envision that presentation from Blue Matter, on the MSE, to be like four hours, to be an entire morning or afternoon, for sure.

MS. MCCAWLEY: I'm fine with it being in June. I would try to push it off, because it just looks like March is too full.

DR. BELCHER: Andy.

MR. STRELCHECK: Well, I recognize there is disagreement here, and I keep going back to the biggest issue this council needs to deal with, in my view, is addressing dead discards, and we can kick the can down the road, and push it off, and hope that the MSE miraculously tells us an answer, or we can spend the time working on it and having conversation around it. John, I normally agree with most everything you say, and I agreed with a lot of what you just said, but what I didn't agree with is that -- You made a comment about, well, you kind of know the tools, and we know the options before us, and I don't think we do.

I don't think this group, as a whole, really understands all the tools and options that we could be exploring, as well as how palatable those are for consideration and what routes we might want to go down, and my concern is we're putting a lot of effort into the MSE, and emphasis on the MSE, and that process needs to be informed by stakeholders and guidance, including the council, right, and so, the sooner we can be having those conversations to help inform that process, talk through that process, the better.

We've just seen, with Reg Amendment 35, how difficult it is to even address some of the discard issues with red snapper, let alone snapper grouper, and so I'm just trying to put this on the plate, to have some conversation and emphasis, and I've already offered up staff time to do this, and we're willing to, obviously, move this forward. Obviously, if the council's plate is too hefty, with what's going on in March, then I would like to have a time certain in which we bring this back. I don't think this is something that we should just kick off the plate and not work on.

MR. CARMICHAEL: We may not disagree that much, Andy, as much as just the mechanism and the process by which we get there. I feel like discussing the MSE, and getting the council some good information on what that can do, and how that process is going to play out, is a discussion in the same direction, you know, and it's just a matter of how we get there, and, you know, I think this group is going to come in with a strong stakeholder involvement proposal, and that's a big part of what we're doing with them, and so all of that is part of it, and, you know, I just feel like maybe we're just in a little bit different place, in terms of how we get there.

I think much of what we could be discussed can be discussed when we do the MSE, but it's just do we need the formality of this paper, and that's why I say I think I'm open to, in March, having some more clarification about what this paper would look like and who potentially can do what, because, at this point, it's kind of hard to, you know, think about the workload that's related to it. I would say this is probably the most ambitious, this white paper, you know, recommendation that's been put before the council, and so that's why I'm saying I think coming back to us with some clarity on what may be involved in that, and how it could fit in, could help us factor it into the workplan better.

DR. BELCHER: John Walter.

DR. WALTER: I've already made my recommendation for this paper, or the information that needs to go into it, very clear, is you want to start as soon as possible on this, and get as much out

on the table, but I think there's different sentiments on that, but I've gone through a fairly extensive process, and, if you don't get things early, and start working on it, it will delay the whole thing, and this is really ambitious, and I would say it's probably one of the more ambitious MSEs ever attempted in the world.

What I would say, from the standpoint, and I will stop on that side of things and talk about the interaction with Blue Matter and where I think it could be very productive, and I think, hearing that the interaction with the AP was exceptionally productive, both in the formal, but also in the informal, sense, and what I would say is, if there was a way to schedule an informal conversation, that wasn't a -- That was either an after-hour or a break from the official council floor, where people could ask questions that they may not want to -- They may feel uncomfortable asking, because they may think it's a stupid question, and there are no stupid questions on this, but there also needs to be an open dialogue about options that could be put to the table.

The problem is what I've found is, at ICCAT, everybody is sitting behind their flag and representing their country, and there is no way that you're going to have an open dialogue about management options when you're behind that kind of an environment, and the one thing about MSE is it is performance that matters. It is exclusively the performance of the management procedure that matters, whether it achieves the management goals or not, and not whether it's a good or bad idea, or you like it or don't like it.

Once you've stated what your objectives are, your management objectives of multiple different conflicting groups state their objectives, then you compare performance of how well you get them, and so that's why you need to be able to have that open dialogue about options, and then you test them, and so, if there's time for like a couple of hours just with the Blue Matters group, I think that -- Just not behind the Full Council or something like that, and I think that's really helpful, to help like clarify things and get conversation going, and I would wholly recommend trying to schedule that time, if possible. Thanks.

DR. BELCHER: Okay. Are there additional comments, or suggestions? John, do you guys have enough guidance with how to structure -- Mr. Hadley.

MR. HADLEY: I believe so. If I could just -- A point of clarification on Dolphin Wahoo Regulatory Amendment 3, and so the amendment that looks at the recreational measures, and it sounds like -- Just to make sure that I have it in my head, and also coordination with the Science Center staff on time, and so it sounds like you want to wait, and not see that in March, but see it in June, and you would be receiving an update from the MSE stakeholder workshops, and then, also, do you want to continue looking at the amendment document, or I guess just some clarification on that, so we can build it into the agenda and scheduling.

DR. BELCHER: Jessica.

MS. MCCAWLEY: I don't know whether we know that answer until we know, you know, what the summary is from the stakeholder meetings, and so it's hard to say, and it might be okay, and whatever came last time is probably good enough, and I don't know that you need to do more work.

MR. HADLEY: Okay. Thank you, and so we'll schedule that for June, and we'll coordinate with the Science Center staff as well on that. Thank you.

DR. BELCHER: Dewey.

MR. HEMILRIGHT: Is there any way to get information about Blue Matter, or the MSE, pending questions beforehand? I would like to have some interaction with them, or something, before scheduled meetings or something, because I have a lot of interest in particularly this MSE in the South Atlantic and what it can do, and what it can't do, and asking these questions, and so is there some type of function where folks can start reaching out with asking questions to them, or do we have to wait for the context of a setting or something like that?

MR. CARMICHAEL: There's been a presentation already to the advisory panel, and I think to the SSC, right, and so you can look at what was discussed there and the presentations and the background on it. I think, as far as asking questions of them, that's the purpose of our discussion in March, and so, if you have questions about what it can do and all of that, that's what I'm thinking a lot of the discussion will be that we have in March, and you'll get a handle of where they are, because it's not a matter that -- You know, they've been working on this for a while, and they're not, you know, at ground-zero here. They have things they're working on, and there has been feedback and input already, and Chip can give us some more, I think, on that, and he's the lead on this project for us.

DR. COLLIER: Yes, and the other place where you can give feedback is during the Snapper Grouper AP meetings. There's going to be -- Quite often, there's going to be updates at those, talking to those stakeholders exactly about what they see needs to be included, what they think is a good evaluation metric, and so that's going to be another opportunity. Is that what you were getting at, Dewey?

MR. HEMILRIGHT: Well, I figured that I'm going to have a lot more questions, and need a lot more interaction, and not to pester somebody, but to flesh this out, because I don't have my hand wrapped around how we're going to get something out of the MSE if we don't have the data, and I've got a fear that -- I've just got a fear that the MSE is going to be -- That you're going to get less fish, and so I don't see how anything more -- I think what could come out of it is how to manage the fishery more, but I don't see getting more fish, and so I've just got questions.

I'm not trying to step ahead of folks, but I've just got a lot of questions that I don't want to, you know, get two minutes to ask a couple of questions, and so, you know, I can write constructive questions and put it in their queue or something, or send them to you, stuff, and maybe it gets forwarded on, or something gets evaluated later, and I just don't want to be limited, because I think this is very important, and it's obviously something that's got to change here in the South Atlantic, with the snapper grouper and discards and recreational fishing, or else the commercial industry is not going to be around, because this is not sustainable, and something has to be done, sooner rather than later.

DR. BELCHER: Chip.

DR. COLLIER: There's going to be -- Another option that is going to be developed, as things go along, is there's going to be a Shiny app, so you can see how the different things are going to

interplay with each other, and it's going to give you that opportunity, but please don't hesitate to reach out to me and ask questions, because I always learn something from when you're asking questions, and it makes me think, and I really appreciate it, and so contact me, and I'll be glad to get you the information that you need, and then we can think up some different options as well, if needed.

MR. CARMICHAEL: I guess one thing to clarify, you know, is it is a management strategy evaluation, and so you decide the management strategies. This is, hopefully, a more comprehensive way to evaluate what those management strategies do than the kind of traditional way that we approach it of here's what a bag limit does, and here's what a season does, and you see them all kind of in isolation, and this, ideally, puts it all together, along with the stock information, to provide a much more robust look at what a management strategy will do, but it really doesn't get into the realm of getting more fish, or less fish, and that still is coming out of the stock assessment.

This is going to take the stock assessment and use that as foundational information and then apply, on top of that, things like management strategies you may choose. If you chose a season, or an area closure, or an aggregate bag limit, that sort of thing, you know, it will look at how that would affect, potentially, different areas and different sectors, and hopefully be able to put it in the context of how well it meets the objectives of different user groups, but, you know, it's really not going to get into say more fish or less fish, because that's just beyond its realm.

MR. HEMILRIGHT: Yes, I understand that, and not for the stock assessment part, but I do understand that, once something comes out of the stock assessment part, the management strategy evaluation is going to have limits on what's going to be done, and so that's what I am curious about, and not the stock assessment, because that's a different animal. Thank you.

DR. BELCHER: Okay. Other comments? Are you guys good for moving forward for March? Okay. All right. The last item, or second-to-last, is upcoming meetings, John.

MR. CARMICHAEL: This is the document that we provided that was in the briefing book, but this one has been revised, as some things that were to-be-determined have settled into their dates in January. As I said earlier, January and February are extremely busy, and you can see this here. There's a lot going on, and you remember the March meeting is fairly early in March, and we have the holidays, and the February briefing brief is mid-February, and February is a short month, and this is one of our biggest crunch times of the year, is coming between the December and March meetings, and so you can see January has got a lot, and February has got a lot, and it's got a lot for staff, and it's got a lot for you all.

We've got this climate scenario thing that's playing out that's going to take some time for folks, and the MSE workshop hearings, and we're double-booked in a couple of those weeks, and so there's a lot happening, and it's probably going to continue, and then, as it rolls on through, we have the March meeting, and we get into April, with our plan for having AP and SSC meeting weeks in April.

Fairly typical things through May, and then the June council meeting, typical things through the summer. There's not a whole lot penciled-in yet, but, as we all know, June and September, et

cetera, will all get quite full, and so, as always, we bring this to you every meeting, and it will continue to grow as the year progresses, but buckle-up when you come back after the holidays.

DR. BELCHER: Thanks, John. Does anybody have any other business for the council to consider at this point in time? Okay. Seeing none, I can officially declared that we are adjourned for the December 2022 meeting.

(Whereupon, the meeting adjourned on December 9, 2022.)

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Certified By _____ Date _____

Transcribed By
Amanda Thomas
January 20, 2023