

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **FULL COUNCIL SESSION**

**Sawgrass Marriott  
Ponte Vedra Beach, Florida**

**June 15-16, 2017**

### **SUMMARY MINUTES**

#### **Council Members:**

Dr. Michelle Duval-Chair  
Anna Beckwith  
Zack Bowen  
Mark Brown  
Dr. Roy Crabtree  
Ben Hartig  
Jessica McCawley

Charlie Phillips-Vice Chair  
Mel Bell  
Chester Brewer  
Chris Conklin  
Tim Griner  
Doug Haymans

#### **Council Staff:**

Gregg Waugh  
Dr. Brian Chevront  
Kimberly Cole  
Mike Collins  
John Hadley  
Dr. Kari MacLauchlin  
Cameron Rhodes

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

#### **Observers/Participants:**

Dr. Jack McGovern  
Monica Smit-Brunello  
Jenny Lee  
Rick DeVictor  
Ira Laks

Dr. Bonnie Ponwith  
Erika Burgess  
Dale Diaz  
Jeff Radonski  
Dewey Hemilright

Other Observers/Participants attached.

The Full Council Session of the South Atlantic Fishery Management Council convened at the Sawgrass Marriott, Ponte Vedra Beach, Florida, Thursday afternoon, June 15, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: I would like to call the Full Council Session of the South Atlantic Fishery Management Council to order. The first item of business is Call to Order and Introductions, and I think our liaisons from other councils have already been introduced, Dale Diaz and Dewey Hemilright.

The next item is Adoption of the Agenda. Are there any modifications to the agenda? I am just going to note that I am going to shift a couple of things around, in that, after we finish the workshop report, we're going to move back into the few Snapper Grouper items that we need to address prior to moving into any committee reports, which I highly doubt we will get to today. With that modification, seeing nothing else, the agenda stands approved.

Next is Approval of our March 2017 Minutes. Are there any modifications to the minutes? Seeing none, the minutes stand approved. The next item is Council Staff Reports, and we have an Executive Director's Report under Tab 15, Attachment 1. Gregg.

MR. WAUGH: Thank you, Madam Chair. We use this Council Staff Reports -- If you remember, this is a new way that we've structured the agenda, such that, if there are small items that need to be addressed, rather than holding a complete committee meeting, we will address them here. In terms of the Executive Director's Report, I would like some feedback from you all on what you would like to see in this report.

At the last meeting, I sort of recapped what we had done prior to the council meeting, but that gets a little lengthy, and so what I have focused on here is just I wanted to do some staff recognition, like I did at the last one. Deb Buscher retired on May 31, after twenty-two years of service to the council. We had a lunch for her, and Mike wrote a poem. We didn't know Mike Collins was a poet, and make sure you see him and ask for a copy of that.

Deb was really touched, and she prepared a short note and asked that I read this for the council, and Michelle said that was okay. She says: After twenty-two years, I finally retired from the South Atlantic Fishery Management Council, effective May 31, 2017. I am moving on to the next stage of my life. While I look forward to enjoying my retirement, I will miss working for the council. I will also miss the personal relationships that I have developed over the years with coworkers and council members. I would like to take this opportunity to thank you for the numerous opportunities professionally and the personal development that you have provided me over the past years. I also appreciate the support provided to me during my tenure with the council, both professional and personal. With a very heavy heart, I wish all of you farewell and Godspeed. I have made many friends here at the council, and I am hoping to remain in contact with you. These last twenty-two years have been filled with wonderful experiences, and I cannot thank you enough for your friendship and your support. Thank you for a rewarding and fulfilling career. Sincerely yours, Deb Buscher.

DR. DUVAL: Please wish Deb all the best in her retirement. She is always a great person to interact with, and we appreciated her skills and dedication to her job, and so we're glad that she's able to leave the rat race and go have some fun.

MR. WAUGH: I will pass that along, and Suzanna Thomas, we have hired as a Financial Assistant. She came onboard on May 10, and we've got a couple of staff that we have hired to work on the projects. Kelsey Dick will be working on the recreational snapper grouper permitting reporting project and Kathleen will be working on the for-hire outreach.

We've got a number of staff that have either just had or will have some work anniversaries, and Myra will be here for fourteen years as of July 7. Julia will be five years as of August 13. Cindy has twenty-three years as of April 4. Brian has six years as of July 11. Chip has three years, and he's a young one, after July 9. Mike Collins has eleven years, if you can believe it, as of July 17. Then our youngster, John Hadley, has one year, as of May 25. Roger, another elder statesman, has thirty-one years as of May 16.

DR. DUVAL: Congratulations to all of the staff on their various work anniversaries. I think, if you add up all those years, you could almost probably make a century, and so excellent.

MR. WAUGH: Thanks for that.

DR. DUVAL: I don't know if Gregg was looking for some feedback on the types of items, but --

MR. WAUGH: Just one-on-one.

DR. DUVAL: Okay. If you have any ideas for future items that you would like to see in these reports, just get with Gregg one-on-one. The next item on our agenda is any presentations from the Regional Office. I don't think there is any commercial or recreational ACLs that we haven't already dealt with, but we do have, I believe, a Protected Resources Update.

DR. CRABTREE: Yes, and my understanding is that Jennifer Lee is calling in for that.

DR. DUVAL: Hi, Jenny.

MS. LEE: This is very brief, which is obviously why we didn't have a PR Committee meeting, but you do have a briefing document, and I will just run through the items. The first one on there is the sea turtle conservation and recovery actions in relation to the southeastern United States shrimp fishery, and so the TED rule, and nothing here is too new since your last meeting. You can see the proposed rule went out in December, and we had public hearings in January. The comment period closed in February, and probably the one thing that has happened since the last meeting is that OMB has deemed the rule significant, and so any final rule requires OMB review, and so that creates uncertainty, of course, with the timing of how we move forward.

Then the Atlantic sturgeon critical habitat rule, that was another one that's been on the list, as far as we've proposed it. The actual proposed designation came out in June of 2016, and the main update here is we have an extension of our court-ordered deadline, and so we must publish the final rule or find a final rule unwarranted on or before July 18, and so that will occur prior to your next meeting, and that also is an OMB significant rule. That has an effective date thirty days later, when it does come out, and so it will be effective thirty days after a final rule is published, if it is found warranted.

Section 7 news, I didn't put any changes in the briefing documents. As far as South Atlantic documents, the first bi-op that we are moving forward, in terms of priorities, is the coastal migratory pelagic, but we are also working on some other priority bi-ops in other regions.

Marine Mammal Protection Act news, I just added on here, in case anyone was interested, to keep your eyes out for the final 2016 marine mammal stock assessment reports. NOAA Fisheries is expected to issue a notice announcing the availability and response to public comments sometime this month, and so I just thought I would put that on there as a, like I said, just keep your eyes out if you're interested. Then the Pelagic Longline and Bottlenose Take Reduction Plan and Teams, there is no update on those at this time, and so nothing burning or new, and that's it.

DR. DUVAL: Thanks, Jenny. Are there any questions for Jenny on any of those items? If not, thanks, Jenny, and I'm sorry if you had to hang out for a while prior to us getting to this, but we appreciate the update.

MS. LEE: No problem. I always enjoy listening to your discussions.

DR. DUVAL: I'm glad they can be entertaining. Okay. The next item on our agenda is a brief presentation on the status of bycatch collection programs, and Gregg has pulled up the presentation, and so I guess this is Attachment 4. Dr. Ponwith, are you going to take us through this?

DR. PONWITH: I am. Thank you. This is just an overview of some of the bycatch monitoring programs we have. First of all, we'll start with the Commercial Supplemental Discard and Gear Interaction Logbook. The program began in 2004, and we get about a 20 percent weighted, random sample of permit holders for the species that you see listed there in the slide.

The sample also takes into consideration the type of the permit, the gear fished, and the area of the catch in the selection process as well. The discard logbook report must accompany each of the coastal fisheries logbook reports when they go in, and the discards include all target and non-target species. If you go to the next slide, this is just a list of the fields that are included in the discard report, and this is, I'm sure, near and dear to your hearts, and this is the form that's used for that.

Another program that we run is the Headboat Discard Program. The discards were added to the headboat program, the logbook program, in 2004. Between 2004 and 2012, we used the paper logbooks, and, in those logbooks, we required condition, the number of animals released alive and dead. In 2013, we went to the electronic logbook, and we removed the condition category from that, and, in 2013 to the present, we require the total number of fish released, regardless of the condition.

We use that information, which is the total self-reported discards times the total effort, to get an estimate of the total number of discards across that fleet. The logbook discards are validated with headboat observer coverage. In the Gulf of Mexico, that coverage has been sporadic, but, in the South Atlantic, the headboat coverage for observers has happened in North Carolina and South Carolina from 2004 forward and then in Georgia and Florida since 2005 to present.

We also have the Shark Bottom Longline Observer Program, and, again, it's active from North Carolina to Key West, and that program has been active since 1994 and managed out of the Panama

City Lab of the Southeast Fisheries Science Center. From that, we have annual reports of catch and bycatch available.

The Southeast Gillnet Observer Program, again, is active in North Carolina to Key West, and it's active since 1993, and we produce annual reports, and the website for the annual report for the bycatch from that is there on the bottom bullet.

Then the Reef Fish Observer Program, we don't have an observer program to monitor catch and bycatch in the South Atlantic reef fish fisheries. In 2013, we received a MARFIN award for placing observers in this fishery. We received funding from ACCSP in 2017 that will allow for observer coverage in 2018 for the vertical line fishery. These are the coverage rates that we have for the commercial South Atlantic shrimp fishery between 2008 and 2016. Thank you.

DR. DUVAL: Ben, did you have your hand up for a question?

MR. HARTIG: Thanks, Bonnie. My question had to -- I have seen a reference to this before somewhere down the line, about the validation between the observer work on headboats and the reports from the actual captains. Can you recollect how close those are? I mean, do you have any general sense about that?

DR. PONWITH: I don't have any statistics on that with me of how close they reconcile. I can look into that and find out, but my expectation is, with a lot of these validations, that there's a huge variation, where some are absolutely spot-on and, in other cases, not so much.

MR. PHILLIPS: Bonnie, this may be -- I would just ask if you can shed some light on it. We've got this shark bottom longline observer program, and, numerous times in the last few days, we've heard about shark interactions with fishermen and dusky, and yet I just got an HMS email the other day that talked about more dusky regulations, and so, if you catch any, you leave the area and you call other fishermen in the area.

If we're doing the observer programs and stuff like that, it seems to be a disconnect. We're having fishermen tell us there is more dusky, and yet HMS is saying that we need to tighten up on regulations concerning dusky and try even harder to stay away from them, and can you shed some light on this disconnect?

DR. PONWITH: I would really have to consult with my colleagues in HMS to take a look at this. I certainly heard that in public testimony, and it could be something like a time lag between our understanding of the status of the stock from the last stock assessment compared to what's happening right now, but I can certainly raise this with my colleagues in HMS and get sort of their take on this and bring the amount of public testimony we had with respect to those sharks to their attention.

MR. HARTIG: Charlie, it certainly could be the pressure that Oceana is exhibiting on HMS, with dusky in particular. They are really trying to keep their head to the grindstone on the rebuilding plan for dusky, and so that could be part of it. It's just an observation.

DR. DUVAL: That is exactly what I was going to say, is I know they're under a rebuilding plan. We reviewed those proposed regulations at ASMFC last month, and we have been asked to

consider complementing some of those, I think particularly the recreational regulations, in state waters. The one question I had was I couldn't remember the ACCSP grant that was awarded for observer coverage for 2018 for the vertical line fishery, and I'm trying to remember if that was a 2 percent coverage or a 5 percent coverage.

I feel like the grant was written to allow for like higher percent coverage, depending on funds available, as to how it was written, and I just couldn't remember, or if you recalled off the top of your head, at what level it was funded for. I should know this, because I was there on the ACCSP Coordinating Council, but I just -- I know the proposal was written to be able to expand or contract based on the available funds.

DR. PONWITH: I'm sorry, but I don't know what that percentage is off the top of my head, but I can look into it and let you know.

DR. DUVAL: Thank you, Dr. Ponwith. Any other questions of Bonnie? All right. Seeing none, the next item on our agenda is -- We don't have any EFPs. Roy.

DR. CRABTREE: I would like to make a couple of comments, if I could, about EFPs and some things we're doing. Our office right now has four requests in hand for letters of authorization or exempted fishing permits to test the effectiveness of trap designs for lionfish removal. None of the applications for EFP was complete enough to bring to you to review yet at this meeting, but we have work being proposed, some that's specific to the Gulf of Mexico and some that's proposed for both the Gulf and the South Atlantic regions.

We have previously issued a letter of authorization for work being conducted by the National Ocean Service off of Pensacola, Florida, to design and test the effectiveness of a FAD, fishing attracting device, based non-containment curtain trap, and we're currently reviewing a request to renew that through a letter of authorization.

We have also issued and renewed an exempted fishing permit for work being conducted by other researchers off of North Carolina, and they are testing the effectiveness of Maine lobster traps in harvesting lionfish on artificial reefs and hard-bottom areas and trying to assess the market conditions for the species.

You may recall that, I think about a year ago, you reviewed and recommended approval of an application from the Florida Keys Commercial Fishermen's Association for an exempted fishing permit that would expand work using modified spiny lobster traps, and Bill Kelly mentioned that earlier. They've been involved in discussions with the Sanctuary Program on that, and so that process is still ongoing.

We have got other applications though now to test modified spiny lobster traps and also to try to use the NOS FAD-based curtain design, and so the Fisheries Service supports efforts to try and design and test gear that could be used to develop a commercial-scale fishery for lionfish, and I think, if we want to try and contain, or at least suppress, lionfish populations, the only practical way we're going to do that is if we develop a fishery for them. They are getting good price for lionfish, I'm told around six-dollars a pound, down in the Florida Keys, and so I think there's a market there, but the supply is sporadic.

We are now looking at ways to try and organize all of the various proposals we're getting under a programmatic exempted fishing permit and do the associated NEPA documents that would go with that, so that we could try to bring all the various applicants who are coming in to do this into some sort of coordinated program, and I wanted to get some of your thoughts or get you thinking about this.

The issue we have right now is, if we want to get a commercial scale fishery going for lionfish using traps, most of the devices that are being proposed to use for this fall within the definition of fish traps, and fish traps are prohibited in both the Gulf of Mexico and the South Atlantic, with few exceptions, and so where I am trying to get us to is to a point where we could follow something kind of like the BRD protocol that we have, and BRDs are bycatch reduction devices that are used in shrimp trawls, and we have a protocol where a fisherman can develop a BRD and test it and then, if it meets the criteria, it gets certified as a useable BRD.

I am trying to figure out a way to get us to a protocol by which we could certify a lionfish trap as acceptable for use to commercially fish for lionfish, and that would then be exempted from the broad fish trap prohibitions, but we're going to need to take into account the impacts on things like vertical lines and impacts on marine mammals and turtles and habitat damage, particularly in south Florida with corals, and all of those kinds of things.

Likely, to get to this point, we would end up coming to you, and the Gulf Council as well, because I think we would need some amendments to the plans in order to provide some kind of protocol and certification, but it does seem, to me, that exempted fishing permits are not the best way for us to actually get to a long-term commercial fishery for lionfish, and so that's kind of where I am thinking on all of this, and I will keep you updated, but I wanted to get you thinking about this and get your feedback on this. I went through this same sort of discussion with the Gulf Council last week, and I will probably have this same discussion with the Caribbean Council later in the summer.

DR. DUVAL: Input for Roy?

MR. HAYMANS: Roy, this will be like Amendment 2 to the shrimp plan, where a protocol is part of the FMP, and it may be snapper grouper or something else that it would be put in?

DR. CRABTREE: Some form like that. I haven't gotten to the point of actually looking at it specifically, but we would need to develop some exceptions to the fish trap prohibitions, and I would have to go and -- Those have been in place for a long time, and I would have to look back as to exactly what we would need to do to modify that.

MR. BREWER: Roy, while EFPs may not be the proper vehicle to set up some sort of protocol for an exemption to the fish trap rules, it seems like, to me, they would be beneficial, from the standpoint of sort of establishing the criteria that would need to be met in order to get certified to be an exemption.

DR. CRABTREE: I agree with that, and I think that's what their purpose is now, but then, once we've figured out some of these kinds of things, we need to get to a point where the fishery can operate and function within the existing regulations.

MR. BREWER: I mean, obviously, a commercial fishery shouldn't be operating within an EFP.

MR. PHILLIPS: I really like this, and it probably would be to our benefit to go ahead and start moving down the road, so that, as soon as your office can say X trap or Y trap fits our criteria, we've got a mechanism where we can tell the fishermen to get it built and go do it and instead of having a trap get ready and then we've got to get an amendment done.

DR. CRABTREE: Yes, and I think we'll try to get that. What I am trying to avoid right now is having like fifty EFPs out that have no relationship to each other and no real coordination. Then, at some point, if we do get to the point where we have trap fisheries established and we know what traps work, we still need to think about how many of those traps do we really want out there and how do we want to control that, because there is going to be some level of bycatch in them, and so there's going to be some balance between the benefits of reducing lionfish populations and the economic benefit of having a market and selling them and what level of bycatch occurs and how much -- I mean, there is always some habitat effects from a trap, and we're going to have to find that balance.

MR. CONKLIN: The EFPs that are proposed, and some of them that we have approved, does the Fisheries Service pay the fishermen to go out and test any of this? Is there any money that comes out of your budget?

DR. CRABTREE: Well, no, not at this point, although there has been some money within the National Ocean Service, and they have some employees that are working on lionfish and have been involved in all of this, but usually, in the EFP, the idea is they're going to go out and test some type of trap, and they're going to keep records of what the bycatch is and what they catch, but they're going to sell the lionfish, and that's how they're going to fund what they're doing.

MR. CONKLIN: But they are not paid before they leave the dock? They are paid based on what they catch?

DR. CRABTREE: I have no money within my budget to pay anybody to go out and do these kinds of things, which I why I think, given where budgets are, fishermen -- To go out and put a dent in lionfish populations, they're going to have to get some economic return for it, and the only practical way that's going to happen is if they can sell the product.

MR. BELL: In all of those EFPs, is anybody looking at sort of like a pheromone-based attractant kind of trap or something other than just the standard bait, which would attract anything? I'm just curious.

DR. CRABTREE: I can't say for sure, but I do recall discussions about that. We have one that in fact is a suction device. It's like a vacuum cleaner that they want to use to suck them up off of the reefs and things, and so there are some interesting ideas in all of this.

DR. DUVAL: Any other questions or input for Roy at this point? I think it's a great idea. Keep on keeping on.

DR. CRABTREE: All right, and we'll keep you posted as this goes.



DR. DUVAL: Thanks. The next item on our agenda is a Workshop Report, and so we're just going to turn it over to Chip.

DR. COLLIER: All right. It seems like a while ago, but, on Monday, we had a presentation of a Best Fishing Practices Workshop. It started off with a presentation of SEDAR discard mortality estimates and then looking at a comparison of kept fish to released fish and dead discards, in order to frame the overall workshop.

Then we had a presentation by Andy Loftus with Loftus Consulting and ASA and Keep America Fishing, and he described the results of the FishSmart workshops as well as fishermen perception on descending devices. Then there was a presentation by Steve Theberge with the Rising Leaders Academy, and he presented a variety of descending devices. They ranged from simply a weighted hook all the way up to a pretty complex trap design.

The next presentation was by Dr. Chuck Adams with Florida Sea Grant, and he presented on fishermen's familiarity with identifying barotrauma and current methods that they're using to release fish as well as their perceptions of the different devices.

Following that presentation, there was a presentation by Kai Lorenzen, and he had a survey of recreational, for-hire, and commercial fishermen in the South Atlantic and Gulf of Mexico, and he got their perception on number of fish that they released. In the recreational fishery, it seemed like they were releasing about half the fishery they caught. In the commercial fishery, it was about a third of the fish they caught. Some were familiar with some of the descending devices, and some were not, and he actually figured out that it was social norms that would likely be the best practice in order to encourage change in the fishery, in order to use descending devices or venting tools.

Shortly after that presentation, we had a presentation by Tom Twyford with the West Palm Beach Fishing Club, and he described some of these social norms that the West Palm Beach Fishing Club had used in order to change some of the fishing behaviors. They had used the change in the sailfish fishing, where they encourage no longer retention of the fish and encouraged wet releases, and also changing from j-hooks to circle hooks, as well as an education program that they had for young children.

The next presentation after that was by Cameron Rhodes, and she gave a presentation on the South Carolina Governor's Cup Billfishing Series, and they were looking at the photographs on the trophy catch and returning the fish to the water, realizing that there could have been some potential illegal activity there, and so they were developing an outreach campaign in order to curb this behavior.

Then the final presentation was by Brian Huskey with the Keepemwet organization, and this organization has developed a social media campaign in order to promote best fishing practices for trout. It's been a pretty positive activity, with 134,000 posts, and these fishermen -- It's a grassroots momentum organization, and it seems to be working very well in order to practice best catch and release practices for trout. With that, I conclude the report.

DR. DUVAL: Thanks for that, Chip. Are there any changes or modifications or further input on this report? Seeing none, then this draft will become the final report, and it will go in the reports folder on the website.

MR. BELL: Thanks for putting all of that together. I mean, that was very useful, and it was a lot of stuff, I know, and I appreciate everybody coming. That was really helpful.

DR. DUVAL: Yes, definitely. A huge shout-out to you for all of your efforts in putting that together, and Cameron as well for her work, and so we really appreciate that. That was fantastic information as we consider how to move forward with some of these things.

DR. COLLIER: Thank you very much.

DR. DUVAL: All right. This takes us to finishing up some of the remaining items under Snapper Grouper. As I had indicated earlier, I wanted to step back to red snapper, and everyone should have received a document that was emailed out to council members regarding like a revised Amendment 43. I believe Mike Collins sent that out a short time ago.

I think Chip is going to walk us through that, but this is the result of the efforts that council staff and I guess Regional Office staff have put together here. After we finish with that, then we'll step back to red grouper, and I think John Carmichael will lead us through that agenda item. Then, if we have time before adjourning, we'll cover golden tilefish. Chip, I am assuming that you will be the one walking us through this document, and so the email -- There is an email from Mike Collins sent at 2:18 p.m., and it just indicates "forward to council" and it says, "Red Snapper ACL Amendment 43 doc", and it's a Word document.

DR. COLLIER: Based on the very end of the discussion for Amendment 43, there was a request to provide you guys with a much simplified version of Amendment 43, and I have done that, through assistance from the Southeast Regional Office and John Carmichael.

This is a much simpler item, and so we modified the purpose and need for Amendment 43. The purpose, listed here, is the purpose of Snapper Grouper Amendment 43 is to revise annual catch limits for red snapper. The need for the amendment is to prevent overfishing and rebuild the snapper stock, provide access to the red snapper fishery, and, to the extent practicable, avoid social and economic effects. Adverse. Sorry.

DR. DUVAL: Is there any desire on the part of the committee to modify that purpose and need? Chip, are you looking for us to go ahead and approve these things?

DR. COLLIER: If you guys would like to have a season in 2018, we likely need to get started today, and you guys probably would need to approve this for public hearings for August.

DR. DUVAL: I am thinking that we walk through the document and look at everything first.

DR. COLLIER: It's going to be a quick walk.

DR. DUVAL: Okay.

DR. COLLIER: We have one action. The one action is to revise annual catch limits for red snapper in the South Atlantic region. The first action is what we have currently, that equation that you guys are familiar with. The second one is looking at a total ACL of 23,623 fish. That number

comes from the average of landings from 2012 to 2014, and a lot of this information is described in the discussion section.

Alternative 2 is using that exact same average from 2012 to 2014, and it's scaled up to a relative index, and so, from 2012 to 2014, we calculated an average CPUE value. Then we scaled up from 2015. We scaled up the value based on the increase in the index CPUE from 2015 to 2016. The difference between those two was 1.8 times, and so this value is 1.8 times the average landings of the total fishery from 2012 to 2014.

DR. CRABTREE: That's the trap CPUE index that's in the figure later in this document, right?

DR. COLLIER: That's correct. It's the trap index. We couldn't use the CVID index, because it's not available until August of the following year, and so, if we want to have something that is more rapidly available, we will need to use just the trap index. If you look at that figure that you're referring to, it actually overlays with a biomass indicator, and it correlates very well, or it matches up very well, with that. I will get to that figure in a second, after we get through the alternatives.

Alternative 4 is the maximum landings that occurred from 2012 to 2014, and the reason the maximum is in there is because we didn't see a decline in the fish population over that time period. Therefore, the feeling is that that might not incur overfishing either. The last option is taking the maximum and multiplying that by that scalar of 1.8, and this one exceeds any value that we had seen over that time period.

Going into some of the tables, I provide Table 1, which is the landings in number of fish from 2012 to 2016, and I have different averages there, as well as the maximum. The next table is the reef fish survey from the chevron trap, and it's just a table of the values, if you're interested in that, and the CVs associated with those. Then the final one is a figure of the chevron trap index, the normalized index, from that, as well as the SSB compared to the SSB at 30 percent.

The timing for this, what we're looking at is, if you guys approve the alternatives and then approve it for public hearing at this meeting, public hearings would be conducted via webinar in August and an in-person meeting at the council meeting. Final review would be at the September meeting, and then for formal review a week after the conclusion of the September meeting.

DR. DUVAL: Questions?

MR. HARTIG: Chip, do we have an average size, so we can have an idea how many pounds this is, or not?

DR. COLLIER: Actually, I just went through that. If you look at the projections from the stock assessment, the projections are estimating that the landings would be just over ten pounds. We have very few landings for 2015 and 2016, and so I can't really provide those to you, but I did look at what was in past SEDAR estimates, and the commercial fishery seemed to be pretty stable, at around ten pounds. The recreational, the MRIP estimates, were a little bit more variable, and then the headboats were a little over ten pounds, maybe around eleven pounds, from 2012 to 2014.

MR. BROWN: This is just a quick fix, just so we can possibly get the season open, and is this also going to provide data, so that we could possibly come up with an ABC and then change it? Is that what the intent is?

DR. DUVAL: I think this would actually be an interim approach. I mean, Dr. Ponwith described yesterday the index-based approach that the Science Center staff are working on. This was the same index-based approach that was, I think, described to the SSC, and so that's a longer-term and broader application. The intent is that an index-based approach like that could be applied across multiple species, and so I think that council members would need to view this as simply an interim approach until that alternative index-based approach being developed by the Science Center is ready for use.

DR. CRABTREE: This doesn't change -- This would leave in place the start date, and so the way we set it up previously is that the commercial fishery starts on the second Monday in July. The recreational fishery starts on the second Friday in July and fishes weekends. What this would do is set up a catch level and then a certain amount allocated to each sector, and then we would open up the fishery for however many weekend days we think it would take them to catch the quota.

I am going to need to get back and talk with Dr. Barbieri about the Fish and Wildlife Institute's ability to do the red snapper catch monitoring kinds of things that they've done in the past, but I am looking at this as something that would go in place until we're able to get a more sophisticated approach to derive an ABC through the SSC.

Then we still have quite a few things in what's left of Amendment 43 that you could look at, in terms of if you want to change size limits and trip limits and start dates. I know there was some interest in moving the fishery later in the year and all those kinds of things, and so this was just a way to get something going for next year.

MR. BREWER: I think Roy may have answered my question. In fact, you probably did, but, Chip, is there any way of a seat-of-the-pants estimate as to the number of days that the recreational sector would be able to fish under these different alternatives?

DR. COLLIER: I think that would take some calculation. I don't have those numbers available right now, but Roy might be --

DR. CRABTREE: Partly, it will depend on what we choose for a preferred alternative too, and so we'll analyze this stuff as well as we can and have that kind of information when it comes back in September, and then you can make a choice.

MR. BREWER: I didn't know whether it would be necessary for us to pick a preferred today.

DR. CRABTREE: No, and I would recommend that you not do that, because I don't think there is sufficient analysis in here to do that. I think what Chip is looking for is are you okay with the range of alternatives and the approach.

MR. BREWER: Thank you. That answered my question.

MR. BELL: I think Roy answered my question, but there's a more sophisticated approach, or however you describe that, that we're kind of coming at that would be reviewed by the SSC or something, but this is a fast-track, quick fix, and there's not kind of an SSC check on this.

DR. CRABTREE: Right, and Bonnie can correct me if I'm wrong, but I don't believe the index approach and the peer review and the things they're envisioning doing would be to us by the December council meeting, and, at that point, there is not time enough to get all of this done if you want to have fishing in 2018.

DR. DUVAL: Bonnie, to that point?

DR. PONWITH: Specifically to that point, we outlined what we think are the steps it would take to do this correctly, the index approach, and we are along the way on it. I think it would be really close to be able to try and get it done by December, and all it would take is a hiccup in the analytical approach or converting the analytical approach into management advice, and, if there were any hiccups, we would be late. So we're loath to say that, yes, it can be done by December and then find out that we hit that hiccup. We will forge on to getting that work done so that it's available as the longer term and properly socialize that with the SSC from the science side and then work with the council as well on how the council would use those results to develop management advice for setting an ACL.

DR. DUVAL: Thank you, Bonnie.

MR. HAYMANS: My question was sort of where Chester's was, but, Chester, if you think about that in 2014 we had an eight-day season and the abundance level that we had then, with an eight-day season, it was 42,000 fish. Higher abundance now, and Alternatives 3 and 4 probably gets you somewhere in the neighborhood of a three-weekend season. Just to be clear, Chip, for the record, these are the landings or harvestable ACL and not the total ACL.

DR. COLLIER: That is correct. There have been so many comments on the discards not being reliable and having issue with it and the change in the MRIP estimation process, and so we're trying to avoid that and going with this other approach.

DR. DUVAL: The numbers that you have displayed here under this approach, under these different alternatives, they are -- I was just looking at the report from 2016 and the comparison of those numbers, and so, in the red snapper landings and discards report that we received yesterday, that was compared to a 2016 ABC of 116,000 fish or something like that, or 121,000 fish.

DR. COLLIER: That ABC includes landings plus dead discards.

DR. PONWITH: That was really fast work, for the folks that worked on this, in converting what we saw into this kind of abbreviated approach. The things that I would like to put on the table are that we've got the stock assessment. The stock assessment came back saying that we were overfished and undergoing overfishing.

There is a lot of water under the bridge between then and now. We're seeing a tip in the fishery-independent survey that is in the right direction, and we have some numbers here for landed catch. I think what we need to do is have a conversation about how these numbers would relate to our

sense of probabilities that we are not engaging in overfishing if we selected any of these options, because that ultimately is the guiding principle on whether there is an ACL and what that ACL is.

I think that you're exactly correct that there is uncertainty in the -- There is inherent uncertainty in the discard mortality rates, because the discard estimates are uncertain. Added to that, those discard estimation methodologies are changing, and so that creates sort of a cloud of uncertainty, but we still have that obligation of doing some sort of an assessment with respect to ending overfishing and look at that assessment relative to the council's tolerance for risk, when it comes to have we or have we not abided by that requirement. I think it's fair to look at this table and look at the methodology, but I do think we need that discussion.

DR. DUVAL: I think that's why what's before us -- Monica, correct me if I'm wrong, but we don't have additional analysis, and so what is being asked of us here is looking at this document and basically approving the document for public hearings. We're not selecting any of these, because we don't have sufficient analysis to do so.

MS. SMIT-BRUNELLO: That's right, and the document, obviously, before it goes out to public hearing, would have a whole lot more additional analyses in it, and, as I mentioned the other day, the Act is geared toward ending and avoiding overfishing. Just like Dr. Ponwith said, we need to have that discussion, and so, at this point, I would urge you not to pick a preferred, obviously, because you don't have enough information in front of you, but you will see a more robust, hopefully, document in September, and you can make a decision then. You could fall back to December if you had to, I think, and probably get it implemented in time, if you had all of your ducks in a row and all the timing and all of that, but that's right.

DR. DUVAL: To that point, Roy?

DR. CRABTREE: Yes, and the analysis will address some of what Bonnie brought up, is the relative risks of the various alternatives, the rationale for how this might work, and some sense to you of what this would spell, in terms of a season and days and all of those kinds of things, but it certainly will have to address the issue of preventing overfishing and rebuilding the stock and the levels of risk that would be entailed, to the extent that we can.

MR. BREWER: I am wondering if it would be advisable to, at some point, and not necessarily next week, or even next month, but put out some sort of a press release that the council is working very hard to try to put in place a season for 2018 and just get a little PR out there for that. Then, number two, in that same press release, and I know we can't require it, but encourage the use of - - If we are able to have a season, encourage the use of descending devices, and then have our folks put it out and then also have the state folks put it out.

DR. DUVAL: I will just note that we always have a council meeting report, a news release, that goes out the Friday afternoon of the council meeting week, and so Kim is working on that right now, and I'm sure it will reference our conversations on red snapper, and I would think that that would be the place where the work that we're trying to do would be included in there.

MR. BREWER: Thank you.

MR. BROWN: Bonnie, could you briefly explain to me how overfished and overfishing is occurring when the SSC could not determine an ABC, or an ACL could not be set?

DR. PONWITH: That was the result from the last stock assessment, where the determination was made that we were undergoing overfishing, but the SSC could not quantify by how much.

MR. BROWN: Are you talking about SEDAR 24?

DR. DUVAL: No, this is SEDAR 41. Last April, when the SSC reviewed SEDAR 41, they determined that the stock was overfished and overfishing was occurring, but, because of the uncertainties, and I am significantly paraphrasing here, the degree of overfishing could not be determined.

MR. PHILLIPS: In considering where we are and what we've heard from the fishermen and the fact that we haven't had a season in several years and it's going to be another year before anybody can actually catch any fish and bring them in, I think that doing this is going to help us get down the road to some better information, and we need to do this, and we're not going to get better information until we do this.

I think we talk about level of risk, and I don't think any of these are risky compared to what we've heard. Can we quantify everything like we would like to? No, but then we don't like the uncertainty that we're having to deal with in discards either, and so we've got to do something, and this looks like a reasonable path forward. Thank you.

MR. HAYMANS: Chip, I appreciate the midnight oil, and what you presented is based on the landings from 2012 to 2014, right? Was there discussion, during the midnight session, of how we could get to the 296,000 dead discards and use some of that, to be able to keep some of those dead discards?

DR. COLLIER: You are going to be keeping some of those discards now, through this, but, given all the letters that we've had in regards to the MRIP estimation of released fish, we didn't feel comfortable using that as an estimate for this. What we're trying to do is focus just on the landed catch and try to use better estimation techniques for that.

If you look at the landings report, there is a paper that FWC did in 2012, 2013, and 2014, and they used a different type of survey, in order to get estimates of the red snapper catch, and that was used during those time periods, during the mini-seasons, and that seemed to be a little bit better of an approach for estimating landings for red snapper, and, recently, that paper has been published in a peer-reviewed journal.

MR. BROWN: I just have a hard time believing the SSC. This fishery is not overfished, and overfishing is not occurring. You can talk to any fisherman up and down the coast and they will tell you that. My personal experience is I have never seen so many red snapper in the ocean as we see now, and I don't know how this determination was made, and I am not going to -- I just hate to see us keep smoothing things over and say we've got to do this because it's overfished and overfishing is occurring, and it's not. I mean, the SSC is wrong about this.

DR. CRABTREE: Inherent in our -- If we do this and go through with this, then clearly we don't believe we're overfishing, because we're not allowed to undergo overfishing, and so part of what we're going to try to make in this document is a rationale for how we believe we can do this and that we will not be overfishing. The trouble is we don't have an assessment to confirm that we're not overfishing at this point, and we don't have an ABC that we believe is useable for management at this point. Maybe we will have one sometime next year that will guide us going forward, but I mean that's inherent in what we're doing here, that we believe that overfishing is not going on and that we're able to do this, but we're going to have to make that case.

DR. DUVAL: Okay. Are there any other questions?

MS. BECKWITH: If we approve this in September, I'm assuming the SSC is not going to review this. We gave them an opportunity to give us a path forward, and they were unable to do so, and so this is the next decision that we're making as a council and so we are actually not requesting that the SSC review this.

DR. DUVAL: That would be my assumption.

DR. PONWITH: I am trying to stretch my memory. Was there going to be a webinar established for the SSC, or do I have my two SSCs messed up? I had back-to-back council meetings, but my take is that, if the SSC is meeting by webinar between now and when the council meets the next time, having them take a look at this would be beneficial, and I think another question that would be beneficial is -- If not for the SSC, for the development of these materials between now and the next council meeting, and that is a treatment of discards, if there is a way to address ways to mitigate for discards in the document, and, if that's appropriate, I think that would be a good thing to address in those materials.

DR. DUVAL: My understanding is that there is not a webinar SSC meeting that is set up right now, and I am looking back at staff. There is no webinar SSC meeting? I think their fall meeting is what is on the books.

DR. ERRIGO: There is nothing scheduled right now, although I think the council did ask the SSC to meet via webinar to discuss the research track earlier, if I remember from the SEDAR Committee meeting.

MR. CARMICHAEL: That was mentioned. We don't know when that will be and if that will happen -- Hopefully it will happen before then, but the SSC has asked that webinar meetings be single topic. I think the research track would be plenty, and I wouldn't dare put this on them on this, and I think we -- You're setting an ACL and stuff. You asked them to give an ABC, and you saw that they were unable to do so, and so you're setting an ACL, and so you can probably move ahead with this, and you will have a document that will go through the appropriate reviews.

DR. ERRIGO: Yes, we've never had multi-topic webinars. It tends to be a bit much. One topic is usually quite enough for an SSC webinar.

DR. DUVAL: Okay. Any other questions or concerns?



MR. GRINER: Chip, for the commercial side of this, you would see this 76,000 fish -- If you take the 30 percent of it and then you're going to multiply that by some eleven pounds or whatever and that's going to be the commercial allocation?

DR. COLLIER: We're going to have to take these numbers of fish and convert them to weight of fish and then use the allocation to develop the sector allocation for recreational and commercial. At that point, we could have the weight of the commercial allocation, or either in numbers of fish or weight of fish. Then the recreational numbers would be derived from that. We're trying to keep the allocation based on weight, because that's how the old method has been done, and using the projections would be using the average weight. Using the projection average weight, they have four different scenarios for that, and you can average across those, in order for the 2017 season, in order to get what the model was projecting for 2018.

MR. HARTIG: I mean, this is absolutely critical for the data collection process for red snapper. I looked at all the FWC information and all the research that they had done and compared the mini-seasons, and the most robust aged fish come from the mini-season, out of that all that research they've done.

Yes, we have benefits occurring to both the commercial and the recreational fishery, but the benefits to the data collection, to me, outweigh the --- To answer some of these questions about the traps and the selectivity issue that we're saying the trap may not give us an age structure that's in the population, and so, to me, the benefit -- The major benefit of this is in data collection. Even though there are benefits accrued by the different fisheries that are actually targeting these fish, data collection is a major impetus to do this.

MR. CONKLIN: I just would like to make sure that we have observers on like headboat we can and everything else when this goes on, so we can get it right this time.

MR. BROWN: Do we need to make a motion?

DR. DUVAL: Yes, and so that's what we're moving towards. If there are no other questions, if there are no other comments, then really what we would need is a motion to approve this document for public hearings. Maybe we need to go back to the top of the document and get motions to approve the purpose and need and to approve the alternatives and then approve it for public hearings.

MS. MCCAWLEY: **I move that we approve the purpose and need statements.**

DR. DUVAL: Motion by Jessica and second by Charlie. **The motion is to approve the purpose and need statements.** Is there any discussion? **Is there any opposition? Seeing none, that stands approved.** The next motion we would need would be a motion to approve the alternatives.

MR. PHILLIPS: **Madam Chair, I move we approve the actions and alternatives in Amendment 43.**

DR. DUVAL: Motion by Charlie and second by Doug. **The motion reads to approve the action and alternatives in Amendment 43.** Is there any further discussion? **Is there any opposition? Seeing none, that motion stands approved.**

MR. HAYMANS: **Madam Chair, I would move that we approve Amendment 43 for public hearings.**

DR. DUVAL: Motion by Doug. Is there a second? Second by Jessica. Is there discussion? **Is there any opposition? Seeing none, that motion stands approved.**

Okay. Thank you to the staff who worked on this document and approach, and I guess we will see -- There will be additional analysis prior to this going out to public hearing, and so this would be a webinar public hearing, is what I'm assuming.

DR. COLLIER: A webinar public hearing in August with and in-person public hearing at the September Wednesday council, the Wednesday of council.

DR. DUVAL: Okay. Thank you. The next item that we needed to pick back up was red grouper, and so I'm going to ask John Carmichael to come back up here. Yesterday, we received a presentation from Dr. Erik Williams regarding the outcome of the red grouper assessment, and the nutshell version is the stock is overfished and undergoing overfishing, and it will not rebuild within the existing rebuilding timeframe. John is going to walk us through the things that we need to consider here.

MR. CARMICHAEL: The SSC reviewed this, and what they determined was that the stock could not rebuild in the allotted rebuilding time that you have, even at an F of zero, and their discussion really centered around -- This figure right here captures it. This is the recruitment time series, and this is the recruits at MSY. It's about 400,000 fish, and they noticed that recruits have been well below MSY. They have been well below the stock-recruitment relationship in recent years, and so they really feel that's one of the reasons that this stock has not progressed.

They came up with -- The first option we have to consider is they came up with an alternative set of projection scenarios that use the average recruitment, and so that came out to about 140,000 fish a year being recruited. That's what they recommended in the assessment as their low projection, low-recruitment projection.

This is a rebuilding plan. It has not progressed to where we would -- We can't get to the endpoint that we have, but the guidance in the National Standards is that you can continue at -- I think it's the lower of F rebuild or 75 percent of FMSY, and your F rebuild, in this case, is 75 percent of FMSY. My understanding is that you don't have to make any substantial changes in your rebuilding plan if you don't choose to and you can continue to set your limits based on that 75 percent of FMSY and the rebuilding will continue and extend on out until the stock can actually rebuild.

You could, of course, change it all, and that's why the SSC didn't provide any clear ABC recommendations, because they felt you may wish to reconsider your rebuilding plan, but, if you just maintain the 75 percent of FMSY, then the question comes being using the higher or the lower recruitment scenarios, and I think, if you were to say today decide that you wish to base your future ACLs on the lower recruitment scenarios, that would be below whatever the SSC would recommend as their ABC, if they were to even choose the lower, and you could proceed on, in which case we would ask the Science Center for some projections with changes starting in 2018,

because the other issue is we have changes started in 2017 and 2019 evaluated, but, with the assessment being presented to the SSC in 2017, there was certainly no way that we were going to be able to have management taking place in 2017, and so we're going to have to request projections starting in 2018.

If we don't have a decision here on the recruitment level to use, then we may need to ask the SSC for guidance on that, which would probably push you guys back to getting this in December, after the SSC meeting, which I don't know if you could get the changes in place for 2018 if we don't do it until December. Those are kind of the two issues. Can we pick one of these Rs, and, if so, how does that affect our projections and our review of the SSC and when we could actually take changes.

MR. PHILLIPS: John, I was sitting in on some of those calls, and it seems like I remember some conversation about there were some landing peaks that didn't necessarily correlate to recruitment peaks, and is there a -- It seems like I'm remembering that there was not a good correlation to landings and recruitment, because some of the recruitment may have come from the Gulf of Mexico, with hurricane events and things like that, and so how do we figure all that in?

MR. CARMICHAEL: There was some discussion along those lines, and I don't know that we know any better how to figure all of that in than they do. I believe they probably provided a research recommendation trying to get a better handle on the source of productivity for this stock, in particular these two really high recruitments, which you can see are three times what is expected at MSY, and there was a lot of consternation with those and concern with those as to whether or not those maybe were some sort of flushing over of fish from the Gulf in some way or what was going on.

There is just a such a -- The short-term very unusual spike caught a lot of their attention, but, yet, it existed in the last assessment, and it existed in this assessment, and the recruits at MSY and the MSY have been fairly constant across these two assessments, but it's just that we've had this erosion of recruitment, and so we really don't know yet. It will take probably more research, and I think ecosystem-type level research, to better understand what goes on with our larval fish and how often we maybe do get fish flushing out from the Gulf to drive our populations.

MR. HARTIG: Some of the golden tilefish stuff, John, and we harken back to when we got that huge -- Those fish that appeared, big fish, that appeared out of nowhere in that fishery after those two -- Well, there was three hurricanes in two years, the eyes of which went right across the area where most of those tilefish were caught.

I know it's just a gee-whiz type of observation, but I mean, in time, I think you could probably look at some of this stuff, with the timing we had, with the size of the fish we had available pre and post-hurricane, in at least golden tilefish, and possibly even red grouper. When we see these huge recruitment spikes, you know it just cries out for what we've dealt with before when we've had these huge recruitment spikes. There is not a lot of support behind that type of thing, and then we see in the assessment, the next assessment, at times they disappear, and so somehow, someday, in the future, trying to delve into some of the aspects of possible immigration that's causing some of this, in the South Atlantic in particular.

DR. DUVAL: John, I think all of the projection scenarios had the start date in 2017, and so, even if we requested an alternate -- We would need to request alternate sets of projections for starting in 2018 if we want a both low and high recruitment scenario, or low, I guess, and maybe expected or average recruitment scenarios.

MR. CARMICHAEL: I think it's predicted, or observed maybe, is really what sums it up, because one is based on the stock-recruitment relationship and the other is based on what we've seen in the recent years. Actually, the recent years, I think it is 2006 to 2015 that they use, and so it's a pretty long period, and they did projections that start in 2019 in the assessment, a couple of scenarios for 2019, and so, if we wanted to wait that long, but I don't know that that's necessarily wise. It would seem like it worthwhile trying to do something in 2018.

DR. CRABTREE: The low-recruitment projection scenario is assuming recent recruitments, and does it assume that those recruitment levels continue throughout the remainder of the rebuilding plan?

MR. CARMICHAEL: Yes.

DR. CRABTREE: All right. Are we then saying there has been a regime change, and are we then re-estimating MSY and BMSY and all of that, based on low recruitments, or are we assuming that when we recover that recruitment will miraculously jump back up to the other level?

MR. CARMICHAEL: They didn't re-estimate anything based on assuming say that lower level of recruitment was a good estimate of recruits at MSY, and so I guess you're more -- That's an interpretation, scientifically, of saying you're getting some type of recruitment failure. Then there were some SSC members that said they didn't necessarily see it that way, that it appeared as recruitment failure. Maybe these couple of high spikes were really setting false expectations and that recruitment had overall -- If you look over this period, other than these spikes, it really hadn't overall been all that much below what was expected, and they were kind of divided on that, and so I would say they didn't recalculate things.

If we went with the low, I would say we would expect, in the next assessment, that we would certainly want to update that and revise it with whatever we're observing at the time. If the next few years look a little better than that period, then we would want to take that into account, and so maybe you would do this for say three years and ask for an assessment update and reestablish that average recruitment level for projections.

DR. CRABTREE: If you use a low-recruitment scenario, can you ever rebuild?

MR. CARMICHAEL: You could, yes. You could rebuild a very long time into the future at a very low F.

DR. CRABTREE: That's my concern with it. If we assume these recruitments are going to continue for another decade or so, and that they've been occurring for the last decade, then you've got twenty years of these low recruitments. If we really think that's the basis for what's going to happen, it seems to me then that we ought to re-estimate all the reference points if that's what we think the reality is. To assume these low recruitments for twenty years and projections, but then

maintain the rebuilding status based on the higher recruitments, it doesn't seem to make much sense to me.

That's something I would want to have some more thought about, because it will be very difficult to ever recover to the high recruitment levels if you don't ever get the high recruitments, and it seems pretty arbitrary to assume low recruitment out to some point and then assume it's going to suddenly become high recruitment again, and so I think we need to give some thought as to what the implications of all that are.

DR. DUVAL: We don't have any projections with management starting in 2018, right, and it was just 2017 and 2019, and so, even if you were to look at an expected or predicted recruitment, rather than the high and the low, you would still need to request another set of projections for those.

MR. CARMICHAEL: Yes, and I think, to do anything for 2018, we're asking for new projections.

DR. DUVAL: Then there's a question as to whether or not -- We would need the SSC to review those in October and provide --

MR. CARMICHAEL: I think, if you went with one of these scenarios, that you could probably have something for September. Certainly if you go with the low, because you can go -- You can't exceed your SSC's ABC. If you went with the low, then you wouldn't be exceeding the two options that they really had before them for ABC, which is either the high recruitment or the low recruitment, and it's a in a rebuilding plan, and so the ABC basis is the F 75 percent of FMSY, and so then it condenses down to which is the -- You're essentially bounded by that estimated recruitment scenario, the higher-recruitment situation, and then this lower one.

If you went with the higher one now and asked for projections and you set your ACLs based on that in September, then there would be a chance that perhaps the SSC would say, no, we really wanted you to use the lower. Now, they discussed these, but they didn't give guidance at the time on whether or not they thought the higher or the lower-recruitment scenario was most appropriate, and so they left the question essentially unanswered at that time.

One option could be to go back to them and say, okay, which is it, the high or low? Another option is you could take the conservative route and know that, regardless of how they answered that question, if you chose the low and gave us guidance to get projections for that and have the ACL in September based on the low, then I think you would be safe. You wouldn't be exceeding their ABC. The only time I think you really have to go back to the SSC is if you were to say favor the high-recruitment scenario, because there's a chance that might be over the ABC they would recommend.

MR. HARTIG: John, how does the low correspond to say average of removing your spikes?

MR. CARMICHAEL: The low is down here, like a 140,000, and so it's sort of going through down here, probably in this area.

MR. HARTIG: Okay.

MR. CARMICHAEL: When the projections were done under SEDAR 19, the average recruits that was being projected, say from the terminal year of that assessment to now, was in the 300,000 range, and so what we've observed is half of what we predicted would occur back then, and that's one reason that this fishery has not achieved its ACL for so long, because the fish just haven't been out there.

I think the SSC, perhaps the majority, and, as I said, they weren't real clear on this, but they may have felt that, at least over the next three to five years, this low observed recruitment scenario probably makes a lot of sense, and so I think you would be on pretty solid ground if you were to perhaps set the ACL for that, say for the next three to five years, and then ask for an assessment update at that point. Then I think bring in some of the questions that Roy raised about does the productivity maybe need to be reestablished, based on what you're observing and not what you're predicting, based on how much influence those couple of spikes might be having on that recruits at MSY.

DR. CRABTREE: Yes, because, if you believe the low-productivity scenario is reality, then you're probably much closer to being rebuilt than you think you are, because you're not going to rebuild to nearly as high a level. That sounds good, but that means you're saying the stock is much lower productivity, and so your yields are going to be low. Even when the stocks rebuild, the yields are going to be much lower, but, if these recruitments are what happens, maybe that's reality, but my worry is just that, if we use the low-recruitment scenario, but the reference points are all high recruitment, then it's going to be impossible to get there, and somehow we've got to connect these pieces.

MR. HARTIG: I am trying to look at what discards have been in the recent past for the recreational fishery. Were they high in this fishery or not?

MR. CARMICHAEL: I don't really recall. Do you recall, Myra? Do you think maybe they were? I'm not sure if it's in this presentation.

MS. BROUWER: My recollection is that discards have been high for all the shallow-water groupers, but we did talk about gag, and then we looked at average landings for gag and red grouper during the visioning amendments, but, in general, I think they've been high.

MR. HARTIG: I have heard some anecdotal information from at least one of our council members on gag, that there is a pretty good year class that showed up last year, and now they're at least big enough to keep this year, and he is actually making trips on that year class, and that's why I was wondering with reds. If there is some indication that we're having a lot of discards in the recreational fishery in the last couple of years, there may be some fish coming along. I am just trying to ground our decision on which recruitment scenario to pick.

DR. DUVAL: Chip is pulling up some of the slides that he had put together for the best handling practices workshop, and one of those was red grouper.

MR. CARMICHAEL: Can you remind us of the coding here?

DR. COLLIER: Sure. On the left of this figure is kept, in the middle is released, and on the right is dead discards, and you can see, if it's in red, that exceeds what was kept. If it's yellow, it's 75

percent to 100 percent of what was kept. Then, if it's blue, it's 50 to 75 percent. Over to the right are dead discards.

MR. CARMICHAEL: Across years?

DR. COLLIER: Yes, and that's 2012 to 2016.

MR. HARTIG: That's all red grouper for those years?

DR. COLLIER: Yes, this right here.

MR. CARMICHAEL: It must be a lot of size-limit-based discards, I guess.

DR. DUVAL: It seems to me like we would want to get projections, starting in 2018, under the low-recruitment scenario, at least. I mean, I agree with Roy that -- When I look at the management quantities, these are -- The deterministic estimates is what the SSC recommended we use, but those are based on what I guess I would call average recruitment. Is that correct, John?

MR. CARMICHAEL: I didn't think they put numbers in their report, but, yes, they gave -- That would be the equilibrium conditions and such, right? They didn't put any actual numbers. They had them all in the projections as the -- In the assessment, they had the projections at the base and then the probabilistic and deterministic.

DR. DUVAL: What we might need to do is go back to the SSC and ask them to evaluate projections under this low-recruitment scenario under any rebuilding targets, right?

MR. CARMICHAEL: Under the F 75 percent F rebuild. That's our rebuilding strategy now. If you went to the SSC and got that and got information in December, would that impede you getting a change in this ACL for 2018? I think they're assuming landings of three-hundred-and-some-thousand in the interim on the projections, and so what they're recommending now is some reduction in the landings. Over the next few years, there is not a huge difference in the low versus high-recruitment scenarios. It's not a lot. It's 10,000 pounds or 15,000 pounds, or maybe it's 5 to 10 percent.

DR. DUVAL: Okay. Well, I guess we can go ahead and get the projections for both low and high and just see what they look like before making a final decision on this. I am just trying to --

MR. CARMICHAEL: Yes, I think we have to do that. We can get the Center to do us projections starting in 2018 with the changes for the low and high-recruitment scenarios at F rebuild, and then we will need FMSY, because that's our OFL level. We get those four projection runs. Then, if the committee would like further guidance from the SSC on which they pick, on which is likely to be the ABC, then we will get that in October and bring it to you in December.

DR. DUVAL: But we could get the projections by September.

MR. CARMICHAEL: Yes.

DR. DUVAL: For low and high-recruitment scenarios starting in 2018 at the F rebuild and then 75 percent FMSY.

MR. CARMICHAEL: Right. Then I think, if you were to choose to go ahead with the low, you would be very safe with regard to what your SSC could pick for an ABC.

MR. HARTIG: At least we would have those two scenarios for the SSC to look at.

DR. DUVAL: Okay. Is everybody clear as mud? I see a lot of tired faces around the table. Okay. We're done with red grouper, and we'll see those projections in September. The final item that I had wanted to go through was the background document on golden tilefish. Do you think we can cruise through that? Okay. That is Attachment 10 in the Snapper Grouper portion of the briefing book, which is Tab 10.

MS. BROUWER: Thank you, Michelle. This background document basically just lays out how we got to be where we are when it comes to golden tilefish, beginning with recommendations from the SSC for the fishing levels that were established through Regulatory Amendment 12, and that is recall when the council decided to go with the equilibrium yield at 75 percent of FMSY, and so that's where we are currently.

There was an update to that assessment that was done recently. The golden tilefish stock is now considered to be undergoing overfishing, but it is not overfished, and so the SSC reviewed that assessment. They provided fishing level recommendations at a  $P^*$  level of 0.3. Then recall that you received those results in June of 2016, and there was a lot of discussion about uncertainties and concern over the large differences in biological benchmarks and fishing level recommendations between the current update and SEDAR 25.

There was discussion about there having been different methodologies that were used and several more years of data, and it was noted that the 2000 year class had been predicted to be very large in the SEDAR 25 assessment, and then it ended up being estimated at about average in the update, and so the council requested that the SSC discuss all of these items pertaining to the update during their fall meeting. The SSC did, and they made, however, no changes to their ABC recommendation.

Then, in December, you approved a motion to initiate development of a plan amendment that would modify the ABC control rule and implement this phased-in approach to end overfishing of golden tilefish. You also requested projections at  $P^*$  levels of 0.4 and 0.45, in anticipation of being able to basically change your risk of overfishing.

In March, we presented to you an approach for an interim ABC for golden tilefish at the projected yield at 75 percent FMSY. You requested that the SSC discuss this at their recent meeting, and the SSC decided to maintain their recommendation at the  $P^*$  projections that they had recommended previously, and so that's how we got to where we are.

We heard from Bonnie the other day that the Center could update the update with the new fitting approach, the Dirichlet multinomial, and so that's where we are, and the background document has the fishing levels from the update and those from SEDAR 25, so you can compare the OFL and the ABC levels and what the recommended ABC would be.



For 2017, the recommended ABC, under the current stock assessment, would be 233,000 pounds gutted weight, which would represent an over 50 percent reduction from average harvest from the past few years, and so we have laid out for you several options of what you could do. You could await results of the requested updates to the assessment and take action to implement changes in March of 2018, and, of course, that would result in changes to the 2019 fishing levels.

You could request emergency action to implement the recommended changes to fishing levels, to end overfishing right away, and this option could affect the 2018 fishing year, if you took action right away. You could utilize the expedited framework procedure, which was established in Amendment 27, to take care of establishing the new fishing levels right away as well, or you could initiate development of a regulatory amendment. Of course, we have to, perhaps, wait to see when you could get results of the assessment with the new fitting approach, and I assume that would have to go in front of the SSC, which would have to happen in October. Therefore, you could come back and rehash all of this in December.

DR. DUVAL: All right. There you guys have it. We can wait for the results of the update using the new multinomial approach, request emergency action to implement the previously-provided fishing level recommendations, use the expedited framework to adopt those fishing level recommendations, or a regulatory amendment. What is the committee's pleasure?

It seems like, if we requested the use of the new fitting approach, and that could be completed by September, that you all might want to wait for that. I am seeing heads nod around the table, and so would you -- Do you want a motion for Option 1 or is committee consent enough? What would you like?

DR. PONWITH: I just want to remind the council of the graphic in the presentation for the red grouper assessment that actually did compare the two fitting approaches, and I can tell you that that's one data point, and there is no way to guarantee that what happens with one stock will happen with another, but the results of those were very close.

What I want to avoid is a scenario where there is this expectation of tremendous differences between the two. That might happen and it might not. The numbers might be higher or the numbers might be lower. We don't know, and so I just want to manage those expectations as you make this decision.

DR. DUVAL: I appreciate that, Bonnie, and that's a good cautionary note, and I think that's something that sounds like we're prepared to accept.

DR. CRABTREE: I have a question. I guess what I'm reading in the document is the SSC -- We had projections done at  $P^*$  of 0.4 and 0.45, right? Then somewhere the SSC said there wasn't much difference between those yields, and what does that mean? How much difference was there between  $P^*$  of 0.45 and 0.4? Was it a couple of thousand pounds, or can you give me just an order of magnitude?

MR. CARMICHAEL: I don't remember. I think it was maybe 10 percent, in some cases. It was not obviously taking it up to where it is now, but it was having an impact, and I think that was -- I know that we pointed that out to the SSC during the discussions, as saying the fact that you don't

see there is a lot of difference doesn't mean that it isn't potentially significant to folks, and that's probably not a good justification for not responding to the council and just saying, well, they're all about the same and so it doesn't matter, because it does matter to those who are catching these fish. I don't remember exactly, and we could look that up, certainly. I think Mike is probably over there looking it up now, as we speak, and I expect to see what the difference is, and so I think we'll give him a minute and then he can probably fill us in on that.

DR. CRABTREE: Okay.

MR. HARTIG: The options we have in here don't really lay out the phase-in approach that we have talked about, but you could end overfishing and then phase it in. I guess the guidelines tell you that you have to end overfishing in your first year of that anyway, correct?

DR. DUVAL: You have to end overfishing no matter what. I think the issue is that, right now, our ABC control rule is not structured to take advantage of this, and so that's why there have been -- Remember that we previously had made a motion to look at modifying the ABC control rule, and, unfortunately, we have run out of time here at this meeting to discuss that.

There is an attachment in your briefing book that references the ABC control rule, and it's basically like a decision document that the SSC reviewed at their meeting. There is some really good input in there, and I would encourage folks to read through that.

This would address some of the issues that we've had in the past with the fact that we have sort of mushed together, in our ABC control rule, both the scientific uncertainty, which is an SSC role, as well as the council's risk policy, and so the risk of overfishing, which is a council role, and the SSC is performing both of those, but, in order for us to take advantage of the modifications to the National Standard 1 Guidelines, it is my understanding that we would need to modify the control rule first.

MR. HARTIG: So, to be clear on this, we're not going to have the time to modify the ABC control rule before we implement the tilefish ABC.

DR. DUVAL: We will not.

MR. HARTIG: That's what the fishermen need to know, and they need to understand that there won't be a phase-in of the reductions, based on the timeline that we face trying to address what the National Standard Guidelines have put forward.

DR. DUVAL: That is correct. Modifying the ABC control rule is going to take a plan amendment, and I think Monica had spoken previously to this, that we would want to consider a wholesale amendment of the ABC control rule, because, right now, I think the lowest level of the ABC control rule, the ORCS approach, was only adopted in the Snapper Grouper FMP, and, if we're going to go through the pain of changing this, that we should do it so that it's applicable to all of our FMPs, correct?

MS. SMIT-BRUNELLO: I recall that that was my suggestion, yes.

MR. CARMICHAEL: Roy, some of the numbers that were in an attachment for the SSC, which we were able to pull up. At the P\* of 0.35, it was 258,000, and this is 2019. At 0.4, it was 294,000 pounds, and, at 0.45, it was 332,000 pounds. That range there is almost 100,000 pounds, and this is all looking at the 2019 estimate, and so that was a 100,000-pound range across that.

DR. DUVAL: Can you repeat those numbers again, please? I'm sorry.

MR. CARMICHAEL: Yes. It was 258,000 at 0.35, 294,000 pounds at 0.4, and 332,000 pounds at 0.45. This was from the SSC briefing book, and it was Attachment 10. It was the updated projections we got in February of 2017. It's a little problematic to compare that to the stuff you have here in Attachment 10 for this meeting, because this has the starting year of 2019, and those numbers are from the assessment that the starting year was earlier, based on the prior assessment stuff. Even across that range, I think there were some people that felt that wasn't everything is all the same and that's a pretty big difference. I think Josh would think it was a pretty big difference if he saw it here.

MR. HARTIG: That's not lost on me, John. It's within our purview to choose the risk tolerance for golden tilefish. **I would make a motion that we ask for projections based on 0.45.**

DR. DUVAL: We have those.

MR. CARMICHAEL: You have the projections for 0.45.

MR. HARTIG: **I was trying to set the risk tolerance at 0.45.**

DR. DUVAL: **There is a motion by Ben to establish the P\* for golden tilefish at 0.45.** Is there a second? Second by Charlie. Is there discussion? I guess I am wondering how this folds in with the way our current ABC control rule is structured.

DR. CRABTREE: Well, either you're going to deviate from it in this case or you're going to establish a specific control rule for golden tilefish here that uses a P\* of 0.45. Now, Monica may tell you that that means this becomes a plan amendment, and so okay.

I guess that also would mean we would have to go back to the SSC, at the October meeting, before all of this happens, and tell them that we are using 0.45 and that is the control rule and give us an ABC based on our decision with regard to the control rule and the risk policy and essentially tell them to give us the ABC that follows our guidance, but I think you can do that, and I would have to ask Monica to look into the ins and outs of would we be better to establish a specific control rule here or just say that we're going to deviate from the control rule and use this P\* in this case, but I do agree with Ben that it's your decision as to how much risk you're willing to take.

DR. DUVAL: Okay. Is there further discussion on this motion? **Is there any opposition to this motion? Seeing none, this motion stands approved.**

Is the council still interested in Option 1, as laid out in Attachment 10 here, with regard to awaiting the results of requested updates at the September council meeting? Would you still like that? That's what we have requested. This is the last thing we have to do here, folks. Just a few more minutes of focus, please.

MR. CARMICHAEL: So you want the revised assessment, and then you could get those results and you could have -- Obviously we want to have those for the SSC, the revised assessments for the SSC, to review in October and include in that request that they provide projections at the  $P^*$  of 0.45. We would also ask for any options. If this is going to require a plan amendment, then we probably need some alternatives for your  $P^*$ , and I would assume we would use the 75 percent of FMSY and maybe the 0.4 and 0.35 that you guys looked at before.

Then that becomes a matter of timing, to know when we ask that the management changes take place, and would the 2019 fishing year be the appropriate time for the management changes to take place, if this has to be done through an amendment?

DR. DUVAL: When did we receive the notice that golden tilefish was undergoing overfishing? Was that December of last year?

DR. CRABTREE: I believe it was January of this year.

DR. DUVAL: January of this year. Okay.

DR. CRABTREE: I think, if we wait to do anything until 2019, that's a risky thing to do. If the new assessment you get comes out similar to the last one, we will likely dig ourselves into a much more difficult position. I would also say there are some legal vulnerabilities, and so Monica could comment on that, in waiting until 2019 to implement any changes.

MS. SMIT-BRUNELLO: I agree with that.

DR. DUVAL: I guess what I am trying to wrap my head around here is if -- There is a couple of different things going on. If we request this update, using the new fitting approach, and we get that back in -- We get the results in December, and so you get an SSC recommendation in December, and request -- Tell the SSC that we want projections at a -- Well, ask for projections at  $P^*$  of 0.4 and 0.45, and we could use the abbreviated approach to simply change the ACLs, in order to do something quickly, and so I guess the only thing that, Monica, I would ask you to think about is so we are establishing the risk tolerance, which we're allowed to do, but our control rule is written a little differently than that, and so the question is would we need to modify the control rule in order to do so?

MS. SMIT-BRUNELLO: Well, I think you would be modifying it for golden tilefish, right?

DR. DUVAL: In order to make this decision, it would automatically be modifying the control rule.

MS. SMIT-BRUNELLO: I believe so, or deviating from it, whatever you want to say for this particular species, because of the reasons you're going to talk about on the record.

DR. DUVAL: Right, and so we can -- Well, the SSC can deviate from the ABC control rule, is my understanding, based on the National Standard 1 Guidelines, but there needs to be justification for doing so. We asked them to consider different  $P^*$  recommendations, and they say that we stand with our original recommendation.

That's why I'm thinking this gets a little bit sticky, because it's not -- I don't think the guidelines say it's the council. I think the guidelines say it's the SSC that can deviate from the control rule, but you have to have that justification. If this turns into a plan amendment, isn't that just going to delay things even more, and then we get into that 2019 scenario.

MS. SMIT-BRUNELLO: Yes, I think you're right. I will look at the guidelines, but the ABC control rule comes from your SSC. You adopt it, in a sense, because they are advisory to you in nature, but it does come from them.

DR. DUVAL: That's why I am sitting here trying to do a little decision tree in my head of, if we move forward with having the update to the update, Option 1, as laid out here, what we could do is, and getting any SSC recommendations back on that in December, we could use the abbreviated approach to simply change the ACL according to that catch level recommendation, so we could have something in place, potentially, for 2018.

MR. CARMICHAEL: I guess, if you're telling them to set the  $P^*$  at 0.45, and that would be the changed catch level -- If that doesn't go into effect until the amendment is done, would an ABC recommendation based on that not really count until the amendment is done? Could you do something like the emergency action, once you get these numbers, to handle 2018 and hope the amendment is in place for 2019?

DR. CRABTREE: It would be an interim rule, and, yes, this would be an occasion where you could request an interim rule to reduce overfishing.

DR. DUVAL: So getting the new information back in December, after SSC review, and then we could request an interim rule.

DR. CRABTREE: Well, then the question is could we get an interim rule in place before the fishery already blows by it? It would take us -- It takes us a couple of months to do an interim rule, under good circumstances, and so I really -- I mean, we ought to, if we're going to do an interim rule that affects the coming season -- It is hard to get much past the September meeting and get it done. Then our next meeting is in December, and the Federal Register closes, and, some years, this quota is all caught up by the end of February.

MR. CARMICHAEL: Could you initiate an interim rule now, based on this Table 3 from those updated projections at the  $P^*$  of 0.45? That is kind of trouble, because it doesn't really have the changes for 2018, but I think that's what you would want to know. This shows 2019 at 332,000, but maybe you do an interim rule that -- I don't know. Maybe you could use the 332,000 or use something below the 590,000. Any reduction in the interim rule, right, is a step in the right direction and would be helpful.

DR. CRABTREE: An interim rule is used to reduce overfishing and not necessarily end it, and so I think you could request reductions through an interim rule to the quota and put those in place. Now, GC will have to evaluate how that relates to the ABC and where that leaves us, but the statute is clear that interim rules can be used to reduce overfishing, I think.

MS. SMIT-BRUNELLO: Yes, and I'm sorry. I was looking at the guidelines, but, yes, they can be used to reduce overfishing. In fact, that's what they're there for.

DR. DUVAL: Let's just be clear. If we made a motion to initiate an interim rule today to reduce the golden tilefish ACL to the level at P\* -- Coming out of the projections at P\* of 0.45, in order to reduce overfishing, that takes us to what?

MR. CARMICHAEL: Another one is maybe to go back to where we were at the SSC, which was we were considering the 75 percent FMSY as the interim, and so maybe we go ahead with that, the 75 percent FMSY yield, as the interim. I think we'll try to see if we can find that while we're sitting up here.

DR. CRABTREE: If you went at that level, does that get you below the OFL?

DR. DUVAL: I believe so, because that was the point in moving that option to the SSC.

MR. CARMICHAEL: Mike said 323,000 pounds was the projections from fishing at FMSY in 2018, 75 percent of FMSY in 2018.

DR. CRABTREE: That is below the OFL.

MR. CARMICHAEL: Yes, that would have to be below the OFL in that year, because the OFL would be at FMSY. OFL is 404,000 pounds. Is that out of the assessment or a series of later projections, Mike? This is from the stock assessment? Thanks.

DR. DUVAL: Can we think about this overnight and maybe take it up in the committee report in the morning?

MR. CARMICHAEL: Yes.

DR. DUVAL: Okay. Great. Let's recess for the evening. Thank you very much for all of your work.

(Whereupon, the meeting recessed on June 15, 2017.)

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JUNE 16, 2017

FRIDAY MORNING SESSION

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The Full Council Session of the South Atlantic Fishery Management Council reconvened at the Sawgrass Marriott, Ponte Vedra Beach, Florida, Friday morning, June 16, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: We are going to reconvene the council session, and so what we're going to do is pick back up with our Committee Reports. We're going to start with the Habitat and Ecosystem Committee Report, and, as soon as Roger and Doug are ready, please take it away.

MR. HAYMANS: The Habitat Protection and Ecosystem-Based Management Committee met on June 13 in Ponte Vedra Beach, Florida, and they discussed the following items. The Habitat and Ecosystem Advisory Panel Report, the advisory panel is further refining the Artificial Reef EFH Policy Statement to provide additional information, edits, and a final draft for committee consideration and approval at the September council meeting.

**The panel also approved a recommendation for the following motion, and that is that the council send a letter of support for the Waccamaw Project. On behalf of the committee, I so move. Is there any additional discussion? Is there any opposition? Seeing none, that motion is approved.**

There is a note below to discuss that, if you would like to read that further. The committee further discussed Fishery Ecosystem Plan II. Council staff reviewed, and the committee provided input, on core sections and a support document for FEP II. You will see the sections listed there that we covered.

In addition, staff reviewed a completion timeline for FEP II section and link development, a proposed FEP II implementation plan development process, and observed a conceptual FEP II webpage demonstration. **There was a second motion made to adopt the FEP II implementation plan development process and core team membership. On behalf of the committee, I so move. Is there any additional discussion? Is there any opposition? Seeing none, that motion is approved.**

The committee discussed the Habitat and Ecosystem Tools and Model Development. The council staff provided highlights of a May 2017 ecosystem modeling workshop meeting to advance development of the next generation ecosystem model, Ecopath, by October 2017. Howard Townsend, NOAA Fisheries ecosystem modeling lead, joined the workgroup to help guide model structure and development, and alignment with NOAA Fisheries guidance supporting conservation and management. Staff also noted the SSC will be engaged early in development, with an initial presentation of the model and example issues during their October 2017 meeting.

Finally, there was a presentation by Dr. David Freestone, Executive Secretary of the Sargasso Sea Commission. He made a presentation on the international sargassum and Sargasso Sea conservation efforts that have arisen following the council management and conservation efforts and past ICCAT resolutions. There was a series of timing and tasks. You will see them listed 1 through 6 in front of you, and I would ask for a motion from the committee to accept the timing and tasks.

MR. BOWEN: **I would like to make that motion to accept the timing and tasks.**

MR. HAYMANS: Thank you. Is there a second? Mel. Is there any additional discussion? **Is there any opposition? Seeing none, that motion is approved.** Madam Chair, that concludes our report.

DR. DUVAL: Thank you, Doug. Next is Snapper Grouper, and I think we're going to have to refresh a little bit, because I don't think the report has loaded yet. Okay. We will go ahead then. Does everybody have the draft report now? It just uploaded. I am just looking for thumbs-up around the table if people have it. Okay.

The Snapper Grouper Committee met June 13 and 14 in Ponte Vedra. After approval of the March 2017 minutes and agenda, and we also added yellowtail snapper as an item under Other Business. Then we received reports on the status of commercial and recreational catches versus quotas for species under our ACLs. Then we received an update on the status of amendments under formal review. We have three of those that we are waiting on rule packages.

Next, we received a report from the April 2017 Snapper Grouper Advisory Panel meeting. Then we received a presentation from Dr. Marcel Reichert on the 2016 Southeast Reef Fish Survey Report, where we saw trends in CPUEs for most of our managed species.

Then we moved into a discussion of Vision Blueprint Regulatory Amendment 26, which is our recreational amendment. We provided guidance to staff, under Action 1, as you can see there, about separating this into three actions, adding sub-alternatives for a single-hook requirement, removing the only one fish can be from any species, adding an alternative that considers the twenty-fish maximum limit for all snapper grouper species, excluding tomtate, and retaining the bag limits within that aggregate, adding an accountability measure that would change or reduce bag limits for species once they exceed an ACL, and consider consistency in seasons, similar to Amendment 43 dealing with red snapper. We also gave direction to staff to analyze different options for seasons, such as September through December, since May through August overlaps with the spawning season for some species.

Under Action 2, which is to modify the recreational grouper aggregate bag limit and establish a recreational aggregate bag limit for shallow-water grouper, we, again, removed that restriction for maximum of any one species and added a sub-alternative to retain the existing harvest restrictions, but modify the aggregate.

Under Action 3, we discussed considering an alternative for a twenty-fish aggregate, where only ten fish could be species in the current ten-snapper aggregate and ten fish would be other species in the twenty-fish aggregate, and we clarified that the limit on mutton would remain at five.

**We made a motion to remove Action 3, Sub-Alternative 2d from consideration.** On behalf of the committee, I so move. Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

**Under Action 4, we had a motion to move Action 4, Alternative 2 to the Considered but Rejected Appendix.** On behalf of the committee, I so move. Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

We provided direction to retain Alternative 4, but specify that the area would be south of 28 degrees, and this pertains to recreational harvest and possession of black grouper. You see here highlighted that we agreed to continue discussion at Full Council on possible alternatives for red grouper, and we had those discussions yesterday.



**Under Action 7, we had a motion to select Action 7, Alternative 2 as a preferred, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

We did not approve this amendment for public hearings, due to the changes and additions that were made.

Next, we stepped into Vision Blueprint Regulatory Amendment 27, which is the commercial amendment. We had a discussion about the possibility of establishing regional allocations to mitigate the issues of access in the fishery and the challenges of doing that within this particular amendment, but that we would continue to entertain discussions in the future.

Under Action 1, which was a discussion of commercial split seasons for blueline tilefish, we discussed this in conjunction with Action 3, which is snowy grouper, given that the species co-occur through a good chunk of the range. We agreed that we needed to examine the historical distribution of commercial landings for these species by state, as that would be very informative to selecting an appropriate range of alternatives for analysis.

On the issue of whether or not any changes in management for blueline tilefish should be delayed until after completion of SEDAR 50, members felt like the regional differences in accessibility would remain, regardless of the result of the stock assessment. In addition, we discussed possibly modifying trip limits and/or implementing step-downs once a certain percentage of the ACL was met. We did not provide specific guidance, pending further exploration of the landings distribution in the region.

This was where we had talked about looking at possibly modifying the trip limit for blueline during the first part of the year and having perhaps a different trip limit during the second part of the year to deal with access issues like that, and so I think I can work with Myra to develop some options that might work there, and I was thinking things like a hundred pounds January through April and 300 pounds the remainder of the year, and we talked about a 60 percent allocation of snowy grouper to the January through April timeframe and then the remainder for the other part of the year, and so looking at things like that that would sort of keep those same types of splits, but allow for differential access throughout the region.

Under Action 2, which was to establish a commercial split season for red porgy and modify the commercial retention limit, we're going to be renumbering and reorganizing these actions. We gave guidance to include an alternative where the ACL would be split 50/50 during two seasons, with rollover, as we do for our other split seasons, and examine a range of trip limit alternatives of sixty fish in Season 1 and 120 fish in Season 2.

Action 3 was snowy grouper, and we've already discussed that under Action 1 above. Action 4 was to establish a commercial split season for greater amberjack. Again, we asked to examine a distribution of commercial landings by state since 2007 and develop split-season options and add an alternative to reduce the trip limit to 1,000 pounds and implement a step-down of 750 to 500 pounds when 75 percent of the ACL is met or projected to be met and include options for a timeframe after which the step-down would not apply.

Under Action 5, which was modify the commercial trip limit for vermilion snapper in the second season, we provided direction to add an alternative for a 750-pound trip limit for both seasons with no step-down. Action 6 dealt with implementing a commercial trip limit for the Other Jacks Complex, and we changed the alternatives to gutted weight instead of whole weight.

Under Action 7, which was modification of the seasonal prohibition on commercial harvest and possession of shallow-water groupers, we're making the same modifications to this action as we did in Regulatory Amendment 26, and we added a sub-alternative to Alternative 3 to consider a gag trip limit during April of the 100 to 300-pound range.

MS. MCCAWLEY: **Can I make a motion to add an alternative prohibiting recreational harvest and possession of shallow-water grouper in the South Atlantic from February through May?**

This is based on the discussion that we had about red grouper, about how they seem to be spawning in through May, and also, in looking at that chart with the colored bars on it, it looked like we might be able to open up January, which would also help south Florida.

DR. DUVAL: Motion by Jessica. Is there a second? Second by Charlie. Let's get the motion up on the screen. Jessica, would this be commercial and recreational harvest?

MS. MCCAWLEY: **Sure.**

DR. DUVAL: **This motion says add an alternative to prohibit commercial and recreational harvest of shallow-water grouper in the South Atlantic from February through May.** Is there discussion? We are trying to make sure that, however we structure things regarding the shallow-water grouper closure in one document, they are reflected -- Those are the same things in both the commercial and recreational document.

MR. BOWEN: There is no way that I could support this alternative at all. I mean, May is a charter month, and we don't have snapper and we don't have this and we don't have cobia, and now you want to take -- Now there's an alternative up here to take away scamps and gags. If you want to pull out maybe red grouper, that's fine, because -- Scamps and gag, we need in May, and there's no way I could support this, and I would hope there is other people that feel the same way. That woke me up this morning.

MR. BROWN: Jessica, were you trying to do this for the south Florida guys? Is that what I was hearing?

MS. MCCAWLEY: That and based on the discussions around the table about red grouper and people are seeing red grouper spawning into May. We had a long discussion about that.

MR. BOWEN: The majority of the catch of red grouper is in North Carolina and not Georgia and South Carolina and the east coast of Florida.

MR. HARTIG: I appreciate Jessica's -- I don't know that going out to public hearing with it is that big of a deal, but I am going to say right now that I couldn't vote for it, because gag is the major grouper in the South Atlantic, and they're done spawning, at least in south Florida, in March,

and so it really -- The only access that south Florida has now is in May, in the first week of May, and we don't get that maybe about every third year, and so it would really be tough. I know Jessica said we could have it in January, but --

MR. HAYMANS: Madam Chair, it's quite possible that I missed something, but, if not, Action 4 under 26 already has the recreational side of that. 3d is February through May.

DR. DUVAL: That is correct, but that only applies to south Florida, Doug, and so Jessica's motion pertained to the entire South Atlantic.

MR. BELL: It would seem like we could -- I mean, it might take two separate actions, but we could accomplish opening -- Providing for south Florida in one action and then protect specifically just red grouper in another action at higher latitudes or something, or off the Carolinas, instead of just trying to do one-size. This might take two actions to do it, but we could maybe accomplish taking care of south Florida and the red grouper off of the Carolinas.

DR. DUVAL: Myra, I don't think we removed Alternative 5.

MS. BROUWER: I don't believe so. It's still in there.

DR. DUVAL: So Alternative 5 deals specifically with harvest and possession of red grouper, and I don't recall that we have provided any additional guidance on that pertaining just to the Carolinas, but I am trying to think.

MS. BECKWITH: I certainly wouldn't be able to support this. The charter crowd in North Carolina needs access to the shallow-water groupers in May. It is a mixed-bag fishery. I also had a comment on Action 1. I raised my hand, but you didn't see me, and so I will -- Let me know when that's appropriate.

MR. BOWEN: From a data collection standpoint, that motion there, we're splitting two different waves. It's half of Wave 1 and half of Wave -- Whatever May is in, but, just from a data collection standpoint, the way MRIP collects the data, there is no way that I could support that motion.

MS. MCCAWLEY: Well then folks can vote it down and then we could try for another alternative that would help red grouper and South Florida, or two, like Mel is suggesting. I am fine with that too.

DR. DUVAL: Okay. I feel like we've had a lot of discussion here. Are folks ready to go ahead and vote? **Could I please see a show of hands of those in favor of the motion, one; those opposed, nine opposed; abstentions, two abstentions. The motion fails.**

Is there another way to accomplish this? We still have Action 5, which pertains specifically to red grouper. I don't think we modified any of the language in there. I remember our discussion under this action in Snapper Grouper Regulatory Amendment 26 was to reconsider a line, either Georgia through North Carolina or just South Carolina and North Carolina, for red grouper at Full Council. Perhaps we can modify the language of Alternative 5 to just apply to South Carolina and North Carolina or Georgia through North Carolina for red grouper.

MR. BOWEN: If you want to include Georgia, I'm okay with that for red grouper, but, if you look at the historical landings, we have basically close to zero, and so I'm not sure what benefit we would get from that.

MR. BELL: I was just going to say that I know we have some red grouper landings. I don't know which box they are -- They're out of South Carolina, but I don't know if they're actually fishing off of North Carolina or if they're off of South Carolina. Then South Carolina and North Carolina might make sense, if Georgia is -- If it's not an issue for them. We could make the line from South Carolina up.

MR. HAYMANS: Just to make sure, to follow the conversation, that's to have a closure on reds? South or north? North?

MR. BELL: Yes.

DR. DUVAL: The way Action 5 is structured right now, it was based on -- For sub-alternatives for months of a closure, January through May, February through May, and March through June, and the language says prohibit commercial harvest and possession of red grouper in federal waters off of X, and I think the X is what we would just need to fill in or modify.

MR. BROWN: Do you need a motion?

DR. DUVAL: Yes.

MR. BROWN: Okay. **I would like to make a motion to prohibit the harvest of red grouper for South Carolina and North Carolina from January through May.**

DR. DUVAL: **Mark, maybe think about just modifying the language of Alternative 5 to prohibit commercial harvest and possession of red grouper in federal waters off of North Carolina and South Carolina and leave those sub-alternatives in there, because there is three different sub-alternatives for different months.**

MR. BROWN: **Okay.** Do you need me to read it again?

DR. DUVAL: We will get it up on the screen and then read it into the record. It's seconded by Mel. **The motion is to modify Alternative 5 as presented below, and so it would just indicate that harvest and possession of red grouper in federal waters off of North Carolina and South Carolina would be prohibited.**

MS. BROUWER: Just to clarify, that would be commercial and recreational, and so, if you want to keep this action, we would have the same one in both amendments.

DR. DUVAL: Okay. Is there discussion? Does everybody understand what we've done now? **Is there any opposition to this motion? Seeing none, that motion stands approved.** Thanks, Jessica. Anna, you had said that I had overlooked you on Action 1, and I apologize.

MS. BECKWITH: No worries. On Action 1, within that discussion, I just wanted to point out that I believe that Dewey had made a suggestion, that I'm sure would be encompassed, about

having a 100-pound trip limit at the beginning and then jumping up to a 300-pound trip limit in May, and so I just wanted to make sure that that was one of the considerations.

DR. DUVAL: I believe I mentioned that when I went through that action. It was one of the things that had come up when we were pondering, but I appreciate that. I know that -- This was Action 7 that we had been discussing, and we didn't -- Under Actions 8 and 9, which deal with commercial minimum size limits for deepwater species and gray triggerfish, we didn't select any preferred alternatives, but we didn't modify those actions either. They stay the same in both amendments. I know that Mel wanted to add an action or alternative to this.

MR. BELL: Right. **I would like to make a motion to add an action that would remove the bangstick prohibition. In this case, in Amendment 27, it would be the commercial snapper grouper fishery.**

DR. DUVAL: There is a motion by Mel, and there is a second by Mark. This would be to add an action that would remove the bangstick prohibition off of South Carolina.

MR. BELL: **Yes, and that's the only place it exists, is South Carolina.**

DR. DUVAL: It's a commercially-specific prohibition?

MR. BELL: Yes, although it actually applies, I believe, to both, but I have never had any recreational interest in removing it, although we could do the same thing, as we were just discussing. It could apply in 26 as well, but the interest has been in removing it for the commercial fishery, and we've heard from them over and over again, and the reasons that it was put in place originally no longer really apply, and I go back to that personally, way back long ago, and so we've taken care of all of that. Things are different, and it's just kind of an artifact of something that was necessary years ago.

DR. DUVAL: Okay. Then I just want to make sure that it was specific to the commercial sector then.

MR. BELL: Well, currently, it applies in both, and I have no problem with removing it for both, but I have not had any interest or input from both. I don't know if anybody else has had any input on that.

DR. DUVAL: It's only off of South Carolina. It's what's your pleasure.

MR. GRINER: I think it would need to be North Carolina as well.

MR. BELL: It doesn't exist in North Carolina.

DR. DUVAL: It doesn't exist in North Carolina. Tim, bangsticks were prohibited off of South Carolina, and they were prohibited, I think, within the SMZs off of South Carolina, and so there's no such prohibition off of any of the other states. It only applies to South Carolina.

MR. BELL: So, recreationally, it doesn't apply off of -- What we would like to do is be consistent with the other states across the board, and so I think that might require -- I am not sure how it's

worded, but there is really no value in having it in either sector if it -- I believe it applies to both sectors at this point, but, since we're talking 27 right now, it's commercial.

MS. SMIT-BRUNELLO: My only thought was, if it does apply to both sectors and you're just removing it from the commercial sector, it's going to be very difficult for enforcement unless you remove it for both sectors, and so that would be my suggestion.

MR. BELL: That would be fine, if we can do that, but I know this specific amendment is the commercial amendment.

DR. DUVAL: **We could simply include that as an action specific to Regulatory Amendment 26 as well.**

MR. BELL: **Correct. I think so.** Thank you.

DR. CRABTREE: So this motion will affect both sectors?

DR. DUVAL: Yes, sir. Okay. **The motion is to add an action that would remove the bangstick prohibition off of South Carolina for both sectors. Is there any further discussion? Is there any opposition? Seeing none, that motion stands approved. The motion passes with one opposed.**

This takes us into our discussion on Snapper Grouper Amendment 43. We received a presentation from the Regional Office staff on red snapper removals in 2016 and the implications for a 2017 season, which is that there will be no 2017 season, based on the existing formula that is used to determine whether a season will occur.

We received the SSC's recommendations from Dr. Marcel Reichert regarding the development of an ABC. We received confirmation that the stock assessment conducted through SEDAR 41 still constitutes the best scientific information available, but the estimates of discards and landings are still too uncertain to track any projected ABC. The SSC endorsed the use of an index-based approach to arrive at an ABC for red snapper and made several other recommendations for the council's consideration.

Staff gave a presentation on a pilot project to develop a reporting application for the private recreational sector, and this is being developed through the Snook and Gamefish Foundation in cooperation with the Atlantic Coastal Cooperative Statistics Program.

They also gave a brief presentation to frame subsequent discussions on options for red snapper management. It focused on possible reasons why projections and limits resulting from red snapper assessments seem so far removed from current observations and how to ensure that ACLs reflect current conditions.

Then the committee received a presentation from council staff on an index-based approach to arrive at an experimental quota for red snapper and methods to possibly allow limited harvest. We then started reviewing options in Amendment 43. With respect to the actions in Amendment 43, we made the following motions.

Under 7 to Modify or Establish Management Measures for the Commercial Sector, there was a motion to add a Sub-Alternative 4d to Alternative 4 for a twenty-four-inch size limit, and that failed for a lack of a second.

**The next motion was to add a sub-alternative for a maximum size limit of twenty-eight to thirty-inches in asymptotic length, which is thirty-six inches. On behalf of the committee, I so move. Is there discussion? Any opposition? Seeing none, that motion stands approved.**

The direction to staff was to specify gutted weight instead of whole weight and to remove Alternative 5 to prohibit commercial possession and harvest of red snapper in or from the South Atlantic EEZ using spearfishing gear.

**Under Action 8, there was a motion to add to Action 8 Sub-Alternative 3c for two fish per vessel per day and 3d for three fish per vessel per day, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was to remove Action 8, Sub-Alternatives 5d, 5e, and 5f. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**The next motion was to remove Action 8, Alternatives 7 and 8, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

Next, under Action 9, which dealt with establishment of a private recreational snapper grouper permit or tag program, there was direction to staff to alternative to include a vessel-based permit option and to develop a simpler amendment, so that a season can be opened in 2018.

We then continued our discussions yesterday, during Full Council, where staff presented a modified version of Amendment 43 that proposed a single action to specify ACLs for red snapper and allow limited harvest in 2018. We approved several motions, which, since they were made in Full Council, we no longer need to go back through those. They are simply there on the screen for you.

Staff proposed timing for development of Amendment 43 to allow for a 2018 red snapper season. We approved the action and alternatives for public hearings. Public hearings will be conducted via webinar in August and an in-person meeting at the September 2017 council meeting. We would undergo final review and approval in September and send for formal review after the September 2017 council meeting.

DR. CRABTREE: Before we leave red snapper, given where we are, I expect that probably next week we would send out a Fishery Bulletin announcing that there won't be a season in 2017, but highlighting the work done by the council this week and that there will be hearings coming up on 43 and action, potentially, in September by the council, with a goal of reopening the fishery in 2018.

DR. DUVAL: Thank you. That sounds good.

MR. BROWN: I just want to say thank you, too.

MS. BROUWER: I guess we would just need clarification on what to do with the remainder of the actions in Amendment 43 that we just talked about. Are those going to be put kind of on the back burner or are they going to be put in a different amendment or what do you want to do with those?

DR. DUVAL: I would say right now, since Amendment 43 has been significantly trimmed, that those actions and alternatives that we modified would go on the back burner to be put into a different amendment document, and I am seeing nods around the table.

MR. HAYMANS: 43A and B? The precedent is set.

DR. DUVAL: I will leave numbering up to the IPT, but I think the direction is that those remaining actions would go into a different amendment document.

MS. BROUWER: Okay. As far as priority then, we would just kind of hold off on that until you give us the guidance to pick it back up.

DR. DUVAL: Okay.

MR. BREWER: I wasn't really clear what was just said about priority. I think that the items that are remaining are important and that we should look at them as quickly as time permits, particularly with regard to -- If I am not mistaken on my amendments, I believe there is a portion in there on descending devices, and I would love to see that on a fast track.

DR. DUVAL: I definitely appreciate that, and I did not at all mean to imply that those actions that are no longer in Amendment 43, as we discussed yesterday, are not important. They absolutely are, particularly those pertaining to best practices. Okay. Then we moved into a discussion on the white paper for for-hire limited entry in the snapper grouper fishery.

DR. PONWITH: Just going back to Amendment 43, again just to reiterate how crucial it is, for whatever provisions are included in that, that a great deal of care is put into the discussion of the council's level of assurance that they are not contributing to overfishing, that they're ending overfishing in those provisions.

DR. DUVAL: Thank you, Bonnie. We very much appreciate that, and we will -- We look forward to having that discussion in September, when we have additional analysis on the alternatives that are in that document, but thank you very much for that reminder. Anything else before we leave red snapper? Okay.

Moving on to snapper grouper for-hire limited entry, staff reviewed the white paper that we had taken up in March and reviewed the changes to the white paper, with regard to permits by county, superimposed on tourism statistics. There were a number of comments made during the subsequent discussion, both concerns and comments in support of limited entry as well as concerns about how it might impact the industry.



The committee made the following motion, which was to direct staff to begin working on an amendment to establish a moratorium on the issuance of federal for-hire snapper grouper permits as of the control date of June 15, 2016.

**There was then a substitute motion to direct staff to begin working on an amendment to establish a moratorium on the issuance of federal for-hire snapper grouper permits. That substitute motion was approved, and that became the main motion. On behalf of the committee, I so move. Is there discussion? Could I please see a show of hands of those in favor of the motion, nine in favor; those opposed, three opposed; abstentions. The motion carries.**

We postponed the Snapper Grouper Fishery Socio-economic Characterization/Portfolio Analysis for the September meeting. Next, we moved into red grouper. Dr. Erik Williams provided a presentation on the results of the red grouper stock assessment conducted through SEDAR 53, which the stock was found to be overfished and undergoing overfishing, and there apparently has been what appears to be below average recruitment of red grouper in recent years.

We continued our discussion on red grouper management during Full Council yesterday, including options to address the overfishing and overfished determinations, and we had a presentation from staff explaining that existing projections are based on management starting in 2017 and explained that the council could request projections based on different recruitment scenarios.

**We had discussed requesting projections of both high and low-recruitment scenarios, but we did not actually make a motion, and so we do have a potential draft motion here to request that the Science Center provide red grouper projections based on management beginning in 2018 under both high and low-recruitment scenarios for exploitation levels of F rebuild, which is 75 percent FMSY, and FMSY. Is there someone who is willing to make a motion in that regard?**

MR. PHILLIPS: **I will make the motion that you just read, Madam Chair.**

DR. DUVAL: Thank you, Charlie. Motion by Charlie and second by Jessica. Is there discussion? **Is there any opposition to this motion? Seeing none, that motion stands approved.**

Then Myra had noted in here discussion of development of a regulatory or plan amendment, if we want to have that conversation now or if you all want to discuss that in September. Projections will need to be reviewed by the SSC, and so we would not get those back until December.

DR. CRABTREE: I would rather come back to it in September, when we have more information.

DR. DUVAL: Is everybody good with that, coming back to it in September? I am seeing heads nod.

DR. PONWITH: That is fine, but I want to be sure that the discussions don't get ahead of the advice that the SSC would have to give you, and so it almost is out of order. Traditionally, that would go to the SSC and then go to the council. If it comes to the council first, without having gone to the SSC, you don't want to outpace any advice that the SSC would be giving you.

DR. DUVAL: No, and I don't think that would be the intent. It would be really more of a process discussion. In other words, what would the timing be of a regulatory amendment once we get that advice back versus perhaps an abbreviated modification of the ACL, and so, I mean, my intent would not be to get ahead of the science, but really to just have the discussion of what are the council's options for a vehicle to make whatever modifications might come before us in December. Does that help clarify things?

MS. SMIT-BRUNELLO: No, I agree with you. I understood it would be that we would be discussing what kind of vehicle to put it through and whether it would be a regulatory amendment or like a framework or a plan amendment or that sort of thing.

DR. DUVAL: Okay. So we will maintain that for September. Next, we moved into a discussion of golden tilefish. Staff presented an overview of recent developments pertaining to golden tilefish and options for how to move forward to address overfishing. Council members reiterated their desire to have the Dirichlet multinomial fitting procedure applied to the golden tilefish assessment, and Dr. Ponwith cautioned that comparison of that approach with the robust multinomial was done for the red grouper assessment and the resulting differences were very small, and she offered this to dispel any notion that a change in the fitting procedure would yield vastly different results, so as to not have unrealistic expectations about those results.

Council members asked whether new catch levels could be phased in, as the revised National Standard 1 Guidelines allow, and staff clarified that the council's ABC control rule would first need to be revised, via a plan amendment, in order to utilize that approach. Therefore, it wouldn't be feasible to apply it to any upcoming modifications to golden tilefish fishing levels.

The council made a motion to establish a  $P^*$  for golden tilefish at 0.45. We decided to continue our discussions today, and recall that we had discussed different vehicles for trying to address overfishing of golden tilefish, and so Myra does have a draft motion here with regard to the application of the multinomial fitting procedures.

**The motion would be to request that the Southeast Fisheries Science Center apply the Dirichlet multinomial fitting procedure to the golden tilefish update assessment and provide in time for SSC review in October of 2017. In addition, request projections from the revised assessment at  $P^*$  levels of 0.3, 0.4, 0.45, and FMSY. We would need someone who would be willing to make that motion in order to get that information.**

MR. PHILLIPS: **Madam Chair, again, I make the motion that you just read.**

DR. DUVAL: Is there a second to that motion? It's seconded by Ben. Is there discussion? I think we had quite a bit of discussion yesterday about this. **Is there any opposition to this motion? Seeing none, that motion stands approved.**

MS. SMIT-BRUNELLO: I just wanted to pick up a little bit where we left off yesterday, and I did, last night, some reading of the record, and you know you've got a really good summary of it that Myra provided in the golden tilefish background document that was discussed yesterday. I understand the council has some concerns about the differences in the SEDAR 25 assessment and the update, and that's why you're requesting this additional information from the Science Center.

You have also requested your SSC to look at different levels of  $P^*$  for risk of overfishing, and the record reads that they found no compelling new information was available to deviate from their ABC control rule. You have an ABC control rule amendment that is going through the process that I guess we'll discuss further in September that will allow you to make some changes to that.

We also have a -- I guess you will receive some information in September. The SSC, on these new projections from the Center, will look at it at their October meeting, and then you will receive that in December, but the fishing year starts on January 1, and you have information that overfishing is occurring. It seems to me a great vehicle for you to use is the interim measure to reduce overfishing that the Magnuson Act allows you to use.

I think you did it for -- I think you've done it for a couple of species before, and what that does is it acts, in effect, like an emergency rule, in terms of its timing. It is valid for six months, if you take comment on it and you're working on a permanent fix. Then you can renew it for another six months, and so, if you were to pursue this interim measure to reduce overfishing, you could have that in place, or at least request the Fisheries Service look at it and have it in place at a level below what the current ACL allows and the current ABC, and so that would be in place, and it would allow you some time to look at this new information, give some time to the SSC to look at the new information, and it would also, I think, give the fishermen a little notice, so that they could make their business plans on what they think they could presumably be allowed to harvest at the start of the fishing year.

In a sense, and this isn't anything like the ABC control rule that you have to amend that allows you to phase in over three years the reductions, but this is an interim measure, right in the Magnuson Act, and so I think it's a good vehicle for you to discuss and talk about whether you would want to do that now for golden tilefish.

DR. DUVAL: I will just note, as background, that Monica mentioned that we have used this for other species, and we did use this for blueline tilefish, back in 2013. We received the assessment results in December of 2013 and were concerned and had some additional questions and additional projections that were requested at that time, but we did request an interim rule to set an ACL at 75 percent of FMSY to address overfishing, and so that went through, and I think it became effective the following April, while we continued work on Amendment 32 to put in place permanent measures to address overfishing.

MS. SMIT-BRUNELLO: Yes, and one other thing I wanted to add is you have been working with your SSC to try to address this. You've been notified now, in January, I believe, that overfishing is occurring, and so the record shows that you are trying to -- You are working with your SSC to try to get to what you ultimately believe is the correct amount, and so I think that you've got a good record, a pretty strong record, that if you ask for an interim rule that it would -- The Fisheries Service has to consider it, but I think we've got a good record to support an interim rule or interim measures to reduce overfishing. That's what the Magnuson Act calls it.

DR. CRABTREE: I kind of regard the ABC coming out of the new assessment as unsettled yet. We're going to get a new set of analyses from the Center that use this multinomial, and there are issues with the  $P^*$  that we still haven't worked out with the SSC, and so I expect that we are going to get a new ABC, but I don't think we have an ABC that is resolved yet out of the new assessment.

MR. HARTIG: Certainly I have thought a lot about this and looked at a lot of information, actually early this morning, but I came to the exact same conclusion. This is something we can do. It's defensible. We won't have to get into a pissing match with the SSC about 0.45 for now. I mean, it would allow us an interim procedure that maybe we can get into the discussions of our ABC control rule down the line, and I don't know what the timing of that will be, but I mean we'll have an interim measure that we can use for about a year.

Then we would have to go to some other level. Whether that be at some other  $P^*$  or whether we go to what the SSC has decided on, that's still a fight to be had, again, later. Now, we can give the fishermen another year to not go all the way to 233,000 pounds. We can use 75 percent of FMSY. That gets us below our OFL, and so overfishing is no longer occurring, and we get a catch level at that rate, and so that's what I'm looking at.

DR. DUVAL: I guess I'm looking back over in the staff corner as to the numbers for 75 percent FMSY. I have looked at so many things between yesterday evening and this morning that -- My understanding is that we can use this interim measure to address overfishing and that we could set that ACL at something that would at least get us just below the OFL. Whether that's 75 percent FMSY or what, but I am looking to Dr. Errigo to help us out here, in terms of numbers.

DR. ERRIGO: By definition, yield at 75 percent FMSY is below the OFL. The OFL is set at  $P^*$  of 50 percent, which is basically the projections, the stochastic projections, at  $F$  equals FMSY. They are below. In fact, the  $F$  rate associated with the yield at 75 percent FMSY is below  $P^*$  of 45 percent, and it's actually, I think, just above  $P^*$  of 40 percent.

DR. DUVAL: I think we're looking for numbers.

DR. ERRIGO: I'm sorry. The poundage is, I believe, 323,000 pounds, and the OFL poundage would be 404,000 pounds. I believe that's the correct numbers for 2018.

DR. DUVAL: I am looking at  $F$  equals FMSY, and so starting in 2018, as Mike E. mentioned, 404,000 pounds is the OFL level, and the yield at 75 percent FMSY, starting in 2018, is 323,000 pounds. If that's what you wanted to do, we would need a motion to that effect.

MR. WAUGH: Maybe Monica could talk a little bit about whether we have to end overfishing in this interim rule to reduce overfishing. Certainly that's a wise move biologically, but, if we think back to blueline tile, the Mid-Atlantic Council used this to reduce overfishing, but they did not end overfishing, and so, just in terms of the council understanding its full range of potential alternatives, do we have to end overfishing, or can we just use this to reduce overfishing?

MS. SMIT-BRUNELLO: You know you have overfishing that's occurring right now, under the current levels, and the Act doesn't say this interim measure is to end overfishing. It says, if the Secretary finds, ultimately -- Right now, it's the council, but finds that interim measures are needed to reduce overfishing for any fishery, and so it's a reduction in the overfishing, and this acts -- While it's in place, I should say that it acts as an amendment to your fishery management plan, in the sense that it says these are the levels you're going to use right now for this six-month time period and then an additional six-month time period, and so the Act is clear that it is measures to reduce overfishing.

MR. HARTIG: I would not be comfortable without ending overfishing, without going below the OFL, for sure. All is not well in tilefish land. I mean, you guys need to be aware of that. I mean, there are things happening. If you looked at the -- If you would look at the index in the assessment, and I guess it's the last year, we have a reduced CPUE.

I believe, and I don't know for sure, but, looking at the fishery, and it's lasting longer and longer each year since the assessment, that the CPUE would continue on a downward trend. As someone who fishes in that fishery and has seen significant changes, I would like to go somewhere near F 75 percent of FMSY. I think that's a responsible move, and it gets us at a lower level than the OFL, by actually 80,000 or 90,000 pounds.

Some of that is why I had mentioned that 75 percent of FMSY before, and so there are reasons why this season, in particular this last one, why it lasted so long. The Gulf Stream was particularly consistent through the entire time, and it was consistently strong, and so that certainly had an impact. There is other impacts that the fishermen have mentioned when I talk to them, and that's a number of these endorsements have shifted to different, new fishermen in the fishery.

The learning curve for the longline fishery is steep, and they will not have the landings that the other fishermen have, and now Josh, this year, has his highest landings he has ever had in the fishery, but, if you look at in the area where I fish and where people were catching close to 4,000 pounds on a daily basis in the beginning, they're now at less than half of that, and so, at least where most of the fish are being produced, there has been a change in the fishery.

Having said that, I did not believe that going to 233,000 was necessary, as going through all of this process, and I believe that going to the three-hundred-and-something thousand, which I have talked to other people, other fishermen, about, that they thought that might have been -- Somewhere in the 300,000 range would have been more appropriate when the fishery ramped up to start with.

Having said that, those are just some of my rationale for going to the 75 percent of FMSY. It gets us below the OFL by I would say a significant amount. It still allows a phase-in, so to speak, that we had told the fishermen we were going to do, but we can't do, based on what we have decided, in that we would use the ABC control rule to look at all of our fisheries and not just golden tilefish, and so I think it works, to some degree, for the fishery and the fishermen, and it takes some of our risk level down a notch, going significantly below the OFL, but not all the way to the ABC that came from the SSC, to allow at least one year for the fishermen to be put on notice that we're going to get to a different level from the interim rule.

DR. DUVAL: Thanks, Ben. To do this, we would need to pass a motion requesting that the Fisheries Service implement interim measures to reduce overfishing on golden tilefish by setting the ACL for 2018 at some level. Myra has a draft motion up there that states the projected yield at 75 percent FMSY, which is 323,000 pounds. If there is a different number, folks can throw that as well. Ben has laid out his rationale for why he believes that that would be a defensible approach. We would need someone to make that motion.

MR. HARTIG: Make the motion on the board?

DR. DUVAL: Yes, where it says "draft motion" in capital letters at the bottom of the screen there. If you need me to read it, I am happy to do that.

MR. HARTIG: Thank you.

DR. DUVAL: Okay. **The draft motion would read to request that NMFS implement interim measures to reduce overfishing of golden tilefish by setting the ACL for 2018 at the projected yield at 75 percent FMSY (323,000 pounds).**

MR. HARTIG: Thank you very much, Madam Chairman. **I will make that motion.**

DR. DUVAL: Motion by Ben. Is there a second? Second by Jessica. Is there discussion? Gregg has informed me that this would need to be a roll call vote, because this is going before the Secretary, and so, if there is no further discussion, I am going to ask Gregg to call the roll, please.

MR. WAUGH: Thank you. 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: Sure.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: No.

MR. WAUGH: Mr. Haymans.

MR. HAYMANS: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

MR. WAUGH: Dr. Duval.

DR. DUVAL: Yes. Just to let folks know, the reason that the Regional Administrator votes no is to preserve the Secretary's right to not implement such a measure.

DR. CRABTREE: Yes, and it's policy that the RA votes no on emergency or interim rules, to prevent a unanimous vote.

DR. DUVAL: Okay. Thank you. We will be taking up the ABC control rule modifications in September. The next item that was discussed was the Wreckfish ITQ Review. Brian updated the committee on the upcoming review of the program. The agency currently requires that limited access privilege programs be evaluated periodically, every seven years, and so the review of the wreckfish ITQ program will begin in 2017, and, while the review process will not result in immediate changes to the program, the evaluation will provide the opportunity to recommend improvements, and so a proposed outline of the review will be presented to the Snapper Grouper AP and the SSC during their respective meetings in the fall of 2017, and the evaluation would continue to be developed in 2018, with the council taking final action to approve in June 2018, and the intent is for the review to be conducted in close cooperation with the wreckfish ITQ program participants.

What we need is -- Brian has made a correction that review would not be finished in June of 2018, but it would be September of 2018. Okay. **With that correction, we would need a motion from the council to direct staff to begin development of the wreckfish ITQ review and to meet with ITQ shareholders prior to the September council meeting to get their input on IFQ review development.**

MS. MCCAWLEY: **So moved.**

DR. DUVAL: Motion by Jessica and second by Charlie. Is there further discussion? We will just note that this statutorily required. **Is there any opposition to this motion? Seeing none, the motion stands approved.**

Then, under Other Business, Jessica had brought up yellowtail snapper, and we did have some discussion about this yesterday, and we were sort of tossing around different options that could be considered to address this.

MS. MCCAWLEY: To kind of wrap that around again, without going through all of that all over again, I think that what I would like is to have our staff talk to the Gulf Council staff, to see if they would be willing to do a joint amendment, through whatever mechanism we decide, to combine the ACL.

The other thing is that I'm going to go back to the yellowtail fishermen and try to talk to them about a trip limit and try to bring that information back to our September meeting. That way, we're looking at both of those two options that we discussed, but I feel like we need to ask the council now, because they will have a meeting in August, prior to our September meeting, and so, that way, there is two different things that we're looking at, and we'll have information on both of them at the September meeting. I will look into the trip limit piece that the AP brought up, and if staff could talk to the Gulf staff about -- Maybe that could even be brought up at the August Gulf Council meeting for discussion, about combining the ACL.

DR. DUVAL: So what if we -- Should we add that to the timing and tasks motion, to have staff reach out to Gulf Council staff and discuss development, potential development, of a joint amendment that could be brought before the Gulf Council before discussion at their August meeting?

MS. MCCAWLEY: Yes, and so I would actually like for a little bit more than just staff discussion. I would like to know whether the Gulf Council will consider that or not at their August meeting. I would like an answer from them from the August meeting.

DR. DUVAL: You would like an answer from the Gulf Council staff as to whether this could be brought forward at the August meeting?

MS. MCCAWLEY: From the council itself, and so that's what I'm saying.

MR. PHILLIPS: Does that mean that we want to send them a letter, so that they have something to answer?

MS. MCCAWLEY: I am perfectly fine if we want to formalize this in a letter, so that there's something for them to react to. Sure.

DR. DUVAL: I am going to ask our Gulf Council liaison, Mr. Diaz, if you have any input on that.

MR. DIAZ: I think a letter would be a good way to go, and, that way, it's an official request for us to review it, and so I think the letter is the appropriate way to go.

DR. DUVAL: Okay. We will work on that, as we do all of our post-council items. Great.

MS. BECKWITH: During our original discussions on this, I had brought up the concern of, if we're going to combine the ACLs, is the intent still to maintain a separate recreational and commercial allocation?

MS. MCCAWLEY: I think so. I'm willing to look at it either way. The Gulf doesn't have a recreational and commercial split, but we do, and so there were multiple -- When the South Florida



Committee looked at this, there were multiple ways to do this, and so I'm willing to go back and grab that action from that south Florida amendment and look at that again, and so that was one of the options that was in there.

DR. DUVAL: Okay. Is there any other business before we get to timing and tasks?

MR. BELL: It's not really other business, but I just want to be totally clear on something when we were discussing Amendment 27 and the action to remove the restriction on bangsticks off of South Carolina. That doesn't include the current gear restrictions on SMZs. That would all stay in place, just like it is, but it was just simply to make us like the other states, in terms of not the SMZs, and so that would be still in place.

DR. DUVAL: Thanks for that clarification, Mel. Now we are to the timing and tasks motion. This has expanded considerably since -- I think it's doubled since the draft report. Shocker. I am not going to read all of those items, but commercial landings information, red grouper projections, the Dirichlet multinomial fitting for golden tilefish, request projections from the new assessment at a variety of P\* levels, and interim measures to reduce overfishing of golden tilefish, meet with wreckfish ITQ stakeholders, send letter to the Gulf Council to get input on development of a joint amendment to combine ACLs, and the question mark was under Task Number 1, whether we wanted landings information for red porgy for the last ten years as well, to inform commercial split seasons, and I would say -- I see some people shaking their heads. Yes or no? If we're going to do it, let's do it. I would say let's go ahead and just get it. Okay. Is there someone willing to make that motion?

MS. MCCAWLEY: **I move that we approve the timing and tasks list.**

DR. DUVAL: Motion by Jessica and second by Charlie. Is there any further discussion? **Is there any opposition? Seeing none, that motion stands approved.**

That concludes the Snapper Grouper Committee Report, and it's the only time we've been ahead of schedule on snapper grouper this entire meeting, and so --

MR. HARTIG: Thank you, Madam Chair.

DR. DUVAL: Don't thank me. Thank you all. Next up is the Mackerel Cobia Committee Report, and we'll let Ben and Kari get settled here.

MR. HARTIG: The Mackerel Cobia Committee met yesterday, and we approved the minutes. We had Status of Commercial and Recreational Catches versus the ACLs and Status of Amendments under Formal Review. The next item of business, we had a meeting report from the Mackerel Cobia Advisory Panel and Cobia Sub-Panel from Ira Lax, who gave us a great overview of what the AP did. Then we also, during that AP report, Steve English came up and clarified some of the mesh size information, and he also elaborated on an issue to allow hook-and-line and net gears to take place on the same trip.

The next item of business was the ASMFC Request to Remove Atlantic Cobia from the Federal Fishery Management Plan, and, in that regard, in May of 2017, ASMFC sent a letter to the councils to request that the South Atlantic Council discuss removing Atlantic cobia from the Coastal

Migratory Pelagics Fishery Management Plan, which would transfer all management authority to the ASMFC.

Council staff reviewed a discussion document outlining the benefits and challenges to removing Atlantic cobia from the federal FMP. Federal mandates would require that the council consider a range of alternatives in addition to an option to remove Atlantic cobia from the FMP, such as joint and complementary management.

**During that discussion, we made the following motion, and, on behalf of the committee, I so move to direct staff to begin work on a plan amendment to address Atlantic cobia and evaluate options for a complementary plan with the ASMFC as well as removal of Atlantic cobia from the management unit. Is there further discussion? Is there any objection to that motion? The motion passes with two objections.**

The next item of business was the Discussion on Emergency Action for Atlantic Cobia. The Mackerel Cobia Advisory Panel and Cobia Sub-Panel approved a motion. With six in favor and five opposed and four abstained, to recommend that the council request NMFS to consider emergency action to change the current stock boundary and annual catch limits for Atlantic and Gulf cobia to the boundary and ACLs in place prior to CMP Amendment 20B.

Council staff reviewed a discussion document on emergency action criteria in the context of Atlantic cobia, and the basis of that decision document was that emergency action -- That that request did not fit the emergency action criteria, and the committee did not make any motions in regard to that recommendation.

MR. WAUGH: We have had a number of AP members and others who are closely following your discussions of that emergency action, and we have already received several requests asking what exactly did you all decide, and the intent here was to use that document and to add your council conclusions at the end of it, and, if you remember, there is a spot there for your conclusions, and so I think it would be helpful for you all to indicate, preferably with a motion, whether you want to move forward with that request or whether you are not moving forward with that request, and that would help us inform the public and make it very clear and remove any doubt as to what your intent was.

MR. HARTIG: I appreciate that, Gregg, and I came away from that discussion at the end of -- I probably, as committee chair, should have asked for a motion, because I came away a little bit flat on what -- Obviously what Kari had put forth did not support going forward, but we didn't have a strong recommendation after that, and so certainly what you have put forward is applicable, and so if someone would like to make a motion in that regard.

MS. MCCAWLEY: **I move that we not consider emergency action to change the boundary.**

MR. HARTIG: Motion from Jessica and second by Charlie.

MR. WAUGH: Part of the concern that has been raised, and there are a number of items that we will address, but I think it's helpful for you all to hear it and discuss it if you want to, but there is some feeling, from some members of the AP, that they didn't ask for a new boundary, and we're going to continue to explain to them that your motion was to go back to the boundary that existed

in Amendment 18, which was the council boundary, and so moving from the current boundary to that boundary constitutes a request for a new boundary.

There is still lots of disagreement over stock ID, and we will address those concerns. They keep reiterating that there is not adequate justification for the current boundary, and, as Kari developed that document, we put in all the information. Dr. Mike Denson gave an excellent presentation at our last AP meeting, and we've got that presentation and the minutes, and the discussion there was excellent, and so we feel that it fully supports the current stock boundary, as does the SSC and the agency. It's been declared the best scientific information available, and so we will get that word out, but I think this will help at least make it very clear what the council's position is. Thank you.

MR. HARTIG: I appreciate that. Any other discussion on this motion?

DR. DUVAL: Just to clarify, the actual motion from the AP was to reset the stock boundary and ACLs to those in Amendment 18, and so it was the whole thing. I think one important thing is the advisory panel was six in favor, five opposed, and four abstaining.

MR. HARTIG: We've got a motion that's been amended a little bit, and it looks like we're okay with that. There hasn't been a lot of discussion, and so I guess we can do that without any problem. **The motion is the council will not consider emergency action to change the boundary and ACLs.** Any more discussion? **Is there any objection? Seeing none, that motion is approved.** Thank you, Gregg. I feel better about that discussion and an endpoint to it, and so thank you.

DR. DUVAL: **I am going to see where this goes, but I would like to make a motion to request that MRIP recalculate the 2015 and 2016 Atlantic cobia harvest using annual estimates of catch and effort.** I am talking about those methods that were displayed to the SSC in their October 2015 meeting, where it's an annual estimate of catch multiplied by an annual estimate of effort.

MS. BECKWITH: I second.

DR. CRABTREE: The purpose of this would be to see if that shift in methodology would produce --

DR. DUVAL: More precise estimates of harvest.

DR. CRABTREE: Then, if it does, we would request that for the future?

DR. DUVAL: I think so, and I think that would play into -- That would help inform the workshop conversations that we're going to be having in the fall with regard to use of these alternative catch estimation techniques more broadly for species in the South Atlantic and Gulf.

MR. HARTIG: Okay.

MS. SMIT-BRUNELLO: Just a quick question, Michelle. You said that that kind of methodology or calculation was shown to the SSC when?

DR. DUVAL: October of 2015. Dr. Dave Van Voorhees and Dr. John Foster came down to the SSC meeting and provided a presentation on application of -- It wasn't just annual estimate of

catch times annual estimate of effort, but it was also multiyear estimates of catch applied to an annual estimate of effort, multiyear estimate of catch applied to multiyear estimates of effort as well, and so there were like half-a-dozen different methodologies that they had applied to blueline tilefish, snowy grouper, hog snapper, and I think golden tilefish. There were four different species that they had applied those to and shown to the SSC.

MS. SMIT-BRUNELLO: Thank you.

MR. HARTIG: Did we get a second to this motion? I thought I saw Anna raise her hand. Thank you. Any more discussion? **Is there any objection to this motion? Seeing none, that motion is approved.**

The next item of business was the ASMFC Interstate Management Plan for Cobia. Bob Beal, Executive Director of the Atlantic States Marine Fisheries Commission, briefed the committee on the status of the interstate management plan. The South Atlantic State/Federal Fisheries Management Board will review a draft plan at their August 2017 meeting and approve it for public hearings to be held in the fall. The board will review and approve the final plan in October 2017.

Next, we had State Reports on Atlantic Cobia for 2017, where the state representatives provided updates on what they're doing respectively, and the next item of business was Atlantic King Mackerel Trip Limits. Under this -- I will read what we have, and then I will broach something else.

The new regulations for king mackerel established in Coastal Migratory Pelagics Amendment 26 became effective on May 11, 2017, including updated commercial trip limits for the Atlantic Southern zone. The AP and sub-panel recommended that the council consider revising the trip limits to allow for a higher trip limit north of the Volusia/Brevard County line, which would mirror trip limits prior to Amendment 26.

I know that, at the committee level, that I had said that we would wait until the next meeting, but I think we really need to resolve this now, because we did have fishermen that drove up, and we do have the recommended changes that we need to make. The reason why I didn't go forward was, when I looked at what Kari had, it didn't strike me right away as being what we were going to do, and so, in the interest of time in that committee, I went ahead and said, well, we'll move it to the next meeting.

What I would like to do is go ahead and do that, to provide a motion for someone to make at this meeting regarding the trip limit changes that we need to make. All this does is it takes us back to the boundaries that we had before Amendment 26 and it allows the fishermen, in the little bit higher latitude in the summertime fishery, to be able to make multiple trips under 3,500 pounds, which they aren't able to do when the heart of the fishery occurs, when those fish are concentrated in the lower latitudes.

What I am going to say here is the actual motion was that, for April 1 through September 30, the trip limit would be 3,500 pounds from the Southern Zone boundary to the Volusia/Brevard line. From the Volusia/Brevard line south to the Gulf and Atlantic stock boundary, which is the Dade/Monroe County line, the trip limit would be seventy-five fish. When 75 percent of the Season 1 quota is met, the trip limit will be decreased to fifty fish. Then, from October 1 to March

31, from the Southern Zone boundary, the trip limit would be 3,500 pounds from the Southern Zone boundary to the Flagler/Volusia County line. From the Flagler/Volusia line to the Gulf/Atlantic stock boundary, which is the Dade/Monroe County line, the trip limit would be fifty fish. Then, starting February 1, if less than 75 percent of the Season 2 quota has been landed, the trip limit increases to seventy-fish until the end of February. The trip limit returns to fifty fish on March 1.

Kari has those there, and she has some additional alternatives to make this work in a potential framework down the line, and I don't know how this will fit into all of those priorities. We will have to figure that out as we go, but I mean this is something that, as soon as this was put in place and fishermen saw that the change was going to impact their catches in that line change, they wanted to change it back to the way it was, and I don't see any problem with the resource problems with doing this.

DR. MACLAUHLIN: I had drafted a couple of alternatives for Ben, just so you have some language, and then I tried to make some maps of them, because I thought it would be a little easier, but I feel like it's still, on the screen, not that -- The way that it's set up now is that, in Season 1, which starts on March 1, and in Season 2, the boundary between the two trip limit systems is at the Flagler/Volusia for the whole year, and that is what it set up and just went into place in CMP 26.

What the fishermen are interested in is being able to shift the boundary down to the Volusia/Brevard line starting on April 1, and so, in Season 1, which starts in March, for the month of March, it would be fifty fish. Then, starting on April 1, the boundary would shift to the Volusia/Brevard line. Then this is how the folks fishing around Volusia and Daytona, around that area, would have access to the 3,500-pound trip limit. That mirrors closer to what it used to be before 26, their system.

Then their Season 2 would be the same as it is place. The boundary would go back to Flagler/Volusia, and they would have the same trip limits as the rest of the southern part of the east coast of Florida. Then the third alternative, just to be able to provide another alternative, would be to set the -- Instead of a shifting boundary in Season 1, it would just set it at the Volusia/Brevard line for all of Season 1, and Season 2 would be the same. It would go back to that Flagler/Volusia.

All this would do -- The difference is that, for the month of March, they would have access to a 3,500-pound trip limit and not be under that fifty-fish limit, which I think is a concern of some folks, that, around Volusia, that they need that fifty-fish trip limit in March, just to make sure they don't eat up a lot of the Season 1 quota right off the bat, but Alternative 3 would make it a little less complex, because you wouldn't be shifting boundaries in the middle of one of your split seasons.

Those are the three alternatives that you guys could consider if you want to move forward with this, and I have some language that captures what's in the maps, but we may tweak it a little bit if you want to move forward with this.

MS. MCCAWLEY: Ben, we just got this changed in state waters. The rule was filed on May 11. I am willing to continue the discussion on this at the next meeting, but I really don't want to

continue hashing it out right now. I would need to go through the documents and look at it a little bit more. I am assuming this would have to be a joint action with the Gulf as well, would it not? Kari says it wouldn't.

DR. MACLAUHLIN: No, it could be a framework action, and we talked to Monica, because it is just adjusting the trip limits, and it's just the Atlantic stock, and so it wouldn't have to involve the Gulf.

MS. MCCAWLEY: I am willing to keep discussing this more, but we literally just got the state rule in place to match up with this. It was May 11 that we got this thing in place.

MR. HARTIG: I am speechless. No, and I completely understand your frustrations, and the fishermen are frustrated that they won't be able to make their multiday trips like they normally do in that area. I mean, they will go out and catch maybe sixty fish. Then it's not worth staying for the extra fifteen fish, and so they come back to the dock. That is how it's been posed to me. At seventy-five fish, it's just not enough, and it works. They're not catching 3,500, but they are catching more than seventy-five, and so it's an in between type of thing.

It's not a lot of fishermen, but, for the ones that are there and utilize that timeframe, it is a departure from what they did, and, being as complex as this was, and the fishermen put this forward, and we have these unintended impacts that occurred, and, if you want to wait until the next meeting, I am fine with that.

MR. BELL: I would just be remiss if I didn't point out that lines are always a challenge for enforceability, and bouncing lines, moving lines, are even more of a challenge, and moving lines that don't align with other lines in state and federal waters are even more challenging, and so it's just a fact.

MR. HARTIG: Yes, but, to that point, this -- We have been using these lines for years and years and years, and they have worked, and the fishery has been able to function under this with law enforcement as well. I mean, it has worked, and I understand your concern, from the Law Enforcement Committee's perspective, but it has worked for our fishery, even though it is as complex as it is.

MS. MCCAWLEY: I think that maybe outside of this meeting that we can maybe have another conversation about this. I can tell you that they wanted additional changes on the Gulf, and we spoke about how we thought we had just got this in place and that maybe we needed to keep those changes in place for a little bit and see how they worked, and then here we're going to go on the Atlantic and start making changes again, but I am willing to talk to you more about this outside of the meeting and then discuss it again at the next council meeting.

MR. HARTIG: Thank you, Jessica.

DR. CRABTREE: I would suggest we hold off on this until the September committee meeting and take it up in committee.

MR. HARTIG: Thank you, Roy. Okay. That's fine with me. All right. That will take us to the next agenda item we had, which was Common Units for Coastal Migratory Pelagic Species. There

was discussion on this, and Bonnie gave us a short presentation on how they do it in the Center, and the committee specified that the preference is for Atlantic Spanish mackerel to be tracked in whole weight and Atlantic king mackerel should be tracked in gutted weight.

DR. PONWITH: I circled back with the data folks on the question about the Gulf of Mexico, and the answer is that, yes, this is technically possible, but it should be coordinated with the Gulf of Mexico, and my suggestion would be for the council to send a letter to the Gulf Council to raise this in their committee meeting and see if we can sort of resolve any issues that would present a potential clash between the two councils.

DR. DUVAL: Kari, maybe we could add that to the timing and tasks motion.

MS. SMIT-BRUNELLO: I want to take a look and go back through the FMP to see how we got where we were a little bit, which I can talk about maybe next time, because, when I look at what is in the regulations in terms of quotas, it just says pounds, and it doesn't say how we're catching them, and I know that's what brought some of this forward and all that, and so I don't know that we would need any changes to the regulations, but I don't know that we wouldn't need any changes to the regulations, and so that's something I will take a look at, too.

MR. HARTIG: Thank you, Monica.

DR. MACLAUHLIN: **I will read the draft timing and tasks: 1)work with Law Enforcement AP to develop alternatives to update the mesh size requirements for Spanish mackerel gillnets and clarify how mesh will be measured; 2)develop draft actions and alternatives for a plan amendment with options for complementary management of Atlantic cobia or to remove Atlantic cobia from the federal FMP; 3)work with council members and fishermen to develop alternatives for a framework amendment to revise the Atlantic king mackerel commercial trip limits for the Southern Zone; 4)send a letter to the Gulf Council to discuss coordination of revising the units to track CMP species; 5)send a letter to MRIP to recalculate the 2015 and 2016 recreational landings for Atlantic cobia using annual estimates of catch and effort.**

MR. HARTIG: Would someone like to make the timing and tasks motion?

DR. DUVAL: **So moved, Mr. Chairman.**

MR. HARTIG: Motion by Michelle and second by Charlie. Is there discussion on the timing and tasks motion? **Is there any objection to approving the timing and tasks motion? Seeing none, that motion is approved.** Madam Chair, I believe that concludes my committee report.

DR. DUVAL: Thank you, Ben. Next up is the Dolphin Wahoo Committee Report, and we will let John get a chance to get up here and turn it over to him and Anna.

MS. BECKWITH: Thank you, Madam Chair. The Dolphin Wahoo Committee met on June 13, 2017. We first approved the minutes from the March 2017 meeting and the agenda. We received the Status of Commercial and Recreational Landings and an Update on Dolphin Regulatory Amendment 1, which became effective on March 21.

We discussed the Dolphin Wahoo Advisory Panel Meeting Report, and we had Ray Rosher, who is the AP Chair, deliver a summary report and recommendations from the AP to the committee. During their meeting, the AP discussed several items related to the management of the dolphin wahoo fishery, including Dolphin Wahoo Amendment 10 and allowing the sale of dolphin caught on for-hire trips. The report says dolphin and wahoo, but they actually never discussed allowing wahoo sales, but only dolphin sales.

We also received a quick update on a request we had made to the SSC. The committee requested that the SSC examine the maximum PSE above which recreational catch estimates would be unreliable for management purposes. The members of the South Atlantic SSC will be discussing this issue at a joint meeting with members of the Gulf of Mexico SSC, which will take place in the fall of 2017.

While we did not make any motions during this committee, I did ask folks to consider if the committee would like to pursue any further discussions on the sale of dolphin on for-hire trips, from for-hire trips, and, if that is case, then we would need to add that to a timing and tasks motion, directing staff to develop a white paper on allowing the sale of dolphin caught on for-hire trips.

MR. HADLEY: Just as a point of clarification, the AP, when they were discussing this, the concern is certainly with dolphin. Their motion did include wahoo, mostly as an ancillary, since it is the Dolphin Wahoo FMP, but, as you spoke, the focus is dolphin, and so that's just a little bit of a clarification there, and I certainly appreciate it.

MS. BECKWITH: Okay. Thank you, John. So, is there any interest in this committee to pursue any discussion on consideration on the sale of dolphin from charter trips? I hear crickets. Okay. If there is any interest, then we would need a motion to direct staff to develop a white paper.

MR. HARTIG: **I would direct staff to develop a white paper considering the sale of charter-boat-caught, for-hire-caught, dolphin.** I am going to keep it specific to dolphin, because that's what they asked for.

MS. BECKWITH: I wholeheartedly agree, and so there is a motion. Is there a second to that motion? I see Chris seconds. **The motion reads to direct staff to develop a white paper on allowing the sale of dolphin caught on for-hire trips.** Is there any discussion on this motion?

DR. DUVAL: I am just going to put out there that we've got -- As your Council Chair, we have a lot on our plate. I guess I would just say, if this motion passes, that it's going to have to be worked into the priorities, and so I just would want to be sure to not create any expectation that this is going to be moving forward at the next meeting, or even necessarily the meeting after that, and so I would just put that out there.

MR. HARTIG: Madam Chair, I am fully aware of that, and, wherever this fits into the program, when it can, that is fine.

MS. BECKWITH: Okay. Is there any further discussion?



MR. PHILLIPS: I understand where they're coming from, and I am going to have to vote against it. I mean, we talked about it a lot, and the commercial is commercial, and we're starting across that line, and who knows where it will end up, and so I'm going to have to vote against it.

MS. BECKWITH: I think, just for the record, this was specifically intended to cover vessels that were commercially permitted and properly inspected, and so with all the necessary requirements.

MR. BREWER: I don't have any objection with going forward with a white paper, but I did want to remind the council that this is an item that -- This issue has been under discussion for a long, long time, and we actually had like a side meeting with about forty people there to discuss this issue.

When the issue finally was hashed out at the end of that meeting, these recreationally-caught fish were going to be transformed into commercially-caught fish, which I have a little bit of heartburn about, but then, when it was presented to us yesterday or the day before, you were going to take recreationally-caught fish and turn them into commercially-caught fish and then they were going to count against the recreational quota. While there is a lot of quota out there for the recreational and it probably would not make a huge difference, that just gives me heartburn and goes against all kinds of principles that I have espoused over the years, and I just wanted to make that comment.

MS. BECKWITH: Yes, understood. Certainly those details could be hashed out if we decided to move that forward. Is there any other discussion? **Is there any opposition to this motion, eight opposed; all those in favor, one in favor. The motion fails.**

Thank you. Being that there are no motions or timing and tasks to move forward, that concludes my report.

DR. DUVAL: Thank you, Anna. Sorry. Next, we move on to Spiny Lobster. I don't believe our committee chair is here right now, and so maybe we can skip over Spiny Lobster and go do the Law Enforcement Committee Report. Would that be okay, Mel?

MR. BELL: That works for me.

DR. DUVAL: All right. We will let Myra come up here.

MR. BELL: The Law Enforcement Committee met on June 13. After approval of the agenda and minutes, the agenda items included the 2016 Law Enforcement Officer of the Year, and that was in closed session. The committee reviewed three nominations passed along by the Law Enforcement Advisory Panel. Voting members of the council cast their votes to select a deserving officer to be honored with the award during the 2017 council meeting in Charleston.

The next item was the Law Enforcement Advisory Panel Report. That was presented by the newly-elected Chairman of the Law Enforcement AP, Captain Bob Lynn from Georgia DNR. He delivered a summary of the AP's discussions and recommendations from their meeting. Captain Lynn focused on three topics in particular: utility of operator permits, enforcement of fishery closures during short re-openings, and regulations concerning the sale of cobia.

Then, related to that, he reiterated the LE AP's position that, as it stands, the operator permit in the Southeast is not necessarily providing utility, but there is potential to use in greater capacity. Should it be improved, it could provide important information not just for enforcement. The council may work with NOAA Fisheries to evaluate and possibly expand the use of operator permits.

The council intends to remove the requirement for the dolphin wahoo for-hire fishery right now. However, that amendment has been placed on hold for the time being. In the meantime, the council would like to explore whether other councils, the Mid-Atlantic and Gulf, would be interested in expanding the requirement for operator permits to encompass the three council jurisdictions, to provide continuity and improve their utility.

Regarding enforcement of fishery closures, enforcement officers abide by the regulatory language in closure notices that are issued by the agency. Therefore, it is up to the council to work with NOAA Fisheries to revise the language in the notices to address situations in which some vessels may be at a disadvantage, and that is slower vessels in short re-openings that have a hard time getting out and back, if we want to do something with that.

During the discussion, council members indicated that the definition of "landings" is written in rule in some of the South Atlantic states and such clarity is useful for enforcement and prevents officers from having to interpret the regulatory language, and so we each have our own definitions of what "landing" means in our state laws.

The committee also discussed the need to clarify the regulations governing the sale of cobia. There was a lot of discussion on that. There is currently no commercial permit to harvest cobia. Monica Smit-Brunello from NOAA GC stated that federal dealers are currently only allowed to purchase cobia harvested in federal waters from vessels with federal permits for king mackerel, Spanish mackerel, or charter/headboat for CMP. She also indicated that there might need to be revisions to the language in the regulations resulting from the Generic Dealer Amendment to help clarify regulations for cobia. The discussion will continue under the Mackerel Cobia Committee, and it did. Basically, we have conflicting -- At the moment, we have conflicting wording in different regulations.

Then there was a Presentation on Permit Sanctions under the MSA by Karen Raine from NOAA OLE. She delivered a presentation on the use of permit sanctions as they relate to reporting requirement violations under Magnuson. She explained that summary settlements do not include permit sanctions. The latter figure in the penalty schedule for more severe violations, and there is different categories, and we discussed the categories, and there was a nice graphic she had that showed the different summary settlements and the schedule and everything.

In general, permit sanctions are not often used. Rather, monetary penalties may be issued for failure to submit the required reports, and permit renewal can be denied. Since March of 2011, there have been eighteen cases charged nationwide for failure to abide by the reporting requirements, with penalties ranging from written warnings to \$6,000. No permit sanctions have been issued, however.

The council will likely continue discussing ways to improve compliance with reporting requirements in anticipation of the For-Hire Electronic Reporting Amendment becoming effective

in 2018. Committee members acknowledged the importance of education and outreach and other means to improve compliance, such as email reminders and just really a lot of face-to-face outreach. In addition, it was also acknowledged that councils have the option of adjusting catch levels, using annual catch targets, as a way to incentivize reporting compliance. If fishermen abide by reporting requirements, the allowable catch might be increased, and so a potential carrot.

Agenda items for the next LE AP meeting, the committee was given the opportunity to suggest items for the fall 2017 LE AP meeting. One suggestion was to discuss enforcement of mesh size requirements at both the state and federal levels, and we had some more discussion of that in the Mackerel Cobia Committee. Committee members were encouraged to provide additional input on possible agenda items to council staff prior to the LE AP meeting, and there were no motions, and so, Madam Chair, that concludes my report.

DR. DUVAL: Anna, did you have a question?

MS. BECKWITH: Before he concluded his report, I was going to request if we needed a motion formally requesting -- I don't know, but maybe a letter to go to some of the other councils trying to gauge interest in sort of developing or improving the operator card throughout the region, just to get a sense of if this something that the Gulf and the Mid-Atlantic would like to consider as we move forward and trying to figure out the utility of this.

DR. DUVAL: I take it this would be like a letter to each of the other two councils requesting whether or not they would be interested in universally --

MS. BECKWITH: Right, and maybe bringing us all up at least to some council coordination. If folks are interested in pursuing this, then I think the next step would be to have the councils interact even with GARFO to see if we can bring this to some useful resolution in the long run.

MR. BELL: So far, all of the communication has just been sort of informal, behind the lines, so to speak, but it might be useful to -- If we want to engage in the actual process a little more formally or something with them, I guess we could reach out to them and see if we've got interest in everybody kind of more formally working together. I don't have a problem with that.

MS. BECKWITH: I suspect this will be a slow process, and so I would like to get some answer from other councils, to see if they're interested in even pursuing this route. I think that will inform our decisions in the short term.

MR. BELL: So then do you want to make that motion then?

MS. BECKWITH: Yes, please. **I move to send a letter to other councils, the Mid-Atlantic, New England, and Gulf, to gauge interest in expanding the requirements for operator cards to encompass the three council jurisdictions to provide continuity and improve their utility, although I guess it would be four councils, right, because we would be included in that.**

MR. BELL: Any second on the motion?

MS. BECKWITH: Ben, don't you want to second me?

MR. BELL: I think what this would do is simply just set up a little bit more formal process of engagement, which would kind of move it along, and it might give it a little bit of impetus.

MR. BOWEN: Second.

MR. BELL: Zack seconds it. Any further discussion of the motion? Does everybody understand what we're doing? It's just to try to push this along a little bit more formally and see what we get, and we don't know what we will get, but you never know unless you ask. **Any opposition to the motion? Seeing none, then that motion would pass.**

Does that need to be incorporated into a -- Was that a timing-and-tasks-related thing?

MS. BROUWER: Since there was only one item, I figured we didn't need to have it under timing and tasks.

MR. BELL: Okay. Then, that being said then, Madam Chair, that concludes my report.

DR. DUVAL: Thank you very much, Mr. Bell. Let's go ahead and jump back to Spiny Lobster and Jessica and Kari.

MS. MCCAWLEY: All right. The Spiny Lobster Committee met on June 12, and the committee first approved the meeting minutes and the agenda. Then council staff reviewed the 2016 and 2017 Catches versus the ACL, and then we got into Spiny Lobster Regulatory Amendment 4.

**On that amendment, the first motion that we made was to approve the changes to the purpose and need, and, on behalf of the committee, I so move. Is there any discussion on that motion? Is there any opposition to that motion? Seeing none, that motion stands approved.**

**The next motion that the committee made was to approve Spiny Lobster Regulatory Amendment 4, and I believe that that is a roll call vote.**

Before we go into the roll call vote, Kari is going to go into the codified text, where we were looking at the wording of other types of traps onboard a vessel while people were taking recreational lobster outside of Florida.

DR. MACLAUHLIN: I have up on the board -- There was just some slight language changes in the codified, and so this is what you would be deeming in your motion, and so the regulations writers added some language that says "except for the use of black sea pots and golden traps, as allowed in Section 622.188 and Section 622.408, respectively, the possession of traps is prohibited onboard a vessel in the South Atlantic EEZ with spiny lobster subject to the recreational bag and possession limits specified in Section 622.408 is also onboard the vessel. The recreational harvest of spiny lobster using a trap is prohibited in the South Atlantic EEZ."

These are specific gear types, the black bass pots and golden crab traps, just so there is not any room for a misunderstanding, but, if this addresses your intent there, then this can be the codified text that you deem for this motion.

MS. BECKWITH: With these exceptions, if we were to move forward with any lionfish traps, they would not be able to fish for lionfish and lobster at the same time.

MS. MCCAWLEY: Yes, and we talked about that, and it seems like, at this time, that the rule writers would prefer this language, because we were looking for more general language, and the rule writers said they preferred this, and, if that occurs, we would make that change at that time. I asked the same question.

MR. HARTIG: There is a substantial harvest of lionfish coming from lobster traps now, substantial, and it's a big part of the economics, at least for the guys that fish in the deeper water in the Atlantic. It's a significant amount of money. If this is going to prohibit that --

MS. MCCAWLEY: No, because this is outside of --

DR. CRABTREE: This is about lobster.

MS. SMIT-BRUNELLO: Just one quick thing, and, on the idea about trying to craft in regard to the lionfish situation, I agree with the NMFS folks. Sometimes when you try to craft for things that we don't have before us, in terms of how those traps are going to be fished and what the Fisheries Service is going to allow, we have unintended consequences, and it opens the door where you didn't want the door opened, necessarily, for the harvest of finfish in traps, and so I think we can easily address it at that time with lionfish, but, yes, I would prefer that we keep it specific to golden crab and black sea bass.

MS. MCCAWLEY: All right. Any more discussion on this text? Thank you, Kari. All right, Gregg.

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.

MR. WAUGH: Mr. Brewer.

MR. BREWER: Yes.

MR. WAUGH: Mr. Brown.

MR. BROWN: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Absolutely.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Mr. Haymans.

MR. HAYMANS: Yes.

MR. WAUGH: Dr. Duval.

DR. DUVAL: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: Yes.

**MR. WAUGH: It passes unanimously. That was a motion to approve Spiny Lobster Regulatory Amendment for secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.**

MS. MCCAWLEY: Thank you. The next thing that the committee did was talk about Updates to Align the Federal Regulations with FWC Regulations. **After the discussion, the committee made a motion to direct staff to start work on a plan amendment to address the bully-net issues and update the procedure and protocol with the State of Florida, and, on behalf of the committee, I so move. Is there any discussion of that motion? Any objection to that motion? Seeing none, that motion stands approved.**

**We have a timing and tasks motion. The two items on the list here are to work with the Gulf Council staff to finalize Regulatory Amendment 4 that we just voted on to be sent in for formal review and then also to work with Gulf Council staff on an options paper for the new**

**plan amendment.** Remember the Gulf Council is the administrative lead on that. Is someone willing to make the timing and tasks motion?

MR. BREWER: **So moved.**

MS. MCCAWLEY: Motion by Chester and seconded by Ben. Any discussion of the timing and tasks motion? **Is there any objection? Seeing none, that motion stands approved.** That concludes my committee report.

DR. DUVAL: Thank you, Jessica. We are going to go ahead and knock out the AP Selection Committee with Kim and Chester. Then, after that, we will take a checkout break.

MR. BREWER: Thank you, Madam Chair. The Advisory Panel Selection Committee met on June 12, and we first approved minutes from the March 2017 meeting and the agenda. The Advisory Panel Selection Committee met in closed session on Monday morning and addressed the creation of a new Citizen Science Advisory Panel Pool to support the council's Citizen Science Program. The committee discussed the Citizen Science AP Pool membership structure, reviewed applicants, and provided recommendations for the council's consideration. The committee approved the following motions.

**Motion Number 1 is create a Citizen Science Advisory Panel to serve as a pool of individuals from which appointments to specific Citizen Science Program Implementation Action Teams will be made. On behalf of the committee, I so move. Is there any discussion? Any objection to the motion? Seeing none, the motion stands approved.**

Our second motion was to appoint the following the SAFMC Citizen Science Advisory Panel Pool, and I'm going to kind of summarize this, but this rather long list will be made part of the record, I understand, and it is coming up on the screen here, so the folks at home can see it.

**The motion was to appoint the following to the SAFMC Citizen Science Advisory Panel Pool: all appointees to the 2016 Citizen Science Workshop; members of our Scientific and Statistical Committee; members of all our standing advisory panels; staff of the Atlantic States Marine Fisheries Commission; individuals from NOAA Fisheries Southeast Fisheries, along with other Fisheries Centers; individuals employed by the Marine Resources Management agencies of all of our states; Sea Grant folks from North Carolina, South Carolina, Georgia, and Florida. On behalf of the committee, I so move. Any discussion? Seeing none, is there any opposition? Seeing none, the motion stands approved.**

Next, and, Kim, I'm going to get off the script just a little bit here, and I know that makes you nervous, but -- She gets all fidgety. Jessica checked this morning, and I think all of you all saw that there was a -- The FWC put out a notice that it was going forward with a program that was related to citizen science and was calling for volunteers and applicants.

As of this morning, there had been 1,241 individual applications to be in the program, and that's like after a week-and-a-half. I mean, there is great interest out there in going forward with programs like that, and I think we just need to keep the momentum up, and I think we're going to have some really good results from this thing.

**Our next motion was to approve the list of applicants to the Citizen Science Pool, as modified.** I made the earlier statement because we also have been blessed with a whole bunch of folks that have applied to our panel, and probably there will be more, but, rather than read off each name on here, and there is probably sixty or more, and move that they be individually appointed, we've checked, and it would be permissible for us, since all of these names will be shown on the screen here, so the folks listening can see it, or attending, I should say, by webinar can see it, and, if everyone will take just one moment to run down this list, and I will ask if there is any discussion with regard to any of the names that appear on this list under Motion Number 3.

I also understand that this will be made a part of the record of the meeting and will be published as part of the report. Is there any discussion on any of the names that appear on this list of AP pool applicants? **Seeing none, are there any objections? Seeing none, the motion stands approved.**

Mackerel Cobia Advisory Panel and Sub-Panel, we had some discussions with regard to the -- In particular with regard to the sub-panel to the Mackerel Cobia Advisory Panel, and we discussed the structure of the current Mackerel Cobia Advisory Panel and Cobia Sub-Panel, and we provided recommendations for council consideration. A petition to remove a member of the Cobia Sub-panel was discussed, and the committee recommends that there be no further action with regard to that petition.

**We did approve the following motion to advertise for an at-large seat on the Cobia Sub-Panel. On behalf of the committee, I so move.** Is there any discussion? **Seeing none, is there any objection? Seeing none, the motion stands approved.**

We then had discussions with regards to, and this was in open session. We had gone into open session, but we had discussions on changes to the process for appointing members to the SEDAR Pool AP and the Citizen Science Pool AP. The AP Selection Committee currently reviews and provides recommendations to the council for appointments to both of these advisory panels. The committee provided guidance for the council's consideration that will allow more flexibility and streamline the appointment process. In essence, what we said was we will let those APs select folks to be on their pool.

**The formal motion was to allow the SEDAR and Citizen Science Committees to make appointments to their respective AP pools. On behalf of the committee, I so move.** Is there any discussion of this motion? **Seeing none, is there any opposition to this motion? Seeing none, the motion stands approved.**

Next, we had a discussion on our timing and tasks, and we put forth the following timing and tasks. **Have staff develop a new online application form to be used for applying for open and/or vacant seats on all advisory panels, similar to the form that we used for the Citizen Science AP Pool, and Number 2 was advertise and solicit applicants for the open or vacant seats on the council's advisory panels, as needed for review by the AP Selection Committee at the September 2017 council meeting.** The Chair will entertain a motion in that regard.

MR. HARTIG: **Chairman Brewer, I will make that motion.**

MR. BREWER: Thank you, sir. We have a motion by Mr. Hartig. Is there a second? Second by Mr. Conklin. Is there any discussion on this motion? **Seeing none, is there any opposition to**



**the motion? Seeing none, the motion stands approved.** Madam Chair, that concludes my report.

DR. DUVAL: Thank you, Chester, and, because Chester was so efficient, we're going to go ahead and knock out the SSC Selection Committee Report. We will let Mike E. get up here and turn things over to him and Charlie.

MR. PHILLIPS: Madam Chair, the SSC Selection Committee met on June 12, and the council staff presented SSC members who were up for reappointment to another three-year term, and these applicants were discussed by the committee. Also, the council staff presented the applicants for the open seat on the SSC, and these applicants were discussed by the committee, the new SSC applicants. The committee approved the following motions.

**Motion Number 1 is reappoint Scott Crosson, Eric Johnson, Anne Lange, Marcel Reichert, Amy Schueller, and Tracy Yandle to the SSC for another three-year term. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, the motion passes.**

**Motion Number 2 is appoint Fred Scharf to a three-year term on the SSC. That was approved by committee and, on behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion is approved.** That brings us down to timing and tasks, and so I need somebody to make that motion.

DR. DUVAL: **Mr. Chairman, I move to adopt the timing and tasks as noted.**

MR. PHILLIPS: Do I have a second? Second by Ben. Any discussion on the timing and tasks? **Any opposition? Seeing none, the timing and tasks are approved.** I end my committee.

DR. DUVAL: Because Charlie was so efficient, we're going to go ahead and knock out the SEDAR Committee Report, and so I will let John get up here, and then I think we will be at our 10:30 break time.

The SEDAR Committee met on June 12 and made appointments for the vermilion snapper assessment in closed session. We received an update on SEDAR projects during open session and the remainder of the agenda. We talked about some concerns with the difficulties in assessing gray triggerfish, leading the committee to request that the Science Center provide an evaluation of assessment impediments and a comparison with the situation in the Gulf, where gray triggerfish have been assessed for review by the SSC, in October.

We discussed the assessment process and schedule and provided comments on the SEDAR research track approach, to provide details on the process for review by the SSC via webinar in late August, so that comments can be considered at our September council meeting. The Science Center should consult with the Northeast Fisheries Science Center regarding their experiences and challenges with implementing the research track approach. There were some concerns with the research track, including timing and ability to increase productivity, and then the process description should address how the research track fits with the existing process, et cetera.

The committee supported including a subset of SSC membership in the joint workshop with the Gulf Council and having the council provide administrative lead, and, again, the goal of this is to improve estimates for ACL tracking, and so we then reviewed the upcoming assessment schedule and provided some guidance on that, including a request for a tilefish revision to address the model fitting procedures to the SSC for review in October of 2017 and advancing the black sea bass terminal year to 2016 and delaying SSC review until April of 2018. Also, accepting the scheduling of cobia as proposed at the May 2017 Steering Committee meeting and assess tilefish in 2019, in place of Spanish mackerel.

We then discussed the Stock Assessment Improvement Plan and recommended appending the SEFSC evaluation of the ageing backlog, which was Attachment 3d, to the comments, and members were advised to provide further comments to staff prior to Friday and the council session, and that letter, I believe, was distributed. Having received no additional comments on that letter, we will go ahead and get that out today.

**The motions that we made, Motion Number 1 was to appoint Luiz Barbieri, Anne Lange, George Sedberry, and Wally Bubley to the Vermilion Snapper Assessment Panel, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**Motion Number 2 was move to appoint Scott Buff, Mark Marhefka, Wayne Mershon, and Paul Nelson as observers to the Vermilion Snapper Assessment Panel, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**Motion Number 3 was move to appoint Mark Brown as the council representative to the Vermilion Snapper Assessment Panel, and, on behalf of the committee, I so move. Any discussion? Mr. Conklin.**

MR. CONKLIN: I just wanted to note that the reason behind that was because we didn't have any recreational representation, and Captain Brown can do that for us, to serve two roles.

DR. DUVAL: Thank you very much for that reminder. Thanks, Chris. Any further discussion? **Any opposition? Seeing none, that motion stands approved.**

**The next motion was move to approve the Vermilion Snapper assessment schedule, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion is approved.**

**Motion Number 5 was move to approve the Vermilion Snapper assessment Terms of Reference, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion is approved.**

**Motion Number 6 was move to advance the terminal year of black sea bass to 2016, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**Motion Number 7 was move to remove red snapper from the MRIP revision assessments list, and, 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 replace the 2019 assessment of Spanish Mackerel with golden Tilefish, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

**Next is the timing and tasks motion, and we have two tasks. Number 1 is to convene an SSC meeting via webinar in late August 2017 to review the research track process details, and Number 2 was to request that the SEFSC provide an evaluation of prior assessment efforts for gray triggerfish, including comparison with the successful Gulf assessment, for review by the SSC in October 2017. Is someone willing to make that motion?**

**MR. PHILLIPS: Madam Chair, I move that we approve the timing and tasks as presented.**

**DR. DUVAL: Motion by Charlie and seconded by Ben. Any discussion? Any opposition? Seeing none, that motion stands approved. We will go ahead and take a solid fifteen-minute checkout break for folks. Thanks.**

(Whereupon, a recess was taken.)

**DR. DUVAL: All right, everybody. We're going to go ahead and pick back up with the Data Collection Committee Report and Mr. Bell and Mr. Carmichael.**

**MR. BELL: All right. Thank you, Madam Chair. The Data Committee met on June 15. After approval of the agenda and the minutes, we dealt with two major areas. One was reports and updates. Jack McGovern provided an update on the council's For-Hire Electronic Reporting Amendment. The Gulf for-hire reporting amendment was also passed this year. Both amendments have been submitted, and SERO is preparing an approval package for both. Interjurisdictional teams are being assembled to address program details for implementation.**

**Next, Rick DeVictor provided an update on standardized bycatch reporting. The final rule gave the councils until February 2022 to develop an evaluation of SBRM in the fishery management plans, and we'll determine what we need to do, either through proper documenting or a plan amendment at some point. SERO is working on a review document and formalizing a team to begin the FMP reviews. The council requested that the SSC review in October 2017 and further reporting to the committee in December 2017.**

**Then John Carmichael noted that progress continues on the For-hire Reporting Pilot Project. Fishermen are using the application and devices and submitting data on their trips. The project team is addressing challenges and any glitches as they arise.**

**Then Dr. Ponwith presented and discussed the Southeast Regional Headboat Survey 2016 South Atlantic Annual Report. The committee strongly supports the report, and we really appreciated that, and requested to prepare a source document to provide the full time series of estimates that are summarized in the annual report. Then the South Atlantic Research Plan, and the committee reviewed and approved the 2017 South Atlantic Research and Monitoring Prioritization Plan,**

which would cover 2018 through 2022, and it was approved without modifications. for 2018 – 2022 without modification.

**We had motion, and Motion Number 1 was to move to approve the Research and Monitoring Prioritization Plan for 2018 through 2022. On behalf of the committee, I so move. Is there any discussion of the motion? Any opposition to the motion? Seeing none, that motion carries.**

**Then that takes us to timing and tasks, if someone would look at that and wouldn't mind making that motion for us related to a request we had for a related document to support the Headboat Survey Annual Report.**

MR. HAYMANS: **Mr. Chairman, I so move.**

MR. BELL: Is there a second? Second by Jessica. Any discussion of the motion? **Seeing none, any opposition to that motion? Seeing none, then that motion passes.** Madam Chair, that concludes my report.

DR. DUVAL: Excellent. Thank you. Next up is the HMS Committee Report, and we will let John get up here.

MS. BECKWITH: Thank you, Madam Chair. The Highly Migratory Species Committee met on June 12. The committee approved the minutes from the December 2016 meeting and the agenda. We received a summary presentation on HMS General Category Permits and permit holders that have not received a commercial fishing vessel safety exam from the U.S. Coast Guard. That is required by federal law for all vessels fishing commercially outside of three miles from shore.

The committee discussed the presented materials, with members noting that the dual commercial and recreational purpose of the HMS charter/headboat permit creates ambiguity when determining which vessels are non-compliant and that there is inequity between permit holders that are and are not complying with the requirement.

**The committee approved the following motion to direct staff to write a letter to HMS stating comments in support of splitting HMS charter/headboat permits into recreational only and a permit that allows sale. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion is approved.**

We further discussed shark feeding in the South Atlantic, but we made no motions or conclusions. We have one timing and tasks motion. **The motion is to adopt the following timing and task, which is to send a letter to HMS outlining the comments and concerns of the committee in regard to the HMS charter/headboat permit.** Can I have someone make that motion, please?

MR. HAYMANS: **So moved.**

MS. BECKWITH: Motion by Doug. Is there a second? Second by Charlie. Is there any discussion? **Is there any opposition? Seeing none, that motion is approved.** That concludes my report, Madam Chair.

DR. DUVAL: Thank you, Anna. We will skip over Citizen Science right now, and I will run through the Executive Finance Committee Report. The Executive Finance Committee met on June 15, and we approved the minutes from our March meeting as well as the agenda.

We received a report from the Council Coordinating Committee from council staff, and we discussed a number of items, and we agreed to discuss the remaining items at a webinar Executive Finance Committee in late July. The committee approved the following motion.

**Motion Number 1 is have the SAFMC work through the CCC to request NOAA GC, or other body, as appropriate, address an increase in severity of penalties for non-reporting by those entities required to report, both nationally and in the Southeast, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

Next, we discussed the 2017 budget. We received an overview from staff. **The next motion was to approve the FY2017 budget, and, on behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

Next, we went through the council follow-up and priorities, and Dr. Brian Cheuvront reviewed those for us and presented some suggested changes to the staff tasking, and the committee discussed the priorities and provided guidance to the staff for the top four priorities, which were Commercial Visioning, Recreational Visioning, Snapper Grouper Amendment 43, as revised at this meeting, and a CMP amendment to evaluate transferring Atlantic cobia management to the ASMFC.

Staff will be working on other items as time permits, including the wreckfish ITQ review, the for-hire permit moratorium amendment, yellowtail Snapper and to consider how to evaluate combining ACLs, and consideration of sargassum optimum yield was moved to 2018, for scheduling at that time.

MS. MCCAWLEY: Madam Chair, can I ask a question about the priorities? Now that the red snapper is in two pieces, I guess, and one of them is the old Amendment 43, the one that we want to move faster than this other one, do we need to re-talk about what these priorities are, because Chester brought up wanting to make sure that the second or the old red snapper amendment that had descending devices and all of that continued to move quickly, and so do we need to have a discussion about what these four priorities are again, so that maybe two of these items are red snapper? I don't know. I am bringing this up because now we've split that amendment into two separate pieces and the bigger red snapper amendment, older or whatever we want to call it, the one that is going to get the new number, is not part of our list. It's not on the staff-working-on list or on our top four, and so I am just wanting to bring that up.

DR. DUVAL: No, that's a good point, Jessica, and I think we certainly want that to remain a high priority. I guess I was viewing these four bulleted items here as pieces of information that we would see again at the September meeting, and I think we could -- Then we want to make sure that all of those remaining items are still a priority, and, based on some of the conversation that Dr. Ponwith provided us with in regards to the work by the Science Center on an index-based approach that would be, I guess, a more extensive -- That that would not be ready, at the earliest, not even in December. She had some reservations about being able to make that kind of timeframe. I am

wondering if we would want to perhaps see those remaining items that are in Amendment 43, with regard to the permit and the descending device and that stuff, like in December, at our December meeting.

MS. MCCAWLEY: Yes, and so that's why I was asking, because I understand that the timeline on that is going to be longer, but I felt like there were a number of items that are going to need extra staff work and research in that old amendment or new-numbered amendment, and I would like to see that come back sooner rather than later. I don't want to wait until our March meeting to see that longer red snapper document again. I will let Chester talk.

MR. BREWER: I don't think we're going to have descending devices and stamps done and approved before the, hopefully, red snapper 2018 season, but I sure would like to see those things in place by 2019, assuming that there will be a red snapper season, and so I don't know what steps we could take to push that process along. I am still sort of learning the procedure here and timing and tasks, after two-and-a-half years, but it seems like, if we could get that in during December and push that forward, with the goal of having something in place and signed off on by the Secretary before June 1, 2019, because I think that's -- If we have a season in 2019, that's probably when it will start.

DR. DUVAL: Gregg is putting some language up here, in capitals, that staff will be working on other items as time permits. Remaining items in old Snapper Grouper Amendment 43, December meeting, goal to have in place by June of 2019.

MS. MCCAWLEY: Yes, I can live with that. I just didn't want to lose that particular item and, now that it got split, after we talked about this, and it wasn't on the list at all, I just wanted to make sure that it was captured and we had a date certain for when it was coming back.

DR. DUVAL: I agree. That's a great point.

MR. BELL: Regarding the descending devices and the ramp up to what will hopefully be a 2018 season, we can certainly, through outreach and education and promotion, I mean really encourage the use of these and then document that somehow, the level of usage maybe we get in the short season we might be able to have, and so you can always still keep pushing the concept before you even have to regulate it.

MR. BREWER: You're absolutely right. Right now, you can keep a sailfish. There is no rule that says you can't keep a sailfish, but nobody keeps a sailfish unless they have accidentally killed it, and so the peer pressure is very, very important, and, in fact, it's the peer pressure that will be the most effective. I think it will be more effective than even the regulation, and so the peer pressure, we can do that tomorrow. We can start that, and so keep that in mind.

DR. DUVAL: So folks are okay with the alternative language that Gregg has put up here on the screen, to make sure that we continue to work on those other items that were in Amendment 43, and we would see that in December? I am not seeing anyone unhappy with that. Are there any other comments?

MR. BOWEN: Not to that, Madam Chair, but, just for the people listening in on the webinar, Chester, I just wanted some clarification. Off of Georgia, you can't keep sailfish. That's just for the people listening, and I didn't want any confusion. I wanted less confusion.

DR. DUVAL: Thank you for that clarification, Zack. No sailfish off of Georgia, no billfish in general. There is no retention of billfish off of Georgia. So, moving on, we had a discussion of standards and procedures, and Gregg reviewed the topics and alternatives, and the committee provided guidance for webinar meetings, and so we designated the Chair, Vice Chair, and Executive Director to evaluate requests for an exemption for council members to participate and vote during an in-person meeting if they are participating via webinar. We did indicate that we wanted the AP members to be present at a meeting to vote, and SSC and SEP members currently operate by consensus, and so voting is not an issue.

With regard to exempted fishing permits, we provided guidance and approved the following motion. **Motion Number 3 is require a complete proposal before the council considers an EFP and schedule a presentation to a committee prior to the public comment period at a council meeting, and, on behalf of the committee, I so move.** Is there any discussion? **Is there any opposition? Seeing none, that motion stands approved.**

We provided some guidance and conversation on briefing book document deadlines and making that a little bit -- Some of the late materials a little bit easier to access. With regard to public comments at advisory panel meetings, we discussed and approved the following by consensus, to allow public comments at the start of an AP meeting and prior to recessing each day if the meeting runs more than a day.

Then, finally, we discussed the SSC liaison and the role of council members at SSC meetings, and we tasked staff to talk with SSC leadership and provide some assistance at SSC meetings to address questions from council members.

Next was the System Management Plan Advisory Panel, which we deferred to the September council meeting. Then, finally, the MRIP Five-Year Strategic Plan, and so comments are due June 30th on this, and Gregg has requested that comments be provided to him by June 23rd. A draft letter will be prepared and sent to council members for their review and input, based on previous MRIP comments. We do have a timing and tasks motion, and the first item is -- Ben.

MR. HARTIG: I was talking to Dale about different briefing books and things, and he said he had a little bit of trouble trying to move around, the way we were doing things, and maybe it would be productive to have staff look at the way the Gulf sets up their briefing book, compared to ours, and see if there are any efficiencies to be gained, because, frankly, I have trouble. Now, I realize that I am technologically challenged, but, if there is a little bit of a better way to do it, as the Gulf does it.

DR. DUVAL: All the tabs are numbered, and they go in order of the agenda, and now I realize that we jumped around a bit on the agenda this week, because we were simply so packed, and so is there a different -- Did you have trouble finding items inside the folders? I am just trying to get some more specificity, so that staff can understand.

MR. HARTIG: Like I said, I don't know exactly how the Gulf does it and the efficiencies that are gained there, but Dale is right there.

MR. DIAZ: Please don't take this as criticism. I am just new to you all's process and trying to follow it, but what the Gulf does is extremely easy is we put the agenda on the home page of the website. Then, for each agenda item, you just go to it and you can click on the link right there on the webpage and just go right to what you need off the home page, so you're not going back and forth. You just go to the website, wherever we're at in the meeting, and you click on that agenda item and you're there, and so it's -- The way we do it is extremely easy. I am not knocking you all's system at all, but I am just trying to navigate it, and I'm just not used to it.

DR. DUVAL: Is it that all briefing book materials are on the home page?

MR. DIAZ: The agenda is on the home page, and then all of the items that are related to that agenda item are right there for you to click on right there, and so you just go to one spot on the webpage, and I'm sure it's real easy for people at home to follow it too on the webinar, and so --

DR. DUVAL: Okay. Well, we'll ask staff to look into that and see if we can gain some efficiencies.

MR. BREWER: I was out talking with Dale as well, and what I find is I look at the information two different ways, or through two different sort of sources. One is to go to the webpage and click on the agenda and then click on the item that's being discussed and then maybe you have to click down within that file, and that takes a little while, and I switch back and forth between the webinar and the items that are on our webpage, and I don't even know if technically this is possible, but, if there could be like a hyperlink between the item that is being discussed on the webpage that would take you back to the file that's on the -- Excuse me. The item that's being discussed and up on the board on the webinar and if you could have a hyperlink that you could go back to what's in the briefing book that's on that agenda item and just have one click to go back and forth between the two, and that would really be of tremendous benefit to me. Now, technically, whether that's possible, I don't know.

DR. DUVAL: Chester, are you saying that you have the webinar up on your computer, on your screen, and then a link from the webinar to the briefing book? The webinar is on your screen, and so you're not able to -- You're just viewing it. It's not an interactive thing, like a hyperlink is, and so that --

MR. BREWER: I didn't know if it was technically possible, but --

DR. DUVAL: Yes, I get it.

MR. DIAZ: I do want to say that you all's webinar system is a lot better than ours. For people at home that are following, you all are always on point where everything is at. Ours, folks have to actually go to the documents and follow along on their own, and so you all's webinar system is much, much better in that way. The other part I was talking about is, for me as a council member following along in the Gulf system, at Gulf meetings, it's real simple, because I stay in the documents myself and I handle that myself, but, a lot of times, I've got things highlighted and I've



got notes there, and I've got my talking points there, and so my preparation is done through that system also. Thank you, ma'am.

DR. DUVAL: Thank you, Dale. That's much appreciated, and so we'll look into that and see what we can bring back to how folks are able to access the briefing book online during a council meeting.

MR. BELL: I mentioned this, and I just did it again, but, if you go in -- Originally, the briefing book is there three weeks prior or whatever it is, and you can go in and I download the thing, but then I can go follow that same route and go in there and it's still the original briefing book, if I go that way. If I come in a different route, I can get the updated version, and so, depending on kind of which door you go through and which path you follow, you can end up with two different versions, and that's what was driving me crazy earlier, because I figured that original one would update, but that doesn't update, apparently. I am looking at it right now, and it doesn't look like it does, and so that's just a wiring thing.

DR. DUVAL: Mel, I would just ask that you show Cameron exactly what you're talking about, because I'm not even quite understanding what you're saying about the original way that you go in, because I download the whole briefing book as well, and so I click that "download entire briefing book" link and then, when -- For the late materials, I download the late materials folder, and I will, myself, put stuff into the appropriate committee folders, just on my own, but, if you don't mind actually getting with Cameron and showing her, I think that would be great. Okay. Perhaps we can add that to our timing and tasks, just to look at the Gulf Council briefing book setup and see if we can bring any of those formats into our briefing book.

We have our list of tasks. **It's the one-day webinar for Executive Finance, request the CCC consider how to accomplish increased penalties for non-reporting, revise the priorities based on the guidance, prepare standards and procedures for the SOPPs Committee, implement the new EFP guidance and share that with NMFS, prepare and send a comment letter on the policy directive and procedures for financial disclosures and recusals, prepare and send a comment letter on the MRIP five-year strategic plan, and look at the Gulf of Mexico briefing book setup and see if there are any efficiencies or formats that will improve our briefing book.** Is there someone willing to make that timing and tasks motion?

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

DR. DUVAL: Is there a second? Second by Ben. Any further discussion on the timing and tasks? **Seeing none, that motion is approved.** That concludes Executive Finance. Now we will jump back to Citizen Science. We will let John get up here and turn things over to him and Chris.

MR. CONKLIN: The Citizen Science Committee met yesterday, June 15, 2017, in Ponte Vedra Beach, Florida. The committee approved the agenda and the minutes. Then we had a closed session, and we made appointments to the Citizen Science AP Pool A-Teams. The council staff presented an overview of the structure and operation of the Citizen Science AP Action Teams, and the committee made appointments to the Citizen Science AP Action Teams. The committee approved the following motions.

**Motion Number 1 was to approve the Communication/Outreach/Education Action Team appointments, as shown in the table. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion stands approved.**

**Motion Number 2 was to approve the Data Management Action Team appointments, as shown in the table. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion stands approved.**

**Motion Number 3 was to approve the Finance A-Team appointments, as shown in the table. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion stands approved.**

**Motion Number 4 was to approve the Projects/Topics Management Action Team appointments, as shown in the table. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion stands approved.**

**Motion Number 5 was to approve the Volunteers A-Team appointments, as shown in the table. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, the motion stands approved.**

Then we received a program update, and we went over the action team terms of reference for the Volunteers, the Project/Topics Management, the Data Management, the Finance, and the Communication/Outreach/Education A-Teams. The terms of reference will be used by the A-Teams to provide direction on their work to develop program and policy recommendations in these five key areas. No motions were made during the discussion.

In addition to the report, I would like to thank Dr. Ponwith for offering up some staff and getting that straight, and so thank you. Also, Jessica had some very valuable input, and I wanted to make sure that she was thanked, and Chester as well, and so thank you very much. Madam Chair, that concludes my report.

DR. DUVAL: Thank you, Chris. That concludes all of our Committee Reports, and so now we are going to move into our Agency and Liaison Reports, and I am going to start with Mr. Haymans down at this end of the table.

MR. HAYMANS: Madam Chair, part of the etiquette appropriateness of a council member and whatnot is you're supposed to refrain from smart comments or whatever, but every time I see the A-Team thing, I just couldn't help but think that I love it when a plan comes together, and I pity the fool. The theme song just keeps playing through my head, and so I apologize.

DR. DUVAL: No apologies needed. I think a little humor and lightness is needed after a meeting week like this, and so, Doug, thank you for that, and maybe we can look into t-shirts for our A-Team members.

MR. HAYMANS: And mohawks. Let's see. The State of Georgia opened shrimp season on June 1, and there were 108 boats out the first day, which is about average. There are no reports to this point, as far as -- At least I don't have any reports as to what we're looking at, as far as landings goes.

We have already talked about cobia during the cobia time, and I also mentioned the fact that we have a seafood dealer license coming online. I failed to mention that there is a wholesale seafood dealer license on the agriculture side that doesn't require any reporting, and it includes every grocery store in the State of Georgia, and so this new seafood dealer license is basically the first point of sale from the harvester, and we hope that it's going to help us clarify some of our landings information in the state.

In brevity, I think that's enough. I did want to thank Dr. Crabtree, which I guess he stepped out already, for his role in helping us finally, after fifteen months, in getting our artificial reef permits in order, and we were -- After that happened, a month-and-a-half or so ago, we finally got contractors lined up, and we put our first deployment out since that, this week, a ninety-five-foot barge at our SAV reef, and we have got material lined up to start putting out over the summer, and so that will be it.

DR. DUVAL: Thanks, Doug. That's good news, and it portends well for the rest of us with our artificial reef programs. Mr. Bell.

MR. BELL: Following up on what Doug just left off with, and I would also like to thank Roy and the staff at the Southeast Regional Office in helping us finally get engaged with the Army Corps of Engineers and consultation related to the artificial reef stuff, and so we're hoping to be back in action sometime this summer.

We opened our shrimp season on the 24<sup>th</sup>, and it's starting out to be a pretty good year so far. We had some discussion here about the R/V Palmetto, and she's gone through a couple of yard periods. You know the old adage that a boat is a hole in the water in which you pour money? Well, the Palmetto is a big hole in which you pour money, and we have poured some money in there, but she is up and running, and we hope to actually add a crane back on later this -- Probably at the end of the season.

Then we are also, and I think we mentioned this earlier, but we are basically doing what we need to do to change some software to align our for-hire reporting software in South Carolina with what we end up with on the federal side, and so we're spending a little money to do some tweaking of that, and we're looking forward to the full implementation of the for-hire reporting amendment.

Then we already discussed cobia, and I did get some numbers late yesterday afternoon, and so our commercial cobia landings for the month of May, which is kind of our peak, are probably about double what they were in previous years, and so we've had some commercial cobia landed from federal waters in May, which we thought was going to happen, and I think that's really about it of interest for us here.

MR. HARTIG: Mel, on the Palmetto, how long do you get -- How many years do you get before a major retrofit, and I'm not talking about emergency or just pulling it to do the bottom, but when you have to really get in there and do some major work?

MR. BELL: Hopefully we won't do that again, but we got her back in the 1987 or 1988 timeframe, and it was last year that we went through a major overhaul with the engines. Then what was happening is we were -- You would kind of get into one thing and realize that you've got a problem

somewhere else, and we had to do some hull plate replacement, and then we asbestos in the stacks, and so that's what kept the price going up and up. Then even in the crane, the crane replacement, we found out that, well, the deck won't support the crane, and so we had to -- I am hoping that was it and she will be good to go, and she's faster than she used to be, and so that's where we are.

DR. DUVAL: Any other questions for Mel? If not, we are going to move on to Mr. Diaz. Dale, thank you so much for being here this week. We really appreciate all of your contributions, and we look forward to hearing what the Gulf is doing.

MR. DIAZ: Thank you. I went through our meeting report, and we've covered most of the things during the course of your meeting from our meeting report, but I just have three short things that I want to highlight. The Gulf Council reviewed a framework action that considers requiring vessels fishing for reef fish to possess a descending device or a venting tool onboard, and so we looked at this document. We had a lot of discussion about whether it was better to try to handle this through regulation or to try to do it through education and outreach.

For right now, we're going to continue to look at the document at future meetings. I am not really sure where we're going to go, whether it's going to be a regulation or whether we're going to try to do it through education and outreach, but we are also very interested in trying to reduce dead discards, as the South Atlantic Council is.

We had a requirement that bottom longline vessels could only carry a certain number of hooks onboard, and, basically, the public came to us and said that that -- The people that were in that industry came to us and said that that wasn't working, and they have a lot of problems with sharks, and so we took up an abbreviated framework action, and we modified that regulation, to where they can carry an unlimited number of hooks onboard now, which I think was a good commonsense thing for us to do. They can only have 750 hooks rigged up at any one time though, but they can carry an unlimited number of hooks that they can rig up for replacement rigs as they need.

The last thing that we brought up that I wanted to make sure that I am bringing up to you all is turtle release gear. After hearing that two new gear types have been approved by the Science Center for use in handling and releasing incidentally-caught sea turtles when fishing for reef fish, the council voted to initiate an amendment that considers a protocol for incorporating the new sea turtle release gear onboard for-hire and commercial vessels without having to develop a full plan amendment, and so we're trying to react to this new gear and make sure folks can use it.

Lastly, I just want to thank everyone for all the hospitality this week. Coming to these meetings is very valuable for me. I learn a lot by seeing the issues that you all have here in the South Atlantic and how you all handle them, and I try to take back things that I think you all are doing that will help us operate more efficiently, and I have a bulleted list with six bullets on it that I'm going to present to Leann and Doug Gregory for us to consider trying to steal some of you all's ideas to help us operate more efficiently, and so I get a lot out of that.

The last thing I want to say is that I can't tell you how impressed I am with the South Atlantic Fishery Management Council staff. I think you all have a wonderful staff here, and all week I've been watching them, and you just have a very efficient and highly-qualified staff, and I'm totally impressed. With that, I'll be glad to take any questions.

MR. HARTIG: That is not lost on us.

DR. DUVAL: I was going to say that I think we're all pretty biased around this table as well. We think that we have the best of any council staff anywhere in the U.S., and so we very much appreciate everything that they do, and we very much appreciate, again, having your presence here and helping us to see things a little bit differently on some of the issues that we discuss as well. Are there questions for Dale about stuff going on in the Gulf?

MS. SMIT-BRUNELLO: Not a question for Dale, but just a comment on the sea turtle release gear. That is something that -- You all have a protocol kind of set up, and it's Appendix F or whatever to the 50 CFR 622 regulations, and so I think that we will also be wanting to change that, or at least allow a few more different gears anyway, in the same way that the Gulf is changing to allow those gears, and I guess require those gears, and we'll be doing something along the way, and we'll bring it back to you.

I think, in your council's case, the South Atlantic, it will be much easier, because you already have a process set up and a framework procedure set up to do that in the regulations, and so it will be easier, and I think the Gulf will have to develop some of that, because they were relying on the HMS requirements, and so, anyway, at the next meeting, if need be, we will bring that up.

DR. DUVAL: Thanks, Monica.

MS. BECKWITH: Monica actually touched on a couple of the things that I was going to say about our appendices and some of the discussion the Gulf had, but there was also some interest at the Gulf Council to reassess some of the gear that we currently have in place and to see if it still makes sense or if some of those requirements are still necessary or the most efficient use of the equipment, and so I was certainly in support of our reassessing some of those gears.

MR. HARTIG: Me too.

DR. DUVAL: All right. We're all on the same page. Great. I will just give a brief update on things in North Carolina. We are still looking for a new Fisheries Director, and so, if anybody is interested, please feel free to throw your name in the hat or pass along the information to anyone else who you think might be qualified and interested.

We have a lot of activity going on right now in the legislature. There has been multiple significant pieces of legislation that, if passed, would alter the way that we do business quite a lot, and those are still pending, and so I'm not really going to talk much more about the details of those. I think we have four of state fishery FMPs open right now, and so we've got a lot of staff with a lot of things going on at the same time, and I will just leave it at that. Now Jessica.

MS. MCCAWLEY: Thank you, Madam Chair. There are two letters out there, and one is on sheepshead and one is on tripletail, and so those are letters that FWC submitted with our intent to extend state regulations into federal waters, and it wouldn't just be existing state regulations, but we are presenting some draft rules at our upcoming commission meeting that would make changes for both sheepshead and tripletail. Then we would be extending those regulations into federal waters, and so I just wanted to make folks aware.

I am pretty sure there is no intent by this council, especially on sheepshead, because it was already removed from the FMP, and we had just been waiting to work on it. It got kind of pushed behind some things, and so that's just letting you know our intent on both sheepshead and tripletail, that we're going to extend state regulations into federal waters.

Also, we have some goliath workshops coming up later this year, and they are scheduled in August and October, and I can send a schedule around of those particular goliath grouper workshops, and so, as I have mentioned at a previous meeting, FWC is considering a limited harvest in state waters, and we will be workshopping that later this year around the state.

The other thing is we talked about electronic monitoring and the letter that we sent to the Gulf Council, and then they wrote us a letter back, and so I just wanted to let you know that we had contacted all of the people that held both the Gulf and South Atlantic permits. We focused on folks outside of the Keys, or outside of Monroe County, and asked them if they knew about the amendments that passed, and we talked to them about that. There were a lot of concerns by everyone we talked to.

I think that their concerns were more about the monitoring aspect that is associated with the Gulf electronic reporting and it's not associated with the South Atlantic. Also, it seems that -- I just feel that we might need to wait until the amendments get further in the process and discussions occur about how this actually going to be implemented.

We've been working with our research institute, with Luiz, about how this would work, but the biggest thing that we've identified right now is there does not appear to be the ability to file a no-fishing report on the Gulf side, which that alone I think would help us a lot, but I think, before we start another amendment, or we ask the Gulf to make some changes, we need to -- These amendments need to get through the process first, but that seemed to be one of the biggest things.

If there was the ability for one of these dual-permit holders to file a no-fishing report on the Gulf, I think that that would help tremendously, and the other thing that we learned, in contacting these folks, is that they really just weren't fully aware. Even if they knew that the South Atlantic was working on it, they didn't really understand, as we suspected, that there was this requirement for their Gulf permit.

They were very appreciative that they were contacted, and Erika actually contacted all of those folks and spent a lot of time on the phone, just explaining what's happening and talking about the timelines and answering people's questions, and so I feel like, as this moves forward, at least in Florida, we want to continue to have a dialogue with those folks and help them understand what the changes are and work with them as we move through this process, because they just were very appreciative.

They didn't understand. They had a lot of questions, and they didn't feel like their questions had been answered, and then they were not aware of the differences in what had passed on the Gulf, and, like I said, just especially concerned about the monitoring aspect of the Gulf piece, and so not as concerned about what we passed and more about the Gulf piece, and then, as we have identified so far, the biggest hurdle seems to be the inability to file a no-fishing report, and so that's -- I just wanted to give everybody an update on what we have looked into so far, and, at this point, I think it's a little bit of a wait until we get further down the road.

DR. DUVAL: I appreciate you guys doing all of that work. I mean, obviously Florida is the most impacted by the two amendments, and Dale and I had spoken a little bit earlier in the meeting about how perhaps, if we could at least have that ability to file those no-fishing reports, even if -- I agree with you that these amendments really have to kind of work their way through the process to see how the final details all come out, but, even if a vessel has to have VMS, at least being able to file a no-fishing report would help alleviate that concern.

MS. MCCAWLEY: It's not a VMS, and it's some other type of device that does have to be permanently affixed to the boat and those types of things, and so even though it wasn't a VMS, it is some yet to be determined device that we won't know much about it until it moves forward, but it was an interesting exercise, and I'm glad that we did it, and I just think we need to keep talking to those folks as we try to figure this out. Like I said, we focused on areas outside of the Keys. I feel like a bunch of people in the Keys likely have both anyway, and they likely are going -- They have the possibility of going into both areas on a single trip, and so I wasn't as worried about the folks in the Keys and we focused outside the Keys.

DR. DUVAL: Great. Are there questions for Jessica on any of the items in her update, the outreach to captains or the tripletail or sheepshead stuff? I think we would just send a letter to you all indicating that the council has no intent, particularly with tripletail, since sheepshead we have, obviously, removed from the Snapper Grouper FMU already.

MS. MCCAWLEY: I think that we would appreciate a letter like that for our records.

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

DR. PONWITH: Just a couple of things. I mentioned earlier that I would like to, again, thank the South Atlantic Council for their feedback on the South Atlantic Regional Action Plan. We're working on putting in those comments, incorporating those and comments that came in from other folks, and we will be putting that final document up to Headquarters for their approval, and we hope to release that sometime this summer.

Next week, the Southeast Fisheries Science Center is hosting a meeting of our scientists and our stock assessment scientists to look at fishery-independent surveys and statistically how they contribute to the strength of the stock assessment, to help us build some really rigorous rationale for how we expend days at sea. It's something that every single council, every single stock assessment, benefits from those fishery-independent surveys, and we want to make sure that, particularly in a potential fiscal environment where budgets may be shrinking, to make sure we're well positioned to make wise choices on this.

It's sort of like the same type of approach that we're taking with the stock assessment prioritization process and really applying it to fishery-independent survey long-term and short-term planning, and so that's going to be a really important meeting. We will have representation from the MARMAP and SEAMAP folks as we look at that, and we will let you know how that work came out after we have been able to have that discussion.

The last thing is -- I think the word is out, but, after about a forty-year career of ocean science, half of which has been with the federal service, with NOAA, I am working on a sunset amendment,

and so, ultimately, I will be taking the big walk into the sunset at the end of this year, and it is going to be a great six months. I think we've got a lot of really good work to do between now and then, and I look forward to staying completely engaged right up to the bitter end, but the bitter end is coming, and I will miss you all.

DR. DUVAL: Well, Bonnie, we will definitely miss you, and we appreciate everything that you try to do for the council. I know there is often tension between what we want and what you all are able to provide, and that's just the nature of the beast, but we appreciate all the honest efforts that you put into helping us to try to meet our information needs, so that we can make good decisions, and we will definitely miss you, and you will be here for our December council meeting, right?

DR. PONWITH: Yes, that's correct.

DR. DUVAL: Good. Thank you. Any questions for Bonnie? Regional Office Staff, Jack or Monica or Rick.

DR. MCGOVERN: The only thing that Roy was going to bring up had to do with lionfish EFPs, and he spoke to you about that yesterday, and so we don't have anything additional.

DR. DUVAL: Thanks, Jack. Then, Gregg, I guess anything about upcoming meetings that you want to mention?

MR. WAUGH: Just that our September meeting is the 11<sup>th</sup> through the 15<sup>th</sup> in Charleston, at the Town & Country, and then our December 4<sup>th</sup> through 8<sup>th</sup> is at the Doubletree in Atlantic Beach, North Carolina. Cisco Werner has indicated that he is planning to attend our December meeting.

DR. DUVAL: I think he has some old colleagues down in that area. He and I were talking at the CCC meeting, and he spent some time down at UNC's Institute of Marine Sciences back when he was in North Carolina, and so we will look forward to having Cisco at our meeting. He's a really nice guy, and I encourage everyone to engage with him while he is there. Is there any other business to come before the council?

MR. BOWEN: I have two things. The first and foremost thing is Wednesday, during our discussions, everybody at this table was passionate, and I am probably more passionate than most about my issues, but I said some things toward Anna that, in hindsight, I felt like was an insult, and so I apologized to Anna, but I also wanted to publicly apologize to this council and staff for letting my emotions get the best of me. We have great, vigorous debates, but, at no time, should I have insulted anybody, and I apologize to Anna publicly, and so that was the first thing.

The second thing is we're doing a tagging study for cobia on Tuesday and Wednesday out of Savannah, and anybody in this room has got an open invitation to come hop on the boat, if they'll contact me if they want to come. Just contact me after the meeting, or between now and Tuesday morning at seven o'clock, when the boat leaves, and we're going to try to put some acoustical tags in cobia. Thank you.

DR. DUVAL: If you have the opportunity to do it, it is a lot of fun. I have the pictures to attest to it from my own cobia tagging trip, which was -- It was a blast, and I definitely would do that



again. Any other business to come before the council? If not, we stand adjourned, and everybody have safe travels back home. Thank you all for all of your hard work this week. I appreciate it.

(Whereupon, the meeting was adjourned on June 16, 2017.)

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

Transcribed By:  
Amanda Thomas  
July 5, 2017

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
**2017 COUNCIL MEMBERSHIP**

**COUNCIL CHAIR**

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✓ Dr. Bonnie Ponwith

✓ Monica Smit-Brunello

✓ Erika Burgess

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✓ Gulf Rep: Dale Diaz

Dr. Marcel Reichart

✓ Rick DeVictor

Jeff Radonski

Jenny Lee

Ira Laks

## FULL COUNCIL - ROLL CALL VOTE

Date: June, 16 2017

Meeting Location: Ponte Vedra, FL

Issue: SPINY LOBSTER AMENDMENT 4

	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	✓		

LAST

## FULL COUNCIL - ROLL CALL VOTE

Date: June, 16 2017

Meeting Location: Ponte Vedra, FL

Issue: GOLDEN TILEFISH INTERIM MEASURES TO REDUCE OVERFISHING

	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	✓		
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Dean	Foster	Contact Inf						Non-Gover		
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