

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION

**Hotel Ballast
Wilmington, North Carolina**

December 5, 2019

SUMMARY MINUTES

Council Members

Jessica McCawley, Chair
Anna Beckwith
Chester Brewer
Chris Conklin
Tim Griner
Stephen Poland
David Whitaker

Mel Bell, Vice Chair
Dr. Carolyn Belcher
Dr. Kyle Christiansen
Dr. Roy Crabtree
LCDR Jeremy Montes
Art Sapp
Spud Woodward

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John Hadley
Kelly Klasnick
Cameron Rhodes

John Carmichael
Myra Brouwer
Dr. Chip Collier
Dr. Mike Errigo
Kim Iverson
Roger Pugliese
Christina Wiegand

Other Observers and Participants

Sam Rauch
Shep Grimes
Rick DeVictor
Nick Mehta
Erika Burgess
Tony DiLernia
Monica Smit-Brunello
Dewey Hemilright

Sarah Fangman
Dr. Jack McGovern
Dr. Erik Williams
Pat O'Shaughnessy
Dr. Wilson Laney
Dale Diaz
Duane Smith
Jocef Santiago

Other observers and participants attached

The Full Council Session of the South Atlantic Fishery Management Council convened at the Hotel Ballast, Wilmington, North Carolina, on Thursday, December 5, 2019, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: We have kind of some housekeeping things first, and so we are calling to order here the Full Council meeting, and so we need to do a voice recognition around the table, and so let's start over there with Art, and we will go around the table, and so state your name, and if you want to state your state, and then we will move into the next items on the agenda.

MR. SAPP: Art Sapp, the much warmer State of Florida.

MR. BREWER: Chester Brewer, Florida.

DR. CHRISTIANSEN: Kyle Christiansen, Georgia.

DR. BELCHER: Carolyn Belcher, Georgia.

MR. WOODWARD: Spud Woodward, Georgia.

MR. BELL: Mel Bell, South Carolina.

MR. WHITAKER: David Whitaker, South Carolina.

MR. CONKLIN: Chris Conklin, South Carolina.

MR. RAUCH: Sam Rauch, Deputy Director, National Marine Fisheries Service.

MR. WAUGH: Gregg Waugh, Executive Director, for the last time.

MS. MCCAWLEY: Jessica McCawley, from the State of Florida.

MR. DIAZ: Dale Diaz, Gulf of Mexico Fishery Management Council.

MR. DILERNIA: Tony DiLernia, liaison for the Mid-Atlantic Council.

MS. BECKWITH: Anna Beckwith, North Carolina.

MR. POLAND: Steve Poland, North Carolina.

MR. GRINER: Tim Griner, North Carolina.

DR. WILLIAMS: Erik Williams, Southeast Fisheries Science Center.

DR. CRABTREE: Roy Crabtree, NOAA Fisheries.

DR. MCGOVERN: Jack McGovern, NOAA Fisheries.

MS. SMIT-BRUNELLO: Monica Smit-Brunello, NOAA General Counsel.

MS. MCCAWLEY: All right. Thanks, everybody. The next order of business is Approval of the Agenda. Are there any changes or additions to the agenda? One of the things we're going to talk about this morning is the menhaden letter. Other than that, I'm not sure that there is much else that's changing, other than we're going to try to get through the whole agenda today. Is there any objection to approval of the agenda? Seeing none, the agenda stands approved.

The next order of business is Approval of the Minutes from the last meeting. Any changes or comments or additions or deletions to those minutes? Any objection to approval of those minutes? Seeing none, the minutes stand approved.

Now I am going to turn it over to Sam to offer a few wise words to us. As Sam mentioned, he's with NOAA Fisheries, and he's the Deputy Assistant Administrator for Regulatory Programs. Thanks for joining us, Sam.

MR. RAUCH: Thank you. For those of you who don't know, I am one of three senior career deputies with the National Marine Fisheries Service. I oversee the various Regional Offices, including the Southeast Region, but also the other ones around the country. I oversee the Headquarters Offices of Protected Resources, Sustainable Fisheries, and Habitat Conservation. The other two deputies, some of you may know Paul Doremus, who is the Deputy in Charge of Budget, Law Enforcement, International Affairs, Facilities, those types of activities. Then Cisco Werner is the Chief Scientist and oversees the work of the Science Centers.

I wanted to just take the opportunity to say a few things. One, I wanted to express our appreciation to the work of the councils. U.S. fishery management is the model of fishery management in the entire world, and the strength of the U.S. model is the council system. It requires an awful lot of work on the people in this room, a lot of preparation and dedication and going to meetings and understanding and reaching out to constituents and having a public and transparent forum for discussion. It is not easy, and I know it is not easy to do what you do, and we appreciate it. The U.S. fisheries would not be where they are without the work that you are doing.

Then I did want to also take the opportunity -- I know that you have said many things about your Executive Director, but I wanted personally to thank Gregg. You've got one more week, and hopefully you passed your performance review. I hope that was fine. We do appreciate it. The job of the Executive Director is one of the most difficult jobs in the government, or quasi-government, or whatever we consider your status.

You don't get to vote, but you are really the backbone and the integrity of the system, and you make sure that we maintain the focus, and you make sure that we are able to do things and that all of us stay on the right direction. The leadership role is often unappreciated, but I do appreciate it, and I know how much work it is, and I thank you for your time, and we'll be sorry to see you go, but I think you've had a great career, and congratulations on future things.

The last thing that I wanted to say is, for those of you who also don't know, to the extent that I have a home council, this is mine. I am originally from Georgia, and my family -- I am descended from a fisherman from Little River, and, as soon as you end, I intend to go back to Little River and hang out there for a few days, and so I have always had a fond space in my heart for this council, as the one where I am descended from, and so I appreciate the work that you do here. It means a

lot to us, and it means something to me personally. Thank you. I am happy to take any questions about either our national program or other issues, if you would like.

MS. MCCAWLEY: All right. Thanks, Sam. Thanks for joining us, and we're glad that we're your home council, and do folks have questions for Sam today? Gregg.

MR. WAUGH: Just to express our gratitude, Sam. We've come to Sam with tough issues, and he always listens, and, as you all know, funding is always an issue, and Sam and his staff in Headquarters have done the best they can to ensure that we have the funds we need to carry out our job. When we send an amendment to the region and it gets through the region and goes up to Headquarters, it's Sam and his folks that move it through the process up there, and, as we hear from Roy and others, that process is not working very smoothly, and so we're very appreciative to Sam and those to keep moving our documents through, and thanks for all your help over the years, and I'm glad to hear that you consider us your home council. Keep that in mind as funds get tighter.

MR. DILERNIA: Just a comment, and perhaps I can share it with the Deputy Administrator, and it's an issue that's going to come up in the Mid, and I'm bringing it up, because it will probably come up here, also. The MRIP re-estimations of recreational catch, in many cases, are significantly higher than what previously had been thought, and I think it's going to be difficult, and we're going to be facing this issue next week at the Mid, and I'm sure it will come to this council, also.

My question is how -- It's not a question, and it's just a statement, but I'm not sure how we're going to be able to apply the re-estimation of the recreational catch towards quota management when the quota divisions, the recreational and commercial divisions, the separations, was made with the old MRFSS data, and so it might be, in a sense, working with apples and oranges, in the same formula, taking the new MRIP re-estimations of recreational catch and applying them towards the old recreational quotas that were developed under the MRFSS system, and so that's going to be a problem, and hopefully the agency will give us some time to work that through. Thank you.

MR. RAUCH: This is an issue that has existed for a while, and, I mean, it always underlies any change in survey methodology for any fishery that, if you set your management measures based on the prior methodology and you apply a new methodology, you need to calibrate it in some way. Usually those changes don't make a significant difference, and so a lot of them go just in the scientific process, and some MRIP -- The new MRIP approach for some fisheries, and not for all fisheries, is -- It looks like it will make a difference, and we have been mindful of your apples-and-oranges problem for a long time, and it is difficult to say that an estimate generated under the new system has a particular meaning under the old system unless you can calibrate the two, and I know the Science Center has been working very hard on trying to calibrate the different numbers, to deal with exactly what you said, and we've been very cautious that you cannot just look at the numbers immediately, without that calibration, without understanding how they relate to the old dataset, and say you either are over or under the quota.

You have to understand how the old quota would also change, in light of that, and so I don't know exactly how the Mid is going to deal with it, and I know that there are some issues there, and there are issues all over the Southeast and up into GARFO as well, up in the Northeast and the New England Council.

These are issues that we are aware of, and we're trying to work through. They vary, depending on the species. I know the Science Center has been working for a number of years on these calibration things, and so it is not as stark as it initially appeared, but there's still issues we need to work through, but we are sensitive to that topic.

MR. DILERNIA: Thank you very much, Mr. Rauch. I am very happy to hear that, because I was a bit concerned, but you're very reassuring, and I thank you for that.

MS. MCCAWLEY: Any more questions for Sam? Any final words for us? All right. Well, I hope you'll hang around with us today as we conduct our other business and hopefully wrap up today, and so thank you so much for joining us here in North Carolina.

We are going to move into our next item, and so, instead of going to the sanctuary, we're going to go and work on our menhaden letter that we talked about earlier this week, and that's been sent around to the council members, and so we're looking for if people have other questions or comments on this letter, and we need to get it out today, and that's why we're going to take it up first, and so Gregg is projecting the letter on the board here, and so are there questions or comments or concerns on this letter? There was a little sub-team that worked on the letter, and it went around through a number of iterations, and so I think we're in a pretty good place, but I will look around the table if anybody wants to comment on this.

MR. WOODWARD: I think the letter states clearly and succinctly our position with regard to the issue of non-compliance with the menhaden plan by the Commonwealth of Virginia. We all know that menhaden are extraordinarily important throughout the Atlantic coast, and, while this issue seems to be localized to the Chesapeake Bay, what's at stake here is the integrity of the interstate fishery management process, which we heavily depend on to complement our federal fisheries management, and so I think the letter states very clearly and reiterates the importance of this, and I would certainly appreciate the council's support of it.

MS. MCCAWLEY: Thank you, Spud. Anybody else? Gregg, do you have specific questions or concerns for us on the letter?

MR. WAUGH: No, Madam Chair. Just, if everybody's okay with the letter, just a motion to approve sending that letter.

MS. MCCAWLEY: All right.

MR. WOODWARD: **I move we approve the letter to send to the National Marine Fisheries Service regarding the noncompliance of the Commonwealth of Virginia with the Interstate Plan for Atlantic Menhaden.**

MS. MCCAWLEY: Okay. Isn't the letter addressed to the Secretary of Commerce? I'm just checking. It's to Chris Oliver? Okay. I'm just checking. So we have a motion, and it's seconded by Steve. I don't know. Spud, do you think that the motion that Gregg is putting on the board is capturing what we need here?

MR. WOODWARD: I think it's needs to be non-compliance determination. That's the official term for it, is non-compliance determination.

MS. MCCAWLEY: All right. Spud, do you want to read that motion?

MR. WOODWARD: **Move we approve the letter to send to National Marine Fisheries Service on the non-compliance determination of Virginia with the Interstate Fishery Management Plan for Atlantic menhaden.**

MS. MCCAWLEY: All right. One more time, that's approve the letter to send to NMFS on the non-compliance determination of Virginia with the Interstate Fishery Management Plan for Atlantic menhaden.

MR. WAUGH: Should we change -- Instead of "on the non-compliance", to say "supporting the non-compliance determination"?

MS. MCCAWLEY: Spud? Yes. All right. **One more time, it's approve the letter to send to NMFS supporting the non-compliance determination of Virginia with the Interstate Fishery Management Plan for Atlantic menhaden.** The motion was seconded by Steve. Any more discussion on this? **Any objection to this motion? Seeing none, that motion is approved.**

Gregg, do you need anything else from us on this letter? All right. Next up, we're going to ask Sarah Fangman to come forward to give us the Florida Keys National Marine Sanctuary Restoration Blueprint Presentation, and Sarah is the Superintendent of the Florida Keys National Marine Sanctuary, and she also has brought with her Beth Dieveney, and I can never remember Beth's title, and I feel like I mess it up every time. It's government something, analyst, and I don't know, and so sorry, Beth, that I don't know your exact title, and so Sarah is going to give us the presentation, and, following the presentation, she will remain up here, and we can get questions answered.

After you feel like Sarah has answered all your questions, then we can go ahead and have our discussion. On the agenda, we had an overnight in here between giving the presentation and then having the discussion, and we're going to try to do both of them this morning, and so I'm going to turn it over to you, Sarah. Thank you, guys, so much for coming up from the Florida Keys.

DR. FANGMAN: I appreciate the opportunity to be here and present to you on this project that we have been working on for quite some time and that is out for public comment. Without further ado, and, by the way, Beth's title is Answerer of Hard Questions.

MS. MCCAWLEY: I totally agree with that.

DR. FANGMAN: When it comes time for really tough questions, she's going to be right here answering them for me. So, a quick just reminder that the Florida Keys National Marine Sanctuary was established in 1990, and the last time we undertook an effort to do a comprehensive examination of how we manage this place was back in 1997, and so the zones, the regulations, and the management of this has been working under that 1997 plan since that time. Since then, there have been a couple of additions, however.

The Tortugas Ecological Reserve was added in 2001, and then we did do an update on the non-regulatory side of the house, and so our management plan, back in 2007, and so not only because it's been a while since we have done something like this in the Florida Keys, a comprehensive look at the issues and how we're managing this place, but it's also important to go through this because the marine environment in the Keys is part of our culture and very, very important to our economy, and so it is important that we're managing it to the best that we can, given that it is foundational to our community. That said, the resources in the Florida Keys, like a lot of places, have been struggling of late, and so we felt that it was important to re-examine how we're managing this place.

Just to kind of reiterate the point of how this ecosystem is really tied to the community and the economy, you can see some statistics here relative to the level of use that occurs and that is dependent upon the marine environment in the Florida Keys, which then, of course, translates into significant economic impact. You can see, on the slide here, those five-million visitors bring considerable economic activity and drive a lot of jobs, and so it is important that these resources are managed effectively.

However, as I noted, we see that there are a lot of challenges with the state of our environment in the Florida Keys, and we know this just by observation. I am sure that anyone in this room who has spent time in the Keys over the last few decades can tell stories of change that they have observed, but we also, in the sanctuary system, do a periodic examination of the condition of the resources in our sanctuaries, and we call these condition reports, and they are basically status and trends report cards, and they are done on a periodic basis. We collect all the information that is available at that time, published information about the status of the resources, and we work with partners and create these condition reports.

The last time we did it in the Keys was in -- It was published in 2011, and what you can see on the slide is essentially we use a colored grading system, where we rate the status of those resources from fair to poor. Well, actually, all the way down from poor up to good, and what we saw in this condition report of 2011 for the Florida Keys was that, in many cases, we were on the fair to poor end of that scale, and we noted that many of the resources were declining, and so that created sort of a sobering moment for all of us in the Keys.

As I noted, that was out in 2011. On this slide, you see some significant events that have affected the resources in the Florida Keys since that time, and I am quite certain that many of you are very familiar with these events, but I find it quite striking when you look at them all piled on top of each other in this short timeframe, and so the ecosystem in the Florida Keys is clearly under stress.

Now, that said, and, in that previous slide, if you were paying attention, many of those issues, or perturbations, are large scale, hurricanes, temperature stress, and there's not much that is easy to do to prevent hurricanes in a management plan or a restoration strategy for the Florida Keys. That said, we believe that there are a lot of things that we can do locally that can enhance resilience for these ecosystems and allow them to survive, if you will, and recover from these larger-scale perturbations, and that is what this effort is about, is looking at what can we do locally, what can we do on the ground, to address some of the threats and the stresses and to make this system stronger.

Some of the images on this slide speak to things that we can and are doing and can do more of. For example, our mooring buoy system. For those of you unfamiliar, there are over 500 mooring buoys in the Florida Keys, and they have been there for close to thirty years. Can you imagine if, for the last three decades, at those 500 places, everyone had been dropping their anchors on the corals instead of using those moorings? It would be a different place, and so those are the types of things that we can do. Debris cleanups, educating snorkelers and divers, restoration, science, and these are things that we believe we can do to help this system be stronger.

That report card from 2011 was briefed to our Sanctuary Advisory Council. For those of you unfamiliar, we have sanctuary advisory councils, and they are similar to this group. They are representatives from the community with interest in the sanctuary, and we have twenty members and twenty alternates, representing fishing, diving, tourism, education, and they heard a briefing on the condition report and realized that we needed to take action.

Back in 2012, the process started, and it got us to where we are today. We have, as you can see there, as a part of this process, many, many public meetings, and we received a lot of public comment and specific recommendations from that process to the Superintendent as to what can we do to address these declines, and how can we make things better in the Florida Keys, given how important these resources are to our community, our culture, and our economy, and, of course, as a part of this process, we have been, throughout these many years since 2012, coordinating with the other state and federal agencies that have joint management authorities.

At the beginning of this process, our advisory council established an overarching goal. What do we want to achieve through this effort, and, essentially, as you can see on the slide, the goal of this effort was to improve biological diversity and restore and enhance natural systems, where we can. Importantly, we want to do that while simultaneously facilitating public/private use compatible with resource protection, and so the intention all along was to try to find that balance, strike a balance between protection, conservation, recovery, and use and enjoyment of these resources.

Why I am here today is to share with you what is being proposed and ask for your input on these ideas. As a part of our requirement through the National Marine Sanctuaries Act, Section 304(a)(5), we come to you and provide for you a briefing and ask you for your input on this process and provide us your input.

Now, I will note that we sent a letter, an official letter, to Madam Chair to ask for input, and we received a request for an extension, and we support that, and so we will be waiting for your comments after your March meeting, I believe, and March 16th, I think, is when we have extended that.

What I would like to do is get into some of the details now, and this proposal -- The sanctuary is large, and the proposal is complex. There is a lot to it, and you're trying to get out of here today, and so I am not going to go into every single detail of this proposal. I am going to try to focus on those things that I hope will be of most interest to you and then tell you where you can get more information. We stand ready to answer questions today, or any time, on these proposals.

I will tell you what is in the full restoration blueprint and then go into some details. In this proposed action, we have a series of four alternatives. As per standard, we have a status quo, no action alternative, and that is one of the four. Beyond that, we have three alternatives that range from

less to more restrictive. We, as you know, are required to select a preferred alternative, and we have selected the alternative in the middle, Alternative 3, as our agency preferred, which we believe strikes that balance between protection and compatible use.

Within each of the alternatives, we have several components. In each alternative, it includes our management plan. Now, the management plan itself is the same in each of the alternatives. The management plan is our basic strategic plan, and it speaks to what our staff does on a day-to-day basis, and these are the things that are non-regulatory actions, like our mooring buoy program, like our education programs, like marine debris cleanups, permits, et cetera.

That plan is getting less attention, of course, than the regulatory side of this, understandably. That said, I think that there is a whole lot there that we can do and accomplish through non-regulatory activities, and there is a lot in that, but that's not what I'm going to focus on today, because I think you're probably most interested in the regulatory side of things, and so I'm going to tell you a little bit about the boundary expansion proposals that are a part of this restoration blueprint, and I'm going to tell you a little bit about sanctuary-wide regulations, and then I will focus mostly on zone proposals and specific regulations within those zones, and so let's get to it.

The sanctuary boundary, in this slide, the red is our current boundary. I am showing you Alternatives 2 and 3, and I will take a moment to say that, while we have four alternatives, sometimes they are not all completely distinct, and so, in some cases, if there is no reason to have four distinct different alternatives, sometimes they are the same, and so, in this case, status quo is Alternative 1, and that's the red line. Alternatives 2 and 3 happen to be the same, and so, in this case, we are proposing, and our preferred alternative includes -- We will start with the blue line that is long and skinny, and that is one area of proposed expansion.

That is actually an existing boundary, and there is an existing regulation that applies there, and that is the ATBA, the area to be avoided, the area where vessels larger than fifty meters have to stay outside of that. It's an existing regulation already, but we are simply proposing to line up our sanctuary boundary with that ATBA.

The second proposed boundary expansion is out in the Tortugas. We already, as you see, have a little box that is hanging out there by itself, and that's the Tortugas South Ecological Reserve, and we are proposing to encompass that within the sanctuary, in order to protect additional important habitats and resources that are surrounded. Alternative 4 happens to be the most conservative, the most protective. In that alternative, it would also include an area out at Pulley Ridge for protection, and so that is Alternative 4. It's not the preferred alternative, but it is in the proposal.

What would apply to these areas if we were to expand the boundary? Well, sanctuary-wide regulations would apply. Sanctuary-wide regulations are here -- Let me explain all these words. I apologize, and it's a lot of words. Our sanctuary-wide regulations allow traditional fishing, and you can see the definition here. Underlined on this slide are proposed additions to the current language, and we are proposing -- First and foremost, the proposed expansion areas would allow traditional fishing.

We are simply, in this proposed change, adding language to recognize that the councils and the state have management authority in those areas, and then we are refining the definition of traditional fishing, as you can see on this slide. Again, for those areas in the previous slides, where

I said we are suggesting additional expansion of the boundary, traditional fishing would be permitted, as described here, and we don't have any additional proposed fishing restrictions in those proposed expansion areas, and I wanted to make sure that that was clear.

Now let's get to zoning. Zoning is a tool that we have used a lot in the Florida Keys, to, I think, success. We use a number of types of zones to distinguish different types of protections that are necessary, and, in this proposal moving forward, we also have some suggested additions and changes to our zoning scheme, and so let me get into it.

There's a lot on this slide too, and you're going to see a number of slides that look like this, and so, first, let's orient you to what you're looking at. This is the Upper Keys in the Florida Keys, and I am going to go through the different zones and highlight a few things. Again, there is a lot to this proposal, and so I'm not going to talk about every little box and dot on this map.

First and foremost, you should know that the state water line is the white dot that -- This is the state boundary. The other thing to just orient you to is the legend, and so what we're looking at here is anything in gray is status quo, and these are existing zones that have some sort of fishing restriction, and so anything in gray is already regulated. The blue reflects proposed new or modified zones that would restrict fishing. The solid is areas where no fishing would be allowed, and then the hatched is where fishing would be in some way restricted.

There is two circles on there, and I'm going to highlight two areas within this proposal. One is the bigger box on the top, the top circle there, that is a place called Turtle Rocks. We are proposing a new sanctuary preservation area in state waters, and it is located within John Pennekamp State Park, and it is intended to protect what is a very vibrant patch reef, and we don't have a lot of this type of habitat represented in the current zoning scheme, and we recognize that something about this particular area is really resilient and doing quite well, and so we want to make sure that we propose some protections there, and so that's that bigger blue box towards the top of our boundary.

The other one that I want to call your attention to is a quite small area, the circle sort of on the bottom middle of that slide, and that is a proposed new sanctuary preservation area also, and it would restrict fishing in this area, and it's called Pickles Reef. There are three additional areas like this in other parts of the sanctuary that we are proposing, the purpose of which is to protect restoration nursery sites.

Many of you are familiar with -- The Florida Keys has done a lot of work in coral reef restoration, and, to do that, they need areas where they've got nurseries and they can grow and propagate corals that can then be out-planted onto the reef. What you're looking at in this photograph is, on the left side of the slide is a photograph of some outplants that were taken in mid-September of this year. These are two-year-old Elkhorn corals that had been out-planted there, to help try to recover that reef, and what you can see on the other side of the slide is taken just a couple of weeks later, and that same area had been damaged significantly by somebody dropping their anchor there.

If this proposal were to go forward, this area would have protections that would restrict that type of activity and allow for protections, and so we have proposed this Pickles Reef and three others throughout the Keys to provide protection to restoration nursery areas and outplant sites.

Moving to the Middle Keys, and so now we're looking at the Middle Keys, and it's the same color scheme, and here's the state water line, and I want to call your attention to that big blue box up off of Tennessee Reef, where we are proposing a new sanctuary preservation area in our preferred alternative.

As I noted previously, the Sanctuary Advisory Council established goals at the beginning of this process, and one of the things they also wanted to achieve was they felt that we should attempt to protect large and contiguous habitats that could help replenish and preserve the full life cycle, and so protecting from shallow coastal areas all the way out to the deeper reef, and that was important for us to aim to do somewhere in this process, and they wanted to see us provide that type of protection in the Upper Keys, the Middle Keys, the Lower Keys, and then out in the Tortugas.

Previous zoning had achieved that in other parts of the sanctuary, but, in the Middle Keys, we did not, do not, currently have a large, contiguous area like this protected, and so, during the process, there was a lot of discussion about this, and the working group processed the discussions that occurred that got us to this point. There was discussion about this area, and it was -- They did not recommend it, per se, but, because there just was a lot of different opinions on whether this was good, and, since this has been out, and we released this in August of this year, we have heard a lot about this area, and you will not be surprised that people are concerned of a number of things, I will tell you.

The flats fishermen use the inshore areas there, and this is a state park along here, and there's a lot of good flats fishing here, and there's also a lot of lobster trap fishing that occurs within this area, and so we have heard a lot from those constituents about concerns about this. Additionally, I will say what you see, if you're noticing the legend here, the hatch means idle speed, and this is a large area, going from shore all the way to the deep reef, and so there's been a lot of concern expressed with the navigation issues caused by forcing folks to go at an idle speed through the channel and transiting that distance. That's a long way, and so we're hearing loud and clear that there is concerns about some of the aspects of this proposal.

Moving along to the Lower Keys, the state line is here, and I want to talk about one area in particular that is being proposed in the Lower Keys, and that is an area called Western Dry Rocks. What you see on this slide is what is status quo, which is there is currently no zone in this location. What you can see from that photograph is it's a popular fishing area, and so, currently, no zone, and lots of people like to fish it.

Through this process, as I noted, we had a lot of public meetings. I didn't mention, but we had numerous working groups and lots of conversations about what to do and what issues we needed to address, and one of the concerns was that Western Dry Rocks is a very, very important multispecies spawning aggregation site, and so the concern was that we need to protect it, so that we don't overfish it, and so, consequently, we put in our proposal, as you can see, both Alternative 2 and 3, and 3, again, is our preferred alternative, but a proposal to create a new zone here that we would refer to as a wildlife management area, and, in that zone, the regulation that would apply is trolling only. That is the preferred alternative.

Now, the most conservative, most restrictive, alternative takes that slightly further, to making it a transit-only area, and I will confess we have heard a lot about this one too, not surprisingly. It is a very popular place, and I will say on both sides of the issue. Some people are concerned that

we're not doing enough, and others are quite concerned that it is too restrictive, and so this is an area that I wanted to call your attention to, because it is getting a lot of interest.

Likewise, we are hearing a lot about some of the proposals out in the Tortugas, and this is my last zone that I'm going to walk you through, and so a couple of proposed changes out in the Tortugas. Again, the gray boxes are existing areas, where there is currently no fishing, and we are proposing two things. We are proposing moving or expanding the Tortugas South Ecological Reserve western boundary out one mile, and we are proposing creating a new zone in between the Dry Tortugas National Park, which is this area here, and this important area here, and so let me talk a little bit more about those.

Before I do that, this next slide that you're going to see is a feature in the Tortugas South Ecological Reserve that's right about there on this slide, and what we know, from data from FWC and FWRI, is that this is a very, very important area for activity that appears to be related to spawning of a number of species, mutton snapper, ocean triggerfish, and cubera snapper, and, by moving that boundary out just a little bit further, we provide a little bit more protection, because, again, this is the area. The area that I showed you in this slide is currently within the Tortugas South Ecological Reserve. That said, we believe that additional expansion of that boundary just a mile over, to protect more of that important habitat, and that is the proposal there.

The second part of this proposal is that zone that linked the Dry Tortugas National Park with the Tortugas South Ecological Reserve. Again, data from FWC and FWRI has shown that these two areas are very, very important for a number of species, snapper and grouper species, and they happen to use that area that we are protecting as a way to get between them, and so what we are suggesting, and what we heard through this process, is that this is a very vulnerable area for these species, and so providing protection when they are making that trip between the Dry Tortugas and those spawning areas would be beneficial to these fisheries, and so that is the proposal.

A lot of numbers on this slide, but bear with me, and so what we're looking at here is all four of the alternatives lined up together and the area proposed changes to protections. Now, these are zones that are -- These are all of the zone types, and so this does include zones that don't have anything to do with restricting fishing, but I just wanted to let you see kind of relative changes and what these different alternatives could look like in terms of the protections and the restrictions, both in state waters and federal waters. Again, Alternative 3 is our preferred alternative, and Alternative 1 is status quo, and so you can see kind of some of what we're looking to accomplish, in terms of additional protections through this process.

That was a lot, and there is more to it, and you can find out a lot more on our website, floridakeys.noaa.gov, and we have a whole section called Blueprint, the restoration blueprint, where we have the actual document itself. If you're bored, we've got 500-plus pages you can read. We also have maps. We have static maps that show all the different zones next to one another. Importantly, they also describe what it is that we're trying to achieve in any one of those zones, so that you can understand why are they proposing this.

There is an interactive map, and so you can go onto our website, and zoom into any one of these places, and you can click on different layers and identify what is the difference between the alternatives, what is the size, what are the proposed boundaries of it, and, again, why are we

proposing it, and so I encourage you to check that out. There's a lot to it, and I think it's pretty self-explanatory, and so I invite you to do that.

Just for your information, this, as I noted, has been out since August 22, and, since then, we have been doing a lot of presentations, and the Chairwoman has had to listen to this about twelve times, and probably some others in this room have too, and we're trying to get out there and make sure that people understand what we're proposing and invite input and comment, and we've been hearing a lot of good comment through the council process and through our public process.

We have done a lot of public information sessions throughout the Keys and in south Florida, public comment, and we have received, as of December 1, close to 700 comments, some oral comments and written comments, and we've got one more oral comment session next week. That said, it's not the last chance. People can write letters and go on regulations.gov and submit their comments through January 31, and you all are probably very familiar with regulations.gov, and you can also see other comments that have been submitted, and so that's also a good way to get a sense of what are we hearing. That is the end of my presentation. Thank you.

MS. MCCAWLEY: Thank you, Sarah. I really appreciate the presentation. This one was actually a little bit different than some of the other ones that I saw, and so, even though I've seen this many times, I feel like every time I get a new little nugget, and this one was definitely a little bit different, and so what we're doing right now is, if you have questions for Sarah or Beth, we're going to try to get those questions answered right now.

One thing that I forgot, when I was talking about what we're going to do after the question-and-answer session is so we still have a couple of advisory panels that provided input for us that we haven't gone over, because those committees didn't meet this week, and so, after we get finished with the question-and-answer period, then we'll have council staff come up here and go over the remaining comments for those advisory panels, and then John is going to talk a little bit about the action that's required, and then we're going to start our discussion, and so just to be clear, and we'll probably take a break in between in there, because I think this is going to take some time. Right now, if you have specific questions for Sarah, then now is the time to ask them.

MR. BELL: I have two. Thank you, Sarah. You all have a daunting challenge and responsibility, and I see you have a process, and we follow a process, but I don't envy you. Just a couple of quick questions. The economic slide that you showed, \$4.7 billion, does that include fisheries activities? It just says visitors, and are fisheries activities included in that figure? I am just curious. Is that the whole lump sum everything that goes on in there?

DR. FANGMAN: Yes, it is.

MR. BELL: Okay, and so some percentage of that is attributable to commercial or recreational fishing. Okay. Then my second question was you mentioned that there was no new fishing restrictions, and that is traditional fisheries, but then, when you add like some of those new areas, the blue areas, there isn't a restriction there now, and there would be a restriction, and so it may be no different kind of new restrictions, but you would have additional restrictions in areas that aren't there now, right?

DR. FANGMAN: Thank you for the opportunity to clarify, and I apologize if I was confusing. What I meant to communicate was, for these expanded areas, proposed expanded areas, that is where the sanctuary-wide regulations would apply, and sanctuary-wide regulations permit fishing as defined here, and so we are not proposing any new zones or restrictions out in these new areas, and does that clarify it?

MR. BELL: Yes, and that's when you were talking about that, with that slide.

DR. FANGMAN: I apologize.

MR. BELL: No, I probably didn't catch that. Thanks.

MR. SAPP: So many things written down, and I'm a south Floridian, and I use the Keys a great deal, and I am petrified by a lot of this. I would dare say that 60 percent number you had there for coming from fishing and diving activities doesn't account for home rentals and those sorts of activities. I guarantee you that number is far closer to 85 percent, because we are all renting homes to go down there and fish and dive. That would drastically reduce if you were to go with your preferred Number 3 there.

Also, the Western Dry Rocks there around Key West, you mentioned that you had people saying that it wasn't restrictive enough, and that's terrorism amongst fishing, saying that, against fishermen saying that, that you can't even do anything but drive through it, and that's not restrictive enough? That's insane, and I'm not very good with words sometimes, and I don't think I'm being clear here, but for somebody to say that just driving through an area is not restrictive enough against fishermen is mind-blowing.

Then, also, a no-wake zone in the middle of the ocean -- I am guessing maybe -- I have heard because of concerns of turtle strikes, and I've got an extraordinarily fast boat, and turtle strikes don't happen. Turtles are doing as well, and beachgoers -- I live in Broward County, and beachgoers in Broward County, during the peak of nesting season, struggle to find areas of sand that aren't cordoned off due to turtle nests, and so, if we're talking about going slow due to a species that I believe will soon come out of the protected species area, because they are doing so well -- One, you're creating a safety-at-sea situation. Idling in a ten-foot sea in a center-console boat is deadly.

Believe it or not, we spend a lot of time in center-console boats in large seas, for tournament reasons and because we don't mind rough seas, and we want to be in the ocean more, but you're talking about extended protections of mutton and cubera snapper, neither of which are undergoing overfishing, both of which are highly protected already, through regulations for both the commercial and recreational sectors, but you want to take areas away that guys might be able to catch them in between spawning, or I'm not even sure of the reasoning there, and the commercial guys are already extremely limited during the spawning season, and there's some things that could be talked about for the recreational sector there, but it just seems so extreme, and all I've heard is so much negative comment, and then to hear the one positive comment with what you guys are talking about doing is saying that it's not restrictive enough just blows my mind, and I'm so emotional and amped up about this that I can't convey my thoughts as much as I would like. Sorry, but good luck.

DR. FANGMAN: If I may clarify that, when I was referring to not restrictive enough, they were describing our preferred alternative, and so they were advocating for Alternative Number 4, and I'm not taking a position here, but I'm merely communicating to you what was said, and so it wasn't that you can't even go there isn't enough, but it was trolling only isn't enough, because we can still catch these when we're trolling, and so I am merely relaying that, and so it wasn't you should do more than that, and I don't even know what more than don't go into this area would be, and so it was merely, hey, your preferred alternative doesn't go far enough, and so that's that.

To your point about the size of that idle speed area, as I noted, we're hearing that a lot, and it makes complete sense, and, if I may offer, the -- We have a number of sanctuary preservation areas throughout the sanctuary currently, and a number proposed, and we are trying to be consistent, where possible, and this is a case where consistency didn't make sense, and let me explain what I mean by that.

We wanted to be consistent with our sanctuary preservation areas, which tend to be relatively small and shallow areas, and, when we looked at them across all of the SPAs, sanctuary preservation areas, they are shallow, they are small, and let's make them idle speed. That makes sense when they are small and shallow. It doesn't make sense if what you're trying to do is protect impacts to those shallow, sensitive habitats by making sure that people go slowly through those small, shallow areas for a place like Tennessee Reef and Long Key, where it's a really large area, and so we understand that that is an issue that we need to examine, as a part of -- Because that's what is going to happen next, and I thank you for also allowing me to note what I didn't say, which is what happens next.

After January 31, we take all of these comments and this input, and we work with our partners that co-manage this area, and we develop a single alternative that will go back out for public comment, and so this is not the last bite at the apple on this. This is an opportunity to provide that type of input, like that doesn't make any sense and why would you do that and what are you protecting in sixty feet of water for six miles and why would that help anything, and so, okay, yes, what are we going to do differently here.

MS. MCCAWLEY: Go ahead, Art, but remember this is a question-and-answer, and I know that people, especially from Florida, are fired up, and so make sure it's a question for Sarah and Beth, and so back to Art, and then Chester has had his hand up.

MR. SAPP: I just also wanted to mention -- Like I said, I was so twisted there, but I would hope that you would also take into consideration that the Keys are one of the few areas that shore-based fishing is spectacular, and to close it all the way to the beach would be limiting folks that have no other opportunity outside of shore-based fishing in a couple of areas, especially there in the Middle Keys that are heavily used by shore-based fishermen, and I would hope that you guys -- I don't know how to pose it as a question, but please do take that into consideration.

MR. BREWER: Madam Chair, I am not going to listen -- I shouldn't say that. I am not going to follow your exact instructions. This is a part of the world that is incredibly important to me. Some of the happiest times of my life have been spent fishing north and south of Flamingo and between the Marquesas and the Quicksands.

I don't want to sit here and holler and yell about closed zones or whether restricted areas are going to be expanded or contracted, but the one thing that I guess kind of strikes me is the number-one problem, at least in my mind, with regard to the calls and with regard to the fish, even going to dolphin, and I'm talking about dolphinfish, is water quality issues, and I don't -- I know that that is something that is very, very difficult, and I'm sure that a lot of the pollution or the degradation of water quality is coming from outside the Keys.

It's coming from the Gulf of Mexico and flowing over from those areas, and so it becomes what almost seems to be an impossible problem to solve in the Keys themselves, but I used to be with an organization, and I was an avid recreational fisherman, and we started out, and we said, okay, well, we're going to deal with fishing issues, and there were people in the organization that said, well, you know, you're not going to really help a lot with these fishing issues unless you do -- Unless we get involved and we do things to help improve habitat and water quality, and it took probably ten years before that advice was taken to heart and you started seeing things like doing oyster beds in the Chesapeake and putting out -- Helping to restore, through the use of these islands and anchored grasses, restoration around south of New Orleans.

I don't know whether it is possible in this plan to really take a look at those issues and the kinds of things that can be done, like grass restoration and replanting mangroves and all of these kinds of issues that come up, but I sure would like to see it, and I am not here to holler and yell at you, but I'm just here to say that, to me, that is really one of the most important issues, and I don't see it being dealt with, and maybe there is part of the plan that I haven't read, but I don't see it being dealt with.

DR. FANGMAN: Thank you for that, and you are not alone in sharing that very important concern that some of these enabling conditions, water quality conditions in particular, are -- We have got to make improvements there, in order to have hope for some of these other things to matter. That said, we have, as you acknowledged -- We don't have all the authority that we might need to address every issue, because a lot of them are coming to us from south Florida.

When I noted that we have this management plan things that is a part of this, that speaks to the non-regulatory side, that is where our water quality activities are described and how we are going to be advocating and working with our partners in the state, in south Florida, and imploring them to address these issues, because we are downstream, and we depend upon them helping us solve those problems to help make sure that we can make this place stay healthy and safe, and so, within that management plan, it does speak to our efforts to address water quality issues.

We have staff that we have recently hired that that's all they're doing, is helping us make sure that we are fighting on behalf of the Florida Keys for water quality with those folks that do have the regulatory authority. I will also note that there is one regulatory thing in here that I didn't touch on, but relating to water quality, and that is that, right now, currently, our regulations have a loophole that allows for cruise ships to discharge gray water in the sanctuary. We are proposing a regulatory change, so that they can't do that. It's the only regulatory thing that we can do, that we have the authority to do, that is in this proposal. Otherwise, we have to do -- We have to work towards those issues through the non-regulatory side.

MR. BREWER: It's not really just regulatory. What you're really talking about is the southwest coast of Florida. To me, it's like a lot of the stuff that you've seen, from the standpoint of

restoration, is not being done through regulation. It's being done through aspirational endeavors and volunteers, and I would love to see a drive, and maybe this entity is not the right one to do it, but a real drive and a real push and educational endeavors to inspire people to get together and get out and do some of these projects. They have been done in other areas, and they have been pretty successful.

DR. FANGMAN: On Monday, we will be releasing, along with our partners, a strategy for restoration, and it's reef focused. You mentioned mangroves and seagrass earlier, and this one is focused on the reefs, but we've been working on this strategy for a year with our partners, the state and with restoration practitioners in the Keys, to develop a really ambitious strategy to restore seven iconic reefs in the Florida Keys, and so, again, that's described or touched upon in the management plan, but it is a separate effort that we are undertaking, completely independent of the restoration blueprint, to try to be active and proactive, and it absolutely will include engaging with the community, whoever will play along, because it's bold, and it's big, and it's ambitious, and it's going to take much more than what we have the capacity to do, but it is, I think, the hope and the opportunity to actively turn things around in ways that aren't about regulations.

MS. DIEVENY: I just wanted to follow-up. Specifically, in the restoration blueprint, in the management plan section, there is restoration activities highlighted and focusing on all the different habitats, not specifically mangrove, but those that are in the marine environment deeper than the shoreline. As well, there are proposals for some of those spatial areas, and Sarah highlighted the three that are specific for coral nursery areas, but there are also two areas in the Florida Bay area proposed to protect hardbottom habitat that are to facilitate restoration of those habitats, and so there is some of that restoration activity identified in the proposal.

MR. SAPP: I will pose this one as a question, I believe. Mooring buoys, I am a proponent of them in situations, but have you done any studies to see what added pressures that mooring buoy clusters cause, not just physical pressures of people being in the water and messing with the bottom, but also sunblock chemicals and those sorts of things in the water? What is your beliefs there? Is it worth the buoys?

DR. FANGMAN: I am not aware that -- We certainly don't have a study of all of our zones and the mooring buoys and what that did in terms of use, but, anecdotally, we definitely have seen, and people who have been in these areas for decades acknowledge that, yes, we put those mooring buoys out there, and it does its job.

It attracts people, and we all know that divers in the water are -- They may not be taking things, but they can still impact things, and I'm a diver, and I know that I can be well intended, but still impacting things, and so it is a concern for sure, and we discussed that, and people are saying, okay, if you're going to make this a no-anchoring area, you need to give us more moorings, and we have to figure out how do we balance that, and how do we provide access and provide opportunities for people to enjoy these places, but not unintentionally provide concentrated use and impacts. I don't have an answer for that, and, if you have ideas, I would love to hear them.

MS. MCCAWLEY: Are there other questions?

MR. BELL: Well, at some point, I was going to kind of go back to the Section 304 language and just ask about that and how that might work out, but I can wait, if there are other --

MS. MCCAWLEY: If you want to ask something like that now, then go ahead.

MR. BELL: Okay. Your Slide Number 13, which -- I am just trying to figure out how this all works together. I guess you quoted language from Section 304 in the Act related to this, and so what you have done is reached out to us, per the first bullet, and I guess give us an opportunity, and so we're having some initial discussion today, and we appreciate the extension or working with us on timing of this, because you are obviously into this, and we're kind of coming in a little cold, and perhaps Jessica and the FWC folks, or Florida folks, have been in this a little bit, but I'm from South Carolina, and I'm part of the council, and I'm trying to figure out, okay, how does this work and what's our role, so we can move forward.

It says that -- I guess an option is -- I see this thing as there is different layers to this, in terms of regulatory authority and things, and, obviously, related to fisheries and fisheries that we manage in federal waters, the council has a role in that, and, of course, then you've got FWC related to the state component, and then there's you all, and so, for this to kind of work successfully, all this kind of needs to come together, and so we're just talking about our part of this today, where it says the council may draft regulations or determine regulations are not necessary. Okay.

Well, that's something that we'll have to discuss, because, obviously, some of the things that you are proposing, as we've heard from our stakeholders, our fishermen, that they're used to dealing with us related to management of different species across the board, when we do stock assessments and we come up with an allowable catch and that sort of thing. That is kind of our world, and this affects our world a little bit, because there's a little piece of that, and so I guess we've got the option to propose regulations or not, and that's something we will have to work through, but, when it says that the council action must fulfill the purpose and policies of the goals and objectives -- I am just trying to figure out how these work together, because it would seem, related to fisheries, we would sort of have kind of a say-so in that, but I guess whatever we say has to -- You guys have to go along with, or it has to meet your goals and objectives related to this.

I mean, I can see, definitely, where there is an obvious role for us in this, and it will take us a little time to figure that out, and I'm not speaking for the council. This is just my personal opinion. I mean, I could see where, yes, we definitely need to look at this and give you guys some feedback on this, and thanks for giving us until March.

Then, on here, cooperate with other fishery management authorities, I guess that would be where you all would cooperate with FWC as an additional authority? Okay. If the council declines, that determination is rejected, or fails to act in a timely manner, the Secretary should prepare a regulation, and so there is a process where you guys actually establish regulation, like we do, but -- Okay. All right.

So I think that slide is kind of critical in kind of figuring out what our role is and how we can best help, because I believe in your mission and what you're trying to accomplish. I mean, I am not from south Florida. I have a bit of a connection to the Keys, in that I wouldn't be here today, probably, if I wasn't sort of hooked in, as a young diver, into this world of marine biology and all, and that started, in some part, in the Florida Keys, back in -- I mean, I was exposed to underwater home movies from the mid-1960s, and I became a diver in the late 1960s and went to the Keys and 1970 and saw it then. What I see now is not what -- It's not what it was then, and I have

watched it over the years, and so it would be nice to be able to restore it to some sense of what it used to be.

I noticed, in your photos, that you had a lot of the reef photos -- That you had a lot of the reef photos of not a lot of fish, not a lot of the big fish that I saw from the 1960s and the 1970s and 1980s, and then it started kind of going downhill, but, anyway, I think we have a role, and this will be something that we'll need to work through process-wise ourselves, but it would -- Then how we would do that, because it's various fisheries, and there is different species, and there is different plans that overlap, and how we would do this, I'm not sure. We would have to work through that, but I am just speaking for me, and I can see where we definitely need to engage with you all, given our appropriate areas of jurisdiction and authorities in fisheries and things, and figure out how we're going to do this.

I guess, going back to -- I wasn't aware of the language in -- Well, I hadn't really read you all's Act, and so obviously we do have a role, and I think it makes sense for us to engage and to provide you with our take on how we would view this as working out, and so that's just step-one right here, and then we'll move forward and figure out the details, but I do appreciate you pointing out that language in the Act.

MS. BECKWITH: Can you discuss a little bit about the baitfish permits and how they sort of work now, versus the potential changes, because I've heard some comments about that being a concern.

MS. DIEVENEY: In the sanctuary preservation areas currently, there are eighteen sanctuary preservation areas, and we issue permits for bait fishing activity in those areas. Otherwise, those are primarily no-take areas, but you can apply, on an annual basis, to get a baitfish permit. Bait fishing is not restricted anywhere else in the sanctuary outside of those closed zones, and so the proposal -- As Sarah hinted earlier, in trying to be consistent across the different zone types and what activities are allowed and restricted, in an attempt to be consistent, the proposal includes phasing out allowing bait fishing by permit in those sanctuary preservation areas, and so sanctuary preservation areas would then become truly no-take.

The intent here is to, one, be consistent across activities that are allowed in those zones, and, two, to attempt to facilitate better understanding of what is allowed and what is not allowed and enhance compliance with those regulations, and so, over a three-year period, in those zones, we would phase out baitfish permits, and it would not impact bait fishing in the other areas of the sanctuary.

DR. FANGMAN: I would also just add that, tracking those permits over the last I don't know how many years, the use and the applications, and then, when they receive a permit, they are asked to report on whether they used it, and those are declining considerably, and so we're seeing fewer and fewer people asking to do that activity and reporting that, once they got permission, that they actually did it, and so that's also, I think, relevant.

MS. MCCAWLEY: Any more questions?

MR. SAPP: To that, I know some of the fellows that do that bait fishing in there, and the reason that it is declining in the amount of people doing it is the people that are doing it are becoming more efficient, and the quantities of bait have become so abundant that it's not as necessary, and

not as many people are actually chasing primarily ballyhoo that once did, because the guys are so good at it, and they're so abundant.

MS. MCCAWLEY: All right. Are there more questions?

MS. SMIT-BRUNELLO: Just kind of a comment and to Mel's point. You know, many of you council members have -- Some of you were on the council when Gray's Reef came forward, the National Marine Sanctuary, and suggested that they wanted to make some changes in Gray's Reef, and they talked to the council about do you want to draft the fishing regulations, or do you want us to, and I think Gray's Reef came forward with proposed regulations and consulted with you under the Sanctuaries Act 304(a)(5) that was discussed, and so I see this in a similar fashion, and, maybe in March, we could have a little bit more discussion.

There is a twenty-year-old protocol that I think still exists between this council and the Gulf Council and the Fisheries Service and the National Ocean Service and the Florida Commission that discusses how to go forward with fishery regulations and those sorts of things in the sanctuary, and so we could talk about that more in March, if you would like to, and, again, this is the environmental impact statement, and so these are proposed kinds of alternatives out there, and it's not the fishing regulations, per se, and so that's kind of another part that we'll deal with under this Section 304(a)(5), but I would be happy to talk more about it in March, when I think you're going to look at potential comments and that sort of thing that you wanted to provide to the Sanctuary Program.

MS. MCCAWLEY: All right. I think we're going to have some of that discussion today, but any more questions for Sarah or Beth? All right. Thank you, guys. Thanks for coming. Let's go ahead and take a break. When we come back, we will go over the remaining AP comments and hear from John, and then we'll start our discussion on this.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We are going to get going here again. The next phase of our discussion here is we're going to go over the comments from the couple of remaining APs that haven't given us comments this week, because those particular committees were not meeting, and I believe that we have the Coral and the Habitat folks as well as Lobster, and so I guess maybe let's start with the Coral and Habitat, and I believe maybe Wilson and Anne are coming up here to give us the AP's comments.

DR. COLLIER: The Habitat comments start on page 8.

MS. MCCAWLEY: Of Attachment 1b, and this is in the Full Council folder, or where is it?

DR. COLLIER: Yes, and it's Tab 10, Attachment A1b.

MS. MCCAWLEY: Thank you.

MS. DEATON: Good morning. My name is Anne Deaton, and I'm the Chair, currently, of the Habitat and Ecosystem Advisory Panel, and, at our last meeting, we discussed the Florida Keys National Marine Sanctuary plan, and Beth gave the presentation. The Habitat Advisory Panel did

a consensus opinion that, given a lot of the situation that's going on down there and the problems with the really drastic coral mortality and algal blooms and fishing pressure and people pressure and climate change, that that ecosystem is in trouble, and not because of the management, but because of all of these compounding factors.

They felt that really the most that -- It needs a lot of help, and so they supported and recommended Alternative 4. That's not -- They didn't get into the weeds, but, in general, we feel like this is the most unique, diverse component of the South Atlantic ecosystem, and it's under a lot of stress, especially with predictions of climate change, and there will be more intense storms, and then there has been a lot of science since that sanctuary plan was last done, and so the sanctuary plan, when they first put in those SPAs, the sanctuary preservation areas, they did some research, and they have shown some positive results from those no-take areas, where you have spillover of the larger species.

I am not saying -- I guess their official comment was, by consensus, they supported Alternative 4 or more, taking into account that a lot of the problems are, as I think Chester mentioned, beyond the physical boundary of the sanctuary and more about water quality problems and influences beyond the sanctuary boundaries, and so, in their letter, they recommended that the sanctuary be more involved with those type of issues at the state and national level, and so that's all that I have, and, Wilson, do you want to add anything?

DR. LANEY: Sure. You all recall that, back in April, Madam Chairman appointed me back to the AP, and then she also made me the Regional Habitat Liaison for the council, and, in that role, I am trying to provide you all with good science, as you deliberate and decide how to proceed on various and sundry issues. One of the things that I sent out to everyone was this viewpoint article from *Bioscience* by Bill Ripple, et al., "World Scientists' Warning of a Climate Emergency", and I hope you all have had a chance to read that.

The reason that I sent that out was to provide some perspective, I think, on the discussions that the Habitat AP had when we met in St. Petersburg. Our Chair, Anne Deaton, assigned a sub-committee to develop that consensus statement that is before you, and that sub-committee consisted of myself and two of the Florida representatives on the AP, David Webb and Dr. Rene Baumstark of Florida Fish and Wildlife Research Institute.

The concept that we brought to that, as Anne said, was that we're not going to go through the whole 500-plus-page DEIS and look at every single proposal and give you all feedback on the whole document. However, if you want that, we can certainly provide that at some point in time, since we have an extension through March now.

We wanted to look at the big picture, and, to us, the big picture was we are in a climate emergency, and we're in a crisis atmosphere here, and the world as we knew it is not normal, and I will tag on to what Mel said. Mel, part of the reason that I'm here too is because I spent the week of spring break of my senior year in high school, 1966, at Marathon, in the Florida Keys. Yes, I know, and that's before some of you were born, no doubt, but I did spend that whole week in the Florida Keys, and I had a great time, and, as Mel said, the Florida Keys of the 1960s and 1970s is not the Florida Keys of today.

The Habitat Panel came at this from the standpoint of what's the maximum amount that the Keys Sanctuary staff are proposing to protect the Keys, and that's why we supported Alternative 4, and we think that it would be appropriate, in our view, to go even further and just keeping in mind that your Habitat AP folks are pretty hardcore when it comes to habitat and conservation, and you all know me well enough to know that that's where I am always going to come from, because habitat is where it's at, and, if we don't soon gather that, we just might lose our habitat.

We will be happy to answer any specific questions you have about the details of the consensus statement that we provided to you, and I'm not going to read it into the record, and I don't think that's necessary, but we're here to answer any questions that you might have about the Habitat AP's deliberations on it.

MS. MCCAWLEY: Thank you, Anne, and thank you, Wilson. Are there questions about these deliberations or the document that was provided? If there aren't, then I'm going to move on to Christina to give us the Lobster AP comments, or we can do Coral. Thanks, you guys.

DR. COLLIER: Thank you. The Coral comments are in the same attachment, and they're going to start, I believe, on page 2. They actually made two motions at the meeting, and the Coral AP recommended that the South Atlantic Fishery Management Council support Alternative 4 of the Florida Keys National Marine Sanctuary Restoration Blueprint and suggest, based on known high-density and high-value of coral habitat areas, expansion of Tortugas Ecological Reserve North to the west to a depth of 100 foot. Then Number 2 was the Key Largo Management Area to the southeast, to a depth of 160 feet, and 3 was the Cheeca Rock Sanctuary Preservation Area to fully encompass the entire reef patch complex.

Then they made a second motion, and that motion was to develop a report, and that report is following. I want to thank Jocelyn Karazsia for putting this together and the rest of the AP for putting this together. They put a lot of information and thought into this, and I'm not going to read the entire thing, but they provide a lot of information, and one of the reasons that they recommended going further than what this is is because of all the events that are occurring in the sanctuary, in the Florida Keys National Marine Sanctuary, currently. They identified bleaching events and seagrass die-offs and sponge die-offs and harmful algal blooms and Hurricane Irma, and I believe that Dr. Fangman went over that as well.

One of the biggest things that they talked about was the stony coral tissue loss disease that is a significant issue in the Florida Keys area, and it's impacting several different species of coral, and they actually list that one of the species of coral which is currently under the ESA -- That they had all passed away, or nearly all the colonies had bleached. With that, I will let you guys look at it. They did recommend Alternative 4, with some additional expansions within there.

MS. MCCAWLEY: Thank you. Any questions for Chip? All right. Christina, can you give us the Lobster AP comments?

MS. WIEGAND: The Spiny Lobster Advisory Panel Report is in your late materials folder, because they didn't meet until November 13, and it's Attachment 1g. This was a joint meeting with both the Gulf of Mexico's Spiny Lobster Advisory Panel as well as our Spiny Lobster Advisory Panel, and they expressed a number of concerns regarding the sanctuary's proposed expansion.

They were concerned about the small number of areas in the backcountry that have been identified as no entry, and they felt that that was going to be a pretty big challenge for enforcement, and, without proper enforcement, it would likely be ineffective, and this was a pervasive problem they felt the Florida Keys had, and they encouraged that there needs to be a bit more effort put towards education and outreach, particularly for tourists as well as locals, to make sure that some of these smaller areas are known to them. Otherwise, the plan is ultimately ineffective.

Overall, they felt that the DEIS lacks sufficient information to support the need to close areas to lobster trap fishing and that, ultimately, what was going to happen is these areas would be closed, and that would concentrate effort in other areas, resulting in environmental degradation there. They felt that issues related to water quality should be of the utmost importance and should really be a priority before any other areas are proposed for closure. Then, last but not least, they felt that the data that's used to estimate the economic impact of the spiny lobster fishery was out-of-date, and they encouraged that that information be updated.

They passed a number of motions. The first one was to consider adding additional regulations, specifically no anchoring and no harvest of lobster by all user groups to the areas identified in Spiny Lobster Amendment 11, and that was an amendment that closed a number of areas in the Florida Keys to protect coral species, and the Spiny Lobster AP felt like there was a lot of industry involvement in that process and that they were comfortable with those areas being closed and that they deserved to have increased regulations.

They also passed a motion to recommend the council oppose the closure of any new areas to lobster trap fishing, as proposed in the Florida Keys National Marine Sanctuary restoration blueprint. Additionally, they were concerned about proposed regulations for major navigational routes. Specifically, Hawk Channel was discussed at length, and they felt that the use of idle speed or any navigational restrictions in that area was likely to result in a safety-at-sea issue, particularly when vessels were trying to return in bad weather.

Then, last, but not least, they recommended the removal of Alternative 4 from the Florida Keys National Marine Sanctuary proposed actions. They felt that it was unnecessarily restrictive and not necessary to achieve the overall goals of the management plan.

I will also note, under Other Business, that there were a number of things discussed, and I'm not going to go over those here, because it's not pertinent to the conversation you're having this morning, but I would encourage you to look over what was discussed under Other Business, just in terms of the spiny lobster fishery in general.

MS. MCCAWLEY: Thank you, Christina. Any questions about the Lobster AP report? All right. Then I'm going to ask John to come up here, and I believe he's going to draw your attention to a couple of documents.

MR. CARMICHAEL: The rotation continues, and, yes, I am, and I will point out that Mel kicked this off a little bit. He pointed out the slide in the presentation that described the council's potential role in doing this and our option to develop the fisheries regulations, and Monica pointed to the protocol that describes how regulations can be adopted and how the sanctuary, the Florida Fisheries Commission, and the council can work together on that.

You have that in your late materials, and the protocol is Document 1d, Tab 10, Attachment 1d, and you also see in there that there is a letter that the sanctuary sent, and it also describes the choice of the council to implement fisheries regulations for the EEZ portions of the sanctuary, and so that really is -- The final point to make is that, as we've said, there has been an extension given until after our March meeting, for us to provide comments on the DEIS and decide how we're going to proceed with regard to the council implementing regulations for the EEZ.

The letter is due the week after the council meeting, and so it would be very good to have some discussion here today and have a sense of what the council might wish to do, and I think there's a Florida Commission meeting next week, where this will be discussed too, and I'm sure that Jessica will be briefing us all on the outcomes of that after it happens.

MS. MCCAWLEY: Yes, and I was just going to add that there was another document that was in the late materials, and so FWC -- As we were preparing some documents for our commission meeting, we prepared a document that is items of interest to the South Atlantic Council on the Florida Keys National Marine Sanctuary Restoration Blueprint, and, if you open it up, it has the FWC logo on the front, and it's a lengthy document, and it's twenty-something pages long, twenty-four, and this is the type of material that we are preparing for our commission.

What this document does is try to summarize what the purpose of what's happening right now is and why the sanctuary is going through this process and a little bit of summary about what's happening, and then we tried to hit what are the top-ten issues that we're hearing about right now that are in the South Atlantic Council jurisdiction, and then for each -- You can see, on the screen there, those are the top-ten issues that we've identified, and we've had some discussion about some of those items today, and so we've had discussions about the boundary expansion, the phase-out of the baitfish permits, and we talked a little bit about protection of large, contiguous habitat, and we've talked about that Key Largo Management Area, and so these are just some of the things that we are hearing about that are in federal waters of the South Atlantic Council jurisdiction.

Then, as you move through the document, we've gone -- For each one of these ten items, we have gone through, and we have talked about the proposed management actions, and so, if you go down a little bit further, John, there's the first topic, and so we do this for all ten topics, and so the first topic was the boundary expansion. We talk about what the proposed management action is, and then we talk about the rationale that the sanctuary is using for the action.

If there's additional background information to provide, we have a little section on that, and then we talk about the summary of the public comments that are being received thus far, and so we have an FWC staffer that is monitoring that federal site, where you can input the comments, and so everybody can see the comments, and then we are also having some meetings, as well as our commission meetings, plus people are contacting commissioners and staff about their concerns about different topics, and so we wanted to outline what we are hearing on those ten topics so far.

We say so far, because the comment period for the public doesn't end until January 31, and so likely more comments are going to come in on these topics, and so I wouldn't say this is the end-all-be-all, but it's just kind of a little snapshot of what FWC is hearing on these items, and so we thought this might be helpful to the council in thinking about some of these top areas.

The plan is overwhelming, and it is over six-hundred-and-something pages, and there's lots of different areas, and, if you are not intimately familiar with each area of the Florida Keys, it can be a daunting task, to think about how to review and what to do and what to even focus on, and so that's why we provided that document.

I think that we need to start the discussion today, as John mentioned, about what the council wants to do. If people have comments or questions about the FWC, what the FWC is doing, I can get into that, because we have a separate process here, and there is that management agreement document, and so I'm looking to the committee about how you want to proceed, and I can certainly give more background information, and I can provide some suggestions and ideas, and I can talk about what the FWC is doing, but I will look to you guys, and, actually, it's not the committee, but it's the Full Council, and so I will look around the table here.

MR. BELL: It is daunting, and, again, I'm just trying to figure out, process-wise, how this all plays out over what period of time, and I guess what I got out of examining the 304 language was they can write fishery-related regulations, or we can, and that's our job, normally, and that's what we do, and so it's kind of who would be best to do that, and, okay, that's what we do, and that's the interest, and it touches on multiple plans. How we would do that, of course, we would have to follow our normal process, which means you would have some sort of either -- Potentially some sort of omnibus plan, or you would have individual plans, individual amendments to individual plans, and so that's work.

I am also sensitive to when we put up the spreadsheet and we look at the workload, but I think this is important, and I think what we're hearing, from our own colleagues on the council, as well as the folks that are fishermen, is that I think they feel like we should have a voice in this certainly and provide -- Because they are used to dealing with us related to these fisheries or these different plans, and I think they would like for us to, and they kind of expect us to, and I think we have a natural role, and so I think we should engage in it.

How that works out and how long -- This is where I'm a little fuzzy, on how much time we have, and I don't see us by -- In March, in our letter, maybe all we would be saying is that, yes, we want to engage, and this is how we envision doing it, but, obviously, we wouldn't have anything in place, and then how long would it take to work through an omnibus kind of amendment or multiple amendments? Lord have mercy. That could take a while, but I do think we have a role, and I feel like our constituents, if you will, would like us to have a role and feel we should have a role, and so, just on an initial level, that's my two-cents worth right now, as far as moving forward.

MS. MCCAWLEY: Okay.

MR. POLAND: I share a lot of Mel's concerns, and I've got a lot of questions about process, and really more about timing. I don't know where the sanctuary is on final rule and how close we need to crosswalk with them on this, but I certainly feel like -- We've also heard from stakeholders, our stakeholders, that they would like us to be involved in this, and I certainly envision that it's probably going to be a comprehensive amendment that touches most, if not all, of our FMPs, and I am certainly going to advocate for that, because I feel like it at least ensures that whatever changes to management that we pursue that it's also within our current management strategies for these species and these habitats, and so I second Mel, and I strongly encourage the council to -- Let's do it in our sandbox.

MS. MCCAWLEY: Okay.

MS. SMIT-BRUNELLO: I will give you some preliminary thoughts, and then I will just confer with others in GC, but these fishing regulations would be done under rulemaking under the Sanctuaries Act, and they're not necessarily Magnuson regulations, right, as you're tasked with, and this is under the Sanctuaries Act, and these are fishing regulations, and that's the way it worked with Gray's Reef and other sanctuary-type regulations. Now, I'm not saying that you couldn't amend your FMPs in some fashion to address some of these, but my thought has been that these are fishing regulations that pertain within the sanctuary, and I would assume they would be done under the Sanctuaries Act, but I will get some clarification.

MS. MCCAWLEY: Yes, and that wasn't exactly how I saw it playing out, and so let me try to give an example that's not exactly one-to-one here, but so the Lobster AP talked about those sixty areas that are inside the sanctuary waters, and that was a joint plan amendment between the Gulf and the South Atlantic Council, and it affected areas throughout the sanctuary jurisdiction, and it closed a number of areas to lobster trapping, in order to protect coral.

That went through the regular process, the regular council process, and it's my understanding, from the protocol, that, if the council would pursue our own regs, and that sounds like kind of what I'm hearing so far is that we would want to do, and we can certainly have more discussion on that, then it's my understanding that it would come through our process up through to the Secretary, and so I see it happening similar to how we did that lobster amendment, and was it 11, that looked at those sixty areas, and so I think that we would coordinate with the sanctuary, similar to how this protocol is laid out, but I see it not coming through their chain, but coming up through our regular chain for our fisheries regulations, and so I guess that's what I would be seeking for you to clarify, maybe, at the March meeting.

MS. SMIT-BRUNELLO: I definitely will clarify that, and I believe there was a situation in the Gulf in which the sanctuary had regulations and the Gulf did a companion kind of amendment for certain regulations as well, but I will look into that and get you better information.

MS. MCCAWLEY: Let me try to talk about that a little bit, and we have our Gulf Council rep here, and so the Gulf Council recently worked on regulations for Pulley Ridge, and Pulley Ridge is inside the sanctuary, and it's really getting at the regulations for Pulley Ridge in Alternative 4 of the sanctuary's proposed plan, and so, if I understood what the Gulf Council did -- The Gulf Council was looking at Pulley Ridge because there was deepwater corals in that particular area, and they went through their regular council process, and they wanted to protect those corals.

I believe you changed up gear requirements inside Pulley Ridge, and then they also said no anchoring of fishing vessels inside the Pulley Ridge area, and then it's my understanding, because the Gulf Council does not have the authority to affect anchoring of vessels that are not fishing, that they then asked the sanctuary to come in behind that and say can you prohibit anchoring for all vessels inside Pulley Ridge, and I believe that that's what is in Alternative 4 of the plan, and so that's kind of an example, in my mind, of how this could work, and the sanctuary staff were at the table as part of these discussions as it was moving through the Gulf Council's AP, and they were helping to provide the background and helping with the maps, and, to me, they were right there at the table as part of this discussion was occurring and moving through the Gulf Council's process,

and then also making a request for the sanctuary to come in and overlay some additional regulations that the Gulf Council did not have the authority to adopt on top of what the council had already done.

MS. SMIT-BRUNELLO: That's a good example, and I think there was even one I was thinking of sometime before that, which was kind of a companion amendment, but, because this would -- If you want to have some sort of omnibus amendment, it's a pretty heavy lift for the council and council staff and all that, and so I will definitely get you more refined and better legal advice, even prior to the March meeting, so that we have that before us.

MS. MCCAWLEY: Thank you, Monica. Dale, I don't know if you want to add anything to the discussion that the Gulf Council had in the regulations. I know that those regulations for Pulley Ridge have been, I believe, submitted to the Secretary, but they haven't actually been approved by the Secretary yet.

MR. DIAZ: I believe you did a very good job of describing how the process went, and I really don't have anything additionally to add, and so thank you.

MR. WAUGH: I think the example that was cited with the joint amendment to protect those coral areas -- That was done in response to protected resources concerns about coral and not the sanctuary, and my understanding of how the fishing regulations part of this would work is we wouldn't necessarily have to redo all of the DEIS, and that would form the basis for the proposed regulations that the council could develop, and maybe this is something Monica could look into more, and I guess you run into a situation where, if the proposed regulations that the council came up with were different than the recommendations in the Sanctuary Act, then that would get resolved when it goes to the Secretary, and, if the Secretary feels it's not those regulations -- While we might make them consistent with Magnuson, if the Secretary determines they are not consistent with the goals and objectives of the sanctuary, they would be rejected. It doesn't mean that we have to develop a whole big amendment. We can use what the sanctuary has and then develop what we think are the appropriate fishing regulations off of that document.

MS. SMIT-BRUNELLO: Well, right, and I would hope that, before you got to the final phase of having the Secretary deciding whether to reject them, you would have had consultation whether that even needs to go that far, right, and so you could also do what you did with Gray's Reef, where you decided that the Gray's Reef Sanctuary -- They drafted the regulations, and you accepted those as fishing regulations, and so, I mean, you have -- Because you chose not to draft your own, and so you've got some options before you, but we'll get this all better clarified.

DR. CRABTREE: Gregg is right. When we did those closed areas down in the Keys, that was in response to the listing of Acropora and corals down there, and it came out of a biological opinion, and so we did that through amendments to our plan. Pulley Ridge, when we did some gear things there, that was done through the FMPs in the Gulf, because Pulley Ridge is not part of the sanctuary at this point. Normally, I think what we've done is comment on sanctuary plans and sanctuary regulations. If we're going to engage more than that, I think Monica will have to give us some guidance on how that works.

MS. SMIT-BRUNELLO: Just one other thing, and then I will stop, but I will -- In looking through the protocol, it's over twenty years old, and it refers to an entity that has changed, and it's no longer

the Florida Marine Fisheries Commission, and it at least refers to a statute, a Florida statute, that I will take a look at and consult with Jessica's attorneys, but that might not even be in existence anymore, as we found when we updated the spiny lobster protocol and all that, and things change over twenty years, and so you could think about, perhaps at some point, looking at a new kind of protocol, but that's for another day, I assume.

MS. MCCAWLEY: Did you have something, Steve?

MR. POLAND: I am good, Madam Chair. That discussion clarified my question.

MR. BELL: I apologize for my not understanding how this works, but, if I'm following what's just been said, in this case, there is the Sanctuary Act, and there is Magnuson, and we operate under Magnuson, but so we can have -- We can have a sense of what proper regulations might be, based on how we do things in accordance with fisheries, and the sanctuary folks could have what they want to put in place, and so we might not agree, but, just because we deal with fisheries all the time, we do not have any sort of preeminence in --

I mean, we don't trump them, in terms of -- Magnuson doesn't trump the Sanctuary Act, and so we don't -- As it says in there, we can draft regulations, and okay, but, if what they draft doesn't agree with what we draft, we don't trump them, and it's just the Secretary then has to, I guess, determine which way to go, so we don't -- I wasn't really totally clear on that. I was just assuming that perhaps because it was related to fisheries that Magnuson sort of had a little more clout, but it sounds like they're sort co-equal, in terms of -- The Secretary would have to -- If there's a disagreement or something, that would be determined by the Secretary.

MS. MCCAWLEY: Once again, we have one more meeting to discuss this, but the letter is due directly after that next council meeting. I mean, if we look back to that original letter that the sanctuary sent us, it's asking if we want to consider implementing regulations in the sanctuary in South Atlantic federal waters, and it sounds like the answer is yes, and so that seems to be what we were discussing earlier, and that's what Mel is saying, and that's what Steve is saying, and that's certainly what I would recommend.

I guess that part of this is figuring out how that's going to play out, and so I know that the FWC -
- When we provide comments on this, it's not like the FWC is going to go through that document and say, okay, this action we want Alternative 2 and this one we want 3 and this one we want 4. I believe that our comments are going to be more of maybe not in this area and maybe over here instead, or here is a completely different area that accomplishes the same goal and would be something of that nature, and, of course, the FWC's comments, just to clarify, are not just about fisheries.

They are about birds and turtles and law enforcement and boating access and derelict vessels, and so the FWC has a very broad range of things that we're going to be commenting on, but, relative to the fisheries, if you looked at the cooperative agreement, FWC is responsible for implementing the part of the proposal that's in state waters for fisheries, and so the cooperative protocol refers to the Marine Fisheries Commission, but the Marine Fisheries Commission is now the FWC.

The FWC is looking at this, and we've already had one discussion about it, our commission did, at our last commission meeting, and they will be looking at say the top-ten items, kind of like the

document that we prepared for the council, and they will be looking at the top-ten items that we're hearing about so far and trying to get some commission input on that, and then the commission will see it one more time at our February meeting, and they will go over the entire suite of comments.

Right now, those top-ten things that we have identified are primarily fisheries related, as well as law enforcement. Law enforcement is really the number-one comment, I would say, that we're hearing from folks, but I'm just trying to help you understand that the FWC comments are probably going to be not as -- They're not choose this alternative in this area, but it's more that maybe there's a better place, or maybe there's a better place to protect birds or something of that nature, and it's going to be kind of a mishmash of comments, and I am just presuming that the South Atlantic Council would want to do something similar.

I am not thinking that we're going to want to go in, and for every single one of these areas that are proposed, to do something and say, okay, well, we want Alternative 3, or we want Alternative 4, and so one option I think that the council needs to think about is how we want to address this, and so we've spoken to a lot of fishermen, and we're going to have some more meetings, FWC will, and, I mean, we're hearing things all over the board.

As you heard a little bit from the speaker during public comment, a lot of people are talking about how FWC is really the fishing authority in state waters and that we're the ones providing the licenses for those folks, and we're looking at the species overall and what is that species throughout its range in state waters, and then we also think about how that dovetails with federal management through the Gulf and South Atlantic Councils.

People are also saying the same thing about the councils, and especially on the South Atlantic, because there's a lot of changes in this document that are really applicable to the South Atlantic Council jurisdiction, really more so on the fisheries side in the South Atlantic jurisdiction than the Gulf, and so people are saying the South Atlantic Council is really the authority here on fisheries, and the South Atlantic Council, along with NOAA, is really the ones providing our licenses and looking at the overall management of these species.

Let me give you an example of their comments on mutton snapper. We, in the past few years, had changed some regulations on mutton, and it was in response to a stock assessment, and that stock assessment said that mutton were not overfished or undergoing overfishing, but the stock size was considered smaller than what was previously thought, and so there was a decrease in the ACL, and the council, along with the FWC, decided that we were going to try to go hand-in-hand and do the same regulations in state waters and federal waters, and so the discussions here at the South Atlantic Council and the Gulf were that the FWC was going to go first, and they were going to try to do regulations in state waters, and then the Gulf and South Atlantic Council would come behind that and try to figure out if they wanted to adopt the same regulations in federal waters.

What was done was there were joint workshops, public workshops, that were held and public meetings that were held that were FWC and Gulf and South Atlantic Council workshops, and so we went together, and so the Florida reps on the councils, as well as the FWC staff, went together, and we held public workshops, and we had analysis that were partly FWC and partly council analysis, when we presented it, and it was presented as a package, and we had some tools, I believe,

that were made by Nick Farmer, and so we were talking about size limits and bag limits, and we talked about a closed area at Western Dry Rocks.

Those folks that were on the council at the time remember that there was a lot of discussion about what to do about this mutton snapper spawning aggregation at Western Dry Rocks, and so the Western Dry Rocks is in state waters, and so, as part of this discussion, we had a decision tool that we took out to workshop, and we were proposing bag limit changes and size limit changes, and it would also indicate, in the tool, if you were to close that area, kind of how much bang for your buck you were going to get relative to this decrease in the overall ACL that was needed at the time.

The public, when they started coming to us about the sanctuary, are saying, well, this just doesn't -- Let's talk about Western Dry Rocks, for example, and this doesn't make any sense, because, when the FWC and the councils came to us, you guys had this proposal, and you had this kind of overarching idea that you were looking at for mutton snapper throughout the stock that was in the Gulf and the South Atlantic, and they felt like they kind of had a discussion, and they were part of the discussion, and they kind of made an agreement with us about bag limit changes and changes during spawning seasons, and, ultimately, both FWC and the council said no closure for Western Dry Rocks.

Then, now that the closure is on the table, and it's coming from the sanctuary, you have people saying, well, where is the FWC and where are the councils, and how is this closure in sanctuary waters part of the overall management for mutton snapper, and you heard Christina talk about that a little bit with lobster, and the same thing is coming from the Lobster AP. There is an FWC trap reduction program in place for lobster, and there is also these sixty areas in both the councils' jurisdiction in federal waters of the sanctuary, and it's not clear, to a lot of these folks on the fishing side, kind of how what's proposed in the sanctuary proposal is really fitting into the overall management, as conducted by the FWC and the councils, that is more species specific.

This is a huge undertaking, but I think that I would like to see the South Atlantic Council get involved, and I think I would like to see some kind of omnibus amendment or document, and I don't know exactly what that looks like, what the actual product is, but where we consider these areas and consider the proposal, and, ultimately, after talking to people, we might have a different idea, based on the overall management of lobster or the overall management on mutton snapper, or even yellowtail. We have the yellowtail amendment moving through this process, and maybe we want to recommend something different or something that fits better with how we would normally manage a fishery, but is also dovetailing with what they're doing.

I tried to give that example with Pulley Ridge that was for deepwater coral, and the Gulf Council went first, and then there was only so much they could, but they had other actions that they wanted, and they asked the sanctuary to come in and so some additional actions that were beyond the authority of the Gulf Council, and so I know that's a long-winded answer, but I just think that it's very complicated, but the South Atlantic Council, I really feel like, has a role here, and I think that we should take the time to meet with people in the area and understand what they are wanting and think about that in terms of these different species that the council and the FWC manage and how that fits into overall management of that particular area, as well as the species, and so you're thinking about the ecosystem and the habitat as well as the species management, which has really been our role.

We're also concerned about habitat, as you saw with this Lobster Amendment 11 and closing those coral areas, and so I guess I would just like you guys to think about that, and I know that the folks not from Florida are probably not hearing as much about it as we are, and I can tell you that the FWC is being inundated, and fishermen are scared, and they are worried, and they are asking for the help of the FWC and the councils, partly because they trust us, and they like our process, and they feel like we've done successful management in the past, and so they are asking us to come in and help and look at the areas and look at the management of the species and how that is overlaid with this ecosystem of the Florida Keys.

MR. BELL: I understand, and I agree with that, and so, just to be very clear, we're being asked if we wish to consider drafting regulations or draft regulations, and let's say we say, yes, we want to weigh-in here. Then we would follow our normal process for that, right? I mean, we would have to, in accordance with operating within the way we operate, we would just follow our normal process, which involves the different layers of drafting things and scoping and hearings, and realizing this is a very -- This is the very tip of our jurisdiction, but it's a very focused area down there, but we would need to follow through our normal process in the drafting of regulations, right?

MS. SMIT-BRUNELLO: When I look at the sanctuary regulations, you basically have 120 days to decide. If you decide to prepare draft fishery regulations, you have 120 days to draft those and submit them to the Secretary, under the Sanctuaries Act, and so that is not your normal process, and so that is why I would like to see what they did in the Gulf, in terms of -- I am glad this was all extended until March, after your March meeting, but what they did with the Gulf, in terms of what they did under the Magnuson Act compared to what they did under the Sanctuaries Act, because your timing is different under the Sanctuaries Act.

MR. BELL: I think it's important to understand what the limitations are here, based on if there are timing criteria that we're not normally being held to.

MR. SAPP: The question was just kind of asked of when does this 120 days start?

MS. MCCAWLEY: It's my understanding, and I am not an attorney, that that occurs after they issue the final plan, and so, after the sanctuary finalizes it, then we would have the opportunity to implement those regulations, basically as-is, for those areas that are in the council jurisdiction and also inside the sanctuary waters.

This thing that I am talking about would come before all this process, and so we're at the draft environmental impact statement stage right now, and so there is some time, and it could be a year or more, before I believe they would get to the final environmental impact statement stage, and so what I'm talking about, and the council embarking on this process, would be through the Magnuson and through the council's channels and through that process, and we would be looking at it kind of in a wholistic way that looks at the ecosystem and the habitat as well as those species that are in this south Florida ecosystem, and you guys know what they are.

They are things like black grouper, and they're mutton snapper, and they're yellowtail snapper and they are lobster, and they are stone crab, and you have those different species involved here. What I am saying is going to happen kind of in the middle of the sanctuary process before they get to the final environmental impact statement stage, and so I'm saying going through Magnuson. I had Anna next.

MS. BECKWITH: You sort of answered my question, because I was thinking that potentially we're going to put all this work in, and then, right now, they have the preferreds, and I understand that they're not allowed to say but so much, but, I mean, I get the impression that they've heard some of the concerns, and oftentimes those concerns are dealt with via the final rule, and so, I guess in my head, I was trying to figure out the process of are we going to be basing our potential proposed regulations on what they come back with in that final rule, but you've just explained the process, and so we're sort of jumping the gun, I guess in my brain, thinking through what they might -- We are almost doing the whole process, but our version of it, and so it sounds a little bit overwhelming, time-wise, but I see where you're heading.

MS. SMIT-BRUNELLO: To answer Art's question, I'm not entirely sure, and so I'm going to confer with my GC counterpart who advises the Sanctuary Program, and I'm going to get you more definitive guidance on that before your next meeting.

DR. CRABTREE: I think the other thing we've got to think about is, I mean, we're talking a pretty major undertaking, and it's going to have a lot of workload implications, and, at the same time, we're looking at allocation issues and the MRIP transition and a big lift on that, and so we're going to have to -- John, we're going to need you guys to tell us what can we do and how is this going to affect our priorities, because I think it will.

MS. MCCAWLEY: I agree with all of that, and so I think that the FWC would be front and center here, because the FWC is likely going to be figuring out what regulations we want to do in state waters as part of this process and as part of say a wholistic look at say stone crab and lobster and how those fisheries should be regulated and how that fits in with the sanctuary's plan, and so I definitely think that's something that FWC is doing to do.

We could do something similar to what was done for mutton, or, those of you that were on the council at the time, we tried to do a South Florida Committee that was joint between the Gulf and South Atlantic, and we went out and did a series of workshops, et cetera, and that ultimately kind of died, but what could be done is we could kind of focus it in and do some joint work with the FWC and the Florida reps on the council, to try to figure out how to move this forward, and so I really see the bulk of the work coming through the FWC, as well as the Florida reps that are on the council, and I guess I'm hoping that, when Monica comes back in March, if she can tell us if some of the analysis that was done already by the sanctuary could just be used by the council. I am thinking that maybe we don't want to have any more discussion on this today? I mean, if people want to discuss it more, we don't have to take any type of final action here.

MR. BELL: At this point, I guess we can agree that there is some level of interest in a role, moving towards perhaps saying that we would like to recommend regulations, but we're not committing to any particular process or any particular steps at this point, and this is just sort of the introduction to this, realizing that it's been going on for a while, and we're kind of coming in here a little cold, in some respects, and you all, obviously, are much more engaged, and I would see anything we might get involved in with you guys -- The FWC kind of needing to help carry a lot of the weight down there, which you already are anyway.

MS. SMIT-BRUNELLO: The protocol kind of envisions that FWC, as it's renamed, taking kind of a lead role in this, and so I would imagine that you would want to hear from them at the March

meeting more fully, but I will try to get you better advice even prior to the March meeting, but remember the sanctuary is under the Sanctuaries Act, and that is not your purview. You have got Magnuson, and you are charged with Magnuson fishing regulations, and so those are two different legal requirements, and they do dovetail a little bit, but just keep in mind that you've got Magnuson authority and not sanctuary authority.

MR. SAPP: Real quick, just to put a value to this, even if you just look at their numbers, which I believe are grossly underrated financially, or the number of participants in this area, if you start looking at that, those numbers are going to dwarf what goes on in a good portion of the rest of our management area, and so this is of extremely large value, I think, to this committee, because of that alone. We have got to pay attention to these people's needs and wants.

MS. MCCAWLEY: All right. Any more discussion on this for now? We have one more round of discussion on this in March, and so it sounds like you're wanting to hear from the FWC in March, and so we can try to give a more formal presentation at that point in time. The commission would be in the process of finalizing their comments, and the commission would have met three times on it, and so we can give you a better idea of what we're going to do on the fisheries side. As I mentioned, FWC comments are going to be extensive, talking about boating access and derelict vessels and birds and turtles and all of those things, but we can bring the piece relative to fishing and where it looks like the commission is going, and we could bring that to the March council meeting.

MR. CONKLIN: Do you think that we need to dedicate like a full day to that, or at least a half-day again?

MS. MCCAWLEY: I don't think so. I can work with John to try to figure out what this presentation looks like and how much time we need and maybe how we see the discussion playing out, and we can work with Monica on what all we need to talk about, and I'm hoping that one of the things in the council's letter is that this management agreement definitely needs to be updated, and I'm hoping that that gets updated sooner rather than later, and so that's an example of one of the comments that I would like to see in the council's letter, and so I guess I could work with John and Monica to figure out what this discussion might look like. Is there anything else about the sanctuary? All right. Before we break for lunch, I'm going to turn it over to Lieutenant Montes. He has an announcement before lunch.

LCDR MONTES: A little bit of good news, or light news, I would say. I talked to the CO and XO of the Cutter Diligence, and they were in kind of observing this morning, and they offered up a tour to anybody interested, and so, when do you want to return from lunch?

MS. MCCAWLEY: Did you say that they wanted to do the tour at 1:00?

LCDR MONTES: Yes, about 1:00, if we meet in here, anybody interested in it, and I know it's cutting everybody's lunchbreak a little bit short, but I don't want to stand in the way of finishing today, if we can. We will meet in here, and then we'll head over to the cutter for about thirty minutes and then be back in time to start.

MS. MCCAWLEY: Okay, and so we'll look to be back about 1:30 or 1:40 after lunch. Okay. Let's say 1:40. That way, if you want to go on the tour, be over there at 1:00, or be here at 1:00. All right. Thanks, everybody.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: First up, I am going to turn it over to Gregg, who has a special presentation.

MR. WAUGH: Thank you, Madam Chair. As I mentioned, we have a special relationship with NOAA GC over the years, and, since this is my last meeting, I just wanted to give them a gift, and Shep is -- Come on over here, Shep. Shep has been attending a lot of our meetings, and he has a temporary name plate, and we want to get him a new one, but I already have one for him, and so here you go. It says SAFMC GC.

Now, what Kitty Simonds does at the West Pacific is she has NOAA GC sit up at the table, and I was going to do that, but I thought that might be a little disruptive, but you have heard me ask, particularly Shep, when he's working on our predator-prey, bullet and frigate mackerel, to put on his council hat, and so, when he comes back to you in March, I won't be here, and so what I got was a council hat for him with "Shep" on the back, and one for Monica, and we know that Mike McLemore, back at the office, does a lot, and he used to work with us, and so there's one for them to take back for Mike.

MS. SMIT-BRUNELLO: Thank you very much. *(Applause)*

MR. GRIMES: Now I truly have a council hat.

MR. WAUGH: You have a council hat. Make sure you wear it.

MR. GRIMES: I will bring it to every meeting.

MS. MCCAWLEY: All right, and so we're going to get going here, moving through the Full Council agenda, and so next up are Council Staff Reports, and I am going to turn it over to Gregg for the ED Report.

MR. WAUGH: Thank you, Madam Chair. You have my liaison report, and I'm not going to go through it. The one item that I will call your attention to is, again, it's been a busy time, and it will always continue to be a busy time, but council staff have done a super job keeping up with everything.

The one thing that I did want to mention that isn't in here, and Jessica mentioned this a little bit this morning, is I have been accused of being slightly anal-retentive, and I have binders with pre-computer paper, and so there's quite a bit of this, and I managed to make sure that Mike Collins didn't throw it all out, and I have fended Kelly off successfully so far, and I have worked with Christina and Tracy Yandle on our SSC, and Tracy has a student, and what we're doing is scanning this material, but we're also using software that will make it searchable, and so we think this is a way that, once we get the bugs worked out, that we can store all of our information, and, when we get a request, when we're being sued and we get a request for the administrative record, then,

rather than just shipping Monica and them all of our council briefing books, and they have to go search through it, they can actually search through it.

If it's a particular amendment, they can search for that amendment, and so Christina has been spearheading that, and she will continue to, and what I will do, over the next year, is fill in some of the background context for those papers in a comments box, and so it will be a way to preserve that information, and then the student will actually go back and analyze how management has changed over time, and so it's pretty interesting, and I wish you all -- Maybe at some point the student will present something to the council, because it's incredible. She is a sophomore in college, which is amazing, and so, if you want any more background information, get with Christina, and she can give it to you, and so that's it, and thanks again.

MR. WOODWARD: I am just curious how well that papyrus holds up to the scanning process.

MR. WAUGH: Well, we do have some stuff that's on dot-matrix printer paper, and so yes, but there's a lot of old typewriter stuff in there, too.

MS. MCCAWLEY: All right. Thank you, Gregg. Next up, I think we have a MyFishCount update from BeBe.

MS. HARRISON: Thank you for having me on here, everybody. I hope you all are having a great day, and I hope you had a good lunch. I was just going to give you all an update on the MyFishCount and what we've been doing since we last spoke. Some of the things that have been going on is I have been going non-stop, and one of the events was the American Sportfishing Association's Industry Summit, and it was in Stevenson, Washington, and so it was a huge group of industry folks from across the U.S., and actually even beyond, but I was able to talk to a lot of companies, including Bonnier Corporation, Engel Coolers, Yamaha, Pure Fishing, and several more, just to get the word out about MyFishCount, to try and do some piggybacking with their organizations and just helping to get the word out. We made a lot of headway there, and we made some good contacts, and we have been following up on those, and I will inform you of some of that stuff in a minute.

I attended the Southeastern Association of Fish and Wildlife Agencies meeting, and I did presentations on MyFishCount in the outreach section and in the fisheries track, and so that was with state agencies from across the southeast and their representatives, and so hopefully I made some more good contacts and some people that may not have been aware of MyFishCount that were within those agencies, to try and figure out new ways to help incorporate it into their outreach as well.

Then I jumped down to Fort Lauderdale, to the boat show, and I met with Bonnier Corporation again, who is going to be doing some exciting stuff with us. They're going to provide some -- Hopefully, we'll be able to give an incentive, provided by them, once someone signs up for MyFishCount, and so they would like to do a trial subscription to one of their magazines once an angler signs up in MyFishCount, in hopes that they will sign-up later on, but I think that's pretty exciting, to be able to have an incentive for that.

Then we also met with George Poveromo to secure booth space for his events within our region for their Saltwater National Seminar series, and so we've got four dates on the books for those

shows, and those will be in Myrtle Beach; Islamorada; New Bern, North Carolina; and Port St. Lucie, in the spring.

Then there were -- In addition to the ASA summit, South Carolina and North Carolina both did industry summits locally, and so this was another good way to connect, and the South Carolina one was yesterday, and so it was very good, but we -- This was a really good way to connect with industry, with local industry, for the people that definitely have a tie to the South Atlantic, and they are based in South Carolina and North Carolina, and I am still looking into some more industry contacts for Georgia and Florida, and ASA has been really helpful at providing those for us, and so I've been making a lot of really good contacts and getting some support for them built up and coming up with creative ways to show MyFishCount.

The updates that we have made so far, there is -- If you haven't been to the myfishcount.com website, check it out. It's a totally new look and feel, and, for those folks that don't check their social media very regularly, or just aren't active on it, they can actually see our feed on the webpage, which I love, but it gives some more information, and it's clean, and it's a little bit more lifestyle looking, and it's trying to get people motivated to use it and report.

We just updated the iOS and the Android versions, and those should be live, and, if you haven't opened it in a while, whenever you open it, it will automatically update, and so we have addressed several of the comments and several of the issues that have come up that I had mentioned previously and when I was going and talking to folks and watching them use the app, and so, those little sticking points, many of them have been corrected, and there's some other exciting new things and new changes, and so I encourage you all to check that out and do a test trip, if you haven't done one in a while, just to see what the changes are.

Then the other addition is that MyFishCount message, with the monthly incentive, and so we've given out two incentives so far, for October and November, and we will have our December one going out here in the next couple of days, and so that is what we have going on, and I will answer any questions, if you have any.

MS. MCCAWLEY: All right. Great presentation. Any questions for BeBe?

MS. BROUWER: Thank you, BeBe, for that. I just wanted to add one thing that council members might be interested in, since it comes up in conversation a lot at this table. One of the things that is new on the app is you have a new disposition that you can choose from, and so, when you release a fish, if it's eaten by a shark, there is an eaten by predator, and you can use that as well, and so thank you. Thanks, BeBe.

MS. MCCAWLEY: I'm going to call that the Art Sapp button. Any more questions? All right. Thank you, BeBe.

MS. HARRISON: Thank you very much.

MS. MCCAWLEY: All right. Next up on our list, we're going to go to NMFS SERO. The first presentation is the status of commercial and recreational catches versus ACLs for species that we didn't already cover this week.

MR. DEVICTOR: Thank you. I went through my list, and I think we covered everything snapper grouper, CMP, dolphin wahoo, and golden crab is the only one that we haven't talked about, and that's at 14 percent of the ACL, 283,252 pounds, as of November 25.

MS. MCCAWLEY: Any questions? All right.

MR. DEVICTOR: Then, next, we have data-related reports, and so I will talk a little bit about the for-hire amendment status. We're on the agenda to update you at each meeting on what's going on with the for-hire amendment. As you know, it requires charter vessels with a charter headboat federal permit for Atlantic CMP, dolphin wahoo, and snapper grouper to submit electronic reports, what we call logbooks, weekly, using NMFS-approved hardware and software applications, and, of course, reporting can be done through a computer, tablet, or smartphone, and you all worked on that in 2017 and 2018.

We have done a lot of work on it, and we've presented what the SEFHIER team has done to stand up this program, and we're happy to report that the final rule has cleared the region, and it has been submitted to Headquarters, and so we do have movement with the for-hire reporting. If I can just go over the next steps real briefly here and some of the outreach that we plan to do, obviously, the next step is to publish the final rule and announce the implementation date of the program.

As we talked with you before, our plan right now is the effective date would be sixty days after the final rule publishes, but people could start reporting on day-one, and the program would be ready, so people could start reporting, but they would have to after sixty days. Normally, we have that thirty-day cooling-off period, and we intend to give some more time with that.

Of course, around the time the final rule publishes, the Southeast Regional Office will reach out to permit holders, through mail, and we'll send them a bunch of information, such as an information packet, a letter describing, of course, the requirements and FAQs, and, most importantly, it will talk about how they can go on and download the NMFS-approved software that they're going to need to report for-hire information.

We've been working closely with ACCSP and eTRIPS, and that's not approved yet, but it's pretty close to being approved, and so that will be one that will be available, and we're also working with Bluefin and VESL, and, of course, that's used in South Carolina right now by the charter vessels, and so we're hoping that that gets ready to go by the time this publishes.

Then, of course, finally, we'll have a bunch of webinars, continuing what the council did in their in-person meetings, and we'll have informational sessions, and we have a website right now up and running, where you can find information, and we're going to get a 1-800 number, where people can call us with their questions, and we'll have informational packets, like I said, and so we anticipate, when this thing goes live, that we have to be ready, and we're going to have a lot of calls, I think, coming in and asking about the program and technical questions about the software, and so we're just gearing up to get ready for when this goes.

MS. MCCAWLEY: Thanks, Rick. Questions for Rick?

MR. WAUGH: Just thanks to the region and NOAA GC. I know this was a heavy, heavy lift that was a lot more complex than I think all of us knew, and I'm glad to see the work with ACCSP,

and I know that sorted out a lot of issues and relationships and requirements between that organization, but, Sam, this is one that, as this rule package gets up to Headquarters -- We know, in this anti-regulatory climate, this is one that isn't really driven by an immediate resource conservation, but certainly the data are critical to improving our understanding of what's going on, and, if there's anything that the council can do to help, in terms of briefing people, or just anything to express the importance of this and how much work has gone into it and how much support there is for it, please have whoever on your staff reach out to the council.

DR. CRABTREE: Jessica, I don't know if we're doing a Protected Resources report, if Jennifer Lee is calling in.

MS. MCCAWLEY: I assume we are. She's next on the list.

DR. CRABTREE: Okay.

MS. MCCAWLEY: All right. Any more questions for Rick? Now we're going to go into the Protected Resources Update, and I'm hoping that Jenny is on the line.

MS. LEE: Good afternoon. I'm glad, Roy, that you're excited to hear the PR report.

DR. CRABTREE: Absolutely.

MS. LEE: We're going to give you guys some exciting news to start off with, which is that the -- Back on December 16 of 2016, we published a proposed rule that, if implemented, would require all shrimp trawlers using skimmer trawls, pusher-heads and wing nets to use TEDs designed to exclude small turtles in their nets, and so the news there is that we do have a Notice of Availability for the final EIS. It published on November 15, and a final rule is expected to publish in mid-December, and so keep an eye out for that, and I'm sure, when it comes out -- If you want, at a future council meeting, to have a presentation or information, just let us know.

The next news is not so exciting, but it's just that the revised ESA Section 4 and Section 7 regulations were delayed slightly in their implementation, but they are now effective, as of October 28. I do not have any updates specific to fishery management council consultations, and we do have, for Marine Mammal Protection Act-related news, the proposed list of fisheries published on October 10, and we accepted comments through the 12th, and there is a -- We are working on the final rule, and the number of vessels and data and list of fisheries stocks incidentally killed or injured in fisheries occurring within the South Atlantic region, we had some changes to those, but there are no classification changes proposed.

For Atlantic Large Whale Take Reduction Team news, GARFO is working on a proposed rule to reduce right whale significant injury and mortality from vertical lines, and so the DEIS for the Atlantic Large Whale Take Reduction Plan is expected in late 2019, which is, obviously, coming up, and there will be an opportunity for public comment, as well as on the proposed rule, which is expected to publish in early 2020.

We have an update on the North Atlantic Right Whale Unusual Mortality Event, which is basically just updating the numbers here. You can see that, in 2019, there have been ten right whale deaths, and that was as of September 30, and I think that's still true today. There were nine in Canada and

one in the United States. You can also see there that I updated the population estimates, which is down to 412 whales, and you can also note there, again, that the population has been declining since 2010.

The other unusual mortality event there are not any updates for, and, the Pelagic Longline Take Reduction Plan proposed rule development, that's coming along. They're working on a proposed rule update for regulatory and non-regulatory requirements for the pelagic longline take reduction plan, based on consensus recommendations, and you can see that they have the team webinar scheduled during a public comment period, sometime early in 2020, and so that's also coming out in the middle of the year, and then no updates on the Bottlenose Dolphin Take Reduction Plan.

If I can pull up my email real quick, I think I saw, actually -- It's not in the report, but one additional thing that I could add is I think we came out with -- The giant manta ray critical habitat determination published, which is that, at this time, it's not a prudent determination, and so nothing moving forward with that, and I think that concludes my report, unless there was something else that Roy had in mind.

MS. MCCAWLEY: Thank you, Jenny.

DR. CRABTREE: Just one thing I wanted to make you aware of is we were petitioned to list queen conch back in 2012, and, in 2014, we published a decision in the Federal Register that listing is not warranted. We were sued by a couple of environmental groups, and, along the way, one of our policies, the Fisheries Service policy on how to define what a significant portion of its range means, which is relevant to making listing decisions -- A court case, I believe, on the west coast said the policy was invalid, and so the court remanded the queen conch decision back to us, because that change had occurred, and this happened some months ago.

What we're now going to do is publish a notice in the Federal Register, and I think this will come out in the next week, announcing that we're going to undertake another status review of queen conch, and so we'll convene a status review team and review all of the information and essentially go through the whole process of determining -- Making a decision about whether listing is warranted or not again. We don't have a queen conch management plan, but they do occur in the Florida Keys and within your range, and so I wanted you to be aware that was going on.

MS. MCCAWLEY: Thank you, Roy. Any questions for Jenny or Roy? All right. Thank you, Jenny. Next up, I believe we have Brett Pierce, that is going to join us via webinar, to give us the Southeast Fisheries Science Center presentation.

MR. PIERCE: My name is Brett Pierce, and I'm working on the electronic logbook project here at the Southeast Fisheries Science Center, and I just want to kind of give you an overview of where we are in the process and also answer some follow-up questions from my previous presentation, I think, to the Full Council in September and then to the Snapper Grouper AP later in October.

In my previous presentation, I mentioned all the different ways that we use commercial logbooks in the Southeast. One of those was as a validation tool, and, before I get into specifics on how we use commercial logbooks as a validation tool, I want to mention that we monitor ACL quotas by using the weekly dealer reports. The dealer reports are required to be submitted by Tuesday for

the previous week, and we use the data in those reports to make projections on all the ACLs that are currently being monitored.

For commercial logbooks, the current reporting frequency of logbooks makes it insufficient as a quota-monitoring tool. Fisheries are required to report within seven days of the completed trip, and, for no-fishing reports, they are required to report within one week of the previous month if no trips occurred.

While fishermen are required to report seven days after a trip is completed, this is not always the case. Fishermen often report only when a permit is up for renewal, and there are cases where fishers report all trips over a year all at once, and this can lead to potential gaps in the logbook data and the landings data, especially for the current year, and, to some degree, the lagging year.

We do, however, use logbooks as a validation tool for commercial landings, especially at stock assessments, and we use them to validate the summary landings, but, as I mentioned earlier, complete logbook data may not be available for that current year and, to some degree, like the lagging year. We can, and we do, use HMS logbook trip reports to validate HMS dealer reports that are submitted through Bluefin, and what we do with that is we take the vessel weight and the dealer weights that are submitted with the dealer reports, especially for species like albacore, yellowfin, swordfish, bigeye and mako. If there is any discrepancy between those logbook-supported data and the dealer data, then we do contact HMS, to find out what the issue possibly is and also to get them corrected.

In addition to logbooks, we also have several other validation tools that are currently in place in the Southeast. Currently, we can use federally-reported dealer data to validate trip ticket data that comes in, and this is used by port agents to review data errors, and that could include anything from missing data to incorrectly reported trips or any kind of discrepancy between the trip ticket and the dealer report.

The port agents will then go back and contact the dealers, if there is any kind of discrepancy, and hopefully the dealers will go ahead and quickly make those changes through the trip ticket data. Currently, we also have the capacity to validate dealer reports and dockside and observer sampling reports, and we're also working with GARFO to develop a single trip ID, and this will pass a single distinct trip ID to all reporting systems that are currently in place. Oftentimes, there are differences in information collected in each system, and this can make matching those trips difficult, in many instances, and so, if we have the distinct unique trip ID for all reporting systems, matching trips will become a lot more reliable.

I mentioned that we use logbooks, in many ways, as validation tools, but we do feel that the data that does come into logbooks can be a little bit better, and we do feel that, by using electronic logbooks, we can make those gains needed. There is a need for finer spatial resolution, especially for catch and effort data, that contains fewer errors. The current logbooks are limited in providing the data, and pelagic logbooks require multiple sheets to report on the set level.

By using electronic logbook reporting, this would be timelier, with fewer errors, and especially in the machine-generated variables like data, time, and location, and the benefits of e-logs relate directly to the advancements that we're making in all of the validation measures currently underway in the Southeast. Cleaner, more robust data is available, and that can be used more

quickly, and, if needed, additional validation corrections can be addressed a lot more efficiently by using electronic logbooks. Now, in the previous slide, I mentioned that we are -- GARFO created a unique trip ID for all the reporting systems, and that same ID can be applied to the electronic logbooks reports, which can help create more timely validation anywhere throughout the east coast and the Gulf.

Finally, I want to mention where we are in the electronic logbook project currently, and we are still working on some infrastructure changes at ACCSP, and this is to get the final Southeast Fisheries Science Center data that's required to go through the standard codes process. We have been on several calls with ACCSP recently to indicate that we do feel that all of the data that is required is being put into their test database, and we should be testing that shortly.

Once this is complete, then we can complete our technical requirements documents for third-party vendors that will inform them of how to modify software to meet all the Southeast Fisheries Science Center requirements. There are a few modifications needed with the ACCSP and Southeast Fisheries Science Center applications, and one of those is integrating and mapping any data that does come from ACCSP into the Southeast Fisheries Science Center database, and, just to recount from previous presentations, all logbook data, all electronic logbook data, will be submitted through ACCSP's API to the SAFIS database, and then we're going to pull that data in and put it into our current logbook database that will allow us to run those validations based on current programs that we had in what we call our UDP database, which houses all of our coastal and HMS logbook data.

ACCSP's applications are currently being populated and reconciled, and we're going to begin testing those in the next few weeks. We're going to start doing test trips in the eTRIPS application, eTRIPS mobile application, and then we'll start bringing in the data and pushing them through, to make sure that everything that we are collecting can be mapped to our current data, so that then there is no lag time in validations or any other issues that may come up.

Finally, we're working with linking ACCSP participants to SERO entities. Previously, I reported that we were working on two different routes to make this happen. Right now, we're settling on one as our -- One of our processes is going through the Privacy Office at NOAA right now, and it looks like we're going to be able to share data a little bit more efficiently, which will allow us to link any participant at ACCSP to SERO Permits, which of course counts towards compliance, and so, once a fisherman submits an electronic no-fishing report or electronic fishing report, those will be counted towards compliance, as if they were submitting a current logbook to the Southeast, and it's just a little bit quicker. With that, I will take questions.

MS. MCCAWLEY: Thank you.

MR. HEMILRIGHT: I was trying not to speak the whole meeting. I've been successful so far, but my question, Brett, is what's the estimated time when this one report that you're working with GARFO is going to suffice everybody, a timeline? When is this going to come to reality?

MR. PIERCE: That is something we do not know. The process of creating this unique trip ID is being handled -- Right now, it's in the beginning stages, at a little bit of a higher level, and so I cannot speak to a timeline, and I just know that the applications that we're developing within the electronic logbook -- We are accounting for that in the future, and so we're making the logbook

flexible enough so that, when this comes into place, we can make the changes quickly, as to not lose a beat. We're not going to have to redesign anything within the electronic logbook aspects of it to account for this unique trip ID throughout GARFO and all of the other reported systems that would use this one-stop-shop reporting unique ID, and so I wish I had more information for you, but I just don't on specific timelines of that.

MS. MCCAWLEY: Any more questions? Chris.

MR. CONKLIN: Thanks. Are we to the point where we would to begin an amendment to -- I mean, do you think it would be ready to go by the time we finished the amendment, or we're still waiting, and then we would start amendment after we got the go-ahead of -- Then I was talking to -- I wanted to follow up with our South Atlantic General Counsel on our discussion Monday about the latitude the agency may have to do this without us doing an amendment, and I didn't know if you had more information for us.

MS. SMIT-BRUNELLO: Well, without putting my hat on, I will try to answer that question. We would have to look at the FMPs and the current requirements for reporting and then compare that to what you would like to do with this electronic reporting. My thoughts, based on what has previously happened with dealer reporting and those kinds of things, is that we would likely need a plan amendment to implement the electronic reporting, but I will look at the FMPs and all that, and we'll evaluate it and see whether there is any other way we can do it without you having to do an amendment.

MR. PIERCE: The only thing that I want to add to that is we've been kind of operating with the impression that, once this is ready to go, and we're satisfied that the data that will be coming in does meet our standards and can be efficiently and adequately integrated into our current system, then we are going to open that up for voluntary reporting, as soon as that's ready.

I don't know if that's going to require an amendment, but I do know that everything that will be collected on the electronic logbook will satisfy current logbook reporting requirements that have already been passed and are in place right now, and so everything that's on the current paper logbook will be collected in this electronic logbook, and so it will satisfy those needs, and we will be collecting on a voluntary basis, especially as we learn how to implement this on a larger scale.

MS. SMIT-BRUNELLO: To that, I am thinking that, on a voluntary basis, we've got a lot more latitude with asking if folks want to do it without an FMP amendment, while we spend the time getting the FMP amendment, assuming we have to do one, in place, but we'll look at all of that, and we'll contact the Center and talk with them and make sure that it's all good to go.

MS. MCCAWLEY: Thanks, Monica.

MR. CONKLIN: Do you think that in March we could have a definitive answer from the agency?

MS. SMIT-BRUNELLO: Sure.

MR. CONKLIN: Thank you.

MR. PIERCE: I do want to mention that we are currently collecting no-fishing reports electronically, and they are counting towards compliance, and so we do have that capability right now, and a lot of the same processes that we're going to use to have electronic positive fishing reports count toward compliance, we're going to just piggyback off the work that we've already done for the electronic no-fishing reports, which are currently being used right now. Currently, throughout the Southeast, we have done 106 accounts that have been created, and many of those accounts have several vessels attached to them, and so we have a few hundred vessels reporting no-fishing reports electronically already.

MS. MCCAWLEY: Thank you.

MR. CONKLIN: Can we get the web address for that site sent out or something?

MR. PIERCE: I can just email it and give the directions to the council staff, and would that be the best approach?

MS. MCCAWLEY: That sounds great.

MR. PIERCE: Okay. I will do that.

MS. MCCAWLEY: All right. Anything else for Brett? All right. Thank you so much for that presentation.

MR. PIERCE: Thank you.

MS. MCCAWLEY: Next up, there aren't any exempted fishing permits, and so we're going to move into the committee reports, and first up in the committee reports is the Snapper Grouper Committee, and so I'm going to jump into the Snapper Grouper Committee.

The committee met earlier this week, and they approved the agenda and the minutes from the September meeting. They went over the status of commercial and recreational catches and amendments under formal review, and they received an SSC report from Dr. Sedberry, and then they made the following motion.

Motion Number 1 is direct staff to begin an information paper to begin evaluating the continued need for conservation and management of species recommended by the SSC for EC designation. Also, evaluate adding additional species for management under the FMP (barrelfish and African pompano). On behalf of the committee, I so move. Is there any discussion of this motion? Is there any objection to this motion? That motion stands approved.

The committee then made Motion Number 2 to recommend that the SEDAR Committee request the following species be considered for assessment through SEDAR process: gray snapper, almaco jack, knobbed porgy, and jolthead porgy. On behalf of the committee, I so move. John, do you have some comments on this?

MR. CARMICHAEL: I do. We talked some about the SEDAR Committee in March, and this is really the only business coming before it. We are caught up on approvals and appointments, and

so, if the council approves this motion and is satisfied with this as guidance to the representatives to the Steering Committee in May, which would be Jessica and I, then we could take this advice to them and get these on the list, and we wouldn't need to have the South Atlantic SEDAR Committee specifically talk about this in March.

MS. MCCAWLEY: Thanks, John. Any more comments or questions? Does that make sense to folks? I see heads nodding. All right. **Any objection to approval of this motion? It's actually going to not go to the SEDAR Committee, but it's going to go to the Steering Committee next. Any objection to the motion? That motion stands approved.**

Then the committee received an AP report from Bob Lorenz, and then they went into Regulatory Amendment 33, which is the red snapper season modifications, and they made Motion Number 3. **Motion Number 3 is to approve the purpose and need, as modified. On behalf of the committee, I so move.** Is there any discussion or changes to this purpose and need statement? **Is there any objection to approval of this purpose and need statement? Seeing none, that motion stands approved.**

Then the committee made Motion Number 4, which was to change the preferred alternative under Action 2 to Alternative 1, no action. This was the commercial red snapper season start date. **On behalf of the committee, I so move.** Any discussion of this motion? **Any objection to this motion? There is one objection. Any abstentions? One objection. The motion passes.** Then we have a draft motion here, if someone would like to make this motion, to send that amendment to the Secretary.

MR. WOODWARD: **Move we approve Snapper Grouper Regulatory Amendment 33 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: Motion by Spud, and it's seconded by Chris. Any more discussion? Is everybody ready to vote? This is a roll call vote.

MR. WAUGH: Ms. Beckwith.

MS. BECKWITH: No.

MR. WAUGH: Mr. Bell.

MR. BELL: Yes.

MR. WAUGH: Mr. Brewer.

MR. BREWER: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Dr. Christiansen.

DR. CHRISTIANSEN: Yes.

MR. WAUGH: Mr. Griner.

MR. GRINER: No.

MR. WAUGH: Dr. Belcher.

DR. BELCHER: Yes.

MR. WAUGH: Mr. Poland.

MR. POLAND: No.

MR. WAUGH: Mr. Sapp.

MR. SAPP: Yes.

MR. WAUGH: Mr. Woodward.

MR. WOODWARD: Yes.

MR. WAUGH: Mr. Whitaker.

MR. WHITAKER: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

MR. WAUGH: **The motion carries with three no votes.**

MS. MCCAWLEY: Next up, we got a presentation from Marcel on the update on the chevron trap CPUE for red snapper, and this included the 2019 data. **We then moved into Abbreviated Framework 3 for blueline tilefish. The committee already made the motion to send this to the Secretary, and so, on behalf of the committee, I so move.** Any more discussion before we call the roll on this vote? All right.

MR. WAUGH: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. WAUGH: Mr. Bell.

MR. BELL: Yes.

MR. WAUGH: Mr. Brewer.

MR. BREWER: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Dr. Christiansen.

DR. CHRISTIANSEN: Yes.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Belcher.

DR. BELCHER: Yes.

MR. WAUGH: Mr. Poland.

MR. POLAND: Yes.

MR. WAUGH: Mr. Sapp.

MR. SAPP: Yes.

MR. WAUGH: Mr. Woodward.

MR. WOODWARD: Yes.

MR. WAUGH: Mr. Whitaker.

MR. WHITAKER: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

MR. WAUGH: **The motion carries unanimously.**

MS. MCCAWLEY: The committee then moved into Regulatory Amendment 31, which was the modifications to the recreational accountability measures, and made Motion Number 7. **Motion Number 7 was to accept the IPT's recommended edits to the purpose and need statement. On behalf of the committee, I so move.** Is there any discussion of this motion? **Is there any objection to this motion? That motion stands approved.**

Then we talked about best fishing practices outreach, and then we received a system management plan workgroup update, and we got the Snapper Grouper AP input on the sanctuary, and then we moved into Other Business. We have a timing and tasks motion, if someone would like to make the timing and tasks motion on the board.

MR. CONKLIN: **I will make a motion to direct staff to do the following: prepare Regulatory Amendment 33 for submission, prepare Abbreviated Framework 3 for submission, begin work on information document (EC species, et cetera) to include in meeting materials for March 2020.**

MS. MCCAWLEY: Is there a second? It's seconded by Tim. Any discussion on this timing and tasks motion? **Any objection to approval of the timing and tasks motion? That motion is approved.**

That concludes the Snapper Grouper Committee, and next up we have the Mackerel Cobia Committee.

MR. POLAND: Thank you, Madam Chair. The Mackerel Cobia Committee of the South Atlantic Fishery Management Council met in Wilmington, North Carolina on December 3 and 4 of 2019. The committee approved the minutes from September 2019 and approved the agenda, as modified.

We received an update on commercial catches and ACLs, as well as an update on amendments under formal review. We then received a report from the Mackerel Cobia AP, which included input on Framework 8 and Framework 9 as well as some motions passed for the committee to consider at a later date regarding king mackerel recreational trip limits and false albacore management.

We reviewed Framework Amendment 8, and the following motion was passed, and this was a motion for final approval, and so, on behalf of the committee, I so move. I think this is a roll call vote, and I need to read it into the record.

MS. MCCAWLEY: Any discussion on it?

MR. POLAND: Any discussion by anybody? All right. Let me read it into the record. **Motion to approve Coastal Migratory Pelagics Framework Amendment 8 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.** Is there any more discussion? All right.

MR. WAUGH: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. WAUGH: Mr. Bell.

MR. BELL: Yes.

MR. WAUGH: Mr. Brewer.

MR. BREWER: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Sure.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Dr. Christiansen.

DR. CHRISTIANSEN: Yes.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Belcher.

DR. BELCHER: Yes.

MR. WAUGH: Mr. Poland.

MR. POLAND: Yes.

MR. WAUGH: Mr. Sapp.

MR. SAPP: Yes.

MR. WAUGH: Mr. Woodward.

MR. WOODWARD: Yes.

MR. WAUGH: Mr. Whitaker.

MR. WHITAKER: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

MR. WAUGH: **It passes unanimously.**

MR. POLAND: Moving on, the committee discussed Framework Amendment 9, and this was dealing with accountability measures and trip limits for the Spanish mackerel fishery. After extensive discussion, the committee decided to not move forward actions adjusting accountability measures and only move forward actions adjusting the trip limit, commercial trip limit.

The committee passed the following motion to approve Action 3, Alternatives 1 and 2, as modified, for inclusion in CMP Framework Amendment 9. On behalf of the committee, I so move. Is there any discussion? Any opposition? The motion stands approved.

The committee then made the following motion, Motion 3, to select Alternative 2b as the preferred alternative. On behalf of the committee, I so move. Is there any discussion? Any opposition? The motion stands approved.

Then the committee made Motion 4 to approve CMP Framework Amendment 9 for public hearings. On behalf of the committee, I so move. Is there any discussion? Any opposition? The motion stands approved.

We did provide direction to staff to send the purpose and need statement back to the IPT for another review. The committee then received AP input on the Florida Keys National Marine Sanctuary. There was no other business discussed, and so I will entertain a timing and tasks motion.

MS. MCCAWLEY: **I move that we adopt the following timing and tasks: to prepare CMP Framework Amendment 8 for submission to the Secretary of Commerce; conduct public hearings for CMP Framework Amendment 9 via webinar prior to the March 2020 council meeting; and continue work on CMP Framework Amendment 9 and prepare a final draft for the approval at the March 2020 council meeting.**

MR. POLAND: Is there a second? Spud seconds. Any discussion? **Any opposition? The motion stands approved.** With that, Madam Chair, that concludes the Mackerel Cobia Committee report.

MS. MCCAWLEY: Thank you. Next up is Dolphin Wahoo.

MS. BECKWITH: Thank you, Madam Chair. The Dolphin Wahoo Committee met on December 3 in Wilmington, North Carolina. We began by approving the minutes and the agenda, and we received the status of commercial and recreational landings. We then received a report from the SSC, and then we began our discussion with the review of the goals and objectives of the Dolphin Wahoo Fishery Management Plan.

We provided some direction to staff to maintain this version of the goals and objectives until review at a later date, but prior to the implementation of the next Dolphin Wahoo FMP plan amendment. We then began our excellent discussion of Amendment 10.

Our first motion was to move Action 8 in Amendment 10 to the Considered but Rejected. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.

Then we provided some direction to staff to move Alternatives 3 and 4 in Action 8 to the Comprehensive ABC Control Rule Amendment. After this, our discussion got a little kerfuffled, and we provided -- Under discussion of Action 9, there was a substitute motion to the main motion, which I think there was a bit of a misunderstanding at that point, and so I will review what the substitute motion and the original motion was.

The original motion was to move Action 9 in Amendment 10 to the Considered but Rejected, at which point Jessica made a substitute motion to remove Alternatives 2 and 3 in Action 9, which would have maintained the Alternatives 4 and 5, which were the post-accountability measures that we could consider at some future date. I open this up, and what would you guys like to do? I haven't put any motion forth, and I don't think we have to. I think we can just start over.

MS. MCCAWLEY: I was going to re-make that substitute motion, which was to remove Alternatives 2 and 3 in Action 9.

MS. BECKWITH: Okay. Again, this would be --

DR. CRABTREE: A point of order. I believe there was a committee motion made, and aren't you going to offer the committee motion?

MS. BECKWITH: All right. So then I'm going to offer the committee motion. **Motion 2 was move Action 9 in Amendment 10 to the Considered but Rejected Section. On behalf of the committee, I so move.** That motion is now on the table, if you would like to put the substitute forth.

MS. MCCAWLEY: **So then I would like to make a substitute motion to remove Alternatives 2 and 3 in Action 9.**

MS. BECKWITH: Okay. Is there a second to the substitute motion? Second by Art. Is there any discussion on this? Are we clear on what happened or what needs to happen?

MS. MCCAWLEY: Let me just try to reiterate, and I might need help. What this is doing is this will keep Action 9 in the document and keep all of the alternatives except for 2 and 3, and so we're just removing a portion of this, and it will go ahead and keep this action in there, and just a reminder that's what's coming next is that we stopped work on this after there was this confusion, and so what I'm doing is making the substitute motion to keep this action in the document, so that, when we come back to it, it will still be in there, and it won't be in the Considered but Rejected. That's what is happening.

MS. BECKWITH: That is correct, and so is there any further discussion? **Is there any opposition to the substitute motion? Seeing none, that becomes the main motion. The main motion is to remove Alternative 2 and 3 in Action 9.** Is there any discussion? **Is there any opposition? Seeing none, that motion now carries.**

The next motion was to postpone discussion of Amendment 10 until the June 2020 meeting. On behalf of the committee, I so move. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

We then began a discussion of Amendment 12, which is the bullet and frigate mackerel amendment. **We had a motion to approve the edits to the purpose and need. On behalf of the committee, I so move.** Is there any discussion?

MR. BELL: Perhaps is this is additional kerfuffling or confusion on my part, but I think I was the last person to touch this, and so I wanted to make sure we were clear for the record, but I think I offered the last tweaking of the purpose and need, and so what you have -- Is that it? Okay. What I was trying to do was keep it very -- Particularly the need part very brief, and so what I am proposing -- Well, that's the way it ended, or that's what --

MR. HADLEY: That is the version that you sent to me. I just copied and pasted it into the document.

MR. BELL: Okay. So that's what I'm proposing then, which would technically be -- I don't know how you would do this, and, I mean, we ended with what we thought was the motion, and this is what I am saying, and this is what I was trying to achieve.

MS. BECKWITH: Right, and so where we're getting at is that the language that ended up being approved was not quite what Mel had intended, and so on the board is the language as he had intended, and so we would be --

MR. BELL: Just make sure that's okay.

MS. BECKWITH: Right, and so what we're suggesting is discussion on this new language, and we would offer this either by the committee or as a substitute motion, if need be.

MS. MCCAWLEY: Just another point here. What's in the document here on the committee report, to me, is more of what happened than what I see on the board here, and so, in the document that I see, it's -- What happened was I had tried to edit the need statement, and then Mel came in behind that and also edited the need, and then we asked if Mel meant for that to be in addition to what I had just said, and he said yes, and so if you wouldn't mind scrolling down.

MR. BELL: Yes, the down part is the --

MS. MCCAWLEY: I agree with the need statement as it is written there. If Mel meant for it to be instead of what I had suggested, then that is reflected there, but it has the addition of the word "ecological". To me, the purpose -- There is some new language there in the highlighter green color that, yes, we had a discussion about that, and I don't think there was confusion on that, and

I'm just a little concerned about that new language, and so maybe there was confusion on the purpose that I missed, but I was just speaking to the need and what Mel and I were talking about.

MR. BREWER: I like the language that Mel has proposed, and this is closer to what I thought we were talking about as well, because I get a little heartburn from the "address data collection issues and limit the" -- Well, particularly the data collection issues, because I don't think the intent here is to start some sort of full-blown management plan for these species. It's simply to include them as a component species, and so I think that the language that's proposed is a lot simpler and a lot clearer, and maybe it won't stick in the throat as much of NMFS as some of this other.

MS. BECKWITH: **I guess, going back to just the cleanest way of doing this, I guess I would suggest that we offer this alternate language as a substitute motion, and then we can edit it as needed and make sure that everyone is comfortable and then vote this up or down, versus the one that's on there.**

MR. BELL: **Yes, that was my intention.** I thought that whatever we captured is what you would present, and I was looking at what was on the -- I'm looking at a different version than I got off of the file.

MS. BECKWITH: Right, and so the language that is being offered --

MR. BREWER: I just wanted to say that I second.

MS. BECKWITH: Got you. All right. The language that is being offered as a substitute motion is currently up on the screen. **The purpose reads: The purpose is to add bullet mackerel and frigate mackerel to the Fishery Management Plan for the Dolphin Wahoo Fishery of the Atlantic as ecosystem component species, based on their ecological importance as forage fish for wahoo, and limit the potential for adverse biological effects. The need is to safeguard the ecological role of bullet mackerel and frigate mackerel as forage species for wahoo.** That is a substitute motion set down by Mel and seconded by Chester. Is there any discussion on the substitute motion?

MS. MCCAWLEY: I am just going to reiterate that I am going to vote against this, and it's because of the wording in the purpose that says to "limit the potential for adverse biological effects". Right now, we just have Action 1, which is just to add them as ecosystem components, and so, to me, I feel like, until we get the answer from NMFS about what type of additional management measures we could put in place, I think it's premature to add that highlighted language, and I think it opens the council up to a challenge, and so I don't feel like that's where the document is right now on limiting the potential for adverse biological effects, and so I'm going to vote against this.

MR. BELL: I am fine with cutting that out, if that's that problematic and it's not an issue. Mechanically how we would do that, I guess it would be --

MS. MCCAWLEY: **I could offer another substitute motion that would take that same language for the purpose and need, but, in the purpose, that highlighter green color language, it would remove that.**

MR. BELL: That would be fine.

MS. BECKWITH: I guess I'm fine either way, but I think one could potentially argue that, by adding them as an ecological component, we are taking a step to potentially limit any adverse -- But I hear what you're saying.

MS. MCCAWLEY: I don't know whether we are or we aren't until we hear more from NMFS in March about this, and so, right now, the one action that's in there, to me, it's in question whether we're doing that or not, and so that's why this amending of the purpose and need is kind of dicey to me.

MS. BECKWITH: Okay. Then is there a second to -- Shep.

MR. GRIMES: I was just going to comment that I agree completely with your rationale, Madam Chair, in that it's a little premature with this, but you're going to get answers to this stuff in March, and it really doesn't matter. You're going to have another shot at this, and you can figure it out, and so I wouldn't devote much time to arguing over it.

MS. BECKWITH: That's fine. Let's just get through this, since we've got them all out there now. Was there a second to the substitute substitute? Art. Okay. Is there any further discussion on the substitute substitute? **Is there any opposition? Seeing none, the substitute substitute now becomes the main motion.** Is there any discussion on the main motion? **Is there any opposition? Seeing none, the motion carries.** Easy peasy. Okay.

The next motion was to approve further development of Dolphin Wahoo Amendment 12 to be reviewed in March of 2020. On behalf of the committee, I so move. Is there any discussion? **Any opposition? Seeing none, that motion carries.**

Finally, we did receive a Dolphin Wahoo Advisory Panel report that discussed the Florida Keys National Marine Sanctuary, amongst other things, and, finally, there was no other business, and so we do have a timing and tasks motion, which I would entertain.

MR. POLAND: **Madam Chair, I move to direct staff to complete the following tasks: Continue work on Amendment 10 for review at the June 2020 meeting; continue work on Amendment 12 for review at the March 2020 meeting; and forward the specified requests regarding catch level recommendations for dolphin and wahoo to the SSC for discussion at their April 2020 meeting.**

MS. BECKWITH: Thank you, Steve. Is there a second? Second by Mel. Is there any discussion? **Any opposition? Seeing none, that motion carries.** Madam Chair, that concludes my report.

MS. MCCAWLEY: Thank you, Anna. Next up, we have the Shrimp Committee and David.

MR. WHITAKER: The Shrimp Committee met in Wilmington on December 2, and the committee approved the minutes for the June 2015 meeting, and the agenda was approved. The Shrimp Amendment 11 was discussed, and we reviewed scoping comments and the decision document for Amendment 11. The provisions in that document require gear to be stored below deck while transiting through cold-weather closed zones in the South Atlantic.

The council staff then provided an overview of the Deepwater Shrimp AP discussion of the draft environmental impact statement for the Florida Keys National Marine Sanctuary. In Other Business, we had a brief discussion of what appears to be a developing shrimp fishery off the coast of Virginia.

We made a motion to approve the purpose and need statement, as modified. That was approved by the committee, and, on behalf of the committee, I so move. Is there any discussion? Hearing none, the motion is approved.

We had a second motion to approve the actions and alternatives for the transit provision, and Alternative 2 was the vessel may transit with non-stop progression through the South Atlantic cold-weather closed area with fishing gear appropriately stowed with trawl doors and nets out of the water, and the bag straps must be removed from the net. On behalf of the committee, I so move. Any discussion?

MR. WOODWARD: **After reading the language in Alternative 2, it appears to me that it needs some modification to be grammatically correct and technically correct, and so I would like to offer a substitute motion to change the Alternative 2 language to: A vessel may transit with non-stop progression through the South Atlantic cold-weather closed area with fishing gear appropriately stowed, with trawl doors and nets out of the water. Bag straps must be removed from the nets. In its current version, it says “net”, and so this, I believe, will make an improvement in its clarity.**

MR. WHITAKER: Do we have a second for that? Mel seconds it. We have a substitute motion on the floor. Any discussion? **Anyone opposed? The motion is approved.** Now we're back to the main motion. Any discussion? **Hearing none, the motion is approved.**

Motion 3 was approve Shrimp Amendment 11 for public hearings. This was approved by the committee, and, on behalf of the committee, I so move. Any discussion? Any opposition? Hearing none, the motion is approved. Would someone like to make the timing and tasks motion?

MR. BELL: **Mr. Chairman, I move to adopt the following timing and tasks: 1) hold public hearings for Shrimp Amendment 11 in January/February 2020; 2) have Shrimp/Deepwater Shrimp and Law Enforcement Advisory Panels review Shrimp Amendment 11 in January/February 2020.**

MR. WHITAKER: Do I have a second on that? **Any opposition? Seeing none, the motion is approved.** I believe that completes my report.

MS. MCCAWLEY: All right. Thank you, David. Next up is the SEDAR Committee. The committee met this week and approved the minutes and the agenda, and then we talked about SEDAR appointments. We met during closed session to make appointments to the gag operational assessment and modified the appointments to the tilefish assessment.

I will get to the motion at the bottom of this document, and we then talked about the SSC report, and we then got a SEDAR activities update, and then we worked on the terms of reference for

three different stock assessments, or four different stock assessments, and so the committee made the following motions.

Motion Number 1 is move to appoint Amanda Tong, Andrew Cathey, Julie Califf, Dominique Lazzarre, and George Sedberry to the SEDAR 66 panel. On behalf of the committee, I so move. Any discussion? Any objection? Seeing none, that motion stands approved.

Then the committee made Motion Number 2, which is move to appoint those listed in Table 2 to the SEDAR 71 panel. On behalf of the committee, I so move. Any discussion? Any objection? Seeing none that motion stands approved.

Then the committee made Motion Number 3, which was to approve the schedule and terms of reference for the gag assessment. On behalf of the committee, I so move. Any discussion? Any objection? That motion stands approved.

Then the committee made Motion Number 4, which was to approve the scopes of work for red snapper, blueline tilefish, and vermilion snapper. On behalf of the committee, I so move. Any discussion? Any objection? Seeing none, that motion stands approved. I don't think we have a timing and tasks motion, and so I believe that concludes my committee report. Next up is AP Selection and Chester.

MR. BREWER: Madam Chair, the Advisory Panel Selection Committee met in closed session Tuesday morning, and the committee approved minutes from the June 2019 meeting and the committee agenda, and then we addressed the following items, and we have eight motions to bring before the Full Council. The committee reviewed open seats on the advisory panels and approved the following motions as recommendations to the council.

Motion Number 1 is appoint Jay Kavanaugh to the Dolphin Wahoo Advisory Panel. On behalf of the committee, I so move. Is there any discussion with regard to the motion? Seeing none, is there any objection to the motion? Seeing none, the motion stands approved.

Motion Number 2 is appoint Patricia Murphey to the Habitat Protection and Ecosystem-Based Management Advisory Panel. On behalf of the committee, I so move. Is there any discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 3 is appoint Paula Keener to the Habitat Protection and Ecosystem-Based Management Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any objection to the motion? Seeing none, the motion stands approved.

Motion Number 4 is appoint Jeff Hartzler to the Habitat Protection and Ecosystem-Based Management Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Any opposition to the motion? Seeing none of either, the motion stands approved.

Motion Number 5 is reappoint Cinthia Sandoval to the Information and Education Advisory Panel. On behalf of the committee, I so move. Any discussion on the motion? Seeing none, any objection to the motion? Seeing none, the motion stands approved.

Motion Number 6 is appoint Mark Phelps to the Information and Education Advisory Panel. On behalf of the committee, I so move. Any discussion on the motion? Seeing none, any objection to the motion? Seeing none, the motion stands approved.

Motion Number 7 is reappoint Steve Donalson to the Mackerel Cobia Advisory Panel. On behalf of the committee, I so move. Is there any discussion of the motion? Seeing none, is there any objection to the motion? Seeing none, the motion stands approved.

Motion Number 8 is appoint Charles Locke and Thomas Newman to the Mackerel Cobia Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, any objection to the motion? Seeing none, the motion stands approved.

We had an item that was brought up under Other Business, and the committee discussed concerns expressed by some advisory panel members about reimbursements for travel expenditures. The committee recognizes the importance of the advisory panel members to the management process and the need to fairly cover expenses for travel for their voluntary participation, i.e., they don't get paid, and so we want to make sure that they get reimbursed as well as we can within the guidelines, but, after discussion of various options, the committee agreed to discuss this again during their March 2020 meeting. Madam Chairman, that concludes my report.

MS. MCCAWLEY: Thank you, Chester. There is a timing and tasks.

MR. BREWER: I am so sorry. I didn't get to my last page. **Motion Number 9, Madam Chair, as we go back into session, we have Motion Number 9, which is to adopt the following timing and tasks: 1) staff will provide draft edits to the South Atlantic Fishery Management Council handbook with options that allow leeway for travel reimbursements, as recommended by the committee, for consideration at the March 2020 meeting; 2) staff will advertise open seats on the council's advisory panels, as appropriate, for consideration by the AP Selection Committee at the June 2020 meeting. On behalf of the committee, I so move.**

MR. BELL: **I will make that motion for you.**

MS. BECKWITH: I will second it.

MR. BREWER: Thank you. I thought I could do timing. I can't do timing and tasks?

MS. MCCAWLEY: No.

MR. BREWER: Oh, well. I forget from three months to three months. The motion has been made and seconded. Any discussion on the motion? **Seeing none, any objection to the motion? Seeing none, the motion stands approved.** Madam Chair, that really does complete my report.

MS. MCCAWLEY: For real this time. Okay. Next up is Citizen Science and Mel.

MR. BELL: The Citizen Science Committee met on December 3, and the committee approved the December 2019 Citizen Science Committee meeting agenda and approved the meeting minutes from the previous meeting. The first item on the agenda was the Citizen Science Program project update, and Julia provides a nice summary of all of that right there, and I won't read it, but the committee received an update from staff on the 2019 programmatic activities and a brief summary of them, and they're all listed below.

The committee also received updates on projects and collaborations under development as well as an update on the two pilot projects in progress, the SAFMC Scamp Release and FISHstory, and we spent a little time going through that, and that was good. Additional collaboration is under development with the Southeast Fisheries Science Center to expand their series of participatory modeling workshops from the Gulf of Mexico to the South Atlantic. The South Atlantic workshops would focus on the dolphin wahoo fishery. The tentative plan is for workshops to be held in the Carolinas and the Florida Keys in 2020. We will have initial information available for the council in late 2020, and staff will work with the Science Center to reach out to the states and Dolphin Wahoo AP members to help determine when and where to hold the workshops.

Then we covered an update on the citizen science research priorities, and staff gave a brief overview of the process outlined in the citizen science SOPPs to update the research priorities, and the council reviewed and updated the citizen science research priorities document, which incorporated input from the Citizen Science Projects Advisory and Operational Committees, as well as the Habitat AP.

The committee members asked for clarification on a few of the proposed language changes and suggested adding gray triggerfish as a target species under Priority 3, discard information, and we made one motion.

Motion 1 was to adopt the updated citizen science research priorities, with modifications as needed, and, on behalf of the committee, I so move. Is there any discussion of that motion? Any objection to the motion? That motion is approved.

The next item was a couple of presentations that we received, and the first one was researching the role of program infrastructure and guiding effective development of a scamp discard citizen science project by Dr. Jennifer Shirk, and she had a shorter title of that, but that was interesting, to kind of get her perception of how we were doing and what we were doing, and it was kind of an objective, outside set of eyes on the project, and I won't go into the details of that.

Recommendations for the continued development and growth of the council's program included investing in a continuity of program by maintaining and growing staff support, retaining the Action Teams, which both require and offset staff time, seeking and securing funds, and that came up, and it's obviously an important thing, that we need to secure funds to have on hand to perhaps anticipate and enable timely projects that might pop up.

Also, to conduct an analytical study of success factors in evaluating both program and individual projects, and then we received a briefing, a presentation, by Rick Bonney. He gave a presentation on evaluating and highlighting its importance, in order to determine whether a project or program is working and to identify ways to improve overall effectiveness, and we were all here for the briefing, the presentation, and it was good to find out from both of these individuals, who we were

kind of referring to as the gurus of citizen science, but they felt that we were on track and doing the right kinds of things, and actually an exemplary program for others to follow. Really, that -- We had no timing and tasks associated with anything, and so, effectively, that concludes my report.

MS. MCCAWLEY: All right. Thank you, Mel. Let's go ahead and take a ten-minute break, and then we'll come back and finish up.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: Next up is the Executive Finance Committee report. The Executive Finance Committee met earlier this week, and we talked about the minutes from our October webinar, and we approved our agenda. We got a report from the November CCC meeting and discussed a number of items relative to that, and we then reviewed what happened at our October 15 Executive Finance Committee meeting to discuss the budget.

We also reviewed the 2020 activities schedules, and we also reviewed the draft calendar year, January through December 2020, operational budget. We discussed our no-cost extension, and then we talked about council follow-up and status of work priorities, and we're going to stop there at priorities, and Brian is going to bring up our spreadsheet.

DR. CHEUVRONT: We had this discussion, and I guess it was on Monday, and I tried to incorporate some of the things that were suggested on Monday as well as keep up with the decisions that had been made earlier in the week regarding suggestions and revisions and things that you had made. Like, for example, you will now notice that, between Columns E and F, there is no longer a webinar in January, and it's now Spanish mackerel trip limits, and no longer AMs, and that is going to be approved in March of 2020.

Showing you what you have for March of 2020, you now have the Spanish mackerel trip limits, and so that's Framework 9, and you have bullet and frigate mackerel ecosystem, Dolphin Wahoo 12, and you're going to take final action also on Shrimp Amendment 11, the shrimp transit provisions. You're going to have future allocation discussions, and then this is now Row 11, the unassessed species ABC allocations and ACLs. Myra and I are going to be working on that together, and we'll be -- That's going to take up a significant amount of discussion.

Also, you decided that you are hitting the pause button on the recreational AMs, and staff rather deftly moved that to December, but what we're going to also -- You had also talked about the Florida Keys National Marine Sanctuary, and that's going to be a fairly heavy lift. I don't have that on the spreadsheet yet, and I'm not quite sure yet how I'm figuring to put that in, and I'm not quite sure where we're going to go with it after March. I will put that in for March, but there will be question-marks after it, because I don't know what's going to happen after that.

The only other thing that you have right now listed for March is the North Carolina/South Carolina SMZs, which you're planning right now to take final action on in June of 2020. Given the discussion that has occurred up to this point, we're looking at having probably a Committee of the Whole for two days in March, on Monday and Tuesday, starting on Monday afternoon and going through all day on Tuesday, and probably the first day, Monday, will be devoted to the discussion of the Florida Keys National Marine Sanctuary and how that's going to go, with all the input from the FWC.

The second day will be the allocation discussion, starting off with that and having the presentation that we've been delaying for the last several meetings and having our discussions about that and then going into the unassessed species discussions and tying all of that in and figuring out where we're going to go, so that staff can get some direction from the council on how you want to proceed, and we can start bringing back some concrete things to you in June.

We will have some materials for you at March that we think may be helpful for the discussion, but we're hoping that we'll have some more concrete direction as to where you would like us to go with that, but, Madam Chair, that may be enough for what the council staff is able to prepare, as well as what the council can handle, but you still have -- The stuff that's below the green line is the stuff that is not currently on the agenda, but these are things that you have said that you want to work on, but they are not currently on the list.

We don't want to lose these things, because these are things that you have said that these are important to the council, and, in the past, you have rated these things, and some of them are quite high, and you have the commercial electronic logbooks, but, per the discussion that you had just a while ago, I think NOAA GC is going to bring back some more information to you in March, and you may want to have some further discussion then about when you want to bring that back, and there is some of these other things that you have on here as well, and so we don't want to lose sight of those, but we just wanted to make sure that this is exactly what you all want to have brought back to you in March and moving forward, and I will see if you have any further direction for us at this time.

MS. MCCAWLEY: All right. Thanks, Brian. Do other folks want to weigh-in?

DR. CRABTREE: I mean, just to comment, given our discussion earlier today about the sanctuary expansion, and I heard the possibility of an omnibus amendment or something like that, that's going to really change the landscape here, and I almost think, if we're going down that path, you will have to make it like your top priority, given the pace things are likely to go at, and so that's something that you really need to think about, because it will significantly change our priorities for the next year or more.

MR. CONKLIN: I am not saying that I'm not supportive of doing the omnibus amendment, but, if we do all that work and those folks get it and they don't like it, they could just throw it out, and is that correct?

MS. MCCAWLEY: Well, I think that we need Monica to come back with more information in March, but, if we do it through the Magnuson and we look at it, and I'm not an attorney, and, if we look at it across all these different fisheries and kind of look at it as part of a comprehensive plan that fits in with other species things that we're working on, then I think that it could go through the Secretary through the Magnuson route, as opposed to the sanctuary route, and so it's just a different path.

DR. CRABTREE: Well, just to Chris's comment, I mean, no. If you amend your plan, that will go through the normal review process under the Magnuson Act, and we'll look at it, and it will be approved or disapproved based on whether it complies with the Magnuson Act, but, if the

Sanctuary Program felt like other things, in addition to what you have done, needed to be done, they could still proceed down their path under the Sanctuary Act and do some additional things.

MS. MCCAWLEY: Likewise, kind of like that example that I was talking about with Pulley Ridge, and so let's say that we did something, and we were working on things relative -- I am just going to use that same example, but relative to anchoring, and we could only affect the anchoring of fishing vessels, and so we might have a list of items that we want the sanctuary to consider that are beyond the scope of our authority, but they're in the sanctuary's authority, and we want them to consider that as part of the plan, and that's kind of what happened with Pulley Ridge with the Gulf Council, and so we might have these extra items that, as we go through our process, going through the Magnuson, we identify this list and say, well, Florida Keys National Marine Sanctuary, can you come in and do these other things, like no anchoring, in this particular area, or areas, that we have worked on.

MR. CONKLIN: I was at the Gulf meeting, and I remember they were talking about Flower Garden Banks and anchoring the ships out there, and they used the sanctuary plan to do that, I think.

DR. CRABTREE: In the example of the Flower Garden Banks, they were making changes to the sanctuary plans, and so the Gulf Council did spend quite a bit of time looking at what they were proposing, and the council asked the sanctuaries to make modifications to what they were doing, and my recollection is that most of the things that the Gulf Council asked for them to modify, they did in fact respond to.

MR. CONKLIN: That was one thing, and then I noticed that the SSC had mentioned something about separating the almaco jack out and getting it assessed on its own, and I see that's lingering under the green line, and I didn't know if we would have to make that decision or if that's something that is going to be coming down the pipe anyway.

MS. MCCAWLEY: The assessment -- I will look over here and look to John to make sure I answer this question correctly, and so the almaco jack getting a stock assessment and getting on the schedule is something that the SEDAR Steering Committee would first talk about, and so then that's kind of one decision, or one path, and then I thought that almaco jack white paper was about removal or giving it its own regs and removing it maybe from the complex, and so, to me, a little bit separate actions there, and one is going to go through the SEDAR Steering Committee, to see if it gets its own stock assessment, and then that's a management action that could wait until after the stock assessment, or it could be worked on while the stock assessment is being worked on, and I don't see that one is excluding the other. I think they could actually happen at the same time.

MR. CONKLIN: Well, I don't really have a preference on what we do, but I just wanted to have the conversation.

MS. MCCAWLEY: I appreciate that. Is there more discussion here on priorities? All right. If there's no more discussion, then we're going to go with what we saw there, and we're going to go back to the committee report. We also talked about some NMFS documents that are for us to review, and Gregg is working on letters for those.

In Other Business, the committee talked about working on a council award, and then we were talking about our menhaden letter, which we discussed earlier today, and so the committee made some motions, and some of them were from the October meeting. **The first motion is to approve the Draft 2020 Operational Budget as presented. On behalf of the committee, I so move.** Is there any discussion of that motion? **Any objection to that motion? That motion is approved.**

Then the committee made the second motion, which was to approve the no-cost extension, as presented. On behalf of the committee, I so move. Any discussion? **Any objection? That motion is approved.**

Then the committee made Motion Number 3 to have the South Atlantic Council develop an Annual Award of Excellence. On behalf of the committee, I so move. Any discussion? **Any objection? That motion is approved.**

Then the committee made Motion Number 4 to have the council send a letter to the Secretary of Commerce in support of the actions of the ASMFC on menhaden. On behalf of the committee, I so move. Any more discussion on that? **Any objection? That motion stands approved.** Then we have a timing and tasks motion there, if someone would like to make the timing and tasks motion.

MR. WOODWARD: **I move the council adopt the following timing and tasks: send a letter to Chris Oliver concerning the ASMFC's out of compliance determination for menhaden by close of business on Thursday, December 5, 2019; direct staff to include the active amendments document in future briefing books, as a way to help remind them of the progress being made on each amendment, even if the council is not setting priorities at the meeting; work with the Council Chair to send the comment letters to NMFS on the three documents by close of business on Friday, December 13, 2019; council staff will develop a proposal for the South Atlantic/Gulf Council workgroup to look at flexible management options and bring back to the committee at the March 2020 council meeting; council staff will develop details about an annual South Atlantic Council award and bring back to the committee at the March 2020 council meeting.**

MS. MCCAWLEY: It's seconded by Chris. Any discussion? **Is there any objection? That motion is approved.** That concludes the Executive Finance Committee report, and next up is Personnel, Chester.

MR. BREWER: This will be the report from the Personnel Committee. The Personnel Committee met, and I guess it was today, earlier, and we approved the minutes from the June 2019 meeting and the agenda. We conducted an exit review with Gregg, and he provided an update on progress addressing items from the December 2018 review. The items and issues and concerns have been resolved. The committee expressed their thanks to Gregg for his work and for the excellent support provided by all council staff.

With regard to other comments and guidance for 2020, the committee provided input to both the outgoing Executive Director and to John Carmichael, incoming Executive Director, on areas to be addressed. The committee, and I want to stress this, the committee expressed their thanks for the work on Story Maps and providing the ability to print decision documents, et cetera, and for all of the outreach work, particularly on descending devices, for work with the GAO, and for the support

provided to council liaisons. There are no motions to be brought forth, and so therefore, Madam Chair, that concludes my report.

MS. MCCAWLEY: Thank you. Next up, we're going to start moving around the table for the liaison reports, and I'm going to look on this side of the table. Carolyn, would you like to go first?

DR. BELCHER: Georgia's update is we still have a big rolled-over boat sitting in our sound, and we're probably looking at at least a year or better before it will be resolved. The big thing is there is probably going to be a Dollar General erected on it by the time they get out there to do anything.

We are still working towards our 2013 disaster monies, and we're trying to get some ideas from the industry, and everybody is still pushing real hard, and we have been told, by one of our folks that is strongly active with the Southern Shrimp Alliance that there is probably going to be more push to try to put money in fishermen's hands, and so we're trying really hard to get out there and talk to folks about what other options are there.

We're still waiting to hear on the 2018 money, and I don't know if Roy has any update on if that's been talked about, and I know we're part of a bigger group of folks that had disaster decks for their fisheries around the country, and so we're still kind of waiting on that one, and then, within our fisheries, we're just working on some of our ASMFC issues.

Shortfin mako, we were hoping to have that enacted, relative to size limits, for January 1, but, because of the change with circle hooks coming up, we have now had to push that back, because we just amended that request. We were being proactive as well with oceanic whitetip, and we're actually making sure that that's a prohibited species in state waters, even though it's not really an encountered species, but just kind of covering that. That's pretty much it. We've been pretty quiet, and we're getting ready to look at a shrimp season closure coming up before too long, and hopefully we'll have a nice, mellow winter and no closure.

MS. MCCAWLEY: Thank you. Any questions for Carolyn? Mel.

MR. BELL: Pretty much what she said.

MS. MCCAWLEY: Do you have a ship off your coast?

MR. BELL: No, and we don't want one either, please. As you're aware, and I think Marcel mentioned it and others, MARMAP and SEAMAP have kind of concluded their field activities, and they're into the data crunching and that sort of thing, and so, related to SEAMAP -- You are more familiar, obviously, through MARMAP, with the Palmetto, but the Lady Lisa is our vessel that we use for SEAMAP work, and he's a forty-plus-year-old wooden-hulled trawler, and she is holding together, but we're still trying to -- We are looking for options to maybe replace her, if anybody would like to make donations. Maybe we should start a Go Fund Me account or something, but we are going to have to replace her sooner or later. She's got some structural -- She's seaworthy, and there's no problem there, but it's a forty-plus-year-old wooden vessel.

Carolyn mentioned the 2018 shrimp disaster, and we're still just kind of standing by waiting for further word on that, and we've been kicking around ideas and things, and so we'll just see how that all plays out. The council handed off cobia to ASMFC, and, as the state, we're trying to

implement the things we need to implement through ASMFC Amendment 1 to the plan, and that will be one of our big things to go to the General Assembly in January, and so we would like to basically get ourselves all squared away, in terms of compliance with the ASMFC plan.

In the world of artificial reefs, and this is some feedback for us here related to spawning special management zones, recall that we designated what we refer to as Area 51 and Area 53 as spawning SMZs, shallower water, and 51 is in seventy-five feet, and 53 is up to 105 feet, but they're doing rather well. We have acoustic receivers on the reef, and so that's rather interesting, in looking at what is in our monitoring efforts on those sites, for performance evaluation, and they're doing quite well, but we're also picking up some interesting things, like great white sharks and sturgeon and other things that are running around with acoustic tags in them, and so that is interesting work.

I will say that, particularly, and I have shared with council staff, and probably some of you, that Area 53, in a hundred-plus feet of water, it seems to be covered in red snapper these days, with lionfish mixed in as well, and so we can kind of handle the lionfish on areas that small, but it is interesting to note the -- I have never seen red snapper like that before off of South Carolina, and so that's some -- Those reefs have been out for quite a while, and they have a chance to kind of do what we knew they would do, which is amass a lot of biomass and spawning potential for certain species, and so they're doing quite well. That is our own little in-house evaluation of those sites, which we have designated and now protected through regulation.

Again, it doesn't really apply to us, but we're kind of looking also at flounder eventually, and you may have heard that -- This is more of a state-water issue, obviously, but southern flounder underwent their first ever regional stock assessment, and the stock assessment was completed and peer reviewed and published, and southern flounder aren't looking too good. They are overfished, and overfishing is occurring, and it's been that way for decades, probably, and Steve might want to mention some of that later, but North Carolina has taken some very positive steps towards dealing with that, and we're considering what our options might be as a state. Again, it's more of a state-waters issue, but it's still something that is taking a good bit of our time and effort.

That is really all I have, and there was a little bit -- We'll see how our shrimp year turned out, and our October into November was kind of poor, as far as our landings, and there is some concern over blackgill, which Georgia hears that as well, and so we'll just see how that goes. We are, honestly, experiencing -- I've been there a while, and I have never seen the tides kind of as high as they seem to be, and even the lows aren't very low, and so I think part of what was going on in our waters, with the lack of shrimp offshore, is the shrimp really hadn't moved out yet.

As long as they could stay in the marshes, they are happy, as long as the water temperature is good and they've got water to swim around in, but, hopefully, that has kind of reversed now, and we've had some pretty decent low tides, and David knows much more about this than I. As the water temperature starts to cool, then they move out, and those will be our overwintering spawners, but it was a peculiar fall in our white shrimp fishery, and it was just really, really low landings in the October timeframe, relatively speaking, and so that's all I have to report.

MS. MCCAULEY: All right. Thanks, Mel. Any questions for Mel? I have a couple of things from Florida. We have our commission meeting next week, and, first, let me talk about our previous commission meeting. The commission approved blackfin tuna rules, and so that was something that we talked to you guys about, and so these are rules for state and federal waters, two

fish per person, ten per vessel, and these are recreational, and that's whichever is greater, and those rules take effect in January.

Also, at the upcoming commission meeting next week, we'll be talking about Biscayne National Park, and so draft rules for the park, and also taking final action on some rules for seatrout, and so seatrout didn't have a very good stock assessment, especially in the Gulf, and the other Gulf states are also making changes to their seatrout rules, and so those are some things that are happening in our world. I am going to pass it over here to Dale, our Gulf Council rep, so that you can tell us what's been going on over there, and I thank you for hanging with us this week.

MR. DIAZ: Thank you for having me. I have just got a few things that I want to talk about. The staff have prepared a report, but we touched on most of it during the meeting. Like other councils, we're starting to deal with these new stock assessments that are coming out with the MRIP FES numbers, and we had quite a bit of discussion at the council about how to handle those, and it remains to be seen exactly how we're going to handle them, but somebody said at the meeting that, when you get these higher effort, recreational effort, and landing numbers, if you don't reallocate, then, in effect, you have reallocated.

The first one we got was red grouper, and the difference is not that great in red grouper, but we have a lot of stock assessments coming at us in the next six months or so, and I believe we're going to have, all together, about six between now and June, and so we're going to have to start working on this and figuring out how to do it.

If it's simple, and we can handle them through frameworks, we generally can turn around a framework in about a nine-month period, or something like that, but, if you have an inequity that is caused by these numbers -- If you handle it with a framework, you're still going to have to live with those numbers being out of proportion and some of the fish going to the wrong people for a while. If it's a framework, it might be a year.

If you have to do a full plan amendment on these things, you might have these things out of whack for a long time, and, when I say out of whack, what is in my mind is -- What I would like to see happen, which I don't know what will happen at the council, but I would like to see us bring these things back to the baseline they were at before these new FES numbers hit and handle them that way, and, if we've got an allocation discussion, let's take that on separately, is what I would like to see, but I really don't know how we're going to go with that.

We did instruct the staff to begin work on an amendment so that we could modify the red grouper allocation and catch levels based on the new assessment, and so we're going to be taking that up at the next meeting, and we'll see how that goes, but, for some of these other ones, the numbers are going to be a lot more drastic, and some of them are in IFQ fisheries, and, I mean, there's a lot of variables that is going to go in, and I don't know that they're all going to be handled the same, and so it's an experiment like I think the rest of the councils have, but maybe I can, or one of our folks can, tell you how things is going for us in the future.

Also, I wanted to talk about our Reef Fish Advisory Panel had some concerns, and we have the Steamboat Lumps and the Madison-Swanson area that is a protected area for grouper spawning aggregations, and only trolling is allowed in those areas, and the advisory panel had a lot of concerns about people were illegally fishing in those areas, bottom fishing, and what they said,

from -- Some of them said they had personally seen a lot of this, and they say that the problem is substantial, is that, if they see a boat coming, and they're bottom fishing, they just put the boat in gear and they say they're trolling, if a law enforcement officer comes up to them.

The council thought that was a big enough concern that we actually initiated a framework action, or we're going to consider it at one of our future meetings, our next future meeting, eliminating that provision, and the reason I bring that up is I know that, in the Florida Keys proposal, there is some areas for no trolling, and so we're thinking that we've got some enforcement problems, and I don't know if that's going to set up an enforcement problems for you all or not, and, anyway, we'll be taking that up and see where it goes.

The last thing, if you all will indulge me, is I'm going to read a paragraph to you, because the staff put it together really well, and I just want to make you all aware of this. We held the release mortality symposium, and so the Gulf Council recently hosted a release mortality symposium, with the goal of reducing discard mortality from recreational fishing effort. Private, charter, and headboat representatives uniformly recommended that anglers should retain flexibility to choose the best release mortality mitigation measures for their circumstances and ask for best practice recommendations to guide anglers' choice.

It was recommended that current monitoring programs collecting data relevant to discards and discard mortality should ask for consistent information on discards, including number of species, mitigation techniques used, condition upon release, and depth of capture. Additionally, current gaps in the discard data were identified and prioritized. Finally, achieving consistent messaging to anglers was recognized. The council should remain the point agency in control of release mortality communications to continue and update research recommendations and messaging.

The council's Fishing for our Future website will be periodically updated with new research recommendations for best practices messaging, and the Full Council symposium report is available on the council website, and the council recently provided a report to the Open Oceans Restoration Trustee Implementation Group for their consideration as they work on post-release mortality reduction projects in the Gulf of Mexico.

Where we're at with release mortality is we've had some discussions in the past about requiring venting tools and descending devices, but there is some money available that is in with this Open Ocean Restoration Trustee group, and that's some oil spill money that's available. If there are regulations in place, we cannot access that money to provide gear to fishermen, and, if we do not have regulations in place, we can provide these descending devices and venting tools to a lot of fishermen for free, and so we did not go down the road of implementing requirements, because we're trying to tap that money, but there's other stuff going on. There is some congressional folks that have introduced some bills now to actually require some of these descending devices and venting tools in the Gulf, and so we'll see how that plays out, and that's all that I have now, and I will be happy to answer any questions.

MR. CONKLIN: I heard about Congressman Garret Graves introducing a bill in support of descending devices, requiring them, and I haven't read the language yet, but it would be pretty neat if we can hop on there, too.

MR. DIAZ: Right now, that is only applicable to the Gulf of Mexico.

MS. MCCAWLEY: The South Atlantic Council already passed an amendment to do that, and we don't need a bill to do it.

MR. CONKLIN: Cool.

MS. MCCAWLEY: Any more questions? All right. I am going to move around the table.

MR. HEMILRIGHT: I was just wondering if I could give a perspective, and I attended ICCAT this year, and a quick perspective of the ongoings that have happened at ICCAT, and it was my first time that I had ever been, and it kind of left me speechless, and, for me, that doesn't happen very often. The speechlessness was just how small of a player, probably artisanal fishery, that the U.S. is compared to everything else, and it was long days, and it was long process, and it's a dysfunctional process that we're part of, and some of the numbers -- It's just astounding.

Some of the achievements that happened this year was a reduction in the catch of Atlantic blue marlin, and the other countries are only allowed to catch, next year, 3.7 million pounds of Atlantic blue marlin, reduced from 4.4 million, and the European Union was allowed to -- They will be allowed, next year, to catch seventy million pounds of blue sharks, and the U.S. had some achievements, small that they be, and I guess you would call them achievements, because you don't get a whole bunch when you go there. You're lucky if you come back with your -- intact.

The U.S. landings of bigeye tuna in 2018 was 1.25 percent of the total Atlantic bigeye catch, and Atlantic bigeye is overfished, and overfishing is occurring, and there was a five-year TAC at ICCAT of 65,000 pounds from 2014, I believe, to 2018, and I might be off by a year. In actuality, the total reported harvested, and reported, as you know, that's a big thing, what is reported, of 78,500 metric tons, and so the average was 13,500 over.

The U.S., we're still under the 1,575 quota, and our landings are probably under 1,000 metric tons, and so it really put in perspective just how small the U.S. is when it comes to these other countries, but it also put in perspective the price that the U.S. pelagic longline fishermen have paid domestically for these conservation measures that are not introduced at ICCAT. Well, they're introduced, but they don't get achieved yet, but one of the things that hit home hard with me that I will further advocate for is we cannot give these other countries that don't abide by the same conservation tools that I have to follow and my fellow fishermen, and you can't give them the marketplace. I mean, enough is enough, as far as giving the marketplace to the other countries that don't abide by the same measures that we have to fish by.

It was interesting, and it took me a while, when I came back, of getting my mind wrapped around different things, but I just figured that that's some of the -- There was other high points, and the other thing that was amazing to me is the U.S. delegation -- There was thirty-five of us, and it was amazing the hours and work that all the total delegation put into this, given -- As a fisherman, if I'm going to put an amount of time, I want to see some bigger reward, but they were very dedicated to that, and the European Union had 250 delegates, and there was a total of 800 delegates from fifty-four countries, and they printed 300,000 papers, pieces of paper, during the fourteen days, and so that's to just give you a little perspective, and I don't know how many of you all will be able to go sit through an ICCAT meeting, but, if you do, you better have you some Advil, or probably something a little bit else, but it's a long process. Thank you.

MS. MCCAWLEY: Thank you. Any questions? All right. Then we're going to continue to move around the table to North Carolina. Do you have a Mid-Atlantic report for us?

MR. DILERNIA: I do.

MS. MCCAWLEY: Well, I don't want to skip you. Normally, you ask to do these things early and then bug out on us.

MR. DILERNIA: True. Thank you, Madam Chairwoman. Before I give my official report, first of all, on a personal note, I would just like to thank your retiring Executive Director for the pleasure of having probably about a twenty-year working relationship, professional relationship, with him, and it's been a pleasure to work with him all these years, and, when I first got sent down here as one of the liaisons to the South Atlantic, I will never forget the first day or so. I walked in, and everybody was -- Because I was being sent down here for blueline tiles, and there was a little bit of tension there about it.

Some people snarled at me, and I think even Rooney snarled at me when I walked in the room that time, the first time, but, Gregg, you made sure that I was welcome and that I was prepared, and everything was set up, and it was extremely professional. You made my job very, very easy, and I would like to thank you very much for that. Thank you, sir. I'm going to miss you.

As far as the council meeting that occurred in October, gee whiz, I think Dale gave my report, because we have the same issue with the re-estimation of the recreational catch in many of our species is driving new stock assessments, and it's complicating our management process and how we set our quotas and how we set our recreational measures, and so I had asked -- Earlier today, I had asked Sam about that, pointing out that it's going to be difficult to take these new estimates of recreational catch, particularly the shore-based or the private boat estimates that are significantly higher than what they were in the past, and try to apply those catch levels to the old quotas that we had, the old recreational and commercial quota splits that we had, and so I agree with what Dale was saying.

I think we're going to have find a way to get around this and to deal with it, and not get around it, but how to deal with it, and I think we're going to have to try to keep things status quo or in place until we find a way to address this.

Turning towards bluefish, bluefish have been found to be overfished, but overfishing is not occurring, and so we're going to have to start to develop a plan on how to rebuild that stock, and that can also be a bit complicated. Personally, I feel that bluefish -- You know, bluefish are global in nature, and they are known to travel the North Atlantic Gyre, and very often there is abundance levels off the west coast of Africa, and there is scarcity off the east coast of the United States, and some of us wonder if, as that stock travels throughout the North Atlantic Gyre, how much of that is affecting our management process, and so we're lucky, in that probably one of the most foremost authorities on bluefish recruitment is currently the Director of the Northeast Fisheries Science Center, Dr. John Hare. He did a lot of work on bluefish, and so we're going to -- We're very lucky to have him at the table as we develop a plan to try to rebuild the bluefish stock.

MR. CONKLIN: Tony, haven't you guys already run one of your stocks through those new numbers and come up with some --

MR. DILERNIA: Well, what happened was, like with summer flounder, what happened was, once we got the MRIP numbers on summer flounder -- In February of this year, we re-examined -- Well, let me back up. The new MRIP estimates said, wow, we caught a lot more summer flounder than we originally thought, and so the assessment folks said, well, if the recreational catch is that high, perhaps our assessment is off, and so they reworked the assessment, and they concluded that the stock was much larger than what it had originally been anticipated, and so we then went back, and we reallocated to the commercial and the recreational sides the increase in the stock, and that gave a significant increase to the commercial side, which they could.

Interestingly enough, when we applied that increase to the recreational side, the only thing it really did was stopped the need to have the accountability measures kick in, because, if we had caught that many summer flounder recreationally, the accountability measures were going to have to kick in, and there was going to have to be some serious significant reductions on the summer flounder fishery, on the recreational side. With that increase, it sort of mitigated that, and so the net effect was there was a large increase to the commercial side, and the recreational side was able to maintain their recreational specs, the size limits and seasons and bag limits, things like that.

What else did we do? We're working on -- We're trying to -- There is a working group that's been formed with some folks from the region and folks from the commission and folks from the council in trying to develop alternatives to the way we currently manage our recreational fisheries. Again, summer flounder, scup, black sea bass, and bluefish are probably the most significant ones, and we're on this merry-go-round of constantly changing the specifications each year, the size limits, seasons, and bag limits, and we've heard from law enforcement that, by constantly changing them each year, sometimes only weeks before the season starts, it becomes very difficult for the law enforcement agents to do their job properly, because, very often, it takes the fishing public at least a month or so before they become aware of the new regulations, and so our law enforcement agents, the state law enforcement agents, are very -- They want to do their job, but they know that, if they cite someone a week after the new regulations have been put in place, the judge may just look at it and say, well, this person -- There has to be a learning curve that goes in there.

What happens, actually, in the long run is, by us changing, or re-adjusting our recreational measures each year, we don't really achieve the conservation effect that we want to achieve, because there is a lag time between the law enforcement agents' enforcement of the new regulations, and so we're looking at a different way of trying to -- Like I said, multiyear specifications, and the problem is the accountability measures that kick in sometimes make it difficult for us.

Monkfish specifications, we set our specs for 2022, and we set the specs for 2020 on dogfish, and we're working on ilex permitting. In the ilex fishery, the offshore squid fishery, we're starting to bump up against the quota at this point, and so we're going to have to address that and perhaps create more of a limited-access fishery in the ilex.

Currently, we are working on our five-year comprehensive research priorities, and we have a strategic plan that we're putting together, and we have a very talented person who is working under contract to us to develop our strategic plan, and I think you may know her, and she was a former

state director from North Carolina, Michelle, and she is working for us. That concludes my report, Madam Chairwoman, and, if there are any questions, I would be happy to answer them.

MS. MCCAWLEY: Thank you. Any questions?

MR. DILERNIA: If there are none, I would just like to say, from our council to yours, may everyone have a very happy and healthy Merry Christmas and, for the upcoming year, may you have a fish on every cast. Thank you very much.

MS. MCCAWLEY: Thanks, Tony. Moving around the table to Steve.

MR. POLAND: Thanks, Madam Chair. We will start inshore and work offshore. Since Mel mentioned flounder, I will just provide an update. Our Marine Fisheries Commission took action, back in August, to update our southern flounder management. As Mel mentioned, the stock is overfished, and it's been overfished for a while, and, basically, the Amendment 2 to the flounder plan is analogous to our rebuilding plan, and so the commission decided to achieve the needed reductions through seasons for the commercial and recreational sectors. The recreational sector closed about a month ago, and the commercial sector closed about two weeks ago, and they are closed until 2020, and we do not yet have season dates yet for the recreational sector, and the commercial sector will not open until next fall.

Moving to oysters, we have been seeing low numbers of oysters in the rivers and sounds and bays, and these are sub-tidal oysters, the big oyster rocks out there in the mouths of the rivers and in Pamlico Sound, and staff believe that it's probably due to the hurricanes that we've had over the last couple of years and just diebacks and low recruitment. We have an oyster dredge fishery in the state that we open based off of size triggers on those sites, and we're currently in the process of monitoring those sites, and I think most of the state is closed right now, because the sizes did not meet the triggers.

Speckled trout fishing, I am pleased to report that this is one of the best years in recent memory, as far as size and abundance of speckled trout, and we had a significant cold stun two winters ago, which triggered, through our spotted seatrout adaptive management plan, closures, and so North Carolina, when a cold stun occurs and certain temperature triggers are met, the Director uses proclamation authority to close the fishery in the state until June 15, and this is just a strategy to allow any surviving fish a chance to make it to the spring unmolested and spawn before the fishery opens back up.

Shrimping, shrimping is going strong right now for white shrimp off the beach. We had a poor pink shrimp fishery and an average brown shrimp fishery, but, right now, boats are working the Outer Banks, from Cape Lookout on up to Oregon Inlet, good-sized shrimp, and it's been the case the last couple of years, where they have been shrimping later and later on the beach, because the shrimp have stayed, and they haven't moved down south, like they have in years past.

For bluefin tuna, December 1, the general category opened back up. There are some fish being landed in Morehead City right now, which is -- They tend to show up around Thanksgiving and stay for a few weeks, and so that's open, and we're right in the throes of that fishery. Reports are that there are fish out there, and fish are being landed daily.

With that, I just want to mirror what Tony said, and I hope everyone has a merry Christmas, and thank you for coming to North Carolina, and I hope you enjoyed your visit, and I do want to give a shout-out to Kim for all her help on planning Gregg's retirement dinner on Monday night. She did the lion's share of coordination and decoration, and I just wanted to express my thanks to Kim, and, again, Gregg, happy retirement.

MS. MCCAWLEY: All right. Any questions for Steve? All right. Then, moving around the table, Lieutenant Commander Montes, do you have anything for us?

LCDR MONTES: I will keep it relatively short, and so we're still doing some statistical analysis of law enforcement activities from Fiscal Year 2019. On a positive note -- Well, it depends on your perspective, but, from my perspective, a positive note is, in District 7, we conducted over 1,500 law enforcement boardings at sea during the entire fiscal year, which is the most we've ever done, and the most out of the entire Coast Guard, and so I like to rub that in the faces of my counterparts at the other districts, but, since they are not here to defend themselves, I will move on.

Of those boardings, a little over 1,200 of them were done in South Atlantic waters. The remainder, for the most part, were done in the Gulf of Mexico, and a couple in the Caribbean, but we're not done kind of auditing all of them and taking a look to make sure that they were, one, entered into our system correctly, and, two, finding other mistakes in other places, but a basic summery is over a 99 percent compliance rate with fisheries regulations, and so just like I like to see it, a very high compliance rate, especially with the high contact rate we've got going on now in South Atlantic waters, and we're also seeing compliance with fisheries regulations, and so that's the positive.

The negative side is, when I filter everything out by commercial fishing vessels only, and then whether or not that commercial fishing vessel had a safety issue, and so something which is commercial fishing vessel safety regulations, that compliance rate drops down into the low 70 percent, and so we're looking at almost 30 percent of the boats that we board out there, commercial-fishing-vessel-wise, have at least one, if not -- I think the record was thirty-two violations of safety regulations, which I didn't even think that there were thirty-two things to get violated on, but that person had some issues with their vessel, about thirty-two of them, in fact.

Another trend that we're seeing that's not covered under Magnuson-Stevens, but it is part of our world, is an emerging trend that we're seeing is violations with crew manning requirements, or what's commonly referred to, at least by us, is the 75/25 rule, and so, for anyone who is not well versed on it, it's 46 USC 8103, and I have had to look at this law way too much, considering I'm not a lawyer, in any way, shape, or form, but I just wanted to clarify that the 75/25 rule in that law requires that all unlicensed seaman, and so we're not talking about the master, but all unlicensed seamen onboard fishing vessels in state waters, or in the EEZ, fall into one of three categories.

One is a citizen of the United States, two is an alien lawfully admitted to the United States for permanent residence, and so a legal permanent resident, or an LPR, and three is any other alien allowed to be employed under the Immigration and Nationality Act, which is an H-2B work visa, and so they're not a legal permanent resident, but they are allowed to legally work within the United States. Those are the three categories of people. Of those three categories of people, 75 percent of the crew have to be either an LPR or an U.S. citizen, and so 25 percent of the crew can be a work visa person.

What we are seeing are U.S. masters, U.S. citizen masters, and the crew is composed of people that don't even fall under this category, and so people who don't have a work visa, people who had a visa to be in the United States, but have overstayed it, or people who have zero status whatsoever in the United States, and they're a foreign national.

Even if you have one person on your vessel, and you've got a twenty-five-person crew, just one person that doesn't fall into one of those three categories, it is a violation of the 75/25 rule, which is just a bad misnomer, but it is a violation of that law, and so we -- I would say, on about a weekly basis, we're getting cases with this, and it's something that we're cracking down on. I know that Bill Kelly wasn't here for this meeting, but I know that he has approached the sector down in Key West to express issues with the fact that we are not increasing our enforcement of this rule, and maybe it is seen as increasing the enforcement, but we are just detecting it a lot more, since we're now having much more contact with fishing vessels.

On a positive note, there is a waiver process, through the Coast Guard, where we can waive the requirements for 75/25 onboard vessels, and it's pretty simple. You just request it through, I believe, the local Commercial Fishing Vessel Examiner, and he works it up, and it has to be approved up in D.C., but, currently, there are 253 of these waivers granted, and all 253 of them are in the Gulf of Mexico, and so they have obviously figured out how to do it in the Gulf of Mexico, and, if you're hearing any complaints from constituents, or anybody else out there in the commercial sector, about the Coast Guard cracking down on this, it's crippling them or whatever it is, there are ways to get a waiver, in order to still conduct business as-is. Besides that, I also want to echo Merry Christmas and Happy Holidays to everybody, and I will stand by for any questions.

MS. MCCAWLEY: All right. We do have hands in the air.

MR. DILERNIA: This was an issue that was under discussion, at one point, at the Mid-Atlantic Council, and I'm very happy to hear what you're saying, because it was something that I was advocating, but I have a couple of questions. If a vessel is violating -- If you board a vessel and you find that there's a violation of the rule, is that voyage at that point terminated, or are they given notice, or what occurs?

LCDR MONTES: I will give the lawyer answer again, and it depends, and it depends on how the violation kind of works out, and so my recommendation to the field is, if you've got say a scenario where you've got four people on the boat, and two of them are work visa folks, issue the violation and let them continue working, but they're going to get penalized for it, and I believe it's a \$500 penalty.

If there is -- The way, locally, in my district the way we have the policy written is, because of some of our diverse missions that we do, we actually have biometric capabilities onboard our vessels. We're not allowed to do that on U.S. citizens, collect biometrics, but, if we need to determine whether or not somebody has status, we can actually do it with biometrics.

If we determine that that person in fact has no status, that is also a violation of 75/25, like I referenced. However, we contact our DHHS partners landside, and, if the DHHS partners want them, then we remove that person from the fishing vessel and bring them ashore. Now, if the

master has a three-person crew, and we take all three of the people off, we've had essentially terminated the voyage, but we won't use that terminology, because a voyage termination for us is only for safety. If we remove the entire crew, yes, we're essentially terminating the voyage, but that's -- We can't terminate voyages for 75/25.

MR. DILERNIA: What happens if you board a vessel and the individual has no identification? How do you address that?

LCDR MONTES: If they have got no identification, we don't have the capability of collecting biometrics, which would confirm or deny their claim of valid status, and so we just have to go off of their verbal claim. If we have a reasonable amount of suspicion that that person was potentially lying to us, I would advise the cutter to get their next port of call, where they're going to offload their catch at, and they would have some element of CBP meet them at the pier and determine the status of the person in question.

MR. DILERNIA: So, to summarize then, there is no requirement for an individual working aboard a U.S.-flagged fishing vessel to have identification on them while they are onboard, and is that correct?

LCDR MONTES: I see where you're going with this, and I haven't seen a law, personally, that says you shall have identification on you for your own personal -- I know there is requirements to carry fishing permits and other permits, but, as far as like everybody having their driver license on them, or some form of -- A green card or anything else, I haven't personally seen any laws that dictate that requirement.

MR. DILERNIA: Thank you. I asked that question because, coming from New York and having lived through 9/11 personally, having gone through eleven funerals, I am a little critical sometimes about individuals, and I think that they should have some type of identification if you're onboard a U.S.-flagged vessel and controlled by the Coast Guard, and I would think that every individual onboard should have some type of identification, but, quite frankly, I was unsuccessful in getting the Mid-Atlantic Council to agree to that position when it first occurred, right after 9/11. Thank you.

LCDR MONTES: Just to follow-up on that, it is advised, for people who are not U.S. citizens, to carry forms of identification, to make it very abundantly clear who they are and why they can be onboard, some sort of issued identification, and maybe even like proof of their work visa and all that stuff, but, yes, right now, there is not so much.

MS. BECKWITH: Tony ended up where I was going, because I remember, during our operator card discussions, we came to the conclusion that an ID was not required for anyone except the captain aboard, and, even in commercial vessels, the captain is neither required to have a captain's license or really any form of identification, and so I had similar curiosities. Thank you.

MR. HEMILRIGHT: I was curious. You said that 70 percent of your commercial boardings did have the vessel safety, and I was curious as to the 30 percent that didn't, and what gear were they using, and what fisheries were they in?

LCDR MONTES: It's across-the-board, because it included the Gulf of Mexico and the South Atlantic region, and it's just across-the-board. Most of them are very minor things, like an EPIRB hydrostatic release -- Well, actually EPIRB hydrostatic release expiration isn't minor at all, in my opinion, but maybe their flares are expired by a month or two, or they forgot the right -- Something silly and something simple that they're able to actually get cleared up with the vessel examiners and not actually get any penalties on them, but, across-the-board, almost every single type of fishery, almost every single type of vessel that they were using to fish with, and we're seeing this.

MR. HEMILRIGHT: With that, they didn't have their Coast Guard sticker, or they had a sticker and you checked them and they were missing something? I know, in the pelagic longline industry, and different industries in the Mid-Atlantic, where we carry observers, we have to have the sticker, and the observer checks the stuff, and I know, in the snapper grouper fishery, there is no observers, and so I was just curious if that was one that had all the observers, and I was just curious of the fisheries that were lacking.

LCDR MONTES: I haven't gone through the numbers completely that well yet of the different types of fisheries or exactly what the violations were and if there was a breakdown on it, but, basically, what I can say is that, vessels that have their sticker and they're within the last year, 99 percent of them -- 99.9 percent of them are 100 percent in the clear, because the sticker system is working.

Where we're seeing issues is the folks who are in that two to five-year range, where your sticker is still valid, and you're not going to get issued a penalty for not having the sticker, but the inspection that gave you that sticker is now so old that everything was checked has since expired, and so that's where we're seeing it.

MR. HEMILRIGHT: But, to that point, if they're carrying observers, then observers are going to look at their stuff, and they go through a checklist of stuff, not the sticker, and the sticker don't matter, and they're going to go through there, and so I'm just trying to get at it's probably fisheries that are not carrying observers, because the observers are looking at all your stuff, and they're saying, hey, I can go on this boat, because everything is here, and so it's non-observed fishing boats that you're running into.

LCDR MONTES: Yes, I would agree with that.

MS. MCCAWLEY: All right. Moving on -- Sorry, Chris.

MR. CONKLIN: I have several snapper grouper boats, and we get randomly selected to take observers out, and they do check our stuff, and it's mandatory from the Pascagoula office, but it's very random.

MS. MCCAWLEY: All right. Moving around the table, Erik, do you have anything for us?

DR. WILLIAMS: Just a quick update. Clay sends his best, and he couldn't be here, for family reasons, and he just had his twenty-fifth anniversary, and he didn't want to miss that, wedding anniversary, and he's also got a Science Board meeting next week. The other thing that I was going to update folks on, if they didn't realize, is our Deputy Director, Theo Brainard, is retiring

this month, and so we'll be getting a new Deputy Director, hopefully soon, and that's pretty much all I wanted to report.

MS. MCCAWLEY: Thanks. Roy or Jack?

DR. MCGOVERN: Just real quick, I just wanted to let you know that Tony Lamberte is retiring, and he's an economist, and he's been working on South Atlantic and Gulf Council documents for the last seventeen years, doing economic analysis, and he'll be retiring, I think the second week in January, and we're working to backfill that position.

MS. MCCAWLEY: Thank you.

MR. WAUGH: Just coming back to what Erik said, I am not sure if any council members are still here when Theo was our economist. Not a council member, but -- Theo did work for several years with us as a council economist, before he went down to the Center.

MS. MCCAWLEY: All right. Monica?

MS. SMIT-BRUNELLO: Merry Christmas.

MS. MCCAWLEY: Thank you. Moving around the table.

MR. O'SHAUGHNESSY: I just wanted to give a quick Office of Law Enforcement update for the fourth quarter. We had 116 open incidents in the South Atlantic. Of those, twenty-six were summary settlements, which are our version of a ticket. There were three cases that were forwarded to General Counsel for their review and possible issue of a Notice of Violation, and the remaining number were either handled with fix-its, compliance assistance, or written warnings.

The summary settlements range from a low of \$250 for undersized fish to \$2,050 for retention during closure and possessing undersized. Of those summary settlements, a quick breakdown. The twenty-six, again, twelve were for undersized retention, and seven were for fishing in the Florida Keys Sanctuary closed areas, three were for seasonal closure violations, two were for illegal gear in the Florida Keys Sanctuary closed areas, and there were two TED violations that were processed with summary settlements.

The cases that were sent to General Counsel, again, there were three, two recreational and one commercial. Two were for exceeding the bag limit with prohibited species and failure to remain intact, and one was for no permit and no VMS, and so that's just a snapshot of the OLE's work in the fourth quarter.

An update to some hiring that has passed in the last few council meetings, our OLE enforcement officer announcement has closed, and three names have been forward to NOAA HR to be hired, and those are filling Cape Canaveral and Miami in the South Atlantic and one new enforcement officer in the Virgin Islands, and we also have our Charleston, South Carolina enforcement officer is now onboard, and he's in training at the Federal Law Enforcement Training Center in Brunswick, Georgia, and we anticipate him coming out and being in South Carolina in March of next year, and so we currently have a total of five enforcement officers and eight special agents working in the South Atlantic, and, when our hiring is done, we will have an end-state of seven

enforcement officers and eight special agents for the South Atlantic. That's just a quick snapshot update, and I wish everybody a Merry Christmas as well.

MS. MCCAWLEY: Thank you. Did I miss anybody? All right. Is there any other business to come before the council?

MR. CARMICHAEL: We do have one exciting travel opportunity. Thanks for all of your support in filling up the many other liaison slots, but we do have a very exciting trip to Duck, North Carolina. It's February, and I think that just adds to the fun, and it's the Mid-Atlantic meeting in February, and so that one is coming up pretty quick, and so it would be nice to get someone to go there for the liaison, and so keep that in mind, and, if it works for your schedule, let me know.

MS. MCCAWLEY: All right. Any other business? Before we sign-off, Gregg is going to over our upcoming meetings.

MR. WAUGH: Even though we finished here, the year isn't finished for our staff. We've got a SEDAR 60 data workshop next week in Beaufort, and Anna will be representing us at the Mid-Atlantic Council next week, and I'm sure that Tony will make sure that they don't treat you too poorly.

Then we've got a SECOORA board meeting that Roger will be participating in on the 18th and 19th, and then, in January, January and February, we'll be conducting public hearings and AP meetings with the Deepwater Shrimp and Law Enforcement APs on the shrimp amendment. Then, as John mentioned, that wonderful trip to Duck for the Mid-Atlantic meeting in February, the 11th through the 13th, and MREP is the following week, and then it's back to the council meeting the first week in March. The other activities are on the calendar, but I won't go any more beyond that last meeting.

MS. MCCAWLEY: All right. I would also like to say Merry Christmas. Have a safe trip home, and this is Gregg's final meeting, and we thank you very much for your service, and we had a wonderful time at your party the other night, and so thanks for retiring, so we could have a party, but thank you so much for all service, and good luck in retirement, and we can't wait to see those fly fishing photos. *(Applause)*

MR. WAUGH: Thank you very much. It's been an honor and a pleasure. You guys have fun.

MS. MCCAWLEY: We stand adjourned.

(Whereupon, the meeting adjourned on December 5, 2019.)

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December 20, 2019

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FULL COUNCIL - ROLL CALL VOTE

Date: December 2-⁵6, 2019

Meeting Location: Wilmington,

Issue: SG RA 33 (RED SNAPPER)

	YES	NO	ABSTAIN
MS. BECKWITH		✓	
MR. BELL	✓		
MR. BREWER	✓		
MR. CONKLIN	✓		
DR. CRABTREE	✓		
DR. CHRISTIANSEN	✓		
MR. GRINER		✓	
DR. BELCHER	✓		
MS. MCCAWLEY	✓		
MR. POLAND		✓	
MR. SAPP	✓		
MR. WOODWARD	✓		
MR. WHITAKER	✓		

FULL COUNCIL - ROLL CALL VOTE

Date: December ⁵2-6, 2019

Meeting Location: Wilmington,

Issue: ³⁶ABBREVIATED FRAMEWORK 3 (BLUELINE TILLOTSH)

	YES	NO	ABSTAIN
MS. BECKWITH	✓		
MR. BELL	✓		
MR. BREWER	✓		
MR. CONKLIN	✓		
DR. CRABTREE	✓		
DR. CHRISTIANSEN	✓		
MR. GRINER	✓		
DR. BELCHER	✓		
MS. MCCAWLEY	✓		
MR. POLAND	✓		
MR. SAPP	✓		
MR. WOODWARD	✓		
MR. WHITAKER	✓		

FULL COUNCIL - ROLL CALL VOTE

Date: December ⁵2-6, 2019

Meeting Location: Wilmington,

Issue: CMP Framework 8 (KING MACHINERY TRIP LIMITS)

	YES	NO	ABSTAIN
MS. BECKWITH	✓		
MR. BELL	✓		
MR. BREWER	✓		
MR. CONKLIN	✓		
DR. CRABTREE	✓		
DR. CHRISTIANSEN	✓		
MR. GRINER	✓		
DR. BELCHER	✓		
MS. MCCAWLEY	✓		
MR. POLAND	✓		
MR. SAPP	✓		
MR. WOODWARD	✓		
MR. WHITAKER	✓		