

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **FULL COUNCIL SESSION**

**Doubletree by Hilton Atlantic Beach Oceanfront  
Atlantic Beach, NC**

**December 9, 2016**

### **SUMMARY MINUTES**

#### **COUNCIL MEMBERS:**

Dr. Michelle Duval-Chair  
Charlie Phillips-Vice Chair  
Robert E. Beal  
Anna Beckwith  
Mel Bell  
Tim Griner  
Doug Haymans  
Dr. Wilson Laney

Zack Bowen  
W. Chester Brewer  
Mark Brown  
Chris Conklin  
Dr. Roy Crabtree  
Ben Hartig  
Jessica McCawley  
Lt. Tara Pray

#### **STAFF MEMBERS:**

Gregg Waugh  
John Carmichael  
Myra Brouwer  
Dr. Chip Collier  
Mike Collins  
Dr. Mike Errigo

John Hadley  
Kim Iverson  
Dr. Kari MacLauchlin  
Roger Pugliese  
Amber Von Harten  
Kimberly Cole

#### **OBSERVERS/PARTICIPANTS:**

Erica Burgess  
Dr. Bonnie Ponwith  
Monica Smit-Brunello  
Dr. Jack McGovern  
Rick DeVictor  
Erik Williams

Jessica Stephens  
Tracey Dunn  
Patricia Bennett  
Dale Diaz  
Dr. Lewis Daniel  
Richard Chesler

Additional Observers/Participants attached.

The Full Council Session of the South Atlantic Fishery Management Council convened in the DoubleTree by Hilton Atlantic Beach Oceanfront, Atlantic Beach, North Carolina, Friday morning, December 9, 2016, and was called to order by Chairman Michelle Duval.

DR. DUVAL: The first item on our agenda is Approval of the Agenda. Are there any modifications to the Full Council agenda? Seeing none, the agenda stands approved. Are there any modifications to the September 2016 meeting minutes? Seeing none, the minutes are approved.

This morning, we actually have a couple of awards, one of the more fun things we get to do. The first award is for the Law Enforcement Officer of the Year, and this was an award that the council established in 2010 in recognition of the huge contribution that our law enforcement officers, both federal and state, make to our management efforts. Without them, it would not be possible to do what we do, and so I wanted to highlight a few of the contributions of the individual who is being awarded today.

He is truly impressive. He has quite a law enforcement pedigree. He is currently an officer assigned to the NOAA Fisheries Office of Law Enforcement in the Southeast Division, in Port Orange, Florida. His career started a couple of decades ago as a U.S. Coast Guard recruit, working counterdrug and U.N.-sanctioned enforcement in the Caribbean, Eastern Pacific, and Northern Arabian Gulf, and this might seem like easy work, what he's doing now, compared to that. He also worked as a boarding officer, enforcing fisheries regulations off of Alaska.

He pursued interests in conservation by accepting a position as a patrol officer with the National Parks Service in the Washington D.C. area. He has also served as a Deputy U.S. Marshall, and all of this is prior to joining the NOAA Office of Law Enforcement. As a Special Agent for NOAA Fisheries, this individual conducts complex criminal and civil investigations under the Magnuson Act. He works many joint enforcement operations with the Florida Fish and Wildlife Conservation Commission. He has been very generous in sharing his subject matter expertise with the public and with other state officials.

He has worked with the council considerably in the Oculina Experimental Closed Area outreach efforts. He has also pursued a master's degree in criminal justice since joining the Office of Law Enforcement with NOAA, and he has also participated in international enforcement capacity building, providing training in Liberia, Sierra Leone, and Brazil. With that, it is my honor and privilege to award Special Agent Richard Chesler with the Law Enforcement Officer of the Year.

Thank you very much, Special Agent Chesler. We're so glad you could come up to sunny North Carolina to receive your award, but I wanted to thank you, and I hope you have been doing some weight lifting, because this is quite the heavy award. Don't take it lightly, but we very much appreciate all the efforts of you and your fellow officers and all of the outreach that you in particular have done with the Florida Fish and Wildlife Conservation Commission and with our council staff, and we sincerely hope to continue this partnership in the future. We know that, without you all, what we do doesn't mean anything, and we thank you guys for keeping us on the straight and narrow sometimes, and so thank you very much. (Applause)

MR. CHESLER: Thank you very much. It's an honor and privilege to receive this award. Like I mentioned to Kim Iverson, I kind of consider this a team award, because I work with a lot of great

officers, both in the Coast Guard and also Florida Fish and Wildlife, and, without the work that they do, I wouldn't be here standing to receive this, and so I'm very appreciative of this, but I'm also very appreciative of the partnerships that I enjoy that allowed me to receive this award, and so thank you again.

DR. DUVAL: Thank you very much. Thank you for coming here. (Applause) Then we have another award. This is to someone who has been around the fisheries management world for quite a long time. I first met this individual back in 1998, I think, at a council meeting in Jekyll Island, Georgia, back when we were at the old Jekyll Island Club. He has made significant contributions to the world of fisheries management and conservation.

He has recently transitioned to a new chapter in his life, and so we're pleased to continue to be working with him, but it gives me no small pleasure to be able to give to my former boss, Dr. Louis Daniel, an award for all of his contributions to the world of fisheries management. I feel like, in a way, I've kind of been chasing Louis for most of my career. He has served as Snapper Grouper Committee Chair here at this council for a number of years, and he served as chair of the council. He has been the Atlantic States Marine Fisheries Commission chair, and I think everyone who has interacted with Louis recognizes that there is no better person, no more intelligent person, in the world of fisheries management.

Louis really has a gift of being able to bring the difficult work that we do down to a level that a lot of other folks need to understand, other decision makers that we interact with, and I have been privileged to have him as my boss for I think almost eight-and-a-half years, and we're very pleased that, as Louis transitions into a new chapter in his career, that we're able to continue working with him, through his role with the Atlantic States Marine Fisheries Commission right now and in other projects that he's been involved in. Louis, come on up front and receive your justly-due accolades. We are very pleased to be able to give you this award. Thank you. (Applause)

DR. DANIEL: Wow.

DR. DUVAL: You might have to life some weights too to pick this one up as well.

DR. DANIEL: I can do that, or more fishing, I guess. What an honor from a group that means so much to me. I learned so much in this career from the folks in this room, from David Cupka and Susan Shipman and Russ Nelson and Bob Mahood and Gregg. You can't do this without family, and what I have found in what has happened to me over the last year is that this is the most important family you've got, and you're so lucky to be involved in this group and the commission. Bob, thank you for everything.

I can't believe I'm doing this. I've been thinking about it, but I just am so proud to have been able to work with you all and to have chaired this body. It was one of the highlights of my career, and being able to give just unmitigated rations of shit to Roy Crabtree. That was really one of the highlights, and he kicked my ass every time. One day I am going to get him. I haven't figured out how yet, but I am going to get him one day. Seeing Jack McGovern, and talk about following in somebody's footsteps. I have traveled right behind Jack for a long time too, and I don't want to take up your time, but it just means so much to be acknowledged by the group of people that really formed your career, and don't take this crowd for granted ever, because they will be there for you when you need them, and that's important. Thank you, all, very much. (Applause)

DR. DUVAL: Wow. All right. The next item on our agenda is Committee Reports. I know that there are a couple of committee chairs who need to leave, like I said, and so we're going to start, as written, on the agenda with Snapper Grouper, and, if we need to shift a couple of things around to ensure that folks are able to make their flights, we will go ahead and do so, but all of these are uploaded to the briefing book webpage, under Draft Committee Reports, if folks have not yet accessed that. As usual, we will go ahead and start with Snapper Grouper.

The Snapper Grouper Committee met on December 7 and 8, 2016, in Atlantic Beach. We received our usual updates on the status of landings for snapper grouper species. Then we moved into the Status of Amendments Approved for Secretarial Review. We heard from our advisory panel Chairman, Mr. Kenny Fex, and then we received our Scientific and Statistical Committee Report from Dr. Marcel Reichert.

We then received a presentation on the efficacy of descender devices and increasing the survival of deepwater groupers using telemetry. We did postpone a red grouper commercial discards presentation until a future meeting, when we will receive the red grouper standard assessment, SEDAR 53.

We then jumped into Snapper Grouper Amendment 41 dealing with mutton snapper, and the committee made the following motions. **The first was to accept the IPT-suggested edits to Actions 5, 6, and 8 in Amendment 41. On behalf of the committee, I so move.** Any discussion? **Any objection? Seeing none, that motion stands approved.**

**The next motion is to approve Amendment 41 for formal review and deem the codified text as necessary and appropriate. Give the IPT editorial license to make changes to the amendment and give the Council Chair license to re-deem the codified text. On behalf of the committee, I so move.** Because this is final action, we will do a roll call vote.

MR. WAUGH: Mr. Hartig.

MR. HARTIG: Yes.

MR. WAUGH: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. WAUGH: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. WAUGH: Mr. Bell.

MR. BELL: Yes.

MR. WAUGH: Mr. Bowen.

MR. BOWEN: Yes, sir.

MR. WAUGH: Mr. Brewer.

MR. BREWER: Yes.

MR. WAUGH: Mr. Brown.

MR. BROWN: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Yes.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Mr. Haymans.

MR. HAYMANS: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

MR. WAUGH: Dr. Duval.

DR. DUVAL: Yes.

MR. WAUGH: **It carries unanimously.**

DR. DUVAL: Thank you. The next item on the agenda was an annual review of the vision blueprint. Amber Von Harten took us through that. The next item on the agenda was a Vision Blueprint Recreational Regulatory Amendment 26. We reviewed that, and you can see a list of additional items that we requested that staff incorporate into that. **We then made the following motion to approve Vision Blueprint Regulatory Amendment 26 for scoping. On behalf of the committee, I so move.** Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

The next item of business was the Vision Blueprint Commercial Regulatory Amendment 27, and Myra Brouwer walked us through that. You can see the bullets below, including additional information in this amendment. **The committee made the following motion to approve the Vision Blueprint Regulatory Amendment 27 for scoping, and, on behalf of the committee, I so move.** Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

Next was a presentation on red snapper landings by county in Florida by Dr. Ponwith. We next moved into discussion of Snapper Grouper Amendment 43, red snapper, and we had a lot of discussion about this and provided guidance with regards to how to proceed with public scoping, which you can see in the bullets below. **In regards to that, the committee approved the following motion, which is to approve the Amendment 43 options paper, as modified, for scoping in January of 2017. On behalf of the committee, I so move.** Is there any discussion? **Is there any opposition? Seeing none, that motion stands approved.**

The next item of business was golden tilefish, and we had several items that we had requested that the SSC address. We reviewed those items and discussed how to proceed with implementing new fishing level recommendations, and the committee made the following motions.

**The first was to select Option 4 in the Snapper Grouper Committee Overview to implement changes to golden tilefish. On behalf of the committee, I so move.** Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

**The motion was to ask the SEFSC to provide projections for golden tilefish at P\* if 0.4 and 0.45. On behalf of the committee, I so move.** Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

We next have a timing and tasks motion. I am not going to read it, because it's quite lengthy, but I would simply ask that you all review it, and I would request that someone offer the timing and tasks motion as displayed.

**MR. HAYMANS: Madam Chair, I would move that we approve the following timing and tasks items as presented.**

**DR. DUVAL: There's a motion by Doug. Is there a second? Second by Mel.** Is there further discussion? **Is there any opposition to this motion? Seeing none, that motion stands approved.** I know that Charlie wanted to bring up one item under Other Business here.

**MR. PHILLIPS:** Yes, and thank you, Madam Chair. I talked to one of the black sea bass pot fishermen yesterday, and they were asking me about the two-and-a-quarter-inch wire. We had a presentation a while back about how efficient it was and that there was almost no discards. Jack Cox and I followed up, trying to find wire that the boats could use, but there was a minimum of a fifty-roll order or they were going to charge -- I forget, but I think it was like a thousand dollars for a setup fee.

I would like for us to be able to send out an email or a letter to all the pot endorsement holders to see if they're interested in using this wire, and, if they are and we could all voluntarily do that, that would actually help the discards in the black sea bass pot industry. It's very low anyway, but, if we can get it down to zero, that would be great, and I was told that the larger wire actually fishes a little better. **I would like to make a motion that we contact the endorsement holders to see how they would stand on using two-and-a-quarter-inch wire.**

**DR. DUVAL:** Charlie, would that be just in the back panel? I know that there was discussion about sort of, rather than wholesale replacement of the pots, simply starting with the use of the

back panel. I have also talked to a couple of the fishermen, and it sounds like the back panel works well also and it might be a good first step.

MR. PHILLIPS: Yes, and that what Tony told me. He said he was using a back panel. I've got some of Tom Burgess's old pots, and some of them are back panel and some of them are all the way around. I haven't been able to use them yet this year, but I'm looking forward to it, and we might ask them if they would just consider using the back panel or what they feel, so we could see if we could get this done, voluntarily get it done, and their input back on it, and it might be a good practice run for talking to endorsement holders and/or permit holders, so we can bring issues back to the council and the advisory panels.

DR. DUVAL: Charlie, Myra has put some language up there on the screen for a motion, to contact black sea bass endorsement holders to request input on modifying pots to have two-and-a-quarter-inch mesh on either the back panel or the entire pot, so you could get input on how far folks might be willing to go.

MR. PHILLIPS: **That would be my motion, Madam Chair.**

DR. DUVAL: **Is there a second to that motion? It's seconded by Chris.** Again, this is -- Charlie is trying to take a non-regulatory approach here by contacting the pot holders to see if they would be willing to move in this type of direction and what timeframe they might be willing to move in this direction. Is there any discussion on this motion?

MR. CONKLIN: I won't take much time, but what are we going to ask, just do you want to do this or do you not? Do we need to be more specific? What do we do after they show their interest or they don't? Do we just all get together and decide on how to divvy up the thousand dollars or is the council going to invoice them or what?

MR. PHILLIPS: Chris, I envision that if all the endorsement holders, or a majority of them, want to do this, then we'll figure out a way to -- We'll figure out exactly how much wire we need and somebody can order it, and then we'll split it all up accordingly. That shouldn't be a very hard thing to do.

MR. BOWEN: Good morning, everybody. Who is actually the one that's going to be contacting? Would it be the council or would it be National Marine Fisheries Service that's contacting the endorsement holders?

DR. DUVAL: I think the information for the endorsement holders is public. It's online, and so I think it would be the council. This is direction to council staff to contact the endorsement holders to see what their willingness might be to consider the use of this different mesh size.

MR. PHILLIPS: Again, to make sure that they have a copy of that report on the discards.

DR. DUVAL: Is there any other discussion on this motion?

MR. HARTIG: Just on the amount of information that's going to go out to these sea bass pot holders. You really need to have a little bit of the study, why the council is going in this direction,

and then the wire debate about, before we go there, we know that it's going to be a cost to making this wire. It's just to lay out the steps that we're looking at, going forward, for those people.

DR. DUVAL: Right, and I know that Chip has done some work, I think with Amber, maybe, and Myra to put together a pamphlet regarding black sea bass pot regulations, and so that team of folks might be able to work together to lay things out appropriately, so that you have the right balance of information without too much.

MR. CONKLIN: I think it's a good idea, and it shows that we're being proactive and actually trying to work alongside and help fishermen get things done, and so it's a good idea, Charlie.

DR. DUVAL: All right. Any other discussion on the motion? **Is there any opposition to the motion? Seeing none, that motion stands approved.** Is there any other business to come before the Snapper Grouper Committee at this time? All right. Seeing none, we will move into the next committee report, which is the Mackerel Cobia Committee and Chairman Hartig.

MR. HARTIG: Thank you, Madam Chairman. The committee met on December 8 and approved the agenda and minutes. Then we had a presentation on the landings report for commercial and recreational landings, and there was extensive discussion during the recreational report about the overage of cobia this year, and I will leave it at that.

The next item of business was the amendment updates. The next item was the Gulf Council report. Then the next item was Coastal Migratory Pelagic Amendment 30, the Atlantic cobia recreational fishing year. That's where the first motion comes to you from. **The motion is add an action to change the commercial fishing year start date with the same alternatives as for the recreational fishing year, with a preferred alternative as May 1. On behalf of the committee, I so move.** Is there discussion?

DR. DUVAL: I know Roy brought this up when we were talking about this yesterday, as to whether or not we would want to continue moving forward with this, given the fact that there is an Atlantic States plan moving forward, given the fact that it's highly likely that the Virginia and North Carolina Commissions are probably going to try to do something a little different, at least for the recreational seasons, to try to constrain harvest this year, and so I guess I just wanted to bring it forward again. I mean, we can certainly take it out to public comment if we want and leave things at a January 1 start date for both sectors, but I just wanted to have a little bit more input from folks as to whether or not they wanted to move forward at this time.

MR. HAYMANS: I was of the same mind, that, with everything occurring in the commission, to weigh this or to just table it for now.

DR. CRABTREE: I think right now, if we go any further with this, it's just going to interject a lot of uncertainty into what's going to happen and complicate the work that the commission is doing, and I think the interstate commission plan is absolutely critical to successful management of cobia. **I would like to offer a substitute motion that we postpone further consideration of Amendment 30 until the Atlantic States Marine Fisheries Commission completes the development of an interstate fishery management plan for cobia.**



If I could, if the commission decides they're not going to follow through, then we can bring this back and move forward with it. If they do go forward with the interstate plan, as I hope they will, then it might be that we would let the states decide what their fishing year is and deal with that, and we can have further consideration of whether we need to do anything with this. We're going to have to come back in and make some amendments to our plan to complement the ASMFC plan, and we might be able to roll all of that into a common amendment at that point.

MR. DELERNIA: Do we know when the commission's plan -- Bob just left, and I wish he hadn't left, but when the commission plan might be completed? Do we have any idea?

DR. DUVAL: The timeline that it's on right now would be for the South Atlantic State/Federal Board to review and approve a draft plan at the annual meeting, which is usually late October or early November, of 2017. Any fishing regulations wouldn't be in place until the beginning of 2018, likely.

Ben, if I might just offer a couple other words. When we looked at the numbers on changing the start date of the recreational fishing year to May 1, there were just a few days, it looked like, that we might be able to extend things by, and it seems that, with what North Carolina and Virginia are likely to do, that that might just complicate things. I was a little wishy-washy about moving forward with this anyway at the last meeting, and so I think Roy makes some really good points, and it would be less complicating to the commission process if we postpone at this time, and so I'm going to support this motion.

MR. HARTIG: Is there any other discussion?

MR. BELL: I would rather not see us do something that would confuse things or cause a complication. My only concern was just maybe -- The assumption is that the commission will follow through. I didn't want to lose time or something if that didn't occur, but I think it's a pretty good likelihood that they're going to do what they need to do, and so this would kind of confuse things, perhaps, and so I'm fine with Roy's amendment.

DR. DUVAL: Just one more thing to that. I think we would find out fairly soon, probably by May, if the commission was not going to move forward with a complementary plan, and so we would be able to pick this back up again if that turned out to be the case, in I think fairly short order.

MR. BOWEN: Maybe SERO can tell me, but when are we expecting the new regulations with size limits and bag limits to go actually in effect? Do you have a rough timeframe?

DR. MCGOVERN: We're working on the proposed rule package right now, and hopefully we would get that proposed rule published like in the next month or something like that, and so I think maybe in the summer the regulations could be effective.

MR. BOWEN: So it's of your opinion that when May 1 rolls around that we'll still be at two per person, thirty-three inches at the fork, on May 1?

DR. MCGOVERN: It's probably likely.

MR. BOWEN: Thank you.

MR. HARTIG: Any more discussion? **Is there any objection to this motion? Seeing none, that motion is approved.** Thank you. The next motion now becomes a moot point, and so what do we do with that?

DR. DUVAL: The substitute now becomes the main motion, and so we actually have to vote again.

MR. HARTIG: The substitute motion now becomes the main motion. Is there any more discussion on the substitute motion? Well, it's now the main motion. **Is there any objection? Seeing none, that motion is approved.**

Since we're not moving forward with that, the purpose and need kind of falls out of the next motion, and so we don't need to do that. Then the next item of business was the ASMFC public information document on cobia, and Louis Daniel presented an overview of that. There was a number of discussion points.

The last item that we discussed was Coastal Migratory Pelagics Amendment 29, which is the Gulf king mackerel allocations, and the committee decided to postpone any action on Amendment 29 until the March 2017 meeting. The timing and tasks is going to change a little bit, correct?

DR. MACLAUHLIN: Just get rid of Number 1 through 4, and it's just Number 5.

MR. HARTIG: The timing and tasks motion is to complete examples of how --

DR. DUVAL: Mr. Chairman, I think Task 5 would also go away as well, which was just compiling examples of modified fishing years, because we wouldn't necessarily -- I'm not saying we might not need to do it in the future, but it wouldn't necessarily need to be done for the next meeting, but it is a good thing to keep in mind, in case we walk down this road again.

MR. HAYMANS: I was just going to suggest that why wouldn't we -- It should be a short, straightforward analysis. Why wouldn't we go ahead and do that, for information purposes of this is how we have applied fishing years in the past? I would make a motion.

MR. HARTIG: Go ahead.

MR. HAYMANS: **Mr. Chairman, I would make a motion to adopt Timing and Task Number 5, to compile examples of how modified fishing years have been applied for other species.**

MR. HARTIG: Thank you, Doug. We need a second. Second by Anna. Is there discussion? **Is there any objection? Seeing none, that motion is approved.** Is there any other business to come before the Mackerel Committee? Seeing none, thank you, all, and we will turn it back over to Chairman Duval, and I think that's the shortest Mackerel Report we've ever had.

DR. DUVAL: Everybody must have a lot of Christmas shopping to do. Next up is the Data Collection Committee Report and Chairman Bell.

MR. BELL: It was in the folder, and we just made a quick change, and so I don't know if it's substituted in there or not.

MR. CARMICHAEL: I think it is.

MR. BELL: Okay. I will be working off of the slightly modified one. The Data Collection Committee met on December 8 in Atlantic Beach, North Carolina. Recall that we had a number of presentations. I won't read all the details of them. The first presentation was Dr. Ponwith providing an update on voluntary electronic logbook reporting by commercial fishermen, just an update on that. Components should be completed by February of 2017.

Then Mike Cahall of ACCSP provided a general overview of electronic reporting programs available through ACCSP, and that was fairly detailed and covered a lot of areas. Mike Errigo provided an update on the South Atlantic Fishery Management Council ACCSP charter vessel electronic reporting pilot study, and we also talked about some of the new technology that's being worked on out there, which was encouraging.

Ken Brennan from the Southeast Fisheries Science Center Headboat Survey presented an overview of electronic reporting by the southeastern headboat vessels. Recall that he actually gave us three separate presentations, but there was a lot of detail related to the program and compliance with the program and then reporting.

Then we also discussed a draft report format that they're working on. The preliminary content for the format for that was illustrated, and council members were asked to provide comments to the council staff by January 9, and so, if you have any input for that, just get that straight to John by January 9.

The committee considered the For-Hire Electronic Reporting Amendment for final approval. Wording was clarified for the alternatives and the council intent was clarified with regard to duplicative reporting, reporting requirements, and amendment timing. These are detailed in the bullets, which I won't read all of that. Recall that we spent some time making sure that we understood exactly what the council's intent was in a number of areas.

Then we had several motions. **Motion Number 1 was to move to incorporate the three suggested wording changes to the Action 1 alternatives by replacing slashes with "and", replacing "harvested" with "the fish were caught" in the area description, and striking the parenthetical "(current headboat requirements)". On behalf of the committee, I so move. Is there any discussion of that motion? Any objection to the motion? Then that motion passes.**

**Motion Number 2 was to move to incorporate the suggested wording change for Action 2, Alternatives 2 and 3, to replace slashes "/" with "and". On behalf of the committee, I so move. Any discussion of that? Any objection to the motion? Then that motion passes.**

**Motion Number 3 was to move to incorporate the suggested wording changes for Action 3, Alternative 2 to replace slashes "/" with "and", clarify reporting is for fishing location, and clarify how location is entered. On behalf of the committee, I so move. Any discussion of that motion? Any objection to the motion? Seeing none, that motion passes.**

**Then Motion Number 4 is move to approve the for-hire electronic reporting amendment 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. On behalf of the committee, I so move.** For this one, we will have to have a roll call vote.

MR. WAUGH: Mr. Hartig.

MR. HARTIG: Yes.

MR. WAUGH: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. WAUGH: Ms. Beckwith.

MS. BECKWITH: Yes.

MR. WAUGH: Mr. Bell.

MR. BELL: Yes.

MR. WAUGH: Mr. Bowen.

MR. BOWEN: Yes, sir.

MR. WAUGH: Mr. Brewer.

MR. BREWER: Yes.

MR. WAUGH: Mr. Brown.

MR. BROWN: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Yes.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Mr. Haymans.

MR. HAYMANS: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

MR. WAUGH: Dr. Duval.

DR. DUVAL: Yes.

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

MR. BELL: Great. Thank you. Then we have a timing and tasks motion, which I would need somebody to make for us.

MR. HAYMANS: **Mr. Chairman, I would move that we approve the timing and tasks motion as presented.**

MR. BELL: All right. **Do we have a second? Charlie seconds.** Any discussion of that? **Any objection? Seeing none, that passes.** Madam Chair, that concludes my report.

DR. DUVAL: Thank you very much, Chairman Bell. The next committee report is the joint mega committee of Dolphin Wahoo/Snapper Grouper/Mackerel and Chairman Beckwith.

MS. BECKWITH: Thank you. The committee met on December 6. Following the approval of the agenda and minutes, the committee received an update on the commercial and recreational landings for dolphin and wahoo and we also received an update on the Dolphin Wahoo Regulatory Amendment 1, which is currently under review at SERO.

We received a Presentation on the Status of 2015 Commercial Yellowtail Snapper Catch from Dr. Ponwith. We had the following motion. **Request staff to work with FWC to correct landings for species landed in South Florida that may affect the Comprehensive ACL Amendment jurisdictional allocations. On behalf of the committee, I so move.** Is there any discussion on this motion? **Is there any opposition to this motion? Seeing none, the motion passes.**

We then began discussion on Dolphin Wahoo Amendment 10/Snapper Grouper Amendment 44. The committee reviewed actions that would potentially redefine optimum yield in the dolphin fishery and modify allowable gears while in the possession of dolphin and wahoo. Additionally, the committee discussed actions that would modify sector ACLs and accountability measures for dolphin and yellowtail snapper that are intended to add flexibility in how the ACLs are managed, as well as prevent harvest closures.

The committee made the following motions. **Under Action 1, move to modify Alternative 4 in Action 1 as shown below and create actions to define ACT for the recreational and commercial sectors individually. On behalf of the committee, I so move.** Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

**Under Action 2, which discusses revising authorized gear types for the harvest of dolphin and wahoo, we made the following motion to direct staff to develop an alternative in Action 2 that would allow multi-gear trips for legally-permitted vessels in the dolphin wahoo fishery and retitle the action to reflect this alternative. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion carries.**

**The next motion was to move Alternative 2 in Action 3 to the Considered but Rejected Section. On behalf of the committee, I so move. Is there discussion? Is there opposition? Seeing none, the motion carries.**

**The following motion, Motion 5, was to reword Alternative 4 of Action 3 to state, if the commercial ACL is not met in a given fishing year, the unused ACL may be carried forward to the next fishing year only. The carried forward balance shall not exceed X percent of the commercial sector ACL with sub-alternatives ranging from 5, 10, and 20 percent. On behalf of the committee, I so move. Is there discussion? Is there opposition? Seeing none, the motion carries.**

**Motion Number 6 was to move Alternative 5 in Action 3 to the Considered but Rejected. On behalf of the committee, I so move. Is there discussion? Sorry. That motion failed for lack of a second.**

**Under Action 4, which discusses revising sector allocation and accountability measures for South Atlantic yellowtail snapper, we had the following motion. Move to restructure Alternative 5 in Action 4 to be similar to the language in Alternative 4 of Action 3. On behalf of this committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.**

**The next motion was to move Alternative 2 in Action 4 to the Considered but Rejected Section. This motion failed. The next motion also failed, which was to move Alternative 3 in Action 4 to the Considered but Rejected.**

**For additional motions, we had a motion to add an action to combine Gulf and South Atlantic ACLs for yellowtail snapper. On behalf of the committee, I so move. Is there any discussion on this?**

MS. MCCAWLEY: Based on what we heard during public comment, I am wondering if maybe we should pull yellowtail snapper away from dolphin and have a separate amendment for yellowtail snapper. That way, there would still be the ability for the yellowtail snapper portion to go out to public hearings in January. Also, the analysis for this particular motion that Anna just made was already done, because this was one of the options in the Joint South Florida Amendment, and so it's actually already been completed.

DR. DUVAL: Really, all we would need to do is just update some of the landings in that, because I think it only went through 2012 or 2013, when that was done. I would look to Myra and Gregg to ask about just the staff ability to do that. I think that might help things move forward. I know there was a lot of concern that, because of the alteration of the actions, on more of the dolphin side of the picture, that this amendment would not be ready for any kind of public hearings in January, and so this might be an option that would allow at least yellowtail to move forward and the

additional analysis for dolphin to occur, because we also had some questions about potential revision to the ABC control rule, so that carryover provisions could be considered.

I've had some conversation with John about that, and we could ask the SSC to look at a dolphin-wahoo-FMP-specific control rule that would allow them to work through this carryover provision that's now allowed under the NS 1 Guidelines. Rather than trying to revamp the entire control rule for any type of carryover, it might be better to have sort of a focused control rule for that, and so I mean I would be amenable to that, but, John.

MR. HADLEY: One thing I would like to add is that the same alternative is in yellowtail snapper, and so you still have that issue. I will go back to the motion. It's essentially Motion 7 for the carryover.

MS. BECKWITH: That doesn't preclude us from creating a control rule specific to dolphin and then having a broader control rule that might encompass additional species.

DR. DUVAL: No, and I think, in my conversations with John, the SSC would like to revise the ABC control rule. I think they see their own frustration in working with it. They've made some recommendations with regards to the council's responsibility and pieces of the control rule, but trying to eat the whole elephant at once might be a little bit difficult, and so that's why looking at a more focused approach of trying to use or create an FMP-specific ABC control rule for dolphin wahoo, as that is one of the FMPs where, if we were to use a carryover provision, that might be the most likely, to have it focused on that. That's a long-winded way of saying you're correct in that something like that could be subsumed within a broader revision to the ABC control rule, I think, at a later date.

MR. WAUGH: Just for clarification, in terms of if we were to separate out yellowtail, the new action would be combining the ACLs and ABCs, which you're correct that we already have the analysis for that and we can update the landings stream there. Were there any other new items that were added to yellowtail? I don't think there were. The one question I do have is about this carryover, whether that would be in the separate yellowtail amendment that would go out to public hearing in January and February, because the guidance we've gotten is that we need to modify our ABC control rule to address how we do that carryover, and so it seems, to me, that it would be cleaner to not include that in the yellowtail separate document that went out.

MS. MCCAWLEY: I thought that one of the other items, and maybe this was also in the South Florida Amendment, and I can't remember, was modification of the accountability measure that went with the action that was in the South Florida Amendment, and I can't remember if that analysis was already done or not, but I would be willing to pull out the one action that you're talking about that needs input from the SSC, so that this could still go out to public hearing.

MR. WAUGH: You're correct. We did, in the Joint South Florida Amendment, have that accountability measure wording that was tied to combining the ACLs and AMs, and we could pull that, and so that analysis has been done. It's been before the council several times, and it's been before the public several times. We got quite a bit of public input during the joint South Florida meetings. The State of Florida held a number of workshops, and so there is quite a bit of public input already. For those of you that remember, we had that joint meeting with the Gulf Council in

June two years ago, and so all of this analysis and information has been before you. If we're going out to public hearings, we'll just update the landings stream, but that shouldn't be difficult to do.

DR. CRABTREE: I think you can go out to public hearings if you want to, but I'm told that the economic analysis has not been done and that it's a fairly involved analysis and will not likely be ready in time for the January public hearings.

MR. WAUGH: I guess that would be expanding the analysis that was done at the point we were for the Joint South Florida Amendment, because there was some analysis in there, but not an extensive economic analysis, and that's correct.

DR. CRABTREE: I think, because it's allocation, it gets fairly involved.

MR. WAUGH: But I would think that we could have that, perhaps, done for the March meeting. This is something we'll have to work between our staff and the region, and so I don't know what your timing is after the public hearings. Are you looking to review the actions and approve the actions in March and then have it come back for final approval in June? Maybe some guidance there would give Myra the opportunity to know what timing we had to work with the Region on for getting that detailed economic analysis.

DR. DUVAL: I think, even if this goes out for public hearings in January, and if it came back to the council in March, even if the more detailed economic analysis was ready in March, it would be unlikely to affect yellowtail for 2017, and so, if we needed a little more time to complete that analysis, such that you all would see it in June, we could do that, and that might give the Regional Office a little bit more comfort.

MS. BECKWITH: So then is our path forward to retain them together, at least until the March meeting, or did you want to look at -- You still want to look at separating them?

MS. MCCAWLEY: I believe they have to be separated for yellowtail to move forward to public hearing, because I think the consensus was that the dolphin portion is not ready for public hearing, and so I think we would have to dispense with this motion, and then I could make another motion.

MS. BECKWITH: Right. Okay. So, is there any further discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion carries.** I presume that your next motion will be to separate them out, but then you might want to consider if you want that carryover, if you want to include that carryover option in the new separation.

MS. MCCAWLEY: **I also want to make it clear that, with the previous motion, that staff needs to go get the accountability measure action from the South Florida Amendment and pull it forward to what would be the new amendment as well. My motion would be to separate yellowtail snapper into its own amendment and remove the, and I can't remember what that particular action was called, but the carryover action from the amendment, and send the amendment out to public hearing in January.**

MR. HADLEY: Just to clarify, would that be carryover action or alternative, because the carryover was --



MS. MCCAWLEY: Alternative and approve for public hearing in January.

MS. BECKWITH: Okay. **Do I have a second? Second from Ben.** Any discussion on this motion? **Any opposition to this motion? Seeing none, that motion carries.**

**We had an additional motion to add an action to remove requirement to have the operator card for the charter/headboat fleet in the Dolphin Wahoo FMP. On behalf of the committee, I so move.** Is there any discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion carries.**

**Then we had one last motion under this amendment to accept the IPT-suggested edits for Actions 1 through 4. On behalf of the committee, I so move.** Is there discussion? **Is there opposition? Seeing none, that motion carries.**

We then moved into Dolphin Wahoo Amendment 11/Snapper Grouper Amendment 45/Coastal Migratory Pelagics Amendment 31. The council staff reviewed public comments received on limited entry for charter/headboat permits and the control date of June 15, 2016. We followed by extensive discussion and had three motions related to this amendment.

**The first motion was to stop moving forward with scoping for limited entry in the dolphin wahoo for-hire permit. On behalf of the committee, I so move.** Is there any discussion on this motion? **Any opposition to this motion? Seeing none, that motion carries.**

**The next motion was to remove from consideration limited entry for the coastal migratory pelagics charter/headboat permit at this time. On behalf of the committee, I so move.** Is there any discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion carries.**

There was a motion put forth to continue moving forward with development of limited entry in the snapper grouper charter/headboat permit, and this motion failed. That was the last motion on this amendment. Is there any further discussion on this amendment? Zack.

MR. BOWEN: Thank you, Madam Chair. **Since we have, as a council, have moved the electronic mandatory reporting requirement for the for-hire sector for secretarial review, and considering the presentation that we all were jaw-dropped about red snapper, considering the change in the MRIP and how they're going to gather data, I would like to make a motion that the council develop a scoping document with actions and alternatives to move forward with limited entry in the snapper grouper for-hire sector, the for-hire sector for snapper grouper permits.** I will be glad to give some more rationale if you would like, Madam Chair.

MS. BECKWITH: Go ahead.

MR. BOWEN: Well, I just -- This came out at the last meeting, and the negative comments that we received, they didn't -- If you don't put something on paper for people to read, and negative things start spinning from groups that I feel like have a financial interest in getting things stirred, the pot stirred, if you don't put anything on paper for them to read, that negativity is just going to gain more negativity.

The public, we owe the public and members of this council, something to put on paper, so they can see what we're trying to do or not do, and let's just come up with some options. I mean, guys, I've been in the for-hire business a long time. I would even go as far as saying we probably should contact the permit holders. I know there are 1,749 of them, but I guarantee you -- Well, we probably should contact them to see how they feel about it, but just to throw this limited entry out the window because people are scared or people don't want charter guys having a monetary benefit to their permit, we can make this amendment where there is no monetary benefit to owning a permit or selling it.

We can make this amendment where if somebody wants to give up their permit that it goes back to the Southeast Regional Office in another pool. I'm not doing this or don't want this, and I have read it in these press releases, for financial gain. I guarantee you that if this goes through that I'm not going to sell my permit or give my permit back to SERO. I'm going to use it. We have to identify the effort, we have to cap the effort, and if Amendment 43 doesn't tell you that, then I damned sure ain't going to be able to. I am just asking for something to be put on paper so that not only the public can read it, but every one of you can read it and every one of these people in the crowd can read it. We've got to have it. We've got to, and so there's my motion. Ben, I appreciate you seconding it, and I would greatly appreciate everybody giving it some consideration. Thank you.

MR. BROWN: I have lost a lot of sleep over this since Tuesday, and I've thought about it quite a bit, and I've had a lot of comments. A lot of people have engaged with me in discussion, and you know it's a difficult situation we're in. We've got a choke species that we're trying to manage that it's going to impact a lot of different fisheries, and taking this out to public scoping, we can do that and get some input back.

Once we do that, if we get down the road at any point and, if we need to or if we want to, we can stop work on this. We don't have to continue on down that path, and so we do need some feedback and get some engagement from the public, and we've gotten some comments and things that I don't feel like that there's enough information out there for people to really make a good remark back on what we're trying to do, because they just don't understand. They don't understand the complexity of what we're up against. I was going to make a substitute motion, but I think that I'm going to support Zack in this.

MR. PHILLIPS: I guess, as some of you know, I abstained from the first vote, because, like Mark, I was really torn, but you helped me make my decision, by default, because you made a comment about possibly doing some different regulations for traditional snapper boats versus day boats, and it would never, ever lead to a sector separation, which is part of the opposition that's voiced in this. They think it's definitely going to do that, and it does.

Because I don't think it will, I am willing to support this, and, again, red snapper is a mess, and that's an understatement, and so we need to let the public look at every option that they can look at, including this, on how we might move forward on fixing it, and so I'm willing to go to scoping. I'm not sure where I will go after that, but I am definitely willing to go to scoping, so the public can give me their input. Thank you.

MR. BREWER: A lot of the concerns that I had with regard to -- Not a lot of, but some of the concerns that I had have been somewhat alleviated from comments that were made by Dr. Crabtree and then information that we got on the headboat reporting. We got the additional information yesterday, but I am not -- While I'm willing to -- I think it would encourage talking about this as we go forward.

It seems, to me, that the only, or certainly the largest utility, that would come from this limited entry would be in controlling effort for red snapper. I mean, that's what it gets down to. Right now, red snapper is closed. Red snapper is going to be closed for the foreseeable future, and I just don't know whether we want to go through the bloodletting that is going to occur if this thing even goes out for scoping.

This is something that I know that the recreational community is vehemently opposed to. I also know that there are any number of charter/for-hire people that are vehemently opposed to this. If this passes, as I'm driving to the airport, I'm going to be getting phone calls, mostly from the Keys, and so I can't support it at this time, but I don't want to make the statement that it's something that it would be taken completely off the table. I just don't think we ought to put it on the table right now.

DR. DUVAL: When I made the comments that I did during committee, recommending not considering limited entry for the dolphin wahoo and coastal migratory pelagics permits, but being supportive of continuing the conversation with regard to snapper grouper, I think my concerns stem from a biological perspective. I think, once the new MRIP estimates come out, that might give some folks some pause, and I think continuing the conversation as a mechanism for trying to find the right tool to do what it is we would like to do, and the conversation that we had in September, and I think something that Mel said, weighed pretty heavily.

We've had a lot of conversation about this in North Carolina, and the priority for us is the electronic reporting and getting folks onboard reporting, and we're very sensitive to a lot of regulatory change at once, and that's one of the other reasons why my advice the other day was to postpone taking out to scoping, and not to not scope, but to postpone taking out to scoping until we could have some more conversation about this, and I think having folks reporting is the priority for North Carolina.

That said, I don't think there is any harm in continuing the conversation, because that's how we find out whether or not this is the tool that we want to use to accomplish what we need to accomplish. I do still have concerns, from a biological perspective, with snapper grouper. At some point, I think we're going to be running into that, maybe sooner rather than later. I do think that there are many ways to go about limited entry that could be brought into the conversation, that could be outlined, and, again, like Mark said, scoping is how we find out whether or not we're going to continue to move forward with something, and I think I don't have a problem with going out to scoping to get more information.

I would recommend holding off until the August hearings and not doing this at this time, because I don't think there's enough information in the document to do so, and so give ourselves a couple of extra meetings to do a little bit of brainstorming. I appreciate what Chester is saying. There is going to be a lot of opposition to even going out to scoping, but I think that's where you find out -- That's where you get the most helpful input to find out whether or not this is the tool that's going

to accomplish what you want to accomplish, and I really like Zack's idea of contacting the permit holders. I think that would be most informative.

DR. CRABTREE: Just a couple of points. I am going to support the motion. This certainly, I think, has enough rationale to justify giving it a more close look. Two things. One, the electronic reporting, we will have a great deal of difficulty putting teeth into the reporting requirements and the timeliness without limited entry. I have talked quite a bit with our permits staff about how all of these things will work, and everyone believes, without limited entry, it will be more difficult.

The second thing is to Chester's point about effort. Yes, red snapper is closed. That part is true, but it's not directed effort on red snapper that is the problem we have right now. It's the discards, and most of those discards are the result of people fishing for other snapper grouper species, and so it's kind of effort across the whole snapper grouper fishery that we need to get some controls over if we're going to be able to bring the discards down, and so I think this is a first step towards moving in that direction, and we're not making a final decision today, but there is certainly enough good reasons to do this to justify us taking a careful look at it and fully analyzing it and getting more public input, so that we can make a sound decision.

MR. HARTIG: I am not going to go into an extensive -- This is a big-picture item that I see, down the line, is going to be beneficial for us in managing our stocks, and I think it's a good start at this time, but I do agree that the timing, going out for public hearing in January, is not the time to do it, and, if it's tied to January, I would vote against it, in fact, because I believe it's much too much work for staff and we're not ready to go forward with a document now. In order to educate the public on why we're looking at this and why we want to move forward, that's going to have to be a well-thought-out process and document to go forward.

DR. PONWITH: Speaking strictly from a data collection standpoint and avoiding any management implications, it would indeed strengthen the ability to collect the electronic reports from the charter/for-hire when we're ready to go into that stage, and so there is an adjunct benefit of having those for that purpose.

MR. HAYMANS: With regard to reporting requirements and this being the teeth, I have talked to Monica on a couple of different occasions, and I'm going to officially ask for a presentation at an upcoming meeting for discussion of permit sanctions, because, the way I'm looking at permit sanctions, a violation of Section 307, which I assume is the section that allows us to create regulations, allows for the revoking of a permit, it allows for the suspension of a permit, and it allows for the denial of a permit. I don't know how much more teeth you can get than revoking, suspending, or denying a permit.

If the issue is that it's not being enforced or -- Well, I think that's probably the issue, and so I would ask for a presentation on permit sanctions, what has been done, what can be done, and what type of language needs to be included under a for-hire -- Well, the for-hire has already moved forward, but what kind of language is required to make sure that we've got teeth there.

From a bycatch standpoint, or from the red snapper alone, we're considering limited entry for a singular species when there is almost a sixty-species complex. The for-hire and charter industry makes up twelve-and-a-half percent of the bycatch, of the discards, over the last five years and 12 percent over the last ten years. To me, there is enough items within Amendment 43 that we're

going to be discussing to try to reduce discards that I don't know that it's worth the additional pain that this council is going to experience from the hundreds of thousands of recreational anglers who don't want it, and so, for those reasons, I am going to vote no to the amendment.

MR. BELL: My problem with moving forward with it, prior to this, is, one, I was struggling with I'm not sure we really had a clearly-defined problem that this particular tool was going to solve in a way that was explained to the public. Obviously, from what input we've seen, they don't seem to understand or don't seem to care, and Zack is correct in that there's a lot of misinformation flying around out there and a lot of assumptions about what's going to happen and what the underlying intent here is, and so I agree that it would be nice to be able to clear that up.

What also struck me between the last meeting and this meeting was sort of the -- I was underwhelmed by any sort of positive statements about this from the community, and I agree that it would be a really good idea to figure out what the established permit holders right now are thinking about it, but I didn't really hear a lot of support. I heard a lot of pushback, and a lot of that pushback wasn't even from the for-hire sector. It was from the private boat sector, which seemed a little strange, but then, based on the assumptions they were making, I think I understand that, but I am all for figuring out a little bit more about this tool, the applicability of this tool.

I definitely don't think January is the time to be pushing forward with this, but I think, if we move forward at any point in time, we've got to have a much clearer defined problem and how this tool is the solution, because the public doesn't seem to get it right now, and that's one of the things that just bothered me about even moving forward with this at all. Folks have mentioned this, but it's sort of like slapping the hornet's nest again. I was particularly sensitive to potential impacts on the for-hire reporting amendment and then the implementation of that.

Again, remember, from what we've discussed, there's got to be a lot of education and outreach and a lot of buy-in. It just seemed like a bad time to ask for that level of cooperation and, at the same time, then offering what's perceived, perhaps, as a negative for doing that, and so I still have some problems with how we move forward with this. I don't mind, down the line, looking at it again, but I have some problems right now, I think, in moving forward on it.

MS. BECKWITH: Okay. Now that everyone has had a chance to speak, I'm going to share some of my thoughts. I was concerned, when the original motion failed, that we weren't giving an opportunity to have the discussion that I think is an important discussion, and we probably need to flesh some of these ideas out. I understand that the council is torn and many of us are concerned about moving forward in any sort of formalized fashion, even if it's as simple as a scoping document, before we have the opportunity to have some of our concerns voiced in an informal fashion.

If this were not to have moved forward, my suggestion was going to be to set some time aside for a workshop-style discussion, because I think it is an important thing for us to consider. We probably do need to take the time to hash some of these ideas out, and maybe doing so in a fashion that does not have the pressure of a formalized scoping document moving to public hearings onward and onward would give us a chance to shake out some of these ideas, and I understand that that's part of what our scoping process is supposed to be, but, from the public's perspective, certainly when we formalize something in scoping or a public hearing document, the perception is that this is what we're moving forward with.

That was going to be my suggestion on how to move us forward if the desire to move forward in an official scoping document was not going to occur, because I think the discussions are worth having and good and need to be fleshed out in a way that is not so pressurized or politicized for us that we are at the tables sort of elbowing our positions and trying to defend points and make sure that some stuff gets in or doesn't get in.

I think it would be worthy of having a non-stress, open discussion on our concerns. We have acknowledged the benefits, and so I think we probably need to be able to flesh out some of our concerns, and so those are just a few of my thoughts. Is there any further discussion on this motion?

MS. SMIT-BRUNELLO: I just have a question for Gregg. Gregg, please tell me, and does the council have like two periods per year in which they do scoping? There is one in January or whatever and then there's one also in the summer? Is it in August or something like that?

MR. WAUGH: That's correct. In general, we do one round of public hearings and scoping in the January/February time period and then the August time period. It doesn't preclude us from doing public hearings and scoping at other times, but you run into cost issues there. In addition, we view that Wednesday session at each council meeting as a way for people in that area to have input. Then, of course, there are webinars that we do and can do.

MS. SMIT-BRUNELLO: Yes, and I just asked because I didn't see a time -- People were talking about January scoping, but I didn't see a time period, necessarily, tied on this motion.

DR. DUVAL: I would recommend not having a time period tied to this motion, quite frankly, because I think Anna has made some great points as well. Having the conversation, continuing the conversation, is very important, and so I would not vote for this motion if there was a time period tied to it, because I think we can make a decision at the June council meeting of if we would like to take the document to scoping. If we feel it's not ready, we can make a decision in September of if perhaps we want to take it forward to January scoping, and so I don't support tying a time period to this motion.

MS. BECKWITH: Zack, only if it's to that point.

MR. BOWEN: It is exactly to that point. Thank you, Madam Chair. I intentionally left a time off of this motion. I just want something on paper so we and the public can read the damned thing, that's all. That's it. Thank you.

MR. GRINER: **I would like to make a substitute motion that we move forward with an informal workshop, in lieu of taking this out to a scoping document.**

MS. BECKWITH: Could you repeat that?

MR. GRINER: I would like to make a substitute motion that we move forward with a workshop style, in lieu of taking this out for a scoping document.

MS. BECKWITH: Was that a second, Chester?

MR. BREWER: It was.

MS. BECKWITH: So then the intent of this motion would be to have an open discussion not tied to a formal scoping document, but to allow the discussion to continue where we could discuss the benefits and some council concerns and maybe frame the scoping document as a next step.

MR. BROWN: Since we've had this discussion about not wanting to go to any kind of scoping immediately, I'm going to make a second substitute motion. **I would like to make a second substitute motion to direct staff to prepare a white paper examining the use of limited entry in the for-hire snapper grouper fishery, and the intent is for the council to explore this tool with no commitment to move forward. This will give the council the opportunity to address the concerns raised by the public about limited entry while exploring how this tool could be used in the snapper grouper for-hire fishery. The council will review this white paper at meetings in 2017 with the staff and have the document ready for the consideration.**

MS. BECKWITH: **Would you maybe consider adding that the white paper could be discussed in a workshop-style setting?**

MR. BROWN: **Perfect. That would work.**

MS. BECKWITH: Okay. Then we would use the white paper as our base to begin discussion during a workshop. Is there a second to that motion? Second by Mel.

DR. CRABTREE: Can you expand a little on what you mean by a workshop setting? This means we would have a meeting separate from our next council meeting to talk about this or --

MS. BECKWITH: Maybe one of our Monday morning pow-wows?

DR. CRABTREE: How is that different than discussing it at the council like we always do, other than it would be Monday morning and I would very likely miss it, but I don't know what that's getting us. Why don't we want to talk about this at the council through normal procedures and processes?

MR. BROWN: I agree with that, Roy. I think we should, but I think that developing this white paper and being able to discuss it a little bit further with these considerations to examine this a little bit closer and to answer some of the public's concerns would help us in moving this forward to scoping.

DR. DUVAL: I just want to understand that a workshop setting means that we are sitting here around the table. When I think back to visioning and our visioning workshops, we all sat here around the table and discussed what items we wanted to take out for the vision blueprint with regard to port meetings and things of that nature.

The way that those workshops worked, it was all public and all on the record. I think the one difference was that we didn't make motions. We just discussed things and tried to operate by consensus, and so I just want to be clear about what you mean by a workshop, because it might be -- I think setting aside some dedicated time on the agenda to discuss this topic, we can certainly do that.

MS. BECKWITH: Yes, and I think that would be helpful, and you're exactly right with the idea of the workshop. We didn't do motions. We were able to have a discussion to raise concerns, to have that discussion without the pressure of necessarily one idea or some ideas moving forward. I think the intent is to be able to air the concerns of folks associated with limited entry in a sort of non-pressurized atmosphere, and it doesn't matter if it's Monday morning or during the council meeting, but I think it might be helpful to allow folks to be able to express their concerns without having to discuss and defend motions.

MR. BROWN: I don't think we have to have that workshop setting. I think we can talk about this one way or the other at the next council meeting, but we just need the white paper so we've got something to work off of and to discuss, and then we would still have time to go ahead and move this forward to scoping in August.

MR. PHILLIPS: It's getting difficult to keep up the method to the madness here, but, from what I'm hearing around the table, there is a lot of people that would kind of like to go to scoping and hear the public. There is people that are not really ready for January, and so maybe if Zack was to amend the original motion to our next set, which is I guess August, that would alleviate some of that, and then we could do the same with -- We could get our white paper and then we could have our time to talk. We would have the March meeting and the June meeting to get input from the public at our council meetings, and, if we want to change anything when we go out, when we do go out to scoping, we could change that in June, I suppose, and fine-tune it.

I'm thinking that may be a practical way that would alleviate a lot of the concerns, and maybe that -- Because we've got a lot of paths, but they're kind of going the same way, but they're tangling up a little bit, and it might just be simpler to just say we want to do scoping in August and we're going to either look at the white paper or whatever in between and run the rabbit that way.

MR. CONKLIN: Haven't we already developed a white paper and looked at exploring this, or are we just wanting to develop it more? Then I wanted to make sure that Tim's intent was to have a workshop amongst council members, because the motion is to not go to scoping, which is where you get your public input. The way I took what you meant by a workshop was to have a workshop with stakeholders. That's what I thought, but, instead of scoping, we have a workshop amongst ourselves, and I don't know if that's what Tim meant, and can I ask?

MR. GRINER: Yes, among ourselves, Chris. I think we did hear from the public, and it was pretty overwhelming against moving forward, and so I think the timing is such that the workshop, much like Michelle described with the visioning workshop, is very beneficial, because it is a little bit more informal, and I think having that white paper and moving forward with a little bit more discussion will help us eventually get it to scoping.

MR. BROWN: I just feel like we don't need to have a workshop, because we all know the ins and outs of what this is going to do, or I feel like I do at least, and there is constant conversation away from the table all the time about it, and so we're having ongoing workshops.

MS. BECKWITH: I think we have expressed some benefits to limited entry, and folks have some reservations, and I think we have heard some from the public. I think the piece that's been missing, at least for me personally, is an opportunity to voice my specific concerns on how I would see this



working and be able to have those discussions in an open fashion without necessarily having to move a formal document forward in any fashion. If you can give us one session to talk through some of our specific concerns, I think that would be helpful, in the long run.

MR. BELL: Part of what I wanted to do was what Chris did, which was see what Tim actually meant by a workshop, and I think part of the problem is, if we stick with the scoping direction at this point, that's just part of the official process as far as the public sees it, and so it's just sort of getting on the highway, and maybe that's sort of the entrance ramp or whatever, and Chester is right. His phone is going to blow up, and, by the time we get to January or wherever, I don't think we're going to hear anything different.

I think what's going to happen is they're just going to intensify what we're hearing right now, but I would love for us to be able to have some rational discussion, if we're going to call it a workshop setting, informal, of pros and cons and the white paper, again, being a -- Again, that's something for staff to have to deal with, but maybe perhaps kind of directing our discussion on that and trying to cover the points that we really need to make sure we're clear on.

Again, I think I am not 100 percent certain of, again, what the problem is that this tool is going to fix and is this tool the best tool to apply at this time, and so I think some -- If we want to call it a workshop, that's fine, but I would love for us to be able to have an informed discussion amongst ourselves, in a more informal setting, before we kind of move down the road. I think sticking to the scoping right now is just going to be perceived as we're just rocking on as before and we're just going to hear the same stuff.

DR. LANEY: I am always in favor of having the information in front of you to make an informed decision, and I think having the staff put together a white paper is a great way to go. I also think it would be good to survey the 1,749 permit holders, as Zack suggested. However, I would think that you would want to, before you survey them, have that white paper in hand and have had the benefit of some council discussion, to see what sort of provisions that you would want to put into any sort of limited-entry program that you would then put before the stakeholders, because several people have noted that you can design limited-entry programs to avoid some of the issues that have arisen with some of those programs in other parts of the country, and so I would think that would probably be a part of the issues that the staff would address if they put together the white paper, is what sort of issues have arisen with these programs in other parts of the country. You could also put that in the context of the negative feedback that has come from the stakeholders as well in trying to address some of that negative feedback during the course of preparing the white paper, I think.

MR. BROWN: **I didn't want the workshop setting in my second substitute motion.** Gregg, voting members have expressed a concern over taking this out to public scoping too quickly, and so my intent was to add to some discussion with a white paper, and I know we've already had one developed and we've already looked at one, but there is other concerns that have come up since then, and so, since there is members, voting members, that are tied to this not wanting to have scoping too soon and that we have this other opportunity during the summer to do that, what I wanted to do is I wanted to have staff build on something that we've been discussing and present a white paper at our March meeting that we can discuss during the meeting, not in a workshop, but during the meeting, and then, after we've gone through some more discussion to try to resolve some of the public's concerns, then move forward from that point.

MR. WAUGH: I think you were asking sort of is that doable?

MR. BROWN: Yes, that's correct.

MR. WAUGH: Yes, because I think what you have now is a very basic document, and it has certainly identified some issues that the public has concern with and you council members have concern with, and we would need some time to address those concerns. You all need some time to work with that, to see how you could address those concerns.

To me, we definitely couldn't have anything ready to go out at this upcoming January/February timeframe. I think you all need time to better define what you're looking at, so that then the public has a more accurate idea, so they can respond. Quite honestly, I think that could easily take the March and June meetings working on that, and I think it would be in our collective best interest not to go out to any sort of public opportunity for input, whether it's an informal workshop or a scoping meeting, before you all have had a chance to work on this white paper, so that we know exactly what you all are thinking about.

MR. BOWEN: Call the question.

MS. BECKWITH: I think that requires a second and a vote. Does anybody want to second Zack's desire to call the question? No? Okay. So, Zack, was that your point that you wanted to bring up, or do you want to speak to something else?

MR. BOWEN: That was my point. I'm good.

MR. HARTIG: Everything Mark described, we can do through the council process. This puts a very confusing, and I was as confused as Chris was when this was done, and so the motion to develop a scoping document to move forward with limited entry for the for-hire sector in the snapper grouper fishery -- The substitute motion, you have -- What is the workshop? It has to be defined. Is it a council workshop? Then you included instead of scoping, and so, if I'm the public and I'm thinking instead of scoping, instead of having a scoping process, I'm going to be able to attend this workshop and have input at the council workshop, because scoping is a process that involves the public and where you get input from them.

This is very confusing. We can do this through our process that we have. The timing, it has been said a number of times that we're not going to go forward until we have the white paper that Mark wants and until we have extensive discussions going forward and that we make sure we have a full document for the public to consider, and so I don't see any of these substitute motions outside the council process. The council process can take care of everything you guys want to do.

MS. BECKWITH: Something else to consider, to Ben's point, is whoever chairs this, which will be Michelle, under the Snapper Grouper Committee, I'm assuming you can, at the beginning of the discussion, simply say that we will not be taking any motions under this discussion and this discussion will be framed as a casual conversation, and, if you are willing to sort of move a white paper discussion in that fashion, I think it would alleviate some of the -- It would accomplish the same task, goal, of having an informal discussion where everyone can voice their concerns, without having to be defending or arguing against specific motions.

DR. DUVAL: Along those same lines, my suggestion was going to be this is a snapper-grouper-specific item. We would have set aside a significant amount of time during the Snapper Grouper Committee to have this discussion. I am more than happy to operate the way we did when we were talking about visioning, where, if folks want to operate by consensus, understanding that we're going to have to operate by consensus, in terms of providing input to staff for what types of analyses or options within the broader framework of limited entry we would want to see, and it seems, to me, the hang-up here with the different motions is the inclusion of verbiage of a scoping document.

As Ben has outlined, there is a process. We start with a white paper or an options paper, and Gregg is right. What we have in front of us is very basic. It doesn't outline any particular type of framework under which you might decide to utilize limited entry, and so we would need to provide additional input to staff, and that is going to take a couple of meetings. **I am looking at the substitute motion to direct staff to develop a white paper to explore limited entry options in the for-hire sector in snapper grouper, and I don't -- I'm am not sure that "to be discussed instead of scoping", but you could say "prior to scoping". That's all part of the process.**

I understand the hang-up that folks are having with Zack's original motion. I think it's the "develop scoping document with options to move forward". I think, when the public sees that, someone would automatically assume that the council has already pre-decided to move forward with limited entry. That seems to be the hang-up. I think if we could all get onboard with having focused time during the next couple of committee meetings at Snapper Grouper to discuss this and flesh out a white paper, that would inform whether or not we would make a decision to move forward with scoping. We can do that.

Procedurally, if this second substitute motion were to pass, it would then become the main motion. We would vote on it again, and the previous two motions would go away. I just want folks to understand that.

MR. CONKLIN: If we develop a white paper and go down this road, either way, the public perception is going to be that we are moving forward with this, and so that's what I've been thinking about for a while over here. Either we are or we're not, and whether we take it to scoping or we develop options to learn some more about it, we're still moving forward with the idea.

MS. BECKWITH: Yes and no, Chris. I mean, at least to me, I haven't decided how I feel about this yet, because I haven't had a chance to be able to flesh stuff out. Scoping says we're sort of there, and white paper say we're still thinking about it, and so I don't know that it's the same.

MR. BREWER: Chris, I disagree with you, respectfully.

MR. CONKLIN: Like I said, it's public perception.

MR. BREWER: It is public perception, and that's a lot of what the concern is, because I will tell you that, with regard to the guys that are in the recreational communities and whatnot, the perception that is out there is, once a council starts doing something, it's really hard to stop. It's not like the legislature. The ball kind of gets rolling and some work gets put into it, and you don't want to waste the work that's been put into it, and it's really hard to stop.

With what Michelle has been describing, I don't think you have that same sort of perception, because the council was already looking at limited entry. That's been around now for a couple or three meetings, and this is not, quote, going out to scoping. This is now taking a look at limited entry in one of three different groups of species. The perception is not going to be anywhere near as bad, and I am not as worried, quite frankly, about the crap I'm going to catch if we're just talking about snapper grouper and we're just looking at it as a white paper for discussion and it's not yet going out to scoping. I feel a lot better.

MR. BOWEN: Chester, with all due respect, sir, this is more than just about you and the crap that you're going to have to catch. I'm tired of hearing it. What you've heard from are recreational anglers down in South Florida that are not in the for-hire sector and that don't go out there on the ocean and make their living. They do it to get gasoline to catch a dolphin. It's two different sectors and it's two different situations.

For every hundred emails that you receive, so you say, opposing it, I get twenty phone calls from guys around my area that have a for-hire permit that want it. This is more about the fishery and capping effort than it is you getting emails or phone calls. That's what you signed up for when you raised your hand to be a part of this council, and it's what I signed up for.

MR. BREWER: It ain't just South Florida. It's the head of NACO, the largest charter boat operator organization in the country. It's not just the boys down in South Florida, I promise you.

MS. BECKWITH: All right. I'm all done with this. Let's start moving forward. My understanding of our intent, and Michelle can correct me if I'm wrong, is, if this substitute motion passes, it will become the main motion. The intent of this would be to bring back to us in March whatever information can be provided, which is not much, outside of what we already have in our paper, but it would give us an opportunity, under Michelle's chairmanship of the Snapper Grouper Committee, to have some time set aside to have discussions, similar to our workshop-style visioning discussions, where we operated under consensus, and we can start to flesh some of our concerns out, some of our ideas, and is that what the council's understanding of this is right now? I am seeing Michelle nod.

This is how we would operate under this substitute motion, if it were to move forward. We would get some information. There is not a whole lot that they're going to be able to provide to us, more than what we have, but we could set aside some time to have non-motion-driven discussions at the next meeting.

MR. PHILLIPS: Just a point of clarification. At this meeting, are we going to flesh out what we're going to send to the limited entry permit holders so we can get their feedback? That's going to be part of our discussion?

MS. BECKWITH: That certainly could be, but I think part of the discussion probably is that we need to all just have a discussion on what our concerns are, and that would be the -- I think if we can get past what some of our concerns are and lay them out on the table, the next step will present itself before us, and so that's what we're voting on. The substitute motion is to direct staff to develop a white paper to explore limited-entry options for the for-hire sector in snapper grouper to be discussed. That's the second substitute motion. All those in favor of this --

DR. DUVAL: Just a point of order. What you read, you left off the last three words, which says “instead of scoping”. I think, if the motion maker and seconder want that, deleting those last three words “instead of scoping”, it seems to me that might be the clearest thing to do, to delete those three words.

I just want to remind everybody that we need a motion to take something out to scoping, and so, even with Zack’s initial motion, you would need a motion, at some point, to take any document out to scoping, and so there are multiple decision points in the process that we have before us here. Thank you.

MR. BROWN: Can we add something on the end of it that would say like “to be discussed to take out to scoping” or to just discuss it?

DR. DUVAL: Mark, I think if you just say -- We always discuss everything ad nauseum before we take it out to scoping, and then we discuss it a little bit more, and so I think “to be discussed”, I think we will get plenty of input no matter what and can make a decision, as we have discussed here today, with regard to timing for taking something out to scoping, if the council chooses to do so. Is that okay?

MR. BROWN: Thank you for that direction, Madam Chair.

MS. BECKWITH: Okay. Those three words are deleted, with the consensus of the council. Okay. All right. **All those in favor of this motion, please raise your hands, nine. The motion passes with nine in favor. Any opposed, for the record? Three opposed.** This becomes the main motion. Now it’s the main motion. All those in favor of this --

MS. MCCAWLEY: I would like to see a roll call vote.

MS. BECKWITH: Yes, ma’am. The main motion is direct staff to develop a white paper to explore limited entry options for the for-hire sector in snapper grouper to be discussed.

MR. WAUGH: Mr. Hartig.

MR. HARTIG: Yes.

MR. WAUGH: Mr. Phillips.

MR. PHILLIPS: Yes.

MR. WAUGH: Ms. Beckwith.

MS. BECKWITH: Abstain.

MR. WAUGH: Mr. Bell.

MR. BELL: Yes.

MR. WAUGH: Mr. Bowen.

MR. BOWEN: Yes, sir.

MR. WAUGH: Mr. Brewer.

MR. BREWER: No.

MR. WAUGH: Mr. Brown.

MR. BROWN: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: I support.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Mr. Haymans.

MR. HAYMANS: No.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: No.

MR. WAUGH: Dr. Duval.

DR. DUVAL: Yes.

MR. WAUGH: **The motion carries with three no and one abstention.**

MS. BECKWITH: Okay. All right. Moving on. We had some direction to staff, which I will not read, but it's there for your reference in the committee report. Then we finally had one timing and tasks motion, which I believe has not been revised by any of our decisions, except maybe the white paper.

MR. HADLEY: I think this middle part we should at least change, maybe remove and reword it.

MS. BECKWITH: Right, and so we would -- Will our timing and task maker make the --

MS. MCCAWLEY: The first bullet needs to be modified also, because we just passed a motion to take the yellowtail snapper out separately to the January hearings. That says that neither one of those is going back, and I believe that Chairman Duval talked about bringing yellowtail back in June instead of March if the economic analysis wasn't ready, and so that would also need to be edited as well.

MS. BECKWITH: We will let John catch up.

MR. WAUGH: A question for the last bullet about the corrected landings from Florida. I think we resolved that issue, and so that perhaps doesn't need to be there as well.

MS. MCCAWLEY: I agree.

MR. HADLEY: Before I move on to the yellowtail issue, does that look feasible?

MS. MCCAWLEY: I thought dolphin was coming back in March, and so I think that the only thing that needs to change on that first bullet is to put "March" there instead of "June". The June is only associated with the yellowtail document.

DR. DUVAL: I think in that bullet, with regard to yellowtail, I think it needs to indicate that we would be preparing that document for public hearing in January, as modified, and then bring back to the council in March and June for final consideration.

MR. HADLEY: I will add a little bit more on the economic analysis. What will be ready, certainly by March, is more of a qualitative analysis. The quantitative part is what's going to take a while, and that's going to take an effort on my part, working with SERO and Science Center staff, and so that's going to take a while, and so that would be the delay on that side.

DR. DUVAL: While John is getting that ready, because this is the timing and tasks motion under the mega joint committee, Anna, I am going to ask if you would get ready to do the HMS Committee report, since I know you have to leave and John is already up here, and that would make things a little bit easier. Are there folks who still need to check out? Let's get this timing and tasks motion done and then we'll take a quick break. Then we'll come back and do HMS, but hold your seats for just a little bit.

MS. MCCAWLEY: The last bullet needs to be deleted.

MR. HAYMANS: **I move that we accept the timing and tasks motion as revised.**

MS. BECKWITH: Do we have a second? Second by Mel. Any discussion? **Any opposition? Seeing none, this motion carries.** That concludes my report. Thank you, ma'am.

DR. DUVAL: Thank you, Anna. Let's go ahead and take about a fifteen-minute break, so that folks can get checked out, and then we will reconvene and pick up with the HMS Committee Report.

(Whereupon, a recess was taken.)

DR. DUVAL: Let's move forward. Some folks need to get out of here by 11:30, and so let's get everybody back to the table. We are going to shift the committee reports around a little bit, because Anna has to leave and because John was already up here. We're going to move into the HMS Committee Report. Then, because Chester needs to leave, on deck is the AP Selection Committee Report. Go ahead, Chairman Beckwith.

MS. BECKWITH: Thank you. The Highly Migratory Species Committee met in Atlantic Beach on December 8. Following approval of the agenda and minutes from the September 2016 meeting, the Highly Migratory Species Committee completed the following activities. We received a presentation on Draft Amendment 5b to the 2006 Consolidated Atlantic HMS FMP, specifically on dusky sharks.

We approved the following motion. **The motion is to send a letter to HMS stating comments for 5b. On behalf of the committee, I so move.** Is there any discussion on this motion? **Is there any opposition? Seeing none, that motion is approved.**

We had two items under Other Business. The council staff brought to the attention of the committee a letter received from the Southeastern Fisheries Association asking the committee to request information on the number of vessels possessing a commercial HMS general category permit, but not certified as compliant by the U.S. Coast Guard for the safety requirements of a commercial fishing vessel. It was decided that further research into the potential issue was desired.

The second item under Other Business was Gregg Waugh, Executive Director of the South Atlantic Fishery Management Council, presented to the committee on a proposed China-Bahamas Agricultural and Fisheries Initiative. Additionally, Mr. Waugh reviewed a letter to be sent on behalf of the council to Prime Minister Christie expressing gratitude for not further considering the initiative and outlining fisheries that the council would be concerned about should the initiative have moved forward.

At the time, we had some discussion on if we should send this letter directly or if we should send it to the State Department. Since that time, I have received confirmation from our council representative on the State Department that it would be fine, preferred in fact, to have it go directly from the council, since it reflects the views of the council itself. They did request to receive a copy of the final letter as sent, which they would share with the embassy on our behalf, and so, with that alteration within the direction to staff, our only final motion necessary would be our timing and tasks motion, where we would have to clarify the third bullet point, that we would be sending this letter directly to the Bahamas and providing a copy of the final to the State Department.

MR. HAYMANS: **Madam Chair, I would move that we approve the timing and tasks, as revised.**

MS. BECKWITH: Do I have a second? Okay. Is there any further discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion passes.** That concludes my report.

DR. DUVAL: Thank you, Madam Chair. I have just one quick item under Other Business, and this is not for discussion, but it's just for mention. I have received a lot of input, as has Anna and other folks in North Carolina, with regard the closure of the bluefin tuna general category. There's



been a lot of angst about that, because the quota has been caught up. The December sub-quota was shifted into January this year. This is the first year that the HMS Division has had the ability to do that since the passage of Amendment 7, and, unfortunately, that closure happened prior to folks in this part of North Carolina being able to access that resource.

I just wanted to let folks know that we have reached out to HMS staff and are working with them to try to see what kind of solution can be developed for next year, such that that type of closure would not happen again, and so I just wanted to make sure that I mentioned that on the record. Thank you.

MS. BECKWITH: That concludes my report, Madam Chair.

DR. DUVAL: Thank you. All right. Then we will let Kim get up here and we will do the AP Selection Committee Report.

MR. BOWEN: Before Anna leaves and the other members leave, I would just like to say this council is awesome. We can sit here and we can have heated debates and discussions. Then we can go to break and get our coffee and we can sit there like civilized people, and I just want to thank all -- I know I get heated, and my emotion comes out, and others around the table as well, but it's nice to be a part of a body that can have those discussions and then walk away from this table and communicate like civilized people and us all still get along, and so I thank everyone.

DR. DUVAL: Some nice Christmas cheer, although my preference would be that you all be civilized with one another around the table as well as outside of the table. Thank you very much. Now Chairman Brewer.

MR. BREWER: Thank you, Madam Chair. The Advisory Panel Selection Committee met on December 5, 2016. The committee met in closed session to review applications for seats on the SEDAR Pool relative to upcoming stock assessments for blueline tilefish and black grouper and provided recommendations for appointments to the council.

We then had a very good discussion. Our new doctor was the one that had put together essentially an options paper. The committee met in open session to review options for a System Management Plan Advisory Panel/Workgroup, as outlined in the options paper. The committee discussed options and expressed concerns about the costs associated with creating a new advisory panel, considering budget limitations for 2017, the effectiveness of having a large advisory panel/workgroup, and best approaches.

The committee generally agreed that additional consideration should be given to the structure and membership of an advisory body for the System Management Plan and that a workgroup or sub-regional approach, i.e., Carolina and Georgia separate from Florida, for advisory panels be considered. The committee deferred additional discussion to the Executive Finance Committee. In other words, have we got the money to do this?

We did however have one motion that was approved, and this will be our only action item. **The motion is that we appoint Yuri Vakselis and Lee Lavery to the SEDAR Pool.** I should say that that motion was -- At the time of the committee meeting, they had not as yet been approved by law enforcement, but they have now been cleared, and so they are good to go. That being said,

on behalf of the committee, **I move that we appoint Yuri Vakselis and Lee Lavery to the SEDAR Pool.** Is there any discussion? **Seeing none, is there any opposition? Seeing none, that motion is approved.**

We had some housekeeping stuff that went on, but we really don't need to get into that, and, with that, Madam Chair -- Well, I will say that we did remove Nikolai Klibansky from the SEDAR Pool, as he is now a NOAA Fisheries employee. Madam Chair, that concludes my report.

DR. DUVAL: Thank you very much, Chairman Brewer. The next report is going to be Information and Education and Chairman Brown.

MR. BROWN: The Information & Education Committee met December 6. Scott Baker, Chair of the Information & Education Advisory Panel, briefed the committee on discussions and recommendations from the November 2016 meeting. Some of the items that were discussed was the communications survey by the South Atlantic Fishery Management Council and Snapper Grouper Amendment 43, with the recreational reporting, and managed areas outreach. They discussed some more on the SMZs and the other things and then also the mobile apps for each area and the snapper grouper vision blueprint for 2016 to 2020, with the outreach activities.

The committee discussed the recommendations of the AP and expressed support for the development of the online fishermen's forum and working with citizen science champions to help further the council's efforts to initiate a citizen science program. The council also provided the link to the FL FWC YouTube channel, to be used as an example of the types of short video clips the council may want to produce for outreach tools.

Overview of the SAFMC Website Upgrade, Amber gave a presentation on the new SAFMC website and highlighted the new public comment and amendments under development pages. The committee provided the following guidance on amendment pages and the process section that outlines the dates for each step in the amendment development process. For the spreadsheet that compiles public comments from the online comment form, look into ways to format the columns to make the spreadsheet more readable. Council members were asked to notify staff of any broken links or other issues they may discover on the new website. I would also like to commend Amber and the staff for the development of the website, because it's definitely a much better tool than what we had before. That concludes my report.

DR. DUVAL: Thank you very much, Mark. Nice and efficient. The next committee report is Protected Resources. We will let Chip get up here and turn it over to Dr. Laney.

DR. LANEY: Thank you, Madam Chairman. The Protected Resources Committee met on December 5 here in Atlantic Beach, North Carolina. We received updates from Jennifer Lee with the National Marine Fisheries Service Protected Resources Division and myself from the U.S. Fish and Wildlife Service.

The NMFS updates and agenda items included the Draft Environmental Impact Statement and proposed rule to require turtle excluder devices in skimmer trawls. Also, we heard about the annual determination for sea turtle observers. We heard about the Section 7 consultation for several fishery management plans in the South Atlantic Region, due to the newly-listed green sea turtle North Atlantic and South Atlantic distinct population segments and Nassau grouper. Jennifer

noted that the spiny lobster trap/pot fishery was listed as a Category III fishery in the Marine Mammal Protection Act List of Fisheries, due to potential interactions with bottlenose dolphins, and a proposed rule is also under development through the Pelagic Longline Take Reduction Plan.

Jenny also gave us an update on the Snapper Grouper Fishery Management Plan Biological Opinion. The bottom line there is that the biological opinion did not identify the proposed changes to the black sea bass pot fishery in Regulatory Amendment 16 as causing jeopardy to the North Atlantic right whales. The biological opinion also looked at additional measures to reduce lethal takes or interactions with Nassau grouper in the hook-and-line fishery.

The committee discussed a representative that was needed to the Large Whale Take Reduction Plan, and Charlie Philips was nominated as the representative for the Large Whale Take Reduction Team. We will deal with that in a minute.

The Atlantic Sturgeon Update on the benchmark assessment was provided by Max Appelman and Bob Beal of the ASMFC, and I read that into the record, and the details are in our report. The bottom line there is the assessment is moving along smoothly and is on schedule for review in late 2017, and I think I did state one thing wrongly, which was that Dr. Jared Flowers was still employed by the North Carolina Division of Marine Fisheries, and I was advised last evening that he has actually moved to the National Marine Fisheries Service in Beaufort, but I understand that Jared will continue to work on that Atlantic sturgeon stock assessment, and so I wanted to correct that.

With regard to the red knot critical habitat, there has been no change, as far as I am aware of. That critical habitat is still currently scheduled to be completed in 2017. **Madam Chairman, I believe we need a motion to nominate Charlie Philips to the Large Whale Take Reduction Team, and I believe my Vice Chair, Ms. McCawley, is prepared to make that motion.**

MS. MCCAWLEY: Yes, sir. **The committee made a motion to nominate Charlie Phillips to the Large Whale Take Reduction Team, and, on behalf of the committee, I so move. Is there any discussion of this motion? Any objection to this motion? Seeing none, that motion stands approved.**

DR. LANEY: Thank you, Ms. McCawley. There were no directions to staff, Madam Chairman, and so that completes the Protected Resources Committee report.

DR. DUVAL: Thank you very much, Dr. Laney. Next up is the SSC Selection Committee Report.

MR. PHILLIPS: Just as a point of clarification, because my Dutch name pronunciation is not real good, being from south Georgia, I did talk to the Chair and get him to try to help me pronounce it properly. He said, if I had problems, that I could just use his South Charleston street name of Bro Marcel, but I am going to struggle through with the Dutch.

The SSC Selection Committee discussed policies related to the SSC member eligibility, public comment and workgroups. SSC chair Dr. Marcel Reichert presented the recommendations from the SSC meeting of October 2016. A proposed clarification to the SSC eligibility criteria was considered to specify that independent experts considered for the SSC should not be employed by advocacy or interest groups. It was noted that advocacy or interest groups language, as used here,

is not all inclusive and refers to those groups that advocate or present positions before the council. Clarification was provided that this provision does not apply to academicians, as listed elsewhere in the eligibility statement.

The committee supported the proposed SSC workgroup process. It was clarified that the suggestion for such groups to meet in conjunction with SSC meetings did not intend for such meetings to occur during the scheduled SSC meeting time.

The committee reviewed the recent changes in the SSC public comment policies and considered the SSC perspective provided by SSC Chair Dr. Marcel Reichert. Guidance was provided to take public comment at future SSC meetings at the start of each meeting and during discussion of each agenda topic.

**Motion 1 is to modify the existing SSC eligibility wording as follows: Members appointed by the councils to the Scientific and Statistical Committees shall be federal employees, state employees, academicians, or independent experts who are not employed by nor receive any compensation from advocacy or interest groups, and shall have strong scientific or technical credentials and experience. On the part of the committee, I so move. Is there any discussion?**

DR. DUVAL: I don't think it's the Dutch you're having problems with, Charlie. I think it's the English, but --

MR. PHILLIPS: Details, details. You all are my favorite. Of all my councils, you're my favorite. Any opposition? **Seeing no opposition, the motion passes.**

**Motion Number 2 is move to recommend adoption of the SSC workgroup process as an addition to the SSC guidelines. Any discussion? Any opposition? Seeing none, the motion passes.** I give up, Madam Chair.

DR. DUVAL: Thank you, Charlie. You had some challenges there. Next up is the SEDAR Committee Report. The SEDAR Committee met on December 6, and we made appointments for SEDAR 50 for blueline tilefish, SEDAR 48 for black grouper, and SEDAR 56 for black sea bass during closed session.

We reviewed terms of Reference and schedules for SEDAR 48 and SEDAR 56. We approved the modifications to SEDAR 48 that the Gulf Council provided. During the consideration of the SEDAR 56 terms of reference, we advised that future terms of reference, particularly those for update assessments, specify the model configuration changes that are necessary to bring the assessment model package up to date, and so we modified those terms of reference.

We were updated on further development to resolve stock ID for SEDAR 50, blueline tilefish. We discussed the recommendations coming out of the Stock ID workgroup the joint SSC review panel, and council and NMFS leadership representatives. The committee recommended that the SEDAR Steering Committee further discuss the process for defining unit stocks and to clearly define the role of the science and management groups, and so we recommended additional discussion of that stock definition for the council session, and I think we'll get to that, but I will just get through the rest of the committee report, and we will get into that when we get to the motions.

Some of the other updates we had were stock unit recommendations for Gulf of Mexico gray snapper, to include all of Monroe County, and MRIP effort survey changes, and the assessment schedule. We also received an update on the stock assessment prioritization tool, and we were provided clarification that the tool is an additional source of information for the council to consider when establishing priorities, but that it does not, in and of itself, establish the council's priorities.

The committee requested that at the next meeting we have a little bit of time to review the prioritization tool ourselves and the scores and requested that the SSC comment on the long-term assessment planning discussion topics at its next meeting, and so we had several motions.

**The motion was move to approve to Lee Lavery to the SEDAR 50 data panel. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to appoint Luiz Barbieri and Rob Ahrens to the SEDAR 50 assessment panel. On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to appoint Anne Lange, George Sedberry, Jeff Buckel, Jimmy Hull, Beverly Sauls, and Joey Ballenger to the SEDAR 56 panel. On behalf of the committee, I so move. Any discussion? Any objection? Seeing none, that motion stands approved.**

**The next motion was move to appoint Yuri Vakselis, Daniel Zier (pending appointment to the SEDAR pool), Carolyn Belcher and Robert Ahrens to the SEDAR 48 data panel. On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to appoint Robert Ahrens, Marcel Reichert, Eric Johnson and Alexi Sharov to the SEDAR 48 assessment panel. On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to appoint Fred Serchuk and Amy Schueller to the SEDAR 48 review panel. On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to approve the schedule for SEDAR 48. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to approve the SEDAR 48, black grouper, terms of reference as modified by the Gulf Council. On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to approve the SEDAR 56, Black Sea Bass, project schedule. On behalf of the committee, I so move. Any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was to modify the second bullet of SEDAR 56 Term of Reference 2 to read: Incorporate the latest BAM model configurations, and detail the changes made, and impacts of those changes, between the SEDAR 25 model and the proposed SEDAR 56 model. On behalf of the committee, I so move.** Any discussion? I would just clarify for the committee that this particular term of reference is different from Term of Reference, I believe it is, Number 3, in that these are individual changes to data treatments and to the model and what each of those individual changes, how it might have changed or impacted the model, what the impacts of each of those individual changes were, rather just sort of a sum total of changes, and so I just wanted to clarify that for the record. Any other discussion? **Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to approve the SEDAR 56, black sea bass, terms of reference as modified. On behalf of the committee, I so move.** Any discussion? **Any opposition? Seeing none, that motion stands approved.**

Then I think we need to circle back to the SEDAR 50 data workshop. We had some pretty robust discussion about the recommendations coming forth from the stock ID workshop group, the joint SSC review, and the leadership group, and so I think I'm going to turn things over to John to kind of walk us through what might be a potential solution for this.

MR. CARMICHAEL: We've been working to try to come up with a clarification to the terms of reference, given that the stock ID decision went down a little bit of an unexpected path and there were various recommendations that were made that really were not developments that were anticipated when those terms of reference were written and how this was expected to be resolved.

We recognize that there is a need to update that term of reference so that the folks doing the assessment can do it consistent with the guidance they're giving and it not create some sort of issue in the peer review, where that guidance may not necessarily match up all that well with some of what was implied in that original term of reference.

The motion that's put forth here is intended to state the leadership group's recommendation for the unit stock, which is the first part here, and then to also provide some clarification for how the data within the Gulf of Mexico could be explored to try and evaluate the uncertainty and potential risk that might be associated with that unit stock, and it recognizes that that stock ID workgroup and the SSC review had a little different take on what the unit stock should be and gives them some leeway to go in and explore that, as long as the model is constructed, as in the first portion, per the term of reference modification for Data Workshop 1, to make sure that you get that model with a dividing line between the two councils.

There is a rather long and drawn-out motion here that just clarifies that and then further ends with giving guidance that there will be an addendum in the terms of reference that can be added that summarizes how we ended up in this place, because this is going to play out over eighteen months or so, and so it's good to get this well documented and let everyone know what parameters they're working under, and we have reviewed this with Bonnie at the Science Center and with the Regional Office and with the assessment team as well and all the particulars, and I believe that this is something that puts everybody in a position where they can move forward on this assessment without fear of having say the whole thing be turned over in peer review for various decisions that were made upfront.

DR. DUVAL: I am going to go ahead and read through this as John scrolls it, and then we'll turn to the committee to request that someone make this motion, and then I would offer Dr. Ponwith the opportunity to comment.

**The motion would be move to modify SEDAR 50 data workshop Term of Reference 1 to state: Define the unit stock for the SEDAR 50 stock assessment to include the entire U.S. Atlantic seaboard, using the boundary between the Gulf of Mexico and South Atlantic Councils as the southwestern boundary for the stock unit to assess and to add an additional bullet item to SEDAR 50 assessment workshop Term of Reference 6 to consider exploratory models based on the Stock ID Workgroup and SSC Stock ID Review Panel recommendations to: (1) characterize and describe the impact of the stock unit definition on risk and uncertainty, and (2) illustrate approaches for assigning productivity by existing council management units. Include an addendum to the Terms of Reference for SEDAR 50 stating the original Data Workshop Term of Reference 1 and summarizing the recommendations of the Stock ID Workgroup, SSC Stock ID Review Panel, and leadership group. I would be looking to the council to make that motion.**

MR. PHILLIPS: **I so move, Madam Chair.**

DR. DUVAL: Is there a second? Second by Mel. Is there discussion?

DR. PONWITH: Thank you, Madam Chair, and, as you know, or as you've already brought up, we've discussed this within the Science Center, among the analysts, with SERO, and with SEDAR staff, and I am comfortable that this is a good approach, because what it is, it's attentive to the results that came out of the stock ID workshop, which, again, was requested by the council, and it gives the ability to be attentive to that and explore the implications of the findings from that, but do it in a way that recognizes the management boundaries and helps provide guidelines for the shape that the management advice would come in, and so I am comfortable with these modifications to the terms of reference.

DR. DUVAL: Thank you, Bonnie. Is there any other discussion on this motion? **Is there any opposition to this motion? Seeing none, that motion stands approved.** John, I believe that's all the business from the SEDAR Committee.

MR. CARMICHAEL: Yes, it is.

DR. DUVAL: Thank you. The next committee report is Habitat and Ecosystem Committee, and we'll let Roger get up here and turn it over to Chairman Haymans.

MR. HAYMANS: Thank you, Madam Chair. The Habitat Protection and Ecosystem-Based Management Committee met on December 5, 2016 in Atlantic Beach, North Carolina. The committee addressed the following items, a Habitat Protection and Ecosystem Advisory Panel Report delivered by Pat Geer and the FEP II development of EFH policy statements for South Atlantic food web and connectivity and fisheries and South Atlantic climate variability and fisheries, again delivered by AP Chairman Pat Geer.

We received a report on the Habitat and Ecosystem Modeling and Tool Development by staff and a Presentation on Lenfest Task Force Report by Doctors Levin and Coleman. No motions were made during the committee. However, staff revised the EFH policy statements based on committee recommendations, and there are two motions below based on those considerations, and I would appreciate motions on those two.

MS. MCCAWLEY: **I would move that we approve the EFH Policy Statement for the South Atlantic Council Climate Variability and Fisheries, giving staff editorial license to finalize for inclusion into FEP II.**

MR. HAYMANS: Michelle seconds. Thank you. Is there discussion?

DR. DUVAL: I was wondering if perhaps, and I am not trying to be overbearing here, we could say “giving staff and the Council Chair editorial license”. My only concern is that we’ve spent a lot of time on the particular words used in these policy statements, and I think maybe Jessica and I, in particular, have probably provided the most input on those, just because the words used in these policy statements are very sensitive, particularly for those of us who are working for a state agency, and so I think we want to make sure that there is no unintended editorial changes that might inadvertently change the meaning or the message from those policy statements, and would that be okay, to include staff and the Chair?

MS. MCCAWLEY: Do you want me to make that motion again?

MR. HAYMANS: That would be fine. I would ask Roger to simply blow it up on the little screen so that I could see it bigger.

MS. MCCAWLEY: Okay. **I move that we approve the EFH Policy Statement for the South Atlantic Council Climate Variability and Fisheries, giving staff and the Council Chair editorial license to finalize for inclusion into FEP II.**

MR. HAYMANS: As the seconder is the one who made that suggestion, I assume it’s okay. Any additional discussion? **Any opposition? Seeing none, that motion is approved.** Roger, if you would just go ahead and take that same language and drop it into the second motion, please, before we ask for someone to read that one.

MS. MCCAWLEY: **I move that we approve EFH Policy Statement for South Atlantic Food Web and Connectivity, giving staff and the Council Chair editorial license to finalize for inclusion into FEP II.**

MR. HAYMANS: Thank you. Michelle seconds, and Roger has input.

MR. PUGLIESE: One just real quick comment is I was talking with Jack about the food web policy. Originally, we had some wording, specifically in the research and information needs, that targeted NOAA and regional partners. After talking with Jack, the NOAA roadmap has been final published, and those are all in there, and so I think that terminology -- He said it would be appropriate to keep that terminology as NOAA and regional partners collaboration, and so, as part of that cleanup, we can make sure that that is back to the original wording.



MR. HAYMANS: Thank you for that. Any additional discussion? **Any opposition? Seeing none, that motion is approved.** Finally, if I could get a motion to accept the timing and tasks.

DR. DUVAL: **I move that we accept the timing and tasks motion as displayed.**

MR. HAYMANS: Thank you, and is there a second? Second by Charlie. Any additional discussion? **Any opposition? Seeing none, that motion is approved.** Is there any other business to come before this committee? Seeing none, Madam Chair, that concludes our business. Thank you.

DR. DUVAL: Thank you, Doug. The next committee report is the Law Enforcement Committee and Chairman Bell.

MR. BELL: The Law Enforcement Committee met on December 5 in Atlantic Beach, North Carolina. The Law Enforcement Committee received two presentations from Southeast Fisheries Science Center staff on late reporting and compliance in the commercial and headboat sectors. The committee also discussed follow-up items from the Joint Law Enforcement Advisory Panel and Law Enforcement Committee meeting.

Without reading all of this, the Commercial Permit Renewal and Logbook Report was given by Dave Gloeckner, and Dave also gave the Headboat Reporting Compliance report dealing with the requirements and how that is working, and we went through a lot of statistics related to reporting compliance.

We spent a little time discussing, as kind of follow-up business from the Law Enforcement AP and council meeting back in August, the subject of operator permits, and the committee held a brief follow-up discussion. Basically, it determined that the two fisheries that we have these for are rock shrimp and dolphin wahoo, and the committee was basically fine with just holding what we've got and exploring further options for the future that we can come back and discuss related to how we want to deal with operator cards on a large scale, if we want to expand that or do away with them all together, and so we'll be getting back with the committee on that in the future. There were no motions resulting from the committee, and, pending any further business, that concludes my report.

DR. DUVAL: Thank you, Chairman Bell. Next up is the Spiny Lobster Committee Report and Chairman McCawley.

MS. MCCAWLEY: The Committee met and first received a presentation from myself about regulations and management of spiny lobster in Florida. Then they used that to inform a discussion about restricting recreational traps in the South Atlantic EEZ. **After a lengthy discussion, the committee made a motion to add an action to prohibit recreational traps for spiny lobster in the South Atlantic EEZ. On behalf of the committee, I so move.** Any discussion? **Any objection to that motion? Seeing none, that motion stands approved.**

Then there was discussion of -- Marcel gave us a presentation about the Special SSC that met via webinar on November 21 to look at spiny lobster recommendations. That was discussed, and then Kari talked to us about how the Gulf Council is going to actually see this joint amendment first

and then the South Atlantic will see it again at their next meeting in March. There is a timing and tasks motion, and I'm looking for somebody to make that motion.

MR. HAYMANS: **Madam Chair, I would move that we accept the timing and tasks motion as presented.**

MS. MCCAWLEY: Motion by Doug and second by Charlie. Any discussion? **Any objection? Seeing none, that motion stands approved.** That concludes my report.

DR. DUVAL: Great. Thank you. Next up is the Citizen Science Committee Report and Chairman Conklin.

MR. CONKLIN: The Citizen Science Committee held its inaugural committee meeting on the 8<sup>th</sup> of December, 2016. John and Amber provided a presentation outlining the progress of this year towards developing a citizen science program for the South Atlantic Council. The presentation presented immediate needs and challenges for a dedicated program staff member and developing a program and moving forward with a kickstarter project. John gave an overview of the scamp project in great detail, and it generated a lot of discussion. We also talked about three different options for a staff member, which is in the report.

There was one motion made. **It was to recommend Option 3 as presented by staff for a Citizen Science Program. In the event that sufficient funds are not available, then recommend Option 2. That was approved by the committee. On behalf of the committee, I so move.** Is there any discussion? **Is there any objection? Seeing none, the motion stands approved.** That, Madam Chair, concludes my report.

DR. DUVAL: Thank you, Chris. The next report is Executive Finance. The Executive Finance Committee met on December 6 and 8 in Atlantic Beach. We had a presentation on the new National Standard 1 Guidelines Final Rule. We also received a summary from Gregg Waugh, Executive Director, regarding the electronic reporting project proposals. We then received a report from Mike Collins on the status of Council Year 2016 budget expenditures and expenses for the remainder of the year.

We then reviewed the Draft Council Year 2017 Budget, which is based on the draft SEDAR 2017 and draft council 2017 activity schedules. Council staff met with Dr. Ponwith to discuss ways to reduce the 2017 costs for SEDAR, and so we reviewed those changes, and we also reviewed the need for an additional staff position to address a number of additional resources needed to achieve activities related to climate change and ecosystem-based fishery management as well as others.

We reviewed the request from the Citizen Science Committee to provide funding to hire an outreach staff person on a contractual basis, based on the option that you just heard about in the previous committee report. We recommended this as an interim approach, and we should have further information on our funding at the March 2017 council meeting, and we'll approve the budget once we have that.

We then reviewed the council follow-up agreement and the 2016 priorities, and so this is the document that allows all of us to see where each amendment or activity is in the process, and who is responsible for doing what. We did adjust the 2016 priorities to address Coastal Migratory

Pelagics Amendment 30 for golden tilefish, for-hire limited entry, the commercial electronic logbook, and ABC control rule amendment. We provided some guidance on those changes and directed staff to bring those revisions back to Full Council today, and so I think Gregg is going to pull that up for us.

MR. WAUGH: Thank you, and we did make the adjustment for CMP 30 carrying over, and so now that won't take place, and so we will remove that. Kari will be working on spiny lobster. The golden tile stays. We've got that will be addressed and the ABC control rule. The other, at the committee level, is for-hire limited entry was gone. That discussion paper now, we'll be working on that. Those are the only changes, based on additional activities, and so we would be looking just for a motion to approve that priorities, as modified. We also have to add in the yellowtail and dolphin split, and we will do that.

DR. DUVAL: Would it be possible to just get an updated version of the Excel spreadsheet mailed around to all council members after you all make those revisions? That would be great.

MR. WAUGH: Yes.

DR. DUVAL: Okay. I would just be looking for a motion from the council to approve those 2017 priorities, as modified.

MS. MCCAWLEY: **So moved.**

DR. DUVAL: Motion by Jessica and second by Zack. Is there any further discussion on that motion? **Any objection to the motion? Seeing none, that motion stands approved.** Next, I would be looking for a motion to approve the timing and tasks, as displayed.

MR. HAYMANS: **Madam Chair, I would move that we accept the timing and tasks as displayed.**

DR. DUVAL: Motion by Doug and second by Mel. Is there discussion?

MS. MCCAWLEY: The Part D, prepare the webinar meeting guidelines for review at the January 2017 meeting, should that be March 2017 meeting?

DR. DUVAL: I think so, because I sure don't want to have a meeting in January.

MR. WAUGH: Yes.

DR. DUVAL: Good catch. We just put that out there as a little test for you. Okay. Any other discussion? **Any opposition? Seeing none, that motion stands approved.** That concludes the Executive Finance Committee Report.

MR. WAUGH: One point is just to alert folks that the next CCC meeting is coming up February 27 through March 1 in the Washington, D.C. area. If you all have any specific items you all would like discussed, please let me or Michelle or Charlie know. We're working on that agenda, and just a couple of items that surfaced from our preparation for this meeting is the rebuilding and ending overfishing in two years issue, funding for fishery-independent sampling program, recreational

and for-hire electronic reporting, for the councils to share their experiences there, and the phase-in reduction with respect to the ABC control rule. Have other councils used this? What have their experiences been?

Any other topics that you all would like to see addressed, but that's the meeting where we usually talk budget. If they have a new Assistant Administrator in place, we would meet them and meet any high-level staff that have been appointed, but let us know of any topics you would like to see discussed.

DR. DUVAL: All right. I am not seeing any hands raised for suggestions right now, and so just send an email in the interim, but thank you, Gregg. That concludes the committee reports, and, next, we will go into Regional Office and Science Center Reports, and then we do have one exempted fishing permit for the South Carolina Aquarium to review and then we'll go through our agency and liaison reports. I will turn things over to Dr. McGovern.

DR. MCGOVERN: Thank you, Madam Chair. A few things. We're going to open commercial vermilion snapper for two days beginning on Wednesday of next week. Also, Mackerel 26 is out of the region. That's been sent up to Headquarters, the proposed rule.

I will update you on our staffing situation. We've been short people for a long people in Sustainable Fisheries, and now we're finally up to speed. Dr. Stephen has her full complement of people in the Data Branch, and Rick and the South Atlantic Branch, we now have Frank Helies from the Foundation in that branch, and so that will help things a lot in working with council staff. The only other thing is the South Carolina EFP, which Rick is going to go over.

DR. DUVAL: Rick, let's give Myra a chance to pull it up on the screen and then turn things over to you. This is Attachment 3 under the Full Council tab.

MR. DEVICTOR: The Southeast Regional Office received a request from the South Carolina Aquarium for an exempted fishing permit. It's important to note that we gave an exempted fishing permit on June 28, 2012, and that was a five-year permit, and so that is set to expire June 30 of 2017, this summer, and so they are requesting an exempted fishing permit to last for five years. As you can see, it's July 1 of 2017 through June 30 of 2022.

The purpose of this is collecting specimens for public display. If you scroll forward to page 6, Appendix A lists the species, requested species, and quantities, and it's important to note that this is per calendar year, each of these quantities. As you can see from that list, they have a host of species that we don't manage here in the South Atlantic federally, and I would point out that red snapper is on that list, and they want to retain twenty-five of those per year.

In the EFP that we gave in 2012, we put a condition in there that federally-prohibited species, and we listed red snapper, goliath grouper, Nassau grouper, speckled hind, and warsaw, would not be allowed to be collected, and so you may want to comment on that, if red snapper should be included. Then, if you were to move back, in terms of where they're going to collect, they want to collect off the coast of South Carolina once a week during the months of May through September and twice a month for the rest of the months. They want to also do limited collection off of the coast of North Carolina, and that would be no more than five trips per year. Again, this is a five-year permit that they're collecting.

Then, moving on, starting on page 2 of 7, they outline the gear and the methods that they want to use. There are six of them. Number 1 is scuba diving with small hand nets and dip-netting on the surface from a boat around sargassum mats. Number 2 is vertical hook-and-line and trolling with rod and reel. Number 3 is they want to use sea bass pots, spiny lobster pots, and golden crab traps, and it's important to note that they state in there that no traps will be set between November 1 and April 30 of each year. Number 4 is they want to use bait traps and minnow traps. Number 5 is habitat traps, and Number 6 is they want to use the octopus traps. I will be happy to answer any questions. I think, at this point, we're looking for any comments from the council.

MR. BROWN: I think that you should take into consideration letting them at least harvest some of those red snapper so that they could maybe do some life history studies or something or provide some type of information from them taking them, just for the display.

MR. BOWEN: I was actually of the complete opposite. I am not sure that the aquarium is equipped to do life history studies, but I was under the opinion that it would probably be just like we did in 2012. That's my opinion. I mean, if we're talking 50,000 fish total in the South Atlantic for an ABC, twenty-five a year times five, that's a substantial percentage that I think we need to leave in the South Atlantic waters.

MS. MCCAWLEY: These fish are for live collection, and I don't believe the aquarium is going to be doing life history work on them. I think I would agree with Zack here to not allow any red snapper collection, to just do the same thing we did the last time.

MR. CONKLIN: I would just recommend to keep in line with the 2012 recommendations, and I had a question about the 2012 permit. Did it allow the vertical lines in traps or did it allow traps?

MR. DEVICTOR: I think that the request was pretty much the same, and I should point out that, in 2012, we reopened, and so we did allow them to collect snapper, because we did allow a short season, and so we did send out an additional addendum to it.

MR. BELL: You're correct that I don't think this had anything to do with any kind of studies or anything, obviously, and it's for display purposes. This particular aquarium is -- They all have an educational component, but this is their mission, is education and outreach. If you thought there was value in perhaps them displaying these animals and then even suggesting that they present sort of a conservation -- If there were things that we would want them to say about red snapper, that might be something where it made sense to actually display them, but I'm okay either way, but that's just a thought.

If there is a particular conservation message or something you want to go along with the display of those particular fish, that might be an opportunity to have them sort of partner with us in getting a specific message out or something. I could see that being potentially of value, but, just incorporating them into the mix of everything else, maybe not so much.

MR. BROWN: Let me retract what I said about life history. If they collected some, there is some scientific benefit that could come from them having these animals, and so I just think that, if they had some in the aquarium, there would be some benefit that we could provide information or get information from them having them and being able to observe them.

MR. PHILLIPS: I agree with Mel. They don't want very many fish, and I think the educational benefits of them being able to keep them in front of the public, so they can explain what's going on with them, and hopefully get a better educated public concerning red snapper, is well worth it, and so I would let them have them.

MR. BOWEN: Now that I have knowledge that they collected them in 2012 and red snapper are known to live as long as fifty-four years, I think is what Jessica said one time, and that kind of stuck with me, that means they have red snapper and they are probably still living, and so let them keep what they have and don't take any more.

MR. BELL: I was just going to say, kind of following up on Charlie, if you wanted them -- If there was a particular message that we would like for them to get across, we would need to kind of specify that with them and their willingness to do that. If we wanted to make that sort of a condition, or if there were particular things that we would like to go along with their ability to do this, we would need to specify that, I think. They would need to agree to it, or otherwise no.

MR. WAUGH: If the intent is to educate the public, it might be useful to not allow them to collect them and have an empty tank there with an explanation of why they can't collect them.

DR. DUVAL: On a more serious note, I know that when we have had similar EFPs that have been submitted by the North Carolina aquariums, we have not allowed for collection of prohibited species, because I remember talking to the Regional Office staff, and I think it was Kate, actually, when we had one of the aquariums in North Carolina that wanted a harvest of either some juvenile Nassau grouper or warsaw grouper. It was one of those two species, and I can't remember, and we went back and forth on this a bit, because there were some hanging out at the jetty down at Fort Fisher.

The conclusion we came to was that they're prohibited species, and so we didn't want to allow for their collection, and so I think we just need to be consistent in any recommendation that we're going to make. I would prefer that, if it's prohibited for the general public, that they not be shown in the aquarium, but that's just me, and I think we would be looking for a motion.

MR. HAYMANS: Just the point that there are aquariums on the east coast that have whale sharks, and they're a prohibited species. Loggerhead turtles are prohibited and manatees and other things, and aquariums and zoos are set up for educational purposes. Whether you agree that Nassau or goliath grouper or red snapper or anything else are endangered or threatened, the purpose of the zoo is to educate the public as to all of the benefits, and so I'm okay with them keeping whatever they're asking for, but that's my --

DR. LANEY: A lot of pros and a lot of cons. One thing I'm curious about that Zack touched on is how well have they husbanded the red snapper that they collected in 2012. I would be curious to know how many they actually still have and how well those fish do in captivity. One option that the council might have is to cut the number down from twenty-five to five or something like that if you decide that you are going to allow them to collect a prohibited species.

DR. DUVAL: If folks are not comfortable -- I mean, we can make a recommendation to the Regional Administrator regarding granting of this exempted fishing permit. We could do as

Wilson suggested, and, if folks think it's a good idea to allow for a collection of red snapper, we could make a recommendation with regard to the number that are collected. The other option is to delay making a recommendation until after the Regional Office staff have had the opportunity to contact the aquarium and see how many of the fish that were collected previously are still there. What's your pleasure?

MR. BOWEN: **I would make a motion that we be consistent with what the last EFP was about, and that would be no retention of prohibited species.**

DR. DUVAL: There is a motion by Zack. Is there a second? Second by Chris. Discussion? The motion reads to approve the -- I think it would be recommend approval to the Regional Administrator, because we can't approve these things. Recommend approval of the requested exempted fishing permit by the South Carolina Aquarium to the Regional Administrator with the condition that it be consistent with the previous EFP.

The motion reads recommend approval of the requested EFP by the South Carolina Aquarium to the Regional Administrator with the condition that it be consistent with the previous EFP and no retention of prohibited species.

MR. BELL: I'm okay either way, but keep in mind that other aquaria have endangered, protected, restricted, and prohibited species for educational purposes. If we feel there is some value to them being able to get a particular message across and we would like to help them with that message and they're willing, that could be a condition. If we don't see any value in that, then fine, but other aquaria have protected, endangered, and prohibited species. It's for educational purposes, and so, if we have a message that we would like them to help us with, great. If not, then fine.

MR. BOWEN: One idea is they could always go to Florida state waters and collect them.

DR. LANEY: Just, to Mel's point, if they are displaying a federally-listed species, then they have to comply with all the provisions under the Endangered Species Act. They have to have the permits to display them and all of that sort of stuff, and so they have to go through a much longer process if it's a listed species.

DR. DUVAL: I am just wondering, for Jack and Rick -- It seems like it -- I don't know if you all have an internal policy on this generally, but it sounds like you try to not allow for collection of prohibited finfish species, and I'm not going to wade into the ESA requirements, because that's an entirely different division, but I didn't know if you all have some kind of policy with regard to collection of prohibited species for research, basically, any sacrificing versus for educational outreach purposes.

MR. DEVICTOR: No, I don't think we have a policy towards that specifically, collecting prohibited species for scientific purposes, but perhaps Bonnie can correct me. I'm not aware of SERO having a policy.

DR. DUVAL: Or at least some internal document that you work from. It's something to think about maybe, because I'm sure this question is going to come up again, and I could foresee applicants bringing up that this organization was allowed versus this organization was not, and so I think we've had a lot of discussion. We either vote this up or down, and so is everybody okay

with that? **Could I please see a show of hands of those in favor of the motion, four in favor; how many opposed, like sign. Okay. The motion fails.** Is there any other motion you would like to offer?

MR. HAYMANS: **Madam Chair, I would make a motion that we recommend to the Regional Administrator approval of the South Carolina Aquarium's EFP request.**

DR. DUVAL: **Motion by Doug to recommend approval of the South Carolina Aquarium EFP request. It's seconded by Mark.** Is there discussion on this motion? Doug, would you like to provide some rationale?

MR. HAYMANS: I don't have an issue with them being able to keep a limited number of any of the species that they have requested. I think that public outreach and educational value of them holding those species far outweighs the ecological or biological impact that it may have from removing them from the population.

DR. DUVAL: Okay. Anybody else?

DR. LANEY: I agree with what Doug said, but I still think, given the discard issue with red snapper, I still think it's appropriate for us to ask them how well did you guys do stewarding the ones you collected in 2012, and I would like to know just how well that species survives in captivity. I acknowledge totally the educational benefit of having these sorts of species in aquaria.

MR. BOWEN: To that point, let's keep in mind that not only are we assuming that they kept them in 2012, but they also kept them for five years, harvesting them five per year for five years. The way it sounds, they collected red snapper even in 2016.

DR. MCGOVERN: I was just going to mention that the South Carolina Aquarium provides us a report each year of what they catch, and I brought the report, because it's a fairly recent email, and they didn't collect any red snapper last year or any prohibited species. It's tomtate, white grunt, hogfish, blue runner, knobbed porgy, black sea bass, scup, gray triggerfish, and vermilion snapper, but we can go back and ask them about the species that they've collected during the duration of this EFP and find out how many red snapper were collected and what the status of those red snapper are.

DR. DUVAL: Great. Okay. **Everybody in favor of the motion on the floor, can you please raise your hand, seven in favor; those opposed, like sign; abstentions, two. Let the record reflect that we do have three council members who had to leave early. The motion passes.** Next on the agenda is -- Chris.

MR. CONKLIN: I just had something at the end of the agenda.

DR. DUVAL: Dr. Ponwith, any updates from the Science Center?

DR. PONWITH: Yes, thank you, Madam Chair. Last year, NOAA Fisheries published a NOAA Fisheries Climate Science Action Plan. Over the course of the last year, we've spent time interacting with our own scientists and with scientists from HMS and managers from HMS and SERO and the fishing public as well as other organizations, state scientists and managers,



developing regional action plans that take that national scale report and brings it down to a regional scale of things that we think we should actually be doing to carry out the notions of that plan.

We've completed the Gulf of Mexico Regional Action Plan. That went out for public comment, and we used the results that we got from that public comment and actually were able to finalize that report. The South Atlantic Regional Action Plan is well along. We opted to take input that we received from the Gulf to make corrections to the draft that we have for the South Atlantic, the ones that we thought were good and actually carried from that report to this one. Very soon, we'll be releasing that action plan for public comment, to improve the quality of that report, and so I'm giving you a heads-up that you'll be seeing that very soon.

Progress has been made on the management strategy evaluation vacancy that we have. As you may remember from past reports, we received permission to hire a management strategy evaluation analyst dedicated to the Southeast Fisheries Science Center. We have put that out on the street and actually have made an offer, and we're in sort of the final stages of that process. By the next fishery management council meeting, I should be able to give you a report that actually names the name of that individual.

The third thing that I wanted to bring up with you is a save the date. As you know, we've been doing programmatic reviews over the last four years of major components of the science program at the Southeast Fisheries Science Center. The last and final programmatic review is for the economic and social science program in the Southeast Fisheries Science Center, and I know this is a very important program, because it has direct impact and advice on plan amendments that are done by this council, and so this is the fifth and final of the nationally-synchronized program reviews.

The program right now is scheduled to be held the week of the 15<sup>th</sup> of May in 2017. As more information becomes available, I will actually get a written notice out to the council, and I just want to thank the South Atlantic Council for their involvement and interest in the past reviews, and I hope that we will garner the same for this one, and that's my report, Madam Chair.

DR. DUVAL: Thank you, Bonnie. Are there questions for Bonnie?

MR. WAUGH: Bonnie, the South Atlantic Regional Plan, would that be available for us to comment at our March meeting, and will we be able to get our comments in during the public comment period?

DR. PONWITH: The Gulf plan, we put out for it was somewhere between thirty and forty-five days. I will have to double check. If it comes out soon, it's not likely that it would straddle during a council meeting, and so I guess my question is does that create a problem? That timing is an issue there, because we had targeted having it out by a month or so ago, but we gained so much information from the Gulf review that we wanted to incorporate into the document, and so I guess, at this stage, the only two choices are to delay the release of that regional action plan or another alternative would be if the council is comfortable having council staff comment on behalf of the council or having council members provide input as individuals.

MR. WAUGH: Maybe another solution is that, even if the comment period were to be over, that you all would entertain comments from the council, because I think it would be beneficial to have

someone from your staff give a presentation to the council at the March meeting and we develop comments at the March meeting.

You all remember this is one of those items, tasks, if you will, that we've commented on before, and all the councils are concerned about the workload associated with this, and this is one of those five items that we listed for that additional staff position that we would need to address it, and so I think it's important enough that it be presented to the council and the council have an opportunity to weigh in.

DR. DUVAL: Bonnie, do you think a presentation at the March meeting is something that your staff could swing?

DR. PONWITH: We could absolutely swing the presentation. I am just thinking about the timing of getting this or postponing this going final until after that. Another alternative would be to send this out for public comment and to let any individual council members weigh in as individuals in that, to create a near-final draft, and then present that near-final draft to the council and include any comments as an addendum to the near-final draft, just in terms of putting this to bed and giving us the ability to actually begin in the implementation process.

MR. DELERNIA: Your climate action plan has implications not just for fisheries, but for municipalities, as far as hardening is concerned, against future events, and is that correct?

DR. PONWITH: The implementation plan really focuses on putting out ideas of what science could be done and what analyses could be done to be able to do a better job to inform policy makers and decision makers in the way they carry out their business. It's basically to create a climate-informed decision making.

In terms of things like shoreline hardening for municipalities, because that's outside of our wheelhouse, other than, if someone proposes it, does it impact fisheries habitat, but it's outside enough of our wheelhouse that, no, that's not the focus of it. The first thing that we would be working on in implementing this is climate vulnerability analyses. This is to give you an example, but climate vulnerability analyses would be to take the key species in this region and take a look at them with respect to exposure to impacts of climate change relative to their sensitivities of the exposures, in kind of a matrix approach, to be able to give the council qualitative or semi-quantitative advice relative to how the species they manage might be responding in the near and long-term future to these impacts, based on those sensitivities. That's an example of the type of work that we will be embarking on for the Gulf of Mexico in 2017.

DR. DUVAL: Bonnie, did the Gulf have the opportunity to comment on the Gulf action plan? Did it span one of their council meetings?

DR. PONWITH: The Gulf reviewed it and then submitted written comments to us, and so they didn't review it line-by-line in a council meeting. They received the draft and developed comments and submitted those from the Executive Director in written form, and then those were incorporated.

MR. WAUGH: I think, for those of you that haven't been following it, one of the things that gives us a lot of concern and that we commented on before is the impacts just not to our work, but to the Center's. What Bonnie has said is this implementation plan will outline what work they are going

to do. I know that comes with no additional resources, and so a prime question for us is what impact does that have on the Center's deliverables?

I really think that this is -- If it was according to your original timing, then we would have had a chance to look at it here, and so that slid for you to address the Gulf's comments, which is probably good. We meet very early in March, and I think, given our partnership with you all and the potential negative impacts to the work that you all do for us, I think the council should weigh in on whether they feel it's prudent for them to have an opportunity to review it in person and develop those comments during the comment period. I really think it's an important issue for the council to weigh in on, rather than just staff reviewing it and getting with the Chair.

DR. PONWITH: Let me ask, so that I'm clear, and correct me, because I'm muddy here. That is that you want a presentation of the major components of this at a council meeting, and your preference would be for the public comment period not to be closed until after the council had a chance to see those major elements and discuss them in the collective?

DR. DUVAL: I think that's yes.

DR. PONWITH: Okay, because I view the council as one of the primary clients of this work, and so I view the council's opinion of this document and comfort level with this document as really important, and so, if that's what it takes, what we'll do is pull from the document the list of actions. Basically, there's a narrative in the document that explains the why and the how, but the heart of this document is a table, and it essentially says here are one of the seven priority areas lined out in the national strategy, and, tiering that down to our region, these are things in our region we think are important.

Then they're characterized by this is important to be attentive to, but we don't have the resources to do it. If we had, this is what we would do. Then there's a second bucket, and it is this is something that is important to do that we think we can do within the existing resources, both the hands and the cash, and so this is something we are committing to doing in the near term. It essentially goes through actions we know need to be done by whether they are long-term needs or short-term needs or whether they're affordable now or whether we would need an influx of new resources to carry out.

What we can do is send that table to you now and have you send it to the council to study between now and the next meeting and give you an overview of those key actions. When the draft becomes available, we can send the rest of that draft out to you and then wrap this up after that meeting.

DR. DUVAL: That would be great, if you were willing to do that, Bonnie. We would really appreciate it. Okay. Any other questions for Dr. Ponwith? Then this brings us to our Agency and Liaison Reports, and I am going to start over here on my right with Lieutenant Prey.

LTJG PREY: I appreciate the opportunity to make comments. There was great discussion this week. Fortunately, I don't have any significant violations or cases to report on. Beginning in our fiscal year, we have had no violations thus far, whether that means compliance or we're just not finding the bad actors.

I did want to comment on the letter that came up during the HMS Committee from the Southeast Fishermen's Association. I am happy to compare the list of permit holders with our Coast Guard databases for the commercial fishing vessel safety decals and determine which permit holders do have the safety inspection and which do not. I will just need a list of those permit holders, and then I will coordinate with our commercial fishing vessel safety coordinator.

Lieutenant Commander Bennett, who spoke, she is from District 5, and so she's done that for the Mid-Atlantic states. She is really responsible from New Jersey to North Carolina, and so we actually overlap on the South Atlantic Council, and she will be at the Mid-Atlantic next week.

Another thing that I wanted to comment on was the China-Bahamas Agricultural Initiative. I'm going to give a heads-up to our Coast Guard liaison officer, who actually works in the embassy, to expect to see a copy of that letter that the council will send. He can also direct to the right lanes within the embassy there. With the start of the new calendar year, we have an upcoming law enforcement operation to target pre-fishing activities off of Charleston and North Carolina, and so that's all I have to report, pending any questions.

DR. DUVAL: Are there any questions for Lieutenant Prey?

MR. CONKLIN: I just had something at the end of that report.

DR. DUVAL: We're not there yet. We're doing the Agency Liaison reports, and so under Other Business.

MR. CONKLIN: Sure.

DR. DUVAL: Okay. Any questions for Lieutenant Prey?

LTJG PREY: I actually see one more note. Just about the operator permits, it's been a discussion that we've had since I came on the council, and I just really want to urge the council to determine the direction that they want to go with that. I understand, for the dolphin wahoo fishery, that we're doing away with those operator permits, and that moved forward today, but, overall, determining what you guys want to do with that will really help law enforcement and then working with NOAA and the Southeast Regional Office in terms of how we can enforce those and really pointing to the utility that they were designed for.

DR. DUVAL: Thank you. That's helpful input. State of Florida and Jessica.

MS. MCCAWLEY: The only thing I had, I already reported on. It was that the FWC passed consistent hogfish regulations.

DR. DUVAL: Great. Thank you. Dr. Laney.

DR. LANEY: Yes, ma'am. I have a few items. The U.S. Fish and Wildlife Service's new mitigation policy is finally completed and on the street. If you're interested in that, I believe it's accessible on the website. Our Director, Dan Ashe, is going to be moving to the American Association of Zoos and Aquariums in January, and I have no idea who we'll get as a new Director, but I will keep you posted.

I know that the state representatives on the council probably know and have worked with Hannibal Bolton in the past. Hannibal was our Assistant Director for Wildlife and Sportfish Restoration, and he is retiring in early January, and so he will be leaving us.

To give you the usual American eel update for the Roanoke Rapids Dam, Dominion has passed around 50,000 eels this year at that eel-way facility. They captured the first silver eel in the reservoir at the mouth of Deep Creek, and so we're all pretty excited about that. We started trapping and transporting American eels upstream at that dam in 2009, and so it's about consistent with what we understand to be the rate of growth and maturation in the South Atlantic, that we should expect to see silver eels start coming out of that facility, and, of course, we have yet to figure out how to get them safely downstream, and so that is still a challenge.

I mentioned at our last council meeting the Pacific Northwest Lab of the Department of Energy has developed this little tiny tag, and so they're going to be starting to set up on Monday to range test those tags at Roanoke Rapids Reservoir and look at what sort of receiver array they need to set up. Eventually, we're going to be tagging, hopefully, silver eels there and assess how they make their outmigration.

I sent around to everybody on the council and staff, I believe, earlier in the week a number of Department of Justice news releases about different cases made. There were a number of, I think ten, individuals who pled guilty under Operation Broken Glass, which was a multijurisdictional investigation that the Fish and Wildlife Service spearheaded for catching illegal trafficking of glass eels, and there were about \$2.6 million worth of glass eels that were being illegally trafficked there.

Then the last thing I will mention is we have the striped bass tagging coming up in January and February. Those dates are going to be January 21 through February 4. If you're interested in going out and volunteering as an angler, which Dr. Duval has done and can speak to, in January and February off the coast of Virginia, more than likely, if they are where they were last year, then I will circulate the memo from Charlton Godwin, and all you have to do is email Charlton and ask him to put your name on the list. Then you can come up to Virginia Beach and go out and hopefully tag a whale of a lot of striped bass with us in January and February, and that constitutes my report, Madam Chairman.

DR. DUVAL: Thank you, Wilson. Any questions for Wilson? All right. Just from the State of North Carolina, we got a new governor this week, and so enough said. Mr. Bell.

MR. BELL: From South Carolina, I guess we're getting a new governor, and so we'll see how that goes. I'm sure we'll be fine. Just a couple of things on the federal level. We've had some dealings recently with the National Marine Fisheries Service Protected Resource folks, both at the Southeast Regional Office and in D.C., related to helping us work with the Army Corps of Engineers on kind of moving towards Section 7 consultation dealing with northern right whales and artificial reefs.

I think that's actually moving along, and Protected Resources was extremely helpful in helping us figure out what we needed to do and begin some communication, and so I think we'll be all right. It's just, given now that we're included in the critical habitat zone for northern right whales, there

are some implications for the permits associated with our artificial reefs, but that's going on, and we do appreciate the help from Protected Resources.

Then you know that the Research Vessel Palmetto completed their yard period. It has new engines, and the cruise season is completed now for the year, but the really neat thing is that that went from an eight-knot boat to an eleven-plus-knot boat, so we can be more efficient. That's a good thing for Marcel, and the interesting thing is we're also dealing with the new FLSA requirements on overtime and that sort of thing, and so poor Marcel is kind of pulling his hair out, but you can imagine, when you go out on a cruise, that's a twelve-hour day. Then you're out for several days, and you're going to hit over forty-hour weeks. Anyway, that's going to be an issue for all of us in all the programs, but I know Marcel was particularly having to spend a lot of time figuring out how to manage that, and so we'll be dealing with that this year, it looks like, unless something changes. That's really it on the level of federal interest, I guess.

DR. DUVAL: Thanks, Mel, and my apologies to Mr. DeLernia, our Mid-Atlantic Council liaison. Tony, you were so quiet there that I skipped right over you, and so, Mr. DeLernia, is there news from the Mid-Atlantic?

MR. DELERNIA: Thank you, Madam Chairwoman. Well, I will tell you what we did in October and what we're going to be doing next week. One of the issues that occupied a lot of our time at the October meeting was responding to a request that we list river herring and shad as stocks in the fisheries in our mackerel and squid fisheries, and it's taken -- We made the decision not to do it about three years ago, and the environmental community litigated against that decision and claims that they felt that the decision was poorly made and that the Secretary of Commerce didn't review our recommendations properly, and so it came back to the council.

We reviewed that request again to list river herring and shad as stocks in the fisheries, and, this time, we again turned down that request, but the vote was much more -- It was stronger than previously, regarding turning down that request.

We also initiated meeting one of a framework on blueline tilefish regarding the recreational possession limits. It looks like they're going to be -- They may be changing from an eight fish and three possession limit, eight for the for-hire inspected vessels and five -- This is per person, but five for the uninspected vessels and three for the private recreational vessels. There's an action right now on the table to make the possession limit amongst all the user groups at five fish, and we had framework meeting one, and I'm not sure when framework meeting two will occur for that.

We set our spiny dogfish specifications, and we also listened to a petition from the State of New Jersey to create special management zones around their artificial reefs. They have been losing their money, their Wallop-Breaux money, that they use to construct their artificial reefs because commercial fishing has been occurring on the reefs, and there was a decision. I guess the Fish and Wildlife Service said that couldn't continue, and so they've petitioned us to consider creating special management zones for hook-and-line fishing only. You could have commercial fishing hook-and-line, but hook-and-line fishing only on these reefs, and we have run hearings, and we will be reviewing the results of those hearings and possibly making a decision at our meeting next week.

Also, next week, we will be setting our recreational specifications for summer flounder, scup, and black sea bass. Summer flounder is going to be particularly contentious, because the assessment results -- An updated assessment indicates that the summer flounder stock is not nearly as robust as we once thought, and we will be looking at reductions of as much as 35 percent, which will translate into pretty significant reductions in the recreational fishery regarding season, possession limits, and minimum sizes. It will increase the minimum sizes and a reduction in the possession limit and the seasons, and so there will be a lot of discussion there. Let me point out that whenever we do these recreational specifications that we do it in a joint meeting with the Atlantic States Marine Fisheries Commission. That concludes my report, and thank you.

DR. DUVAL: Thank you, Tony. Any questions for Tony? Mr. Haymans from the great State of Georgia.

MR. HAYMANS: Thank you, Madam Chair. A couple of items of council import are our shrimp update. Through September, we have landed 1.38 million pounds. Our ten-year average is 1.45 million pounds, and so we're pretty close to on track, although effort continues to decline. We saw blackgill earlier than we have ever seen it before, in month of June. It's popped up, and it's not as high prevalence as it has been, but it's certainly more prolonged than it ever has been, and so we continue working with South Carolina DNR and Skidaway and other groups to try to identify the source of that infection.

A species that we used to manage, red drum, just to show you the states can do a decent job with things, our young of the year survey has shown a 19 percent increase over the long-term average. We're higher this year than we have been since 2010, and the anglers have had a very positive response to that. I guess, finally, Mel, regarding the artificial reef permit, we are entering our second year of waiting for our Regional Permit 36 to be approved, and I will leave it there.

DR. DUVAL: Questions for Doug?

MR. PHILLIPS: What is the status on the Navy towers out there?

MR. HAYMANS: We're simply waiting on the Navy's plan for demolition, still. We've got them permitted. They have been promised to us. Everything is done except for when will it be put on the bottom.

MR. DELERNIA: I do have one addition to my report after, I guess, Doug is complete, if I may.

DR. DUVAL: Tony, go ahead.

MR. DELERNIA: We also are going to be receiving a report on the research that's being done by the Northeast Fisheries Science Center regarding ocean acidification and the recruitment in some of our fisheries. As you all know, ocean acidification is one of the effects of climate change, and we've seen some research that is alarming. It appears that, with increasing acidification of the ocean, lowering of the pH, recruitment in the summer flounder fishery -- Recruitment is down as much as 50 percent. If that continues, much of what we do, in the way of management, may not matter, if we're going to be facing some serious effects as the result of climate change. We look forward to getting the results of that research and to look at that. Thank you.

MR. PHILLIPS: Tony, how much of a change is it? I guess they've documented how much of a change? Obviously we do shellfish, and so that's critical for us, too.

MR. DELERNIA: Some council members -- At the August meeting, when we revised our summer flounder quota recommendations based on the new assessment, many members were beginning to wonder why this was occurring. When you look at the recruitment, look at all the surveys, you see the juveniles are down significantly. In some states, they're down as much as 40 and 50 percent.

We started digging a little bit more, and some of the council members that are researchers, we did some literature research, and we saw that the Northeast Fisheries Science Center has been doing this work. I don't have the exact values at this point, but the amount that the ocean has changed, pH-wise, already in the past thirty years occurred in your bloodstream, you would be dead, and so, unfortunately, and I hope that we're overreacting, but, if these changes in pH are that significant and they have that much of an effect on recruitment, we may have an issue or a problem that we're not sure how to deal with yet.

Those of you that will get to know me, you will hear me constantly referring to climate change as probably one of the biggest issues that we as fishery managers will have to face in the next twenty to thirty years, and I think this is evidence of one of those issues. Thank you.

DR. DUVAL: I think most of us are right there with you, Tony. Last, but certainly not least, Mr. Diaz, our Gulf of Mexico Council liaison. It's been great having you this week, Dale, and come on back anytime.

MR. DIAZ: Thank you, and I will be glad to. I've learned a lot, and thank you for having me. If you don't mind indulging me, I would like to read my report. It was prepared by the council staff, and it's a twenty-five-page written report. Sorry about that.

DR. DUVAL: You might be speaking to an empty room when you're done.

MR. DIAZ: It is a one-page report, and I would like to read it into the record, if that's okay. King Mackerel, Amendment 29, in April of 2016, the council asked staff to begin development of an amendment to address the use of uncaught quota and to revise recreational accountability measures for king mackerel. The council is exploring this allocation-sharing approach independently of other pending actions for king mackerel, with the purpose of identifying more ways to allow fishermen to access the totality of the Gulf king mackerel ACL. Public hearings for Amendment 29 were approved at the Gulf Council's October 2016 meeting, with the public hearings scheduled from November 30 through December 7.

For for-hire reporting, the council is slated to take final action at their January 2017 council meeting. The council's current preferred alternative would require federally-permitted charter vessels and headboats to submit fishing records to the National Marine Fisheries Service for each trip via electronically reporting approved by the National Marine Fisheries Service for hardware and software prior to arriving at the dock.

The council also selected a hail-in and hail-out alternative. Prior to departing for each for-hire trip, that would require the vessel to declare the type of trip, including the expected return time and



landing location. The council also selected a hail-in preferred alternative that required a vessel to hail-in prior to arriving at the dock at the end of each for-hire trip and to submit fishing records via electronic reporting.

The council modified their preferred alternative on Action 4, hardware and software requirements, for reporting fishing vessel records and locations at their October 2016 council meeting based on Ad Hoc Red Snapper Charter/For-Hire AP recommendations. Their selected preferred alternative would require vessel operators to submit fishing records via National Marine Fisheries Service approved hardware and software devices with minimum archived GPS capabilities.

The Gulf Council, in January, will also review the South Atlantic Council's modifications to the charter vessel and headboat reporting requirements, and it will be noticed under public comments for final action during the January 2017 meeting in New Orleans.

Mutton snapper framework action to modify the ACL for recreational managements, the 2015 stock assessment for mutton snapper showed the stock is neither overfished nor experiencing overfishing. However, results indicate that the adult population of mutton snapper is smaller than previously estimated and a reduction in harvest is necessary to ensure overfishing does not occur.

The council reviewed an options paper during its October meeting and considered modifying the mutton snapper annual catch limit and commercial and recreational minimum size limit. The Gulf Council will likely follow the lead of the South Atlantic Council with any changes to the recreational management measures, because the council has very low recreational landings. This document also considers increasing the commercial minimum size limit for gag from twenty-two to twenty-four inches total length, to be compatible with the South Atlantic Fishery Management Council.

Lastly, spiny lobster framework amendment, the Gulf Council SSC recommended a revision to the way the OFL and ABC is calculated for spiny lobster. The Gulf SSC recommended using the same methodology as before, but to use the full range of spiny lobster landings from 1991/1992 to 2015/2016 for the ACL and ACT calculations. The Gulf Council will review the framework options on revising the MSY, MFMT, and the ACL and ACT at the January 2017 council meeting.

The Gulf Council will also consider the South Atlantic trap prohibition and the framework amendment if the South Atlantic chooses to move forward with such an action. It is expected that both councils will be prepared for final action on this framework amendment by June of 2017. Madam Chair, that concludes my report. Thank you.

DR. DUVAL: Thank you, Dale. Are there questions for Dale on any of the Gulf Council stuff?

MR. BOWEN: Dale, when you were talking about the requirement of hailing-in and hailing-out, who does the for-hire fleet hail-in and hail-out to?

MR. DIAZ: It's going to be set up on a system, and Dr. Ponwith might want to jump in and help with this, but it's going to be set up on a system, and I believe it's going to all be done electronically, so you can do it on your smartphone, or there might be some options through VMS, where you can hail-in and hail-out through your VMS, but they would be hailing-in to the National Marine Fisheries Service.

MR. BOWEN: Thank you.

DR. DUVAL: If there are no other questions for Dale, then I know Chris had one item of Other Business that he wanted to bring up, and then we'll let Gregg review the upcoming meetings.

MR. CONKLIN: Thanks. It's not really Other Business, but it was pertaining to the SERO report. I just wanted to ask Dr. Rick DeVictor to let us know when the Fishery Bulletin for the reopening of vermilion snapper will be made official and to read the wording of that into the record, for maybe some stakeholders that might still be listening, of the exact opening and closure of that fishery for the two days. Thank you.

MR. DEVICTOR: This Fishery Bulletin will go out today, and, as Jack said, it's going to open up December 14 and December 15 of next week, and so that's Wednesday and Thursday. As we typically do, we open up at 12:01 A.M. What it says is commercial harvest will reopen at 12:01 A.M. local time on December 14 and close 12:01 A.M. local time on December 16, and the trip limit for vermilion is going to be 555 pounds whole weight, or 500 pounds gutted weight, and then it reopens 12:01 A.M. local time on January 1.

MR. CONKLIN: Are we going to be allowed to unload the fish on Friday morning?

MR. DEVICTOR: I think that's something that we're going to have to ask law enforcement, on how that's enforced, but the fishery closes at 12:01 A.M. on December 16, and so that's one minute into Friday, but, in terms of if the fish are on the boat, if the fish have to be off the boat, I'm not sure how that's enforced.

MR. CONKLIN: In the future, I think it's something we should look at, on maybe our Law Enforcement Committee, in defining and making sure that we have a clear definition of landed ashore and offloaded and stuff like that, just to make it clear to the dealers and the fishermen. Thank you.

DR. DUVAL: We have a definition in North Carolina, and I'm pretty sure that's not going to change.

MR. CONKLIN: I do know that it's interpreted differently for different law enforcement officers, and the North Carolina definition is not always how it's enforced in South Carolina, and so I would just like to see us have a little bit of a discussion and make sure that we're clear on our intent, so it can be disseminated to the law enforcement officers who are enforcing our rules.

DR. DUVAL: No, and I think that's a great idea.

MS. SMIT-BRUNELLO: Chris, the regulations for a closure for vermilion, it says the prohibition on sale and purchase during a closure for vermilion, in this case, does not apply to fish that were harvested, landed ashore, and sold prior to the effective date of the closure and were held in cold storage by a dealer or processor.

MR. CONKLIN: Did we want to have that discussion now or at another meeting? It's just there is a lot of misinterpretations of cold storage. Does that mean that it's left on the boat and it's in

dealer possession, because the boat is at my dock, or, if I have a fish house a mile down the road and I lease a slip at a marina, do I take one fish off the boat and take it to the fish house before midnight? This is stuff they're making us do, and it's ridiculous, and I wanted to have some sort of better idea, because I'm tired of getting jerked around. Thank you. Not by you, but by dockside. Thank you.

DR. DUVAL: It would be my recommendation to have a discussion at an upcoming council meeting about that, and that would give folks time to pull any relevant state regulations with regard to how you define landed fish. Okay. The last thing is just a quick review of our upcoming meetings, and I'm going to turn things over to Gregg.

MR. WAUGH: Thank you. Attachment 5 lays it out for the full year, but I just want to highlight some of the early stuff. We have listening station hearings starting January 18 and 19, and that will focus on yellowtail. Then we have public hearings starting January 23. Within that, we've got some webinar scoping meetings as well.

As I said before, those public hearings continue during the week of February 6 as well, and we've got the Council Coordinating Committee meeting February 27 through March 1. Then our council meeting in March is March 6 through 10, and that's all I intended to go through right now. The rest of our meeting schedule is included in that Attachment 5.

DR. DUVAL: Any questions for Gregg? Is there any other business to come before the council? Seeing none, we will stand adjourned, and I hope everybody has safe travels back home. Thank you, all, very much for your hard work this week. They were tough discussions, and I very much appreciate it, and we'll see you all in the New Year. Thank you.

(Whereupon, the meeting was adjourned on December 9, 2016.)

Certified By:\_\_\_\_\_ Date:\_\_\_\_\_

Transcribed By:  
Amanda Thomas  
December 13, 2016

Subj: **Fwd: SOS**  
 Date: 12/4/2016 8:31:16 P.M. Eastern Standard Time  
 From: [hullsseafood@aol.com](mailto:hullsseafood@aol.com)  
 To: [DSF2009@aol.com](mailto:DSF2009@aol.com)

Rusty  
 Please print this and submit for me at public comment.  
 Jimmy

Sent on a Sprint Samsung Galaxy Note® 3

----- Original message -----

From: [hullsseafood@aol.com](mailto:hullsseafood@aol.com)  
 Date: 10/28/2016 9:23 AM (GMT-03:00)  
 To: [mackattackben@att.net](mailto:mackattackben@att.net)  
 Subject: SOS

Ben,

Since 2009 the belief of Fisherman in My community was that SCIENCE WOULD SET US FREE!

Along with TRANSPARENCY,FLEXIBILITY there was a future for a growing long term Sustainable Commercial fishing Industry in the South Atlantic Region.In fact many of us Commercial Fisherman committed ourselves to providing all we had in an effort to inform Fisheries SCIENCE and stock assessments. Remember when we marched in DC. Along the way and until the last several months and assessments and SSC meetings We felt our efforts were making a difference.

Now in 2016 Its clear that Science will not set us free and that in fact. Science is now a weapon to eliminate the Commercial Fishing Industry.

The use of highly data dependent complex age models BAM and now with new and even more complex formulas being added to the assessment models they have produced unexplainable results even further from the reality of what We interact with on the Ocean.. Remember when simple production models where estimating our stocks. They represent reality as seen on the water, Example is the recent SEDAR 41 Red Snapper Production model compared to the BAM solution.

The Science could not be any worse than it is right now. They have thrown the compass overboard and the electronics have failed.

We Fisherman are not the only ones to believe this.

About a year ago one of the very highest ranking NOAA officials in the South Atlantic told us that the Science would never get any better than it was at that time.

And that we better like the assessments we are getting now, because in the future we may not like what is produced.

After attending the first DATA workshop ever by any Fisherman and involvement in assessments DWs, RWs, SSC meetings etc.

We agree.

It appears that every future stock assessment on every species will produce results of much smaller BIOMASS estimates than previous assessments.

This will result in lower catch limits,shorter seasons and even more restrictive management.

This despite all of the efforts of fishery closures,size limits,gear restrictions and every management idea imaginable we are losing ground going backwards.

Now all we see to do is try and keep what fisheries we have left, try to stop the bleeding. Just

Survive. We are very upset and frustrated with the every growing federal fisheries Bureaucracy that now owns our fisheries for their benefit and expansion and their job security.

So what can be done to help us survive this Scientific assessment genocide?

#### MANAGEMENT

- A. No size Limits (total retention)
- B. Seasonal openings timing that produce the most value for catch.
- C. Angler permits
- D. ?

#### SCIENCE

- A. Simpler models
- B. More sampling
- C. ?

I have never been one to give up on any challenges facing me in my life. And that is why I have been successful in the Fishing business.

However I have never seen a more complex mess made of assessing something that can be seen with your own eyes .In Business I learned to Simplify processes that I could not measure, control or see with my own Eyes.

There is a lot to be gained by keeping Science and Management SIMPLE.

Jimmy Hull

## FULL COUNCIL - ROLL CALL VOTE

Date: December 9 2016

Meeting Location: Atlantic Beach, NC

~~Issue:~~ <sup>Motion:</sup> DIRECT STAFF TO DEV A WHITE PAPER. TO BE DISCUSSED.

	YES	NO	ABSTAIN
MR. HARTIG	✓		
MR. PHILLIPS	✓		
MS. BECKWITH			✓
MR. BELL	✓		
MR. BOWEN	✓		
MR. BREWER		✓	
MR. BROWN	✓		
MR. CONKLIN	✓		
MR. GRINER	✓		
DR. CRABTREE	✓		
MR. HAYMANS		✓	
MS. MCCAWLEY		✓	
DR. DUVAL	✓		

## FULL COUNCIL - ROLL CALL VOTE

Date: December 9 2016

Meeting Location: Atlantic Beach, NC

Issue: SG AMENDMENT 41 (MUTTON SNAPPER)

	YES	NO	ABSTAIN
MR. HARTIG	✓		
MR. PHILLIPS	✓		
MS. BECKWITH	✓		
MR. BELL	✓		
MR. BOWEN	✓		
MR. BREWER	✓		
MR. BROWN	✓		
MR. CONKLIN	✓		
MR. GRINER	✓		
DR. CRABTREE	✓		
MR. HAYMANS	✓		
MS. MCCAWLEY	✓		
DR. DUVAL	✓		

## FULL COUNCIL - ROLL CALL VOTE

Date: December 9 2016

Meeting Location: Atlantic Beach, NC

Issue: FOR-HIRE REPORTING AMENDMENT

	YES	NO	ABSTAIN
MR. HARTIG	✓		
MR. PHILLIPS	✓		
MS. BECKWITH	✓		
MR. BELL	✓		
MR. BOWEN	✓		
MR. BREWER	✓		
MR. BROWN	✓		
MR. CONKLIN	✓		
MR. GRINER	✓		
DR. CRABTREE	✓		
MR. HAYMANS	✓		
MS. MCCAWLEY	✓		
DR. DUVAL	✓		



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