

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION

**Westin Jekyll Island
Jekyll Island, GA**

March 9-10, 2017

SUMMARY MINUTES

Council Members

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Charlie Phillips, Vice-Chair
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Mel Bell
Dr. Roy Crabtree
Ben Hartig
Dr. Wilson Laney
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John Carmichael
Dr. Chip Collier
Dr. Mike Errigo
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Dr. Bonnie Ponwith
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Kristin Foss
Mark Nemec
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Leann Bosarge
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Rick Pearson
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Other Observers/Participants attached.

The Full Council Session of the South Atlantic Fishery Management Council convened in the Westin Jekyll Island, Jekyll Island, Georgia, Thursday afternoon, March 9, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: I will go ahead and call the Full Council Session of the South Atlantic Fishery Management Council to order. We are meeting about half-an-hour early, and so I just want to -- I think everyone who is sitting around the table has been introduced, all of our council liaisons from the Gulf Council and the Mid-Atlantic Council and Fish and Wildlife Service and the Coast Guard, and so welcome, everybody.

The first item on our agenda is Adoption of the Agenda. Is there any modification to the agenda? Seeing none, the agenda stands approved. The next item of business is Approval of our December 2016 Minutes. Are there any modification to the minutes? Seeing none, the minutes stand approved.

The next item is I am just going to let folks know that we have changed the order of the Full Council agenda a little bit, and so one of the new things that we're going to do is have the Council Staff Reports, and so we're going to have an Executive Director's Report, so that Gregg can kind of keep us updated on things that are happening at the staff level and any other items that we need to cover.

Then, also, during this portion of the agenda, we're going to be getting updates from council staff on items that will give us a status report of ongoing activities, and so you see one of those items is going to be a report from Dr. Mike Errigo on the For-Hire Electronic Pilot Logbook Project, and so this is going to be that piece of the Full Council agenda where we will get these types of updates.

Then the other thing that we have switched around a little bit are the presentations from our partners at the Fisheries Service, and so the Regional Office report and the Science Center liaison report we will handle at the beginning of the Full Council session. Then our remaining liaison reports from state agencies and Fish and Wildlife Service and the Coast Guard we will do towards the end, like we've always done, and so just to remind folks of this new order of the agenda, and we will go ahead and get started. I am going to turn things over to Gregg then for the Executive Director's Report, and this is Tab 11, Attachment 1.

MR. WAUGH: Thank you, Madam Chair. Again, the objective behind this is to eliminate the need to have some committees meet if there is only one item that they have to address, and so I put together this short Executive Director's Report, just to give you all an idea of what has gone on since the last council meeting, and I want your input too if there are additional items that you all would like to see in this report. If there is something that comes up that you all need to address, it will be in here.

I looked at some of the other councils, and the Mid-Atlantic Council tends to include all the official letters that have been sent out since the last meeting. I don't know if that's something that you all would be interested in seeing attached to this or -- You do get copies of those as they go out, but I did want to talk about just some staff recognition.

As you know, Kimberly Cole has been hired, as of early January, as full-time. We have got two work anniversaries, Kari and Mike E., six years for Kari as of February 1 and Mike E. on February

11. You got to meet Cameron Rhodes, who will start on Monday as full-time. As there are things to bring to your attention, I will put them in here, but give some thought to if there is any additional items, such as all of the official correspondence or anything else, that you would like to see in this report and let me know. I would appreciate it.

DR. DUVAL: Are there any questions for Gregg on that right now? I didn't know, but was there anything else, Gregg, that you wanted to touch on within the report, or are you good? Okay. I think, if there are other items that you guys would like to see in the Executive Director's update, just let Gregg know and he can incorporate those into the report.

The next item we have then is the Status of the South Atlantic Council and ACCSP For-Hire Electronic Logbook Pilot Project, and so Dr. Mike Errigo is going to take us through this. This presentation, I believe, was just posted to the briefing book and sent around to council members, and so this is SAFMC Charter Boat Reporting Pilot Update, March 2017, Version 2. It might have been this morning. Mike, is that posted to the briefing book, under the Full Council section?

DR. ERRIGO: I don't know if it was posted to the briefing book or not, but it was emailed to all of the council this morning. Hopefully you should have it. It was an email from Mike Collins, and it was an attachment. It might be good for people to follow along. One or two of the slides have -- There is a table on one of them, and some of the stuff is tiny. I tried to get it as big as I could, and it's just an example of what things are starting to look like, and I will highlight the things that I think are relevant.

Just real quickly, I will remind everybody that there are four major components to the pilot project. The first one is the electronic logbook for the captains to log their catch and discards and effort. Then there is the reporting tool for the dockside validation, for when the trips are coming in. Some of them will be intercepted, and this tool is to be able to log what the dockside reporters see and then be able to link the logbook with the intercepts, to see how closely they match and if a calibration is needed to adjust the estimates.

The third component is the electronic measuring boards, and there is two parts of that. One was to link them with the logbooks, so that a portion of the charter boat captains would have the opportunity to take them onboard and measure some of the discards, the discarded fish. This way, we can get maybe some sizes, because we don't have any of that in the recreational sector besides the headboat survey. The other part of that was to link it to the validation software, to that the dockside interceptors onsite, so that they can measure the catch as it's coming in.

Then the final one is the law enforcement phone app for officers to check on reporting compliance, and that is just a quick -- It's a database, and so, if someone comes in, they can check to see if you're up-to-date with your logbooks and things like that, and so those are the four components.

The first one, the logbook, which we're using eTRIPS/Mobile. All of the software development for that is complete, and it is in the field and being used now. Data collection is coming in from actual fishing trips. It's not just people practicing anymore. Forty-eight trips have been logged by captains, and not by state reps teaching captains or people learning how to use it. Twenty-five of those were submitted since the December meeting, which was the last update of this.

Over 75 percent of those are coming out of Georgia and Florida, which is not surprising, since, due to the time of year and weather constraints, that's where most of the trips would most likely be occurring at this time of year, and over 75 percent of those were logged in the month of February, and so we're really starting to see people use it very recently, and so we expect most of the data collection to start happening in this spring, and so we expect to see South Carolina and North Carolina really start to come onboard in the spring.

This is an example of a logbook, of the data that I can pull and we can see on the other side, on the SAFIS side, and I start out with a few things, just to try to keep everything confidential. This is a trip from Georgia and a trip from Florida, and they are very, very similar. The species composition is a little different, because, as you can see here, the target species are different.

The Georgia trip was a black sea bass trip, and the Florida trip was a sailfish trip, but they both used hook-and-line gear. They both occurred in the EEZ. The Georgia trip had six anglers onboard, and they landed -- They actually took home fifty black sea bass, and, even at seven black sea bass per person, you should only be landing forty-two.

However, the nice thing about these reports, as opposed to the MRIP reports, is we also know that there were two crew members onboard, and you can retain the bag limit for the crew members as well, and so they are added. Now we know that there were eight people onboard, which means they could retain fifty-six black sea bass, and we would not have known that from the MRIP data, and so we are getting extra information from this, which is much more refined than what we get from the MRIP.

From MRIP data, I would have said, well, they went over their bag limit and so I'm not exactly sure why, and, when doing analyses, there are things that I have to do, perhaps, to correct for trips like this. However, I would not need to, because total number of people onboard would be counted as eight, and so the total bag limit would be counted as fifty-six. That's a very important piece of information that we're getting from this that we don't get from the MRIP intercept data.

Another very nice, interesting piece of information that we're getting are the disposition of the fish, and so, the Georgia trip, they kept everything, and so it's listed as -- The disposition is listed as "food". That's just what is in the SAFIS database, and it just means that they kept it for personal consumption.

Over here, on the Florida trip, sailfish and great barracuda, they are not allowed to retain, and so they're reported as being released alive. There is a whole list for disposition of released dead and there is also one for we released it because we hit our bag limit or we released it because the season is closed or for different types of regulations. They could say we released it because it was under the minimum size, and so it's a little different. Then they caught a bunch of ballyhoo, which they used for bait, and it says it right here, that we used them for bait, and so we know that they weren't released alive. They were killed and used for bait.

Here is an example of where we need to figure out how we're going to address some of these fields. On this trip, they landed fifty black sea bass. This is the length, in centimeters. It is input as inches. They didn't put down that this was 33.02 centimeters. It was entered as actually as thirteen inches, and the computer simply converted it into centimeters, but that is a single black sea bass measurement, thirteen inches.

What they are trying to say is that all the black sea bass were at least or probably in the range of thirteen inches, maybe slightly higher, which is the minimum size, and so we need to figure out maybe ways to -- Is this an average size length that we should be collecting? Should we have an entry for every single fish that they want to guesstimate at the length? It's that kind of thing, and so that field is -- Or, if they measured five fish, they could add all the lengths together and we can get an average length. However we do it, that's an interesting field that we have to contend with.

The latitude and longitude of the trip, down here, which was chosen off the map, and I starred it out, but it was there. There is a degrees latitude, in degrees and minutes, latitude and longitude. There is also here a catch latitude and a catch longitude. These trips did not log in real time, but, if you did, where the black sea bass were caught would show up here. These black sea bass were caught at these latitudes and longitudes, and these black sea bass were caught at these latitudes and longitudes, and that would be there. That is a piece of information that can be collected. We also can see when the trip occurred and when the data was uploaded, separately.

DR. DUVAL: Mike, are you willing to take questions during?

DR. ERRIGO: Yes, go ahead.

MR. HAYMANS: Thanks, Mike. Is this the entirety of the information that would have come from that trip?

DR. ERRIGO: No, this is a summarized -- I got rid of a lot of fields that I found were not very useful for this presentation.

MR. HAYMANS: Okay, and so it's possible that there were fish discarded, say in the first angler there, the Georgia angler, that there were black sea bass discarded, for whatever reason, that you didn't show me here.

DR. ERRIGO: All the fish that were reported, I put here, which means that this trip did not report any discarded fish.

MR. HAYMANS: It also means that they caught and kept fifty black sea bass, every one of them at the legal size.

DR. ERRIGO: Yes, that is what this report says.

MR. BOWEN: I could look at Doug's comment and go either direction with it, but I mean I thought, when we put this amendment together, that we included that we wanted discard information on these reports.

DR. ERRIGO: Yes, discard information is a requirement, and so I'm not sure if they didn't discard anything or if they just didn't log it for this particular trip. There are other trips with logged discards. In fact, the Florida trip has logged discards on it. It was just this trip that I happened to pull, and this is also just a voluntary reporting. It doesn't mean that they wouldn't log discards. It's just that they didn't for this one. As we develop the program, if they say that this wasn't

working for us and we didn't have enough time for this, there may be tweaks that we can make that might allow people to better log catch and discards.

MR. BOWEN: I think that's a problem that could grow. I think that we need to look at this very carefully, with the discussions we had yesterday about the number of discarded sea bass and wanting to lower the size limit and this and that and the other, but, if we start looking at this and using this for data, then we have zero discards on a trip that everything was of legal size, and I just think that misrepresents what is really going on off the coast.

DR. DUVAL: I realize that lots of people have been raising their hands, and we're just going to go right down the line. After Zack, I had Mark, Anna, Mel, and Tim.

MR. BROWN: Hi, Mike. I am doing this project too, but one of the things that I noticed on here is you had the trip start time and the end time in military time, and I never did see that on there. It was always AM or PM for me, whereas I was using the military time on the bluefin data reporting, but it wasn't that way, and I couldn't figure out how to change it.

DR. ERRIGO: The app is in AM and PM. It's in standard time. The SAFIS database converts it into military time. It's the same with the lengths. They are all in metric, but that's not how it's input. Most people are inputting them in inches, but the SAFIS database is converting them into centimeters.

MR. BROWN: One other thing too is I noticed, in using this program, that there was a lot of different fields. You mentioned that you didn't put everything on here. At what point will we know what fields are going to actually be included, once it's at the end, once it's final, because it just seemed like there were a lot of different things, and I don't know how many are going to be included in on this.

DR. ERRIGO: On the app itself, I think all the fields that are there will be there, for the most part. There are still bugs being worked out, but all the fields on the app will be there for people to use. That doesn't mean that everyone will be using everything, but there are choices there so that people can use them if they needed to.

What I mean when I say that I removed fields from here is there was a lot of ancillary information about the trip that I didn't feel was appropriate for this presentation that I removed. It's other information. I mean, this would have been tiny. You wouldn't have been able to see anything, and that's why I had to remove fields from here.

MR. BROWN: So we build this pilot project and this program to spill out a certain number of things to submit, and I was just trying to figure out, in my head, what would be the -- Would somebody be expected to fill out all of it? If they didn't, would that be a completed report? In other words, if they had only filled out a little portion of it and submitted it, would that mean they did their part, or did they not do their part? Do you know what I'm saying? If somebody just pushed the button on it --

DR. ERRIGO: Right, and so the application, similar to I think how the bluefin application works, is there are certain fields that are mandatory. If you do not fill them out, you cannot submit the report until they are filled out correctly, and so, even if you're typing in something and it's not

quite right, the application will recognize that and say, hey, you need to fill this out and it needs to be in this format and whatever.

There are other fields which are not 100 percent mandatory, let's say. Like you don't have to log two efforts for a trip, but you have to log either that you didn't fish, let's say for a particular week. In a given week, you have to either say that I didn't fish or you have to have some trip with an effort that says that I went fishing and I didn't catch anything, but we went out and we used this gear, or I caught this and I discarded that. There are certain mandatory requirements that you have to do.

MR. BELL: Along those same lines, remember that in the amendment we established core data elements, I think is what we called them, but they're the core elements, and then we had examples of what the form would look like, sort of, if you did it online, but that was some of my question. Did we include all the core data elements included in the -- Remember what we were doing here is trying to look at options for people that might want to report from the boat, immediately, but you would still want to include, I would think, the core data elements in that, and so are they actually in there as mandatory fields?

DR. ERRIGO: All the core data elements, yes, are in the application. They are still working on all the QA/QC, and so I say it's mandatory, but you can't submit like a completed, perfect trip unless it has certain things, but all the QA/QC is still in the developmental stages. That kind of comes toward the end, once we have a working application and everything that we know we want. Once a template is finished and it gets translated into the true app that ACCSP will use in the real SAFIS database, then all of those checks and balances are built in, but all the data elements, the core data elements, are in the application currently.

MR. BELL: I mean, that's what you want to strive for, is to make sure that, regardless of how you reported the data, you would have what we wanted in there, from whatever source it happened to come from.

MR. GRINER: Are the species caught auto-populated or do they have a drop-down list that they -- Say there is black sea bass sitting there and they just hit "black sea bass", or do they actually type in what they are wanting?

DR. ERRIGO: How it works is, when you first set up the program, like before you go on any trips, you go in and you log in. You set up a favorites list. There is a favorites for gears, there is favorites for species, and for ports. Let's say you have a boat that is docked at a certain place. Then you just put that one port in there and that will auto-populate all the time.

Let's say you're a charter guy who moves around, and you use these three or four areas. Then you can put those three or four in, and then you can pick from a drop-down list. For species, you can pick like the most common ones, let's say, that you very commonly encounter or go out for. There is also a target species list. You can pick favorites from that.

Then, during the trip, when you are logging your effort and your catch, there is a whole list. The species are all there from your favorites, and then you hit that here I just caught dolphin. Then you hit "dolphin" and I've got five of those. If it's a species that is not on your favorites, some oddball one that you happen to catch, like I've got a longspine porgy and it's not on my list,

because I never catch longspine porgy, you just start typing it into the search box. There is a search box. You just type like “porgy”, let’s say, or “longspine”. Then it will come up. Then you can just hit it and type in that you caught one longspine porgy.

MR. GRINER: Would it be possible then to add into those lists like black sea bass and then medium, large, and jumbo? Then dolphin and small, medium, and large?

DR. ERRIGO: You are talking about for commercial logging?

MR. GRINER: No, for this logbook. Eventually, you’ve got to be able to get this logbook from a unit of length and a number of fish to somehow get back to pounds of fish, whole or gutted weight, right?

DR. ERRIGO: That is done at the dock, when they measure the fish. They are usually weighed and measured, or a sub-sample of the intercepted fish are weighed and measured.

MR. HAYMANS: I was just reminded that we’re questioning the data that’s here, and we are still asking our volunteer anglers who are in this to use it, whether they’re on the water or not, and to get used to using it. This could possibly be them sitting in their living room learning the program and that’s why we don’t see any discards from black sea bass.

DR. ERRIGO: I can’t tell. Well, I could look at the latitude and longitude, and I did not, but I can’t tell -- I mean, they could have even -- I will say this trip was not logged on the day that they say the trip took place, but it doesn’t mean that -- I can’t tell if they were on the water unless they were logging the trip in real time.

DR. DUVAL: Okay. We have Dewey and then Zack, and then we’re going to actually let Mike move on through the rest of his presentation. How about that? That might actually answer some more questions. Dewey.

MR. HEMILRIGHT: Thank you. This is kind of interesting to look at, but I’ve got one question. The measurements of this, are these actually measured fish, or is this a guesstimation?

DR. ERRIGO: I don’t know if they are measured. I am thinking, like for the black sea bass, that 33.02, that’s thirteen inches. I am guessing that what they’re trying to say is that all of these black sea bass that we landed were at least thirteen inches.

MR. HEMILRIGHT: How about the sailfish?

DR. ERRIGO: I have no idea if they were measured.

MR. HEMILRIGHT: Because it’s illegal to pull a sailfish on the deck and measure it. If you’re going to release that fish, it can’t come out of the water, and so I hope that is not the case here.

DR. ERRIGO: I don’t have any idea. They may have just eyeballed it. It goes out to two decimal places, and, like I said, that’s because it converted from inches to centimeters. It’s not that accurate. They probably just eyeballed it and said that it’s this many inches.

MR. HEMILRIGHT: I wasn't bringing that up for the Coast Guard to look at, as they were yesterday in the public comment session, but I was just making you aware that it's illegal to pull marlin or sailfish on the deck to measure it. If you're going to release it, it has to stay in the water.

DR. DUVAL: It's good to see that everybody is on their toes after lunch. Zack, and then we will move on to the next slide.

MR. BOWEN: Thank you, Madam Chair. As being a huge advocate for this program and really wanting this to succeed and also being a for-hire captain that is kind of semi-involved in this at some point, but what is really missing here that -- Let's just take, for an example, the length. If I am running the boat and the customers are catching the fish and the -- How we measure fish is I have a board, and it has different lengths of thirteen, fourteen, twenty, and they're highlighted.

They put the fish on the board, and, if it goes across the line, it goes into the keep bucket. If it goes under the line, it goes into the discard bucket. I am trying to be a little serious here, but, if you all want to cut jokes, then we will adjourn and cut jokes. I mean, this data is important to me, very important.

What we're missing here, in my opinion, is the lengths. That really bothers me that there is only one spot for a length for fifty fish. That somehow needs to be, and I don't necessarily have a solution for it, but that somehow how needs to be corrected, and the missing discard data is imperative that it needs to be somehow on here and incorporated. I mean, that's what is driving a lot of the closures, is discards, and so the length is a problem for me and not having the discards is a problem for me. Thank you.

MS. BECKWITH: If memory serves, length was not one of our core variables for individual fish. Within the discussion, we had said that there was an opportunity to either sub-sample or what, but, realistically, for a charter guy like my crowd, which is one captain and no mate and four or five clients on a boat, to be measuring individual fish is just not realistic, and you're not going to get the data.

That was one of the reasons why we did not make that one of the core variables that is required, that lengths for individual fish were not required, when we wrote the amendment. The lengths will be gotten by intercepts or they will be gotten by sort of sub-sampling, using some of those electronic measuring boards, but it is not a required element for the logbook for every captain on every fish, because that simply would not have worked.

DR. DUVAL: Right, and so Anna is correct, and understand that the MRIP dockside intercepts are still occurring, and so there are still fish being measured and weighed, because of those dockside intercepts, and that also helps to serve as validation, and I think, in terms of lengths for discards, there was a component in the amendment to do some sub-sampling to get some more detailed information, and we do have the discard app, and was that one of the ones that was funded?

DR. ERRIGO: Yes.

DR. DUVAL: So one of the electronic reporting/electronic monitoring projects that we received funding for would allow for collection of that information on discards, and so I think we've got a lot of irons in the fire here on this one. Last word, Zack, and then we're moving on.

MR. BOWEN: Thank you. Again, to be 100 percent truthful, I try to go through a trip and never touch a fish. That's my goal. I don't want to touch them anymore. I have touched enough, but, for the guys like Anna is referring to, how do they -- I really don't know, because I'm not in that type of boat or business, but how do they know if a fish is legal or not if they're by themselves and they're not measuring every fish?

MS. BECKWITH: The goal isn't to keep all the fish. We often release, and so you can eyeball a fish and see if it's worth measuring, but we often release a fish without measuring because we are not intending to keep it, and so we don't handle it but to flip the hook off out of the mouth with a de-hooker, and so we don't measure all of our fish. We just release.

DR. DUVAL: Maybe this could be an offline conversation that you guys could have, in the interest of time, just so we can keep moving forward. Mike E., please proceed.

DR. ERRIGO: Okay. The next update, I guess, is for the dockside intercept and validation app, and so that one is still in the developmental stage. There has been very heavy collaboration with MRIP and with the Office of Science and Technology on that one. We decided to build basically an electronic version of the current MRIP intercept survey, and so the questionnaire, when the dockside interceptors come up and they go through all the questions, and they're writing them down, and they decided to develop an app-based version of that.

It's actually going very well. The way that the validation for the charter boats would work is we're kind of following the direction of the ongoing MRIP validation pilot that's going on in South Carolina, and so, basically, it's still going to be an intercept program, similar to the way MRIP is running now.

Currently, the idea is to intercept anglers, just they do, and interview them about their catch from the charter boat that they were on and then be able to link the reports with the logbooks from the charter trip that they just took, and that's actually in development, is how to link the two. If they were using this particular app, it generates a trip report number, and so that would be one way of doing it, unless you did not log the trip until after you got home. Then that's an interesting conundrum, but there are other ways to link the interviews to the trip, and so we're currently working on that.

They're working on developing an actual working prototype of the app, and, right now, it's basically in the design phase. I'm hoping that that will be done and that we'll have a working prototype hopefully for the next council meeting and that we'll be able to demo it for you.

The measuring boards, we're not going to begin work on integrating those into the app until the dockside validation app is complete. Then we will begin integration of that, and the law enforcement app, we're also kind of waiting on -- They are spending all of their time and energy on the validation app, which is a huge undertaking, and so we are kind of waiting until that's done, which, hopefully, is actually in the final stages of its development. Then we'll be able to make better progress on the law enforcement app. That is all that I had. If you guys have the presentation, you know there's a whole bunch of pictures or whatever, but they're not that terribly useful, and I would rather have a working, live demo.

DR. DUVAL: Most of the back-up slides are all, as you can see, the disposition and the location. They're screenshots of the actual --

DR. ERRIGO: That's that validation app.

DR. DUVAL: Okay.

DR. ERRIGO: They are starting to develop the -- We can see where the screens are, and they are placeholders. We know the basic layout of the app, but they just need to build it, to put it together.

MR. BELL: Related to the law enforcement app, and I know you're not there yet, but I mean the idea with that is that it would somehow link to a database provided by the folks that are receiving the reports. At some point, you would go on there, if you were delinquent for one or more or however that works, but, with the discussions we had this morning, and Dewey was bringing up things related to enforceability, that is a tool that could be used on the water, because one of the requirements is that, if you're delinquent, you're not supposed to be out there, and so that gives the officer on the water the ability to see who is out there and verify it. Then there could be some immediate consequences from that, and so that's just a -- That has all got to be worked through, and, of course, the database has to be really 100 percent accurate, in terms of what reality is, for them to act on it, but that's a good thing, I think.

DR. DUVAL: Any other questions for Mike? I am gratified to see so much interest in the app, and there might be an additional update that we'll see in June, perhaps?

DR. ERRIGO: I am hoping to have a lot more to say about the validation app, and I am hoping to have a lot more trips logged as well from other states by that time.

MR. BROWN: I apologize, and I might not have heard you say this, but who is going to do the intercepts? I know you said the states are, but is it the MRIP portion?

DR. ERRIGO: Yes, and so, when it comes to intercepting and validation, that is basically going to happen through the MRIP intercept type of program, which the states are basically running at this point, and it's through ACCSP, but it's going to be the intercept program that does it.

DR. DUVAL: Yes, and so it's not the headboat port samplers that would be coming around and doing this. Okay. If there are no other questions, thank you very much, Mike E. We will look forward to -- Sorry, Chris. Please go ahead.

MR. CONKLIN: I understand. I would like to see the option for someone to discard or keep or whatever fifty black sea bass and, if they wanted to measure each one, that they were able to do that, and so the ability to do that in there would be nice.

DR. ERRIGO: In the validation, and I meant to mention this, but, in the validation app, we are working on it, because, in there, the interceptors are supposed to measure fish. If you've got fifty fish in there and you're measuring, even if you're measuring a sub-sample, you've still got to measure a whole bunch of fish, and so we're working on ways to make that fast and easy and efficient.

Once that's developed, we may have a method of maybe migrating that over to the logbooks, if somebody wanted to measure a whole bunch of fish in a row. Also, once we get the electronic measuring boards integrated, that should make things much easier for people who want to use that or however that is going to work for measuring.

MS. KNOWLTON: I am Kathy Knowlton, and I work with Georgia DNR. The components, I think that Zack has brought up and Mr. Conklin, they're in there. They are already available in the application.

When somebody is discarding fish, they can choose to select the Number 1 and an estimate of the length of the fish discarded, they could choose to select five fish that felt were all thirteen inches that were discarded, and they could enter twenty-five fish that they discarded and not provide a length, and so we do currently have the ability to obtain lengths on individual fish and groups of fish or not supply any lengths on the fish. I think those are some of the concerns that have come up, and I just wanted to reassure you all that they are already in the application. Thank you, and I appreciate your time.

DR. DUVAL: Thanks, Kathy. Anything else? All right. Seeing none, thank you very much, Mike, and we will bring John Carmichael to the microphone. John is going to review the Gulf Council's electronic for-hire reporting amendment, which is a little bit different than ours, and we need to approve the codified text for this, but John is going to run us through this first.

MR. CARMICHAEL: The Gulf has a for-hire reporting amendment, similar to what we do. They started as joint amendments and then went down separate paths, and the Gulf has asked that we approve their amendment, as we recently asked that they approve ours, because of the actions that affect joint FMPs.

Just a quick rundown of what is in their amendment, it is electronic reporting for for-hire vessels, like ours. It affects their reef fish and their CMP fisheries. The charter boats are vessels with for-hire permits that are not in the headboat survey, and that's their definition there. It's daily electronic reporting, prior to offloading the fish, which is different than ours. They are getting daily trip-level each day reports, and we're getting a weekly report on your fishing effort.

Their vessels are required to hail-out, which means to declare when they're leaving the dock, and they will be required to hail back in when they return to the dock. Then they're required to report using hardware that has GPS capabilities that can archive positions and send the data to NMFS if it's not regularly broadcasting positions, and so there is a few different things. It's mainly the more frequent reporting and the hail-in and the hail-out and the recording the position provision that they have.

Just to avoid you that, to avoid duplicate reporting, you have stated that, if a fisherman is obligated to report under some program that is more intensive and has more stringent requirements, which this would, then you would recognize reports filed under that programs as fulfilling the requirements of your reporting.

If a fisherman were permitted for South Atlantic fisheries as well as Gulf fisheries and he was under the reporting requirements of both, then, if he were reporting through the Gulf system, then

he would not also have to reply and give a report at the end of the week, based under the South Atlantic requirements.

DR. DUVAL: Any questions for John or Leann? Leann, you had your hand raised.

MS. BOSARGE: I was just going to point out the one major thing that we kind of changed, that we had a lot of discussion on. Before the last meeting, we said they had to report prior to hitting the dock, and we had a little compromise, and we changed that to prior to offloading the fish, because we did have one state where they had a lot of qualms about reporting before they got to the dock. To give them just a little bit more time, so that they could get tied up and then enter their data, we did it as offloading the fish.

DR. DUVAL: I did notice also that, if no fish are retained, that it's within thirty minutes of completing the trip, and so there's a little bit more leeway there as well.

MS. BOSARGE: Yes, we had that discussion, and NMFS and the attorney said they would figure out a way to get that in the regulation, but, yes, we wanted to make sure that, even if you didn't catch fish, that you couldn't go waiting a day or two or three to report. You still have to report.

DR. DUVAL: The only other thing is I was just -- I'm sorry, Doug. Go ahead.

MR. HAYMANS: I just wanted to ask. Looking through their amendment, there is 1,300 or so charter, and there was a comment just a moment ago if there is a more restrictive reporting requirement that that would be used. I want to make sure that I understand that. In the Keys, it's three-hundred-and-some-change charter folks in the Keys, and they're going to be holding a Gulf license, Gulf charter license, and a South Atlantic license. They're going to report under the Gulf system, even if they are fishing on the Atlantic side, and we will wind up getting that? Is that how I understand that?

DR. DUVAL: Yes.

MR. HAYMANS: Okay.

DR. DUVAL: I think the other thing, if you were reading through that and noticed it, is that vessels possessing any Greater Atlantic Region permit would actually be required to submit two reports, once in accordance with GARFO requirements and once in accordance with the Gulf reef fish or CMP permitting requirements. I raise that just because I had a question. It seems like -- I would assume that that would only be if that vessel was fishing in Gulf waters.

DR. PONWITH: The discussions on this were interesting, and it's because the requirements of the Gulf amendment, compared to the South Atlantic amendment, are more stringent, and so the notion was that, if you're a Gulf permit holder, you would want to -- The council decided that they would want them to always abide by the more stringent requirements, which was why it was set up that way.

DR. DUVAL: Even if you have a GARFO-permitted vessel that is fishing that has a Gulf reef fish charter boat/headboat permit, but it's fishing in GARFO waters, they would only be required to submit a VTR, right? I guess that was my confusion with the language in here, and so, if you have

a vessel that has permits in the Greater Atlantic Region and also has a Gulf reef fish permit, and they're fishing in the Greater Atlantic Region, you know they're catching their bluefish and their fluke and their sea bass, my assumption is that -- I would think that they would only need to report through the VTR system, and my understanding was the VTR regulations required those boats to report every trip, every fish, whether or not it's regulated and wherever you're fishing.

MS. SMIT-BRUNELLO: I believe, if they have a Gulf reef fish permit, and they're fishing under these regulations, they're going to have to report under the Gulf system regardless of where they fish. That's my understanding.

DR. DUVAL: So there would still be -- In those few instances where there are boats that might have GARFO permits and Gulf permits, they would have to report twice.

MS. SMIT-BRUNELLO: I don't know what the GARFO system requires, but they could be a very busy person filing reports, I mean depending on what GARFO requires. I think, under this, if you have the Gulf permit, you're going to have to report regardless of where you fish.

DR. DUVAL: If I am fishing up off the coast of Maine, I am still going to have to report to the Gulf?

MS. SMIT-BRUNELLO: I believe so.

DR. DUVAL: Okay. I just wanted to clarify that.

MS. BECKWITH: When we started our amendment, one of our ultimate goals was to not require sort of double, like more than one -- It was just one report to one place and that was it. Are you guys in that situation because you sort of didn't set that goal at the beginning or it's just a different way of --

DR. PONWITH: The way that was written was for this circumstance. If we have a boat that fishes that has Gulf permits that fishes in the South Atlantic, the notion is that, if you own a Gulf permit, you report under the system that is the most stringent. If we have those data, then we've got what we need.

What we didn't want is a situation where, if you had permits in both places, you would then get to pick which system you wanted to report under and have a boat that was from the Gulf with Gulf permits choosing to report under the South Atlantic because it's less stringent than the Gulf. Then you would have less information than what the Gulf Council chose to include in their amendment, and so we didn't want people shopping for the reporting system that they would use. Essentially, if they have a Gulf permit, they report under the Gulf permit requirements, and so you report once and then you've met your obligations for the Gulf.

MS. BECKWITH: Right, and I understand that. Our South Atlantic guys will report, if they've got a Gulf permit, to the Gulf. That sort of achieves both goals, but our South Atlantic guys that have GARFO permits will also only put information into the South Atlantic. They will not have to double report to GARFO VTRs, will we?

DR. DUVAL: That's not at all the question that I am raising. Go ahead, John.

MR. CARMICHAEL: The GARFO VTR permit requires, if you have a permit for any of their species, and actually it's one permit and you have a check-box or an endorsement, whatever you want to call it, for any of their managed species, you report every fish you catch, every trip you take. It's all-inclusive, wherever you are, and so we had the discussion at the IPT of, if a guy has a bluefish permit and he goes to California and fishes and catches a fish, he has to report. That is the bottom line, that he has to report that.

The South Atlantic yielded to the more-intensive program, such as the Gulf of Mexico and the GARFO, to allow those reports to be recognized under our weekly permitting requirements, reporting requirements, which also require you to report all fish wherever you fish. If you go to California and didn't have to report, you would have to report to us.

The challenge is now we don't have control over other reporting programs and getting them to also yield, and so it could be possible that vessels that have a GARFO permit and a CMP permit are now, as it stands, potentially liable to report to both the Gulf system as well as the GARFO system, and the same applies to HMS, and we also recognized that as well, but, at some point, the other programs are going to have to decide who will yield to whom to avoid the duplicate reporting, as we have done.

DR. DUVAL: So, Anna, we are fine. The way we have set up our electronic reporting amendment is that you only report once, no duplicate reporting. Just as John said, if there is a more stringent or restrictive reporting requirement in a different region for which you hold permits, then we yield to that reporting system, and we will pull the data that we need for our species from that system. You will just have to report through that system.

What my question is, it's this text here on PDF page 20 that talks specifically about vessels that hold a Greater Atlantic Region permit and would also hold say a Gulf reef fish permit, and that that vessel would be required to report to each system, and so it's not -- There is no yielding from one system or another. Do you get it?

MS. BECKWITH: Yes, but I'm also trying to think through like how the guides in North Carolina who have bluefish permits -- Are they going to be reporting through us or are they going to be reporting through the GARFO VTRs?

DR. DUVAL: They report to GARFO, because they have that bluefish permit and because that VTR requires you to report every single fish you harvest no matter where you are, state or federal waters, whether it's under federal management or state management or anything.

MS. BECKWITH: Yes, but the way we set up ours, our guides were also supposed to report through the South Atlantic all of our fish that we catch, all of our discards, no matter what, state waters or federal waters, no matter what.

DR. DUVAL: Right.

MS. BECKWITH: So they're not going to be able to use our South Atlantic app. They are going to have to use the VTR. I guess there's a gray area there, and I'm not following it.

MR. CARMICHAEL: We kind of don't know how the apps will go. I mean, we have a pilot app that we're working with ACCSP. It is possible that whatever system is done in the Southeast and whatever system is being used in the Northeast that they could accept data coming in through something like our app through a regional portal, such as ACCSP, as fulfilling their requirements, but all of that is kind of the logistical details of how an individual fisherman files a specific report, but I would say, at this point, we don't know the answer to that.

I think everyone would like some sort of comprehensive thing, where a fisherman has the flexibility to use whatever reporting app works best for him, and GARFO has certainly worked a lot with ACCSP to implement most of their reporting things, and so I would think, if we ultimately had something where ACCSP was a recipient of that data, that it would probably work quite well with them.

I think a fisherman could use an app like that pilot on a trip-level basis and submit the information that GARFO required. If he were covering that information, then, if there is a central place, like ACCSP, making sure everyone's standards are being met, they may ultimately accept it. That may be a while down the road, until everybody gets all of their amendments and requirements and programs going and then they see what sort of connectivity needs to be made between all of these different systems to keep all the variables in line and give everyone access.

DR. DUVAL: These are front-end versus back-end issues, and so, in terms of the app that you use, or whatever online program you use on your computer, as long as it exports or submits the data elements that are required by the region, that would be certified for use to do that, and so there could be a number of apps that get certified for use for reporting.

MS. MCCAWLEY: Let me see if I can restate some of what we're saying about the people in the Keys. As I understand it -- Let's say I'm a yellowtail fisherman, and let's say that I have both the Gulf and the South Atlantic permit, and I happen to be fishing in the South Atlantic that day and I don't even fish in Gulf waters, when I get to the dock, I actually have to fill that out before I offload my fish, because that's what the Gulf is requiring.

Ultimately, it will come through and the South Atlantic will get the data, but I have to report on the Gulf app, because it's more stringent, and so one more thing. I just want to throw just throw this out there. The people that were most resistant to doing this were in the Keys, and they complained and they were just saying that what are we getting for this, and they were very frustrated, and they were the most vocal and against this.

We told them that, look, if you're in the South Atlantic, you're not going to have to go by this Gulf system, and so now I just feel like they're going to have to report even more frequently and go by the more stringent system, and I just feel like we just slapped them across the face, and it's a little frustrating, because I know how angry those guys were, and we spent a considerable amount of time at those workshops talking to them, when we were having workshops about other things, trying to educate them about what electronic reporting would mean. They weren't having it, and we tried to talk to them about what the two different systems were and what the two different councils were considering. I just find it ironic.

MR. CARMICHAEL: I think that's the case if they have the Gulf reef fish permit. If they don't have the South Atlantic permit, they don't, and that's where we, as the South Atlantic Council, can't say what the Gulf requires for people with Gulf reef fish permits.

MS. MCCAWLEY: Yes, and I would say that a number of them have both the permits, because they're in the Keys, and so, in one trip, as we've talked about, you could go through state waters of the Gulf, state waters of the Atlantic, federal waters of the Gulf, and federal waters of the Atlantic, and so I would say that most of those people have all of those permits to be able to cross all four of those jurisdictions.

DR. DUVAL: To me, it's not -- I mean, I don't feel like this is a South Atlantic issue. I feel this is more of a Gulf issue, because that's what they are requiring for their permits.

MS. MCCAWLEY: So, to follow up on that, I might be voting against approving this language, just because I feel that this is not where I thought that we were going to end up on this, and so I see what you're saying about it's a Gulf issue, but part of what we're doing here is approving this language that is coming over from the Gulf. We're over here looking at the language to see if maybe we can suggest some tweaks or what have you, but this is frustrating to me.

MR. CARMICHAEL: I think we're just approving the CMP portions and not the Gulf reef fish portions, is my understanding, because that's the joint management component.

MS. SMIT-BRUNELLO: That is correct.

MS. MCCAWLEY: It appears to all be the same thing in the document that we have. It appears to all be linked up together, and so it doesn't appear that we're just approving the CMP portion in the document that we have, and so maybe I have the wrong information?

MS. SMIT-BRUNELLO: It's one document. It's one document that amends these various FMPs. They put in the same restrictions for all of their for-hire permit holders for this. You jointly manage the CMP fishery with the Gulf Council, and so that's the portion of the document, if you will, or that's the amendment that you're approving, is the one to the CMP FMP.

DR. DUVAL: I am going to get to Dewey first, because he's been waiting patiently, and then I will go to Leann and Roy.

MR. HEMILRIGHT: It does seem confusing. It's confusing commercially. I took a trip last year for two days of going blueline tile fishing. I came in and filled out my report and sent it into the South Atlantic. I made sure that I sent my report in in time, and I sent it into the South Atlantic. Then, in January, I got a letter from GARFO that said that I didn't send them my VTRs for August, for two trips that I made. I contacted -- I didn't know what they were really speaking about, but I contacted them, and they -- I said, well, I sent my reports into the South Atlantic. They said, okay, then just don't worry about it, but it's confusing as hell.

I don't know how -- Where you unload the fish and the permits you have, it don't matter if you've got 50,000 permits. It is very confusing, but, with GARFO, if you have any GARFO permits or bluefish or anything, even if you're fishing, I think that -- If a charter boat in North Carolina has a GARFO permit for bluefish, then they've got to fill out everything that they catch, and it is -- I

don't understand why the more restrictive. If you've got somebody in the Gulf of Mexico, what the heck does that have to do with South Carolina charter boat that is fishing in -- I mean, it's way difficult of which one you've got to fill out, and I don't know how you keep up with it.

MS. BOSARGE: I am not sure if we decided that you all have to approve that part or not, but, when I said there was one state that had some issues and we made that one tweak about offloading versus landing, I wasn't talking about Florida. I was talking about Louisiana, and so let me clarify that, but as far as -- We have worked this for a real long time, and this is very important to our for-hire fleet.

Florida sits on both councils, and they vote on both councils, and I didn't hear this being an issue when we finalized this amendment and passed it. Florida voted for it, and so it would be a little strange if it got here and Florida votes against it and doesn't like it, when they voted for the same thing over there, but I hope you will understand how important it is and how hard we've worked, and we have finally got it to this point.

DR. CRABTREE: We did spend a long time going over this, and we were trying to make sure that multi-permitted boats didn't have to report to a whole bunch of different systems and things, and I think we got there. There were charter boat fishermen who didn't like this. They were in Louisiana, and there may be some in the Keys. There were some in other parts of Florida.

There are probably some in every state in the Gulf, but, by and large, the charter boat fleet has asked for this for quite a while, and the fact is, for us to get the sort of data we need to do what they want us to do, it means these guys are going to have to spend the time and the energy that it takes to report, and so I don't know what more we could do with this, and I don't know what other solution we could have.

You can't have the vessels with multiple permits just choose which system they want to report to, and so it makes perfect sense, to me, that they would report to the most rigorous system, and that's what was decided. If it's too much of a burden on some of these fishermen, then they can relinquish their Gulf permit and they won't have to report to this, but I think that we balanced all of this as best we could over an awful long period of time in the Gulf.

MS. MCCAWLEY: This kind of relates to something that Dewey said. I guess I'm a little bit concerned just about how things are going to link up at the end, because let's say that Fisherman X happens to have both a Gulf and South Atlantic permit. He is reporting always on the Gulf stuff, and is he going to be getting these late or non-reporting things and getting some kind of warning or violation, because the systems aren't meshed up, because we think he's not reporting in the South Atlantic, but he's not reporting because he also has a Gulf permit? I guess I am just a little concerned, and I think that's kind of what Dewey was saying.

DR. CRABTREE: There are no systems right now. We're going to have to develop systems, and they're going to have to deal with all of this and figure it out. That's why this is going to take a while to get done, but that's going to have to all be dealt with in the development of the systems.

MS. BECKWITH: Does the CMP in the Gulf -- Are they also going to have to report before they offload their fish, like for the mackerel? Okay.

DR. DUVAL: Are there more questions? Do people understand what we've voting on? Do you want to pull up the codified text and look at that? We have it.

MR. CARMICHAEL: We have that, and you are voting on the, as the draft motion says, the Coastal Migratory Pelagics portions, and the actions are in there. It would be the parts where -- It is like ours, where we had an action that refers to fishermen in the Dolphin Wahoo of the Atlantic and the South Atlantic Snapper Grouper and the Coastal Migratory Pelagics. We had all three fisheries in our motions and in all of our actions, and they have their Reef Fish and the Coastal Migratory Pelagics in theirs. The motion approval applies to the Coastal Migratory Pelagics, to put these requirements in.

DR. DUVAL: You didn't read it?

MR. CARMICHAEL: I am presuming the codified text pretty well just shows you the rules that implement the reporting, and I think the biggest thing is that it is requiring the daily, soon after hitting the dock, reporting for people with CMP permits.

DR. DUVAL: If you guys want to circle back to this later, we can certainly do that. Would that suit you? Okay. Then let's go ahead and -- I think, next, we are supposed to have a presentation from the Science Center on the status of bycatch programs. Do you guys want to take a fifteen-minute break and then we can go into that? Okay.

(Whereupon, a recess was taken.)

DR. DUVAL: We are going to go ahead and bring folks back to the table. My understanding is that folks would like to take back up the matter of approving the codified text on the Gulf for-hire reporting amendment, because folks feel like they still have some questions with regard to what we approved in December and what is contained in this amendment and what was the difference between the codified text and what the intent was, and so we can come back to this later this afternoon or tomorrow, but I don't want to push this off to another meeting. We're not going to do that. I think the next item of business was the Science Center Presentation on the Status of Bycatch Collection Programs, and this isn't a presentation. I think Bonnie just has an update.

DR. PONWITH: Yes, and thank you, Madam Chair. I have a very, very short update, and that is that our bycatch teams, throughout the country, are working right now on finalizing the new addition of the National Bycatch Report. That report will be released sometime in the early fall of this year.

That will have a recap of where we are with respect to bycatch data collection and the status of those efforts across the country, and if I might add just one more postscript that's non-bycatch-related, and that is, each year, over the last four years, we have held a program review on a component of the Science Center science programs, and these have been a nationally-coordinated effort to look at key areas of our science programs around the country and do program reviews and use those reviews to make improvements to our science programs supporting council and other management decisions.

This year, the program that we're looking at across the country is the economic and social science program review. That review has been scheduled for the 16th through the 18th of May, and I will

send out a save-the-date and a preliminary agenda, so folks can see what we have on tap for that, but that will be roughly the same kind of format. It's a couple-and-a-half days of presentations and panel discussions about what the need for economic and social science data and the gaps are and how well we're doing right now in meeting management needs for that kind of data collection. Then we'll work with the panelists to get their reports out to us, so that we can use those to improve our programs. That is my report, Madam Chair.

DR. DUVAL: Thank you, Bonnie. Are there any questions for Bonnie? Then we will look forward to hearing more later on. Thanks, Bonnie. I think the next thing are presentations from the Regional Office, a number of agenda items. The first of these is Status of Commercial Catches Versus Annual Catch Limits, but we've already gone through all of those in all of the committee meetings, and so there is then the Standard Bycatch Reporting Methodology Final Rule. Jack, is that you?

DR. MCGOVERN: Yes, Madam Chair, and I will give an update on that. I don't have a PowerPoint presentation. The final rule itself is in the briefing book. It's Tab 11, Attachment 7, and the final rule published in January, on January 19, and the effective date was delayed from February 21 to March 21. I went over the proposed rule last year, and that published on February 25, and public comments were accepted through April 25.

What the final rule does is it establishes requirements and provides guidance to councils and to NMFS regarding the development, the documentation, and also the review of SBRMs, which are required for all fishery management plans.

The final rule clarifies that the purpose of a SBRM, or a standardized bycatch reporting methodology, is to collect, record, and report bycatch in a fishery, which, along with other information, is used to assess the amount of bycatch that is occurring, and so it clarifies that the SBRM is just to collect data, but it's not to actually do the assessment of bycatch.

The rule defines what is meant by "standardized", and it defines standardized reporting methodology as an established, consistent procedure or procedures used to collect, record, and report bycatch data in a fishery that may vary from one fishery to another, and so, for example, golden crab, the SBRM for golden crabs would be probably different from snapper grouper and within an FMP. The different fisheries within an FMP could have different standardized reporting methodologies.

The rule requires that councils and NMFS use four criteria for establishing or reviewing SBRMs. The first is that a council must address information about the characteristics of bycatch in a fishery, when available, including, but not limited to, the amount of bycatch occurring in the fishery, the importance of the bycatch in estimating fishing mortality, and the effects of bycatch on ecosystems.

The second criterion is the feasibility of the methodology. The SBRM must be feasible from cost, technical, and operational perspectives, and the rule says that it's reasonable and appropriate for a council to analyze issues of feasibility when establishing or reviewing an SBRM and to ultimately choose a methodology that is in fact feasible.

The third criterion when reviewing or establishing new SBRMs is that the councils must address uncertainty of the data resulting from an SBRM, and so councils should seek to minimize uncertainty in the resulting data, recognizing that different degrees of uncertainty may be appropriate for different fisheries.

The last criterion is a council must address how the data that results from a standardized reporting bycatch methodology are used to assess the amounts and type of bycatch occurring in a fishery and that a council must consult with its SSC and/or Science Center on reporting methodology design considerations.

All councils, in coordination with NMFS, must conduct a review of their SBRMs in their FMPs, according to these four criteria, within five years, and so we have until February 21, 2022, to conduct a review, and a council does not need to amend its FMP if it is determined that the SBRMs are consistent with what is stated in the rule. Then, thereafter, the councils, in coordination with NMFS, should conduct a review of the SBRMs at least once every five years.

The next step, I think, is for the council to begin reviewing the SBRMs that it has in its different FMPs, and Frank Helies in our office, along with Dr. Collier, have begun development of a draft document that could be used to review the SBRMs, and, depending on workload, they could bring to the council, in June, this draft document for review, for council input, and then they could then begin to review all the SBRMs in the different FMPs and then bring it back in the fall and possibly bring it to the SSC in the fall as well, if that's what your desires were. That is a brief overview of that.

DR. DUVAL: Wow. That's a lot of work.

DR. MCGOVERN: I can't imagine that -- We have the workgroup that did some work on this for a couple of years, and so we do have a good start on this. We haven't looked at all the SBRMs with respect to all four criteria, but certainly the first criterion has been looked at, to some degree, and we have some background information to get us started on this.

DR. DUVAL: You said the deadline for meeting this task is 2021, and so it's five years?

DR. MCGOVERN: It's February 21, 2022, and so you've got some time.

DR. DUVAL: Hopefully I will be gone by then. Go ahead, Wilson.

DR. LANEY: Thank you, Madam Chairman. Jack, I just had a question about seabirds as bycatch. When you look at the rule, it makes it pretty clear that the MSA's definition of bycatch and fish exclude marine mammals and birds, but yet, at the same time, if you flip to the next column, it says that the National Bycatch Report is going to include information on marine mammals and seabird interactions.

It refers to using multiple sources of information to compile those data, and, further, it says that councils, on the other hand, are not precluded from collecting bycatch data on seabirds if they wish to do so, and so I guess I would pose to this council the question of whether or not they might be interested in compiling data on seabird bycatch, at least in the South Atlantic. I know that's a bunch of different questions there, but I am a little confused about where the data on seabird

bycatch for the National Bycatch Report are supposed to come from if the National Marine Fisheries Service and/or the councils don't decide to collect those data.

DR. MCGOVERN: I don't think I can answer that question. Maybe Monica can.

MS. SMIT-BRUNELLO: Not exactly, except that the definition of fish, under the Magnuson Act, excludes marine mammals and birds. Because this rule was issued under the Magnuson Act, I'm assuming that's why it states what it does. I can't tell you though where -- If the National Bycatch Report is supposed to include that information, I'm not sure where it gets it, but we can gladly look into it for you.

DR. LANEY: I will look to Dewey and some of the rest of you who are actually fishermen who observe, possibly, seabird bycatch. My perception is it's not as big of an issue in the South Atlantic as it is in some other parts of some other oceans even, and so maybe it isn't a huge issue here, but I sure would like to know if anybody is seeing any evidence of seabird bycatch.

MR. HEMILRIGHT: One place you might look would be the observer reports from the pelagic longline industry. Me as a fisherman, I can probably count on my hands any birds that we've caught pelagic longlining. I think that sometimes maybe a congregation after hurricanes or storms, but, if we set out, or start to set out, and there's a bird problem, we wait until after dark, but I mean, to me, it's negligible on what I fish for with stuff like that, but there might be other reports from other observers or something like that.

MR. BOWEN: As a hook-and-line fisherman, our bird bycatch is minimal, and, when we do have it, it's usually late fall, when the water is starting to cool down at a pretty decent rate, and the bait migration is very active, but it's very minimal.

DR. DUVAL: Any other questions for Jack on the SBRM rule? We will keep plugging along on that and get a report out sometime later in the year. Thanks for that, Jack. Okay. The next thing on our list to do is the Status of the South Atlantic For-Hire Amendment.

MR. CARMICHAEL: The South Atlantic For-Hire Amendment was completed. You guys approved it at your last meeting for submission, and so the final components were included in there, and it was forwarded to the Regional Office and the Regional Administrator. I think it was Saturday morning when I sent it in. I had a bit of a family emergency. I had hoped to get it done Thursday or Friday, but it was Saturday when we got it into them, and it was forwarded around to all of you guys, I think on Monday morning, from Mike Collins. Hopefully we will hear back pretty soon about the opinion of the agency on that and get that completed.

MR. HAYMANS: It's PDF page 26, document page 12 --

DR. DUVAL: What are you talking about?

MR. HAYMANS: The for-hire amendment.

DR. DUVAL: Are you talking about our for-hire amendment?

MR. HAYMAN: Yes.

DR. DUVAL: I am asking you to be clear, and, also, which document are you looking at? Is it the December council meeting briefing book?

MR. HAYMANS: I am looking at the document that John said that he just emailed around on Monday. I am sorry for not being clear. John just said that they emailed it, and I opened it and did the search, and so this is getting to our document, compared to the Gulf that we talked about earlier, and I was looking for a bit of clarification.

In the paragraph that is on page 26 there, it talks about what you had said earlier, about us acquiescing to the Gulf. I guess my follow-up question on that is to Monica or someone. Could it be read that we acquiesce to the Gulf when there is multiple jurisdictions that the boat is fishing in on a given day? I realize that that's hitting you right -- In other words, could we read it that way or interpret it that way without having to go make any change, now that it's submitted for final?

MS. SMIT-BRUNELLO: So why don't you give me a minute to find that document and look at that page. Then I will be happy to get back to you. You said it's PDF page 26?

MR. HAYMANS: It's PDF page 26 and document page 12. That is exactly what I was wanting to have happen, was for Monica to go look at that document. I don't mean to stall everything right here.

MR. CARMICHAEL: Are you talking about the yielding to another reporting program being based on the area where someone is fishing?

MR. HAYMANS: Yes.

MR. CARMICHAEL: Our discussions about that is all of that is based on the permits which you hold. The Gulf reporting applies to the permits which you hold, and the Greater Atlantic applies to the permits which you hold, and none of them have anything to do with the areas where you fish.

MR. HAYMANS: My question, in reading that paragraph, is it talks about that it is our intent to avoid duplicate reporting, of course, and the reporting requirements, under a GAR permit or a Gulf of Mexico permit, are more stringent than those by the South Atlantic Council, and fishermen reporting their catch to those systems will not need to require a report to us.

My question is, to me, it really boils down to the Keys, a dually-permitted vessel fishing both jurisdictions at one time, and it would seem to me that you could read that paragraph to say, if they're fishing both jurisdictions, they report to the more stringent. I am trying to find a way to fix the issue we encountered a moment ago without having to go rewrite anything.

MR. CARMICHAEL: You can, but it's tied to -- Your obligation to report is tied to the permit which you hold and not where you are fishing, and so, if you have the Gulf reef fish permit, you have to report under the requirements of reporting for having a Gulf reef fish permit wherever you fish.

MR. HAYMANS: Is that based purely on that paragraph or something else?

MR. CARMICHAEL: No, it's based on the language in all of the other alternatives which refer to reporting by people who possess the specific permits, and that's the same as the Gulf. The Gulf refers to reporting by people with the Gulf coastal migratory pelagics. Our refers to people with the South Atlantic coastal migratory pelagics, as well as the Gulf reef fish in the Gulf and the South Atlantic snapper grouper in the South Atlantic.

MS. BOSARGE: Doug, will you read that line again? I am trying to find it in your document, but I haven't found it yet.

MR. HAYMANS: On page 12, it goes to our intent, and it's the second full paragraph that starts out that the South Atlantic Council's intent is to eliminate duplicate reporting and allow fishermen to file a single report that will be available to all agencies and programs requiring a fishing report and catch information. That's the paragraph. It's a lengthy paragraph.

MR. CARMICHAEL: That language is in many places, because it's a number of the chapters and it's in the council conclusions and it's in the evaluation of alternatives. I think it's even back in things like the regulatory impact review.

MS. BECKWITH: Sort of to Doug's point, I had Kari, just for discussion's sake, I had Kari pull up the number of vessels in North Carolina that have CMPs that also have the Gulf CMP permit, and so we've got ten vessels in North Carolina, which isn't a lot, but it will be ten guys that may not be aware that, even though they fish in the Gulf for a month, they will be reporting before they offload their catch on charter trips every day.

It sort of is what it is, because we can't necessarily control what the Gulf is doing, but I do sort of have some sympathy to Jessica's concerns that if we had been thoroughly aware of this -- I guess we can't know every outcome, but we likely would have suggested to those folks to be extra aware of what was happening in the Gulf amendments, as our amendments really didn't apply to them. If these guys gave us feedback on our amendments, they sort of wasted their time, because our amendment doesn't really apply to them. It's not a lot of people in North Carolina that are going to be impacted by this, but I wonder if they're kind of aware that this is happening.

MS. MCCAWLEY: First, I have a question. If you are in the Gulf IFQ and you come into the South Atlantic and you are fishing for some other species, do you have to do things like hail-in and hail-out in the South Atlantic?

MS. SMIT-BRUNELLO: Are you asking me?

MS. MCCAWLEY: I am asking anybody that can answer this question.

MS. SMIT-BRUNELLO: So you're talking about a commercial fishery. I would have to look that up. I think there are hail-in and hail-out requirements, and maybe Roy is even more versed in this.

DR. CRABTREE: If you have a reef fish permit, then you have to do all of the VMS requirements. The VMS has to be on, and you have to hail-in and hail-out and all of that. Now, if you're not fishing under the IFQ program --

MS. MCCAWLEY: So if I happen to have commercial shares, and I have a VMS on my boat, and I take that boat into the South Atlantic and I fish for a red snapper in the South Atlantic, am I hailing-in and hailing-out before I leave the dock from say Jacksonville, because I am part of the Gulf red snapper IFQ program?

DR. STEPHEN: Every time you leave on a trip, if you have a Gulf reef fish permit, you must hail-out. Currently, the Gulf IFQ regulations for hailing-in is only if you have IFQ species in the Gulf. Now, that's getting ready to be changed, and, with that change, it might mean that you would have to hail-in as well in the South Atlantic.

MS. MCCAWLEY: Okay, and so I would like to make two or three points here. First of all, I don't feel like, when the South Atlantic held their workshops, that we were very transparent in the South Atlantic's process, because, just kind of like Anna was alluding to, when people came to those public workshops, the first question that they should have been asked, or webinars or whatever we did on this, because I think that the South Atlantic did some webinars, but they should have said, number one, do you have a Gulf reef fish permit, because, if you do, what we're doing here on the South Atlantic doesn't matter to you, because you need to go over to the Gulf and you need to comment on what is happening in the Gulf. I don't feel that we were very transparent, and so I feel that this is going to have ramifications beyond this reporting, because we weren't very transparent in this process, and so that's one thing.

I did find out, from Martha, that the Gulf Council did send out letters to every Gulf permit holder, and so that included people in the South Atlantic, and so they were made aware of what the Gulf was doing and that they would possibly have to do whatever the Gulf chose. That does make me feel a little bit better, that all of these people were informed.

I can also tell you that Martha did inform me that the Gulf folks -- One happy, unintended consequence that they were looking at from this is that it would remove latent permits from people in the South Atlantic that either don't use them or rarely use them, and so they were hoping that some of these permits would go away, because folks might not like what the Gulf did for the reporting, which is different than what we did over here on the South Atlantic.

With all of that said, I am just going to tell you that I am going to vote against this, because just for a number of these reasons, for transparency and everything else, and I'm going to vote against that motion that was on the board.

DR. DUVAL: We don't have a motion on the board. We were just getting a status update on the status of the South Atlantic For-Hire Amendment that was approved in December.

MS. MCCAWLEY: The one that was on the board earlier when we stopped this discussion that was reviewing the Gulf Council's plan and looking at their codified text that has to be reviewed by the South Atlantic. That's the motion I'm talking about. I am going to vote against that.

DR. DUVAL: Okay. Gregg.

MR. WAUGH: To address your point about transparency, one thing that's difficult is, when we're out doing our public hearings, we are presenting what we're doing. The Gulf didn't finalize what

they were doing until this meeting. In fact, as Leann said, there were some significant changes to what ended up in the Gulf program at this last meeting, and so I mean -- I think it's incumbent on a fisherman, if they are permitted in multiple jurisdictions, to keep up with what's going on in their jurisdiction. It is quite challenging for us to present to them what we are proposing without having to then also bring in what is happening in their business and other aspects.

MS. BOSARGE: Just to clarify the changes that we made at the last meeting, they actually made things more lenient and not more restrictive, and so we went out with those preferreds, and then we said, okay, we're going to make it more lenient, to kind of help these people out in Louisiana that had some issues with it, and so that's just a heads-up.

This is for for-hire permits, and I know we're talking about some commercial permits here, but, to me, the issue would be if you have for-hire permits in the Gulf and for-hire permits in the South Atlantic. We are not doing anything with commercial reporting here, and so, if you've got that commercial reef fish permit in the Gulf, you have always had to live by those rules, but anyway, I was kind of wondering -- Anna, those CMP permits, you said there is ten of them. Are they for-hire permits or are they commercial CMP permits, because I know we've got a lot of commercial guys that travel.

MS. BECKWITH: For-hire. I am clear on what we're talking about. Do you guys have a VMS requirement on the CMP permits in the Gulf? No, right?

MR. BELL: I just want to be clear, for the record, that I think our process was as transparent as it could be. We weren't trying to mislead anybody. When we decided, back in the Keys, to kind of go our separate ways, our process was all about focusing on the Atlantic, and, of course, some people have permits in different places, but we made it clear that we didn't have any interest in duplicate reporting and we didn't have any interest in -- If there was a system that was a little more rigorous than ours, we were willing to defer to that, and so I don't feel like we were in any way not open, in terms of what we were doing.

I think folks, if you are permitted in different areas, you do have a certain responsibility to kind of pay attention to what's going on in the other areas where you have permits, but I think our process was open and the folks we were communicating with could ask any questions they wanted, and so that's just my opinion.

DR. CRABTREE: I think I agree with you, Mel, and I think the Gulf process was as open as it could be, and I also don't think there was ever any intent here to get rid of permits through this reporting requirement. Now, that may happen, because some people may not want to comply with it, and they may never really fish in the Gulf and maybe they will let it go, but that wasn't part of the intent of this. The intent was always to get better and more timely data collection.

DR. DUVAL: I agree. I think our process was transparent as well. I think we were very clear about our intent to not want to overburden people with multiple reporting requirements. What seems, to me, to be the issue is that you have, I guess, multiple regions that have set up regulations. I mean, I know we deal with this in the Northeast, and it would be really nice if the Northeast Region would modify their regulations so that we didn't get messed up on how many fish of a particular species are actually caught up in that region versus in the South Atlantic and what the reporting requirements are.

I mean, what has tended to happen is that the Northeast Region has gotten out ahead of most of these types of reporting requirements, whether it's dealer reporting, commercial vessel reporting, for-hire vessel reporting, and so it kind of hamstring those of us in other regions as well. I mean, I am definitely sympathetic to the points that Jessica has raised. I am not sure, at this point, how we deal with those. Roy.

DR. CRABTREE: Well, I guess I'm wondering if you want to entertain a motion now, so we can finish with this issue and move on.

DR. DUVAL: Are you referring to the motion that was up on the board previously to approve the Gulf Council's --

DR. CRABTREE: Yes, and I would be willing to make that motion now.

DR. DUVAL: For the for-hire amendment. What is your pleasure? Jessica has already stated that she will not be supporting that motion. Anybody else? This is a final vote, and so this would be a roll call vote. Doug.

MR. HAYMANS: I don't know whether Monica is going to pursue my question any more or not, and maybe it didn't have merit, but the question about jurisdictional fishing. I have heard what John said, but you can always tease between the lines, and I just want to make sure that that's a firm no and that it doesn't matter the jurisdiction and it matters the permit.

MS. SMIT-BRUNELLO: Maybe it's just Thursday afternoon and we have talked a lot, and maybe I'm just being a little dense, but I finally got the PDF page, and I see the sentence you're talking about, and so would you try to explain it to me again?

MR. HAYMANS: Sure. To me, it's a bit vague. Could it be read that you've got the two permits, but that it depends on the jurisdiction that you're fishing in? If I have a Gulf -- I've got two Georgia fishermen who have Gulf permits, but they're fishing in Georgia. If they're in the South Atlantic's jurisdiction, they could report to the South Atlantic system, but, if they move over to the Gulf, then they report to the Gulf.

The question is those guys in the Keys that have both permits that fish both areas on the same day. To me, that's really what the intent was, is that they only report to the Gulf system, and so is there any way to read that paragraph to allow that, that our intent is that they report to the more stringent system that they're fishing in on that day?

MS. SMIT-BRUNELLO: When you read this amendment as a whole, and remember that you're amending your FMPs, right, and so it's the South Atlantic's FMPs and it's got nothing to do with the Gulf's FMPs or GARFO's FMPs or anybody else's. You have allowed your fishermen to not have to file a report for the South Atlantic FMPs if they hold permits from other regions and there is more stringent permitting requirements.

It really depends on the permit you hold instead of where you're fishing, and so, if you're in the South Atlantic's area and you hold a Gulf permit, the Gulf is going to require you to report under

their permits. Under your permits, under this FMP, you are allowing that fisherman to not have to then file another South Atlantic report, and so that is the gist of this amendment.

MR. HAYMANS: So then we have finalized ours, and we have sent our amendment up for final review. Roy, is there anything that can be done to put a hold on that? Can we re-examine the intent of that? We're not going to be ready anyway until 2018, and is there any way to re-examine the intent of that?

DR. CRABTREE: Are you asking me if you can withdraw your amendment?

MR. HAYMANS: I am asking you if that's what we have to do in order to correct this.

DR. CRABTREE: I think you're talking about changing your amendment, and I'm not even sure if there's agreement on the council that there is anything to correct. I think the codified text has been fairly clear, although I don't have it in front of me, that this stuff was linked to the permits, and so I think, if you wanted to come in and change -- What you're proposing is, to me, a change of intent, and I think you would have to modify the amendment.

I think, to do that, you would have to withdraw it. The question of whether you can withdraw it or not, I will have to defer to Monica, because we don't encounter that very much, but I suppose, if that's what you want to do, you would need to pass a motion to withdraw the amendment and then the Chairman could write a letter to me asking to withdraw it, and then we will figure out a response.

MR. HAYMANS: I am certainly not asking to withdraw it. I am trying to figure a way around.

MR. CONKLIN: I am just thinking about my state, and a lot of things are up to the discretion of the law enforcement officer that would be sent out to enforce this kind of thing. Is that not kind of a commonsense thing that we're -- If you're fishing in South Carolina or Georgia or anywhere north of the Keys, that you were not in the Gulf of Mexico and you don't have to back into your slip, if you do hold the permit, and throw your fish off -- Report before you throw your fish off and the other guy has to report sometime after, with the South Atlantic system. It makes common sense, to me, but the Keys is sort of a conundrum, and I do see -- I feel your pain, Jessica.

MS. MCCAWLEY: Back to Doug's comment. I am thinking that the issue might be more in the codified text from the Gulf, which is why I don't think that withdrawing our amendment or trying to change our text is really going to fix this problem.

To me, the problem, at the root of it, lies in the codified text that came from the Gulf, and so I am not certain that we as the South Atlantic, unless we ask the Gulf to do something -- I don't think that, with our amendment, and with our previously-codified South Atlantic text, that we can fix this problem. I think it has to be fixed with the Gulf's language, and so that's where I think the issue lies, and that's why I am going to vote against this.

MR. BELL: I am having trouble. The example that Doug was giving of fishing in the Gulf or fishing in the Atlantic and you've got both permits, and the Gulf system would be the more stringent of the two, but the important thing is that the trip is captured and the trip is not captured twice.

Wouldn't that just then -- For those people in the Keys that are in that situation, then the trip is reported, and I realize the reporting requirement is different, but that's in accordance with -- That's how their permit is going to work. I guess I am not seeing that this is a really huge problem, unless I am not comprehending it. Jessica may be able to explain it better.

MS. MCCAWLEY: Let me try to restate what I believe Doug is trying to say. I think Doug is trying to say that him, as a council member, when he was sitting here going through that amendment, it was his understanding that every time that he was moving this forward that he was saying, if I am fisherman in the Keys and on one single trip I cross over into the Gulf, I cross over into the Atlantic, and let's say I land in the Atlantic, but he was under the impression that that person has to report in the Gulf, because they've got a more stringent system, but that person went into the Gulf.

His other example that he is saying that he did not realize applied when he voted on the South Atlantic amendment was the fact that I fished off of Charleston, and I leave out of Charleston and I come back to Charleston, and I never crossed into the Gulf on that particular trip, but I happen to have a Gulf permit for something else and I am now going to have to report to the Gulf. He said he didn't feel like that was clear when he voted on the South Atlantic amendment, and I am in agreement with that.

I can see that individual in the Keys, that definitely crossed into Gulf waters on the trip, even though they ultimately landed in the South Atlantic, and they need to report in the Gulf, and I've got it. Roger that. The other situation, this other scenario, that you are having to report on the Gulf system, just because you happen to hold, in your deck of permits, a Gulf permit, even though you did not go into Gulf waters on that particular trip, and I believe that is what Doug is saying.

MR. BELL: Those ten guys in North Carolina or wherever it was would have to do all of their reporting to the Gulf, because the Gulf is --

MR. CARMICHAEL: Is the gist of what you are trying to do is to ask that the Gulf would allow a geographically-based exception, so that fishermen who are operating in the South Atlantic area of jurisdiction and report their fishing to the South Atlantic do not have to also report to the Gulf? To me, that's the exception, because all of the reporting is tied to permits, and all of them say to report all fish harvested wherever you fish.

MS. MCCAWLEY: Yes.

MS. BECKWITH: Mel, just for your information, you only have one charter guy who holds a for-hire CMP permit in South Carolina that also holds a Gulf permit, and so that one guy is going to have to report every charter trip before he dumps his catch, offloads his catch, at the dock. You're going to have one guy in South Carolina that is going to be treated differently, and Doug has got two.

DR. DUVAL: So where does this leave us? No one has made a motion yet.

MS. SMIT-BRUNELLO: I just want to remind people, and don't throw anything at me, but I just want to remind you all that the Gulf Council has the authority to make requirements for those

permits for their FMPs, and that is what they have done, and so this really isn't so much about problems with your for-hire amendment as you don't really care, some of you, for what the Gulf Council did, but they have the authority, under the Magnuson Act, to put requirements on their permitted fishermen. Then those fishermen have the ability to not have those permits or have those permits, and so you should all just keep that in mind as well.

DR. DUVAL: So it doesn't sound like this is an issue that we are going to resolve here today. I think John has pointed out what the exception might be for those boats that have both a Gulf reef fish permit and a South Atlantic snapper grouper permit.

This is slightly different than, I think, the situation we have with some of the GARFO permits, where we have some species that are managed throughout their range by either the Mid-Atlantic Council or the New England Council, mostly the Mid-Atlantic Council, whereby, if you fish for bluefish anywhere, you have to have the bluefish permit. It doesn't matter if you're in Florida or New York, but you have to have that permit, and so you are reporting via the VTR system in the Northeast.

MS. MCCAWLEY: Would you entertain a motion to send this back to the Gulf to try to make the exception in this codified text that John Carmichael just brought up?

DR. DUVAL: I mean, I am reluctant to do that at this point. I think we could request that the Gulf take these concerns back, and I don't know if there -- If they could find a way to modify this to address this concern about vessels, and it does seem to be particular to the Keys, that are fishing in one area versus the other.

MR. BELL: That's where I think there is obviously a problem there, if you're going like half-a-day here and half-a-day there. I get that, but it would seem to me that, just logically, and this is the problem, perhaps, is that, if you're fishing out of Charleston or Beaufort or wherever, you are not anywhere near the Gulf of Mexico.

If you report that trip and it's documented, how would this system know that you were deficient somehow? How would the Gulf system know if you had a problem or you're good or vice versa? Again, I see where, if you were half-a-day in the Atlantic or an hour in the Atlantic and the rest of the day in the Gulf, then you have fished in the Gulf. Therefore, you should report in the Gulf for that whole day. Maybe that's overly simplified, but it just seems -- I guess there's a logic problem here.

MR. CARMICHAEL: Can we pass this initial motion? It, like ours, gives the Gulf authority to modify the codified text and whatnot, and ask if they would -- Then you can make a second motion asking if they would consider the exception for these vessels that are operating only within the South Atlantic, and it would probably be hard to write "codified", because you would have to, probably, include some time component of that.

I think that's your intent, is just to ask if they would consider an exception for vessels that also have Gulf permits who are solely operating within the South Atlantic. That might be all that you can do, is ask that they consider it. Based on what Monica said, they have the right to do what they want for their permit holders.

DR. CRABTREE: The problem is I don't know that -- I suspect that's not consistent with what's in the Gulf amendment, which they have approved, and so I think what you're talking about would end up being an amendment to that amendment, which, Jessica, if you want to pursue that, I think the way for you to do that is have your representative on the Gulf Council bring that up at the Gulf Council, because this is a Gulf Council issue. I don't know that they can just do that in the codified text, because I suspect that this is in the amendment as well, but I don't have all of this in front of me at the moment.

DR. DUVAL: That would be my recommendation, that we put this motion up for a vote, if someone is willing to make that, and we can follow with a subsequent motion to put forward the request that Jessica has voiced to see if there would be -- If the Gulf would be willing to consider and at least discuss that.

DR. CRABTREE: **I would like to make the motion on the board.**

DR. DUVAL: Please go ahead and read it.

DR. CRABTREE: **I move that we accept the Gulf preferred alternatives and options in Actions 1 through 4 and approve the Coastal Migratory Pelagics portion of the Gulf Generic For-Hire Reporting 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 and codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.**

DR. DUVAL: There is a motion by Roy and a second by Mel. Is there further discussion? I feel like we've about discussed it out. A clarification, Gregg?

MR. WAUGH: Just for clarification, when we say the "Council Chair", we're referring to the Gulf Council Chair, and is that correct? I just want to make that clear.

MS. SMIT-BRUNELLO: Yes. Well, you know what? It's probably both Chairs, right, because your Chair also has -- I will have to figure that out, but I think your Chair has authority, under the Coastal Migratory Pelagics portion, to also deem those changes to the codified text, and so it's both Chairs.

DR. CRABTREE: I think it's quite likely there will be changes to the codified text and things as issues come up that have to be clarified and be made more precise.

DR. DUVAL: Okay.

MR. BREWER: I have a question before I vote. Leanne, do you think that you can get this -- I know you understand the problem that Jessica is talking about, and hopefully it's a distinction without a difference. I have got to believe that it was the intent of the Gulf that somebody who is fishing in North Carolina who may happen to have a Gulf permit wouldn't be reporting under the Gulf system, but they would be reporting under the South Atlantic system. Do you think you can, with the authority that's there, do you think that you can fix that -- I am going to call it a glitch.

DR. DUVAL: I think probably not Leann, but Roy is an appropriate person to try to answer that.

DR. CRABTREE: So look. These are different systems with different physical requirements. The Gulf is requiring a GPS component to their system and all, and so the hardware is going to be different. If you have a Gulf permit, you're going to have to have a different system than what the South Atlantic requires.

In the South Atlantic, you go home and you get on a home computer and you file something. In the Gulf, it's a unit onboard the vessel, with an antenna affixed on it and a GPS-logging capability, and so it is a wholly different system that they're going to have to have and report on, and they're going to have to have that regardless of where they are. If there is a boat that doesn't want to comply with those requirements, they will have to make a decision about that, but I don't think it's something as simple as just providing an exemption if you're fishing somewhere else, because the hardware requirements are all different.

MR. BREWER: Are you saying that it's essentially automatic under the Gulf system, because of the hardware, and they're going to be reporting to the Gulf anyway, no matter where they're fishing?

DR. CRABTREE: No, and I'm saying that, if you're not fishing in the Gulf, it's not like you can just not have their system. You're still going to have to have a whole different system onboard your vessel. You are going to have to buy different equipment to meet the Gulf requirement, and, if you have that Gulf permit, you're going to have to do that.

MR. BREWER: I understand. Thank you.

DR. DUVAL: I mean, all the reporting requirements that we have, even for commercial vessels, are tied to the permit, and so this isn't necessarily different than what we have on the books for our commercial vessels, and I am just looking at the Code of Federal Regulations right now for the commercial vessel permit. This is a roll call vote, because it's final action. Before I go to that, is there any more discussion? Okay. I am going to turn things over to Gregg for the vote.

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: I am a chicken. I am going to abstain.

MR. WAUGH: Mr. Brown.

MR. BROWN: Yes.

MR. WAUGH: Mr. Conklin.

MR. CONKLIN: Yes.

MR. WAUGH: Dr. Crabtree.

DR. CRABTREE: Yes.

MR. WAUGH: Mr. Griner.

MR. GRINER: Yes.

MR. WAUGH: Mr. Hartig.

MR. HARTIG: Yes.

MR. WAUGH: Mr. Haymans.

MR. HAYMANS: Yes.

MR. WAUGH: Ms. McCawley.

MS. MCCAWLEY: No.

MR. WAUGH: Dr. Duval.

DR. DUVAL: Yes.

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

DR. DUVAL: **The motion is approved.** Jessica, would you like to offer another motion to ask the Gulf Council to consider how the reporting requirements apply to vessels that are fishing solely in South Atlantic waters and for which both a South Atlantic and a Gulf for-hire permit have been issued?

MS. MCCAWLEY: I would like to talk about that language for just a second. To me, it is solely fishing in the South Atlantic on a particular trip, because somebody might fish nine months out of the year in the South Atlantic and then go over to the Gulf, or, just like we talked about with the Keys example, on a single trip, if they enter into the Gulf in any way, I feel like I'm fine with them reporting in the Gulf.

What I am talking about here is a person that, on their single trip, because the Gulf is requiring that hardware and for the reporting prior to the offload, on that single trip, if you do not enter the Gulf, but you just happen to have that Gulf permit, that we allow those folks to report in the South Atlantic.

DR. DUVAL: Let's think about this here. It would be something along the lines to request that the Gulf Council consider an exemption for vessels fishing solely in South Atlantic waters on a single trip and for which both Gulf and South Atlantic for-hire permits --

MS. MCCAWLEY: Are issued, yes.

DR. DUVAL: I've got you, Leann, but I just want to make sure that, whatever wordsmithing is being done right here, that we have it up on the screen, so that everyone is clear exactly what's being asked.

MS. MCCAWLEY: Being given an exemption or -- I see that it says "be given an exemption", but do we also want to make it clear, to add in parentheses, "to be allowed to report under the South Atlantic system"? I don't know if that's overkill or if it's -- I'm good with that.

DR. DUVAL: The language is to -- I am not saying this as a motion, but just, for the public, the language would be to request that the Gulf Council consider an exemption to the Gulf trip level reporting requirements for vessels with Gulf and South Atlantic permits, when taking a trip solely in South Atlantic waters, and to allow these vessels taking such trips to report according to the South Atlantic requirements. I know that Leann had her hand up and then Doug had his hand up.

MS. BOSARGE: I was asking Bonnie offline -- I was just thinking, if it was -- Which maybe this goes against maybe the original purpose, but I was thinking if it was landings-based. Do you see what I'm saying? I am just wondering how you track it. Do you see what I'm saying? How do you enforce it? How do you know where they were fishing? I was thinking, would it be more streamlined if it was landings, but then I guess that kind of goes against the amendment itself, but, anyway -- In other words, if you landed in the South Atlantic, report to the South Atlantic system.

MS. MCCAWLEY: I think that would work, except for I think you muddy the waters when you're in the Keys, because, in the Keys, it's so easy to go into the Gulf, and so I am fine with having those people still report on the Gulf, and so that's why I think it doesn't necessarily work for what you're saying. Otherwise, I would be onboard with what you're saying.

MR. HAYMANS: I was going to wordsmith for a moment, but that's okay. The intent is there, and I'm fine with it.

DR. CRABTREE: Let's think about what we were trying to accomplish here. We wanted to avoid having anyone having to report in both systems and invest in the software and equipment for both systems. If we do this, then these permitted vessels in the Keys will have to buy both systems and have both systems and learn how to operate and work in both systems. In one trip, they might have to report in one system, and then they may have to turn around the next time and report in the other system.

We are trying to get compliance from these guys, and we know that's going to be a problem, and, if we have them jumping back between multiple systems, it's going to make it that much worse. I feel like, if we did this, we're going back on what we were trying to do, which was have them get comfortable with one system and invest in one system and that's the one they then use.

Just, procedurally, Jessica, I think your best route, if you want to make a change to the Gulf amendment, is to go back to the Gulf Council with this, through the FWC representative, or you come to the Gulf Council and raise this up, rather than through the South Atlantic, but, to me, we always wanted to have the vessel deal with one system and one system only and not have them have to deal with two different systems and two different sets of hardware and all the different requirements.

DR. DUVAL: I agree, and I think Roy raises a good point that I think folks may want to consider.

MR. HAYMANS: Just a point. I mean, in the South Atlantic system, the only hardware is a connection to the internet, right, and a phone or a laptop or a tablet. There is no additional GPS antennas or any of that nature.

DR. CRABTREE: There is a computer system that you'll have to have, and then there is whatever software will have to go on it to work it, but, in the Gulf system, there is an on-vessel unit and the antenna and the data-logger and all those kinds of things, which we're going to somehow make them have to deal with both of these, and that's my --

DR. DUVAL: Okay. Jessica, would you like to make that motion?

MS. MCCAWLEY: Yes. **I move to request that the Gulf Council consider an exemption to the Gulf for-hire trip level reporting requirements for vessels with Gulf and South Atlantic permits when taking a trip solely in South Atlantic waters and to allow these vessels taking such trips to report according to the South Atlantic requirements.**

DR. DUVAL: Is there a second to the motion? It's seconded by Doug. Do we need further discussion on this motion?

MR. BELL: Just to Roy's point and what Doug was saying. Our system right now is about as simple as --

DR. DUVAL: Non-existent.

MR. BELL: Well, there is no other additional requirements. That is not to say, in the future, that, as we said, that we would potentially allow them to report via some other method directly, but that's the only other thing that we've even talked about, but our system is not really a system at this point. It's having a computer.

DR. DUVAL: Okay. Are folks ready to vote on this? **Could I please see a show of hands of those in favor of the motion, nine in favor; like sign for those opposed, two opposed. The motion carries nine to two. Are there abstentions? Charlie. Nine in favor, two opposed, and one abstention.**

MS. BOSARGE: Jessica, will you send Martha armed with like maybe a couple of different ideas and options to consider that we could somehow do something, because I am sensitive to it. We hold Gulf permits and South Atlantic permits, and it gets old when you have to have an ELB and you've got to have a VMS, when you very rarely come over to the Atlantic for that particular species, but you've got to pay for it every single month. We have those, and AIS, per the Coast Guard, and so we've got three tracking devices on the boat that we're constantly paying for, and so I understand that it does get old, and so I am sensitive to that. Just send her armed with a couple of different ideas, if you don't mind.

MS. MCCAWLEY: I sure will. Thanks, Leann.

DR. DUVAL: I think the issue is a little bit different than what we face with some of the GARFO permits elsewhere along the Atlantic coast, because it's a management jurisdiction issue, and so like the Mid-Atlantic Council has management jurisdiction throughout the entire Atlantic seaboard for bluefish. It's a little bit different of an issue. The Gulf Council manages reef fish within the Gulf Council jurisdiction. They don't manage it on the South Atlantic side of the border, and so it is a slightly different issue. Roy.

DR. CRABTREE: I just would point out that this is why this started as a joint amendment, and this is why we tried to do this together, and that didn't work out, and so this is the kind of stuff that happens when we can't work things out.

DR. DUVAL: I guess, just before we leave this issue entirely, because I know that the Mid-Atlantic Council passed, and I think it was at their August meeting, an electronic for-hire reporting amendment, and so, again, there have been vessel trip reports, VTRs, throughout the Mid-Atlantic and New England Region for for-hire vessels for probably ten years or so. I think compliance has varied according to which species you're talking about.

This is probably more of a Bonnie question, but have there been discussions, as the two councils have moved forward down here with their electronic for-hire reporting amendments and the Mid-Atlantic has passed their electronic for-hire reporting amendment, about sort of those backend systems and -- I mean, I would just encourage those conversations to occur, because it would certainly -- Having the backends able to talk to each other or having one system and making sure that ACCSP could be the focal entry point for all of the data that is being required under different permits, I guess.

DR. PONWITH: To that point, I can say that the conversations with the Mid-Atlantic on the backend, sort of the receipt of those data, has not happened. There is very little conversation right now. There is some conversation, but not a lot on what the backend would look like even for the Gulf and the South Atlantic. We have had some conversations, and we've been in conversation with MRIP about steps that it would take to get from this point into a situation where we could do some calibrations against MRIP and what the software would have to look like to receive this.

I will say that it's been a lot simpler and the backend discussions have been a lot more robust with our neighbors to the north on the commercial side, because remember that we are working on creating a voluntary system for the commercial logbooks to be able, for those who wish to submit their commercial logbooks electronically, based on the pilot study that we did, and we've been working on that progressively over the winter. We are a lot farther along in collaboration with the

Mid-Atlantic and the North Atlantic on that, to make sure that that functions in a way that's compatible.

DR. DUVAL: I guess I would just encourage that those same types of conversations occur for this effort, since all three jurisdictions seem to be moving forward like that at the same time. All right. Zack.

MR. BOWEN: Thank you, Madam Chair. This may have been asked or answered at the table and I missed it, and I'm not sure who I am asking, but does anybody here know about how many captains that this impacts around the Keys?

DR. DUVAL: Jessica, I think you guys would --

MS. MCCAWLEY: We had those numbers. It wasn't just in the Keys, but we had the numbers for the entire South Atlantic jurisdiction. I can get them or bring them up in a few minutes. We were running the numbers a minute ago, but it was at least 20 percent off of Florida, but we had the numbers for the entire region, and so just stand by and we will get them to you.

DR. DUVAL: I think it's in the amendment.

MR. BOWEN: Okay. Thanks.

DR. DUVAL: All right. That was an unexpected bit of fun. Let's move on to the next piece of fun. The next item on our agenda is Review of Experimental Fishing Permits, as necessary, and so this is Attachments 8a through 8d, and we have background information, which is Attachment 8a, and I believe the Regional Office staff was going to walk us through this background information.

I think that I will just note, for the public that may be on the webinar, that one of the exempted fishing permits -- Yesterday, Dr. Crabtree received a request to withdraw the South Atlantic Collaborative Exempted Fishing Permit, which is Attachment 8d, and so we will not be discussing that today, and so I just wanted to make sure that folks were clear on that, and so I am going to turn things over to Rick DeVictor and the Regional Office to walk us through EFP requirements.

MR. DEVICTOR: Thank you, Madam Chair. We have one exempted fishing permit to talk about, SERO does, and then we have a second one, and there is going to be a presentation on that. We were asked by the council staff to give a background on the exempted fishing permit process and what constitutes an exempted fishing permit.

What I thought I would do is just quickly go through, and it's called 600.745, Scientific Research Activity, Exempted Fishing and Exempted Educational Activity. This is Tab 11 in your Council Session briefing material. It's Attachment 8a, and it's under Background EFP Information, and it's titled "600.745".

Just going through this real quickly, it says, under Exempted Fishing, that an RA may authorize for limited testing, public display, data collection, exploratory fishing, compensation fishing, et cetera, an exemption from the regulations, and certainly we have used this before. We have allowed exempted fishing permits either through data collection, and a perfect example is off of

North Carolina, when they were allowed to fish for blueline tilefish. Aquariums, we have certainly given -- We are working on one now for the South Carolina aquarium.

Then it goes through, on the bottom of page 1, talking about what are the bits and pieces in the package that we get, and we need at least sixty days before the effective date of that exempted fishing permit. Of course, it takes time to process this. We like to go before the council, and so certainly, if you're two months away from when a council meets, we may need more time than sixty days to process this.

Then it goes through what should be in an exempted fishing permit. It should be the date of the application, the name, the address, the telephone number, the statement of purposes and goals, information on the vessels, because we do background checks on these, certainly, for any citations. It should be the species that they're going to target and the time and place, et cetera. We get all of that, and we sometimes work, my staff, with the people and make sure that they have all the pieces that are required under 600.745.

Then the RA will look at each one and see, number one, does it have all the required pieces to it, as stated on page 2. Then we will see if it warrants further consideration. Does it constitute something that I just went through with data, for example? Does it constitute that? We will do those two things, see if it has the bits and the pieces and does it make up an activity for an exempted fishing permit.

What will happen at that point is we'll write them and say that yes, it does, or no, it doesn't. Then it moves forward from there. As we move forward from this, then we put it in and take a fifteen to forty-five-day comment period on this. Then there is two comments on the councils that I would like to point out here. One is the council can certainly have public testimony, certainly, and you have to put it on the agenda, et cetera. Then, secondly, NMFS may talk to the councils concerning the permit EFP request.

Then we go through, on page 3, and it talks about why we may not accept one, and there is a list of things there, from (A) through (F). They could fail to disclose certain information or it would hurt the well-being of the stock, et cetera, or enforcement problems or something that we may not accept one for.

Then this is the final action. At this stage, we decide whether we accept it or not, and then the RA will put together something called terms and conditions, and then we will send that to them with all the required information on there, such as what regulations you are exempted from, the species that are exempted, the time and the place, the type and size and amount of gear that can be used, whether observers are required, et cetera.

Then the permit applicant must date and sign the permit and retain the permit onboard the boat. Then we're supposed to get reports. We should get a report when the time period expires, and so we should get a report. The Science Center is supposed to get a report, as is SERO, and so that briefly goes over what the process is and what constitutes an exempted fishing permit, and this is the process that we follow when we receive an exempted fishing permit request, and so I would be happy to answer any questions on this.

DR. DUVAL: I have some questions, but go ahead, Tim.

MR. GRINER: What is the definition of “compensation fishing”, first of all? Then, secondly, when you do your background checks for violations, are violations solely a reason that you would reject a permit?

MR. DEVICTOR: Monica is going to look it up, because all of these are defined in the regulations, and so she is going to look up the definition for “compensation fishing”.

MR. GRINER: I couldn’t find the definition in the regulations.

MR. DEVICTOR: Okay. Basically, it’s someone who wants -- Say you have catch and you want to get paid for your catch and then you get compensated for that catch if you sell it, I believe. Then I will speak to your second question about is a citation solely purposes, and I think that is information that NMFS and the RA takes into account, and it doesn’t have to be solely a citation, if the person has a citation. I think we have the flexibility to still move forward with it.

DR. DUVAL: One of the question I had was I think I am a little confused about sort of the timeline. At the bottom of page 2, under “Issuance”, which speaks to review of the application and, if the Regional Administrator determines that any application warrants further consideration, notification of the receipt of the application will be published in the Federal Register.

When is that decision made? Because we have had exempted fishing permits come before us for consideration without publication of notice in the Federal Register or that publication in the Federal Register occurs afterwards, and so I am wondering, what is the sequence of events and sort of who makes the determination as to whether or not something is noticed in the Federal Register?

MR. DEVICTOR: That is made by the RA, whether it goes in the Federal Register, and certainly we have -- I think there is flexibility here to which goes first, whether you put it in or whether it goes before the council. Now, we have certainly usually gone before the council first, before putting it in, and gotten the opinion of the council, but I will go through one in a second where they wanted to start surveying on April 15, and we went ahead and published that comment period, and then we’re going to bring it to you now. I think there is flexibility built into here as to which can happen first, but that’s something that NMFS figures out on which to do first.

MS. SMIT-BRUNELLO: I don’t have your definition for “compensation fishing” yet, because my computer is connecting, and so I will in a second, but I wanted to talk about this for a minute, and maybe Leann can talk about this.

I understand that the Gulf Council doesn’t, I believe, want to receive or review EFPs until there is a pretty complete package of the EFP, meaning the EFP is complete and all the I’s are dotted and the T’s are crossed, where we have had a history, with this council practice, because you meet four times a year, that frequently, when an EFP is received by the Region, usually it’s forwarded to the council for review, and maybe the EFP is not complete yet, and so it’s something to think about, I think, as you go down the road, is perhaps you don’t want to see an EFP package unless it is complete, meaning there is one you are not considering, but that was an incomplete one at this point, because it didn’t list all the vessels and it didn’t do all of that.

Maybe you could think about it in June or you could think about it whenever, but maybe you don't want to receive any more EFPs unless they are complete packages. I don't know, but it's just kind of food for thought, because these regulations, as Rick discussed, are kind of flexible on when the council can look at them and all of that, and then obviously you have an advisory role to the Regional Administrator, but perhaps you want to think about a little more procedure before you receive them.

DR. DUVAL: Just in terms of the notice in the Federal Register, and I realize that might be -- I would be interested in knowing if the Gulf Council has made a decision to not receive or review any EFPs prior to that public comment period in the Federal Register if one is -- If there is a decision made to notice something in the Federal Register, and so, Rick, you have indicated that not every EFP would necessarily be noticed in the Federal Register, but, if a decision is made to notice one in the Federal Register, has the Gulf Council indicated that they don't want to see the EFP until the package is complete and that Federal Register notification has occurred? Do you know?

MS. BOSARGE: I am just waiting on you all to get the rope out and make a noose out of it for me.

DR. DUVAL: No, and, if you don't know the answer, that's fine. It may be that you all haven't considered many EFPs lately.

MS. BOSARGE: Well, I mean, we had a -- Of course, I didn't hear the discussion that led up to this, and so I am probably walking into a fire here, but we had one at our last meeting, or the meeting before that, where it had been submitted and -- It wasn't Bill Kelly's, but, anyway, it had been submitted, but NOAA didn't have a package complete on it, like with all of the analysis and everything yet, but we -- If I remember correctly, we talked about it, because the people that had submitted it were there in the room for us to ask some questions to.

We had a good, robust discussion on it, but we didn't vote. We told NOAA, or NMFS, excuse me, that we wanted them to bring it back to us at the next meeting, when they actually had a package complete. At that point, hopefully those people would be there again, in case we had questions, and we could take a vote on it at that point in time, but we left it up to the council kind of what they wanted to do. Did they want to talk about it now or did they want to vote now? How did they want to handle it, and that's what we decided to do.

DR. DUVAL: Then I guess like my final question would be about an EA, and so one of the two EFPs that we're going to review today has an EA associated with it, and so how is it determined whether or not an EA is needed?

MR. DEVICTOR: Well, I will try. Again, when I went through the regulations, it's not entirely clear to me who does the NEPA on this. When you look at it, and this is on page 3 of the document, it's, as soon as practicable after receiving a complete application, including all required analyses and consultations (e.g., NEPA, Essential Fish Habitat, ESA and MMPA), and so I'm not entirely sure who does it. Sometimes we get them and the CE, the categorical exclusion, is already complete in the application, and so it seems, to me, that the person who is submitting the application determines what is the proper NEPA, but, again, it's not clear to me.

DR. DUVAL: Okay. I have Chester and then Dewey.

MR. BREWER: There is a procedure contained within the rules that we're discussing whereby the RA makes a determination as to whether the application is going to be controversial or not, and that they have slightly different procedures if it is determined that the application is controversial, and that's the word they use, or that's the word that is used.

It seems to me that we could use that procedure, and if it is an application is perceived to be controversial, then I think the council should see the complete package before we consider it, and I can give you some entertaining examples of controversial ones that were submitted that were not complete and how they blew up in the applicant's face, but I won't, but I do think, if it's something that is controversial, we need to see the whole package. We need to see what boats are involved in the thing.

In particular, in the one that we're going to be discussing, it's required that the address of the home port of the boat be set forth. In this particular application on longlines, it's not, and I had to spend about three hours researching who owned these boats, and I did, and I will get into that when we discuss it.

DR. DUVAL: So where is that controversial language, Chester? I am looking at --

MR. BREWSTER: I can probably find it for you, but the difference in the procedure is that, if it is a -- If it's deemed to be controversial -- Well, first, if it's deemed not to be controversial, the RA makes the decision. If it's deemed to be controversial, then the RA deems it so. He or she is the one that deems it so, and sort of the final word is not with the RA. It is, in fact, with the AA, and the approval of the AA is necessary before the permit can be issued.

DR. DUVAL: Okay. Maybe Monica can clue us into that language at some point, because I don't think I'm seeing it in this attachment that we have here.

MS. SMIT-BRUNELLO: I didn't see it right away either, but I might offer a suggestion that, at the next meeting, and I could work with council staff in the interim, if you want to maybe just have some options developed for you to think about at the June meeting of the completeness of the package for EFPs and those sorts of things.

Before I relinquish the mic, I can tell you what -- I can answer Tim's question. For "compensation fishing", and that's what you asked about, "compensation fishing" means fishing conducted for the purpose of recovering costs associated with resource surveys and scientific studies that support the management of a fishery or to provide incentive for participation in such studies. Compensation fishing may include fishing during or subsequent to such surveys or studies, and so I guess it's another way to get participants to participate in some of these studies and surveys.

MR. GRINER: Where is that?

MS. SMIT-BRUNELLO: It's at 50 CFR 600.10. There is a definitions section for a lot of the regulations that are in the Part 600 regulations.

MR. HEMILRIGHT: I have done I think three or four EFPs before, and the only one that I've done that was controversial is when this council did the 240-foot closure and then decided to go back and find where the fish were at. When we did that EFP, we had the boats that would be involved, and there was a process there. I can't remember if it took nine months or not, and it wasn't, to me, controversial. Just the decision that the council took was controversial.

I am hoping that, in the future -- You have regulations for EFPs that is probably the interpretation of all three different councils and NMFS of what has to be, but there has got to be some level of acceptance that this package is complete before you go out to the public and fishermen come to meetings, drive all up and down the coast, to find out that this is not even a completed package. That is a waste of time.

It should not be put on the agenda unless it's a completed package, because it just serves no purpose, because you have so many questions to ask and there is not a package. It would be like sending your taxes in and I signed them, but the IRS says, well, where is the information? Well, we're going to get to that and this is a draft. There has got to be some standards passed of what's written in here on who is to decide if this EFP is complete before the public can comment on it.

What happened yesterday is fishermen were driving all up and down the coast to give comments on something that they're perceiving that should have never happened, and hopefully this council can come up with some regulations or a standard or something so that doesn't happen again.

DR. CRABTREE: That is fine. It really comes down to whether you want to engage on these early in the process or you want to let the Fisheries Service go through the whole thing and put it in the Federal Register and then bring it before you or not. We thought we had a relatively complete package, but totally complete, but I think it could have been finished up pretty quickly, but it's up to you.

If you want to wait until we're ready to go to the Federal Register with something before we bring it to you, or if you want us to come to you after we go to the Federal Register, let us know, or, if you want to be involved earlier in the process so you have more opportunity to engage and have an opportunity to ask questions that we can go back and find answers to, just let us know.

DR. DUVAL: Doug and then Dewey, and then we're going to wrap up this part of the discussion, so we can actually get into the exempted fishing permits.

MR. HAYMANS: There is a fairly limited categories that a permit can be applied for under, and, for the one in particular that was pulled, how would that have been accepted? Was that under data collection or conservation engineering or limited testing? That's about the only three that I see that it would fit. Roy or Rick or anybody want to -- Basically, for the permit that was pulled, what was it applied for, under what category? I am looking at there is limited testing, there is data collection, perhaps there is conservation engineering, and what category would that have fallen under?

MR. DEVICTOR: I can't speak for them, but I think, if you read the purposes and goals, they were looking at data collection, to test if that type of management program would work in the South Atlantic region.

MR. HAYMANS: I didn't read word-for-word everything, but I read through the goal and objectives, and I didn't see it spelled out, and I guess I would have thought, in a permit request, that you address exactly what you think you're applying it under, but that's neither here nor there. It's not on the table anymore.

DR. DUVAL: I have Dewey, and think I think just want to perhaps get the council's input on Monica's offer to I think work with council staff to draft up some options for how we would like to consider EFPs in the future, the completeness of a package and when we would want to see it, some of the things that Roy mentioned to of prior to or after notice in the Federal Register or things like that. Go ahead, Dewey.

MR. HEMILRIGHT: In the four previous ones that I participated in, I think at a minimum, you should have the amount of fish that is going to be landed and the vessels and the regions, at a minimum, because it's about taking fish out of the ocean, whether it's lionfish or whether it's the EFP we're looking at next or whether it's the one that was pulled off the shelf, and so like some minimal standards that would have to do with people's comments of how is this going to work or what region or something, just minimal stuff.

It doesn't have to be written out plainly, but I think you've got to have some minimum standards, so that you don't have people driving long hours and taking days off of work to comment on something to come before this council, just something minimal. I don't think that's too hard to ask to have numbers in there.

DR. DUVAL: Okay. I am going to go make sure that, in terms of next steps for what we want to consider, we would like to see, I think, some options for when we would want to have an exempted fishing permit come before us, and some exempted fishing permits are a little bit different than others, and so options for what we would want to see as part of the package, and is it a complete application, as Monica has stated, with all the I's dotted and the T's crossed, or is it, for things that would require an EA, would we want that to be included?

Would we want to see it before or after any notification in the Federal Register for a comment period? I think, if we can have some options that we can decide upon at the next meeting, that would be great. Then I think the next item is we have an EFP on lionfish, and that is Attachment 8b, and I think Rick is going to review that for us.

MR. DEVICTOR: Yes, and thank you, Madam Chair. This is Tab 11, Attachment 8b. It's the file that is dated March 7, 2017. This is Eastern Carolina Artificial Reef Association, and this is a continuation project, whereas they requested an exempted fishing permit in 2015. That went before the council, and you all commented on that and moved it forward, or recommended it be moved forward, and we gave that, NMFS did, on March 6, 2015.

That project ended December 31 of 2016, and what happened was they wrote us and said that they weren't able to do all the sampling that they wanted to do. They didn't get all Maine traps in time, and they dealt with some bad weather out there, and so they didn't get all the samples done that they wanted to get done.

Hence, they are coming forward to us and requesting additional sampling. Again, the project is very similar to the first one. We went ahead and published the Federal Register notice, because,

like I said previously, they want to start sampling on April 15, and so that notice published on February 22, and comments are due by March 24.

Basically, again, you've seen a similar project a few years ago. They want to do sampling on April 15 of 2017 through December 31 of 2018. There is a really a two-fold purpose to this. They want to do research on traps that can be used for collecting invasive lionfish off of North Carolina, and they also want to test consumer preference as an exotic food source in restaurants around Carteret County.

What they want to do is set two sets of five Maine lobster traps, crab pot Christmas trees, which is a type of fish attracting device, and reef balls. That is the difference from the previous one, where they added the reef balls to this project. They will connect these traps and Christmas trees by a chain, with no buoy lines to the surface, and they will put it on the bottom, approximately thirty feet to fifty feet in between each trap, and so they're going to be connected by a chain with thirty to fifty feet between each trap. Trap deployment would occur year-round off of eastern North Carolina. Again, no buoys to the surface, but they will have divers going down and making sure that they laid the traps where they wanted to lay them.

What they will do is, in the Maine lobster traps, they will look at the captured lionfish and count them and see their size. Then they will release the bycatch species right away. Then, to test the second part of that for the consumers' preference, they will not sell the lionfish to the restaurants, but they will give them to them free of charge and test the consumers' preference for those. Then moving on to page 2, you can see the participating vessels listed there, and, again, they are looking to do this project April 15 through December 31, and we have received one comment in support of this project from the public.

DR. DUVAL: Thanks, Rick. Again, this is very similar to an exempted fishing permit that the council approved a few years ago, with the exception of the addition of the reef balls, and so are there any further questions for Rick about this proposal? Dewey.

MR. HEMILRIGHT: I have a question about the depths. In sixty fathoms, predominantly of what I know of north of Cape Hatteras, you're going to be in the Gulf Stream a lot, and so how are these -- Given this area that they're talking about, from all the way up to the Virginia/North Carolina line, in the areas of the Gulf Stream, how do they plan on putting pots over and going down in sixty fathoms to fish these pots, or is that the area -- I mean, they're asking for this area, and how is that going to work?

MR. DEVICTOR: We picked up on that also. That's pretty deep, and, since each of these are going to be looked at by scuba, we assume that they will not be that deep, and so certainly probably depths of 120 feet would probably be the max that they're using on this, but, for some reason, they listed sixty fathoms out there, which I'm not sure why.

MR. HEMILRIGHT: If it's granted, does that give them the ability to do that depth and stuff like that? I mean, is there parameters? Because, if you're in the Gulf Stream and you're setting a pot, you better have a big anchor, because it's going to end up somewhere else, and I am just wondering. When they do this, do they just do a broad area and they kind of can go within that area, or is it specific to their point?

DR. DUVAL: I think, in other words, was the applicant asked if they actually meant sixty fathoms as opposed to sixty feet?

MR. DEVICTOR: It says from three miles out and up to sixty fathoms. Monica pointed out that we certainly could set up the exempted fishing permit and we can put it back to them to put a depth there, and that could be something that you all want to comment on, in putting a max depth, but, again, I point out that they say, at each deployment of the traps, there will be a diver that verifies the location of those traps after deployment.

DR. DUVAL: Are there other questions? Is the council prepared to offer a recommendation on this EFP? Chester.

MR. BREWER: **Madam Chair, I move that we recommend to the Regional Administrator that the lionfish EFP be granted.**

DR. DUVAL: There is a motion by Chester. Is there a second? Second by Ben. We will let Brian get that up on the screen. **The motion reads to recommend to the Regional Administrator that the EFP request regarding lionfish be permitted.** Any further discussion? Mel.

MR. BELL: I think the work certainly needs to be done. I am just trying to figure out some of the things. I mean, I don't -- I guess they have described the methodology enough to satisfy folks. I certainly agree that we need to figure out how to find something that works for these things, and so I just would have, like Dewey, I guess, questions about details, but, if we don't need that, I think, conceptually, I like what they're doing.

DR. DUVAL: It's the exact same depth and same methodology as what was approved previously. That part hasn't changed. You can see the previous application in there. Chris.

MR. CONKLIN: So they're not spending any federal dollars, really, on this. They are using their own costs, and is that what I understand?

DR. DUVAL: As far as I can tell, yes. I mean, there is no federal money that I know of associated with it. They haven't noted if there's any federal money in the application. I mean, it doesn't cost federal money to do this. I would expect that the organization probably has raised whatever money required to purchase the traps themselves or that they're being donated.

MR. CONKLIN: I just know there's been a great deal of work already done on this kind of stuff, and that, if we were going to be spending federal money, I probably wouldn't support it, but, if it's coming out of their own pocket, that's fine.

DR. DUVAL: Any other discussion? Dewey.

MR. HEMILRIGHT: You said there was a previous EFP for this, and have they done -- I just was wondering if there's any pots that are being fished north of Cape Hatteras or if there's any update of if they're up that way or something like that. I guess I could always contact them, but I was just curious, because, when you get up that way, and you get the tide and different things, if your stuff ain't right, you ain't going to be seeing it much longer. I only question that, like their area that they're fishing, and if their previous one was that area, too.

DR. DUVAL: I would expect that this is all south of that area, because this is out of Beaufort, North Carolina, and so it's, I think, folks involved with Discovery Diving. Tim.

MR. GRINER: Is there any reports on their last success or failure from their previous attempts?

DR. DUVAL: Rick, do you have any information on that?

MR. DEVICTOR: We did request a report a few weeks ago, and we haven't heard back from them yet.

DR. DUVAL: Okay. Anything else? Are you ready for the motion, ready for the vote? Okay. **Could I please see a show of hands of those in favor of the motion, eleven; any in opposition; abstentions, Roy. That motion stands approved.** I think, for the next EFP, this is the pelagic longline EFP, and I believe we have someone from HMS who is going to present this, and is that Mr. Pearson?

MR. PEARSON: Yes, Madam Chair.

DR. DUVAL: I believe that there is a presentation for this particular --

MR. PEARSON: Yes, and, also, our Division Chief, Margo Schulze-Haugen, should be unmuted as well. Thank you. My name is Rick Pearson, and I work for the Highly Migratory Species Management Division. As I indicated, Margo Schulze-Haugen is on an open mic as well, and so she may be joining in on the discussion.

First of all, I would like to thank the council for inviting us to give this presentation. It's late in the afternoon, and it's fairly long, and so I will try to go through it fairly quickly, so that we allow time for discussion afterwards.

This is an outline of the presentation. I am going to be giving a little bit of background on the history of the East Florida Coast Pelagic Longline Closure and a description of similar research that was conducted from 2008 through 2010. I will briefly describe the current status of the highly migratory species pelagic longline fishery and indicate that receipt of the EFP application, and then I would like to focus more of the time on the alternatives that are analyzed in the Draft Environmental Assessment and provide a summary of the projected ecological and socioeconomic impacts. Then, finally, I will provide information on submitting comments.

In 1999, the HMS Management Division of NMFS stated that a comprehensive approach to time/area closures would be undertaken as part of a pelagic longline bycatch reduction strategy. A comprehensive approach indicates that the time/area closures, as well as other management measures, to address the bycatch in the pelagic longline species would be utilized.

At that time, swordfish, blue and white marlin, sailfish, and bluefin tuna were overfished, and overfishing was occurring, and the pelagic longline fleet was using j-hooks at the time. In 2001, NMFS implemented several measures, including the pelagic longline closure of the east Florida coast, a seasonal pelagic longline closure of the Charleston Bump, a year-round pelagic longline

closure of the Desoto Canyon in the Gulf of Mexico, and we implemented a live bait prohibition on longlines in the Gulf of Mexico to reduce billfish bycatch.

Since that time, we have continued to implement other measures in the longline fishery to reduce the bycatch of sea turtles, bluefin tuna, and other species. Those include circle hooks, weak circle hooks in the Gulf of Mexico, and conduct mandatory training workshops on careful release gear, but those gears are required to be possessed and used on pelagic longline vessels. We have bait restrictions on the circle hooks, whereby they have to use either whole finfish and/or squid.

Most recently, we implemented individual bluefin tuna quotas for pelagic longline vessels, whereby they have to have a minimum amount of bluefin tuna quota prior to departing port. In addition, there are several prohibited species, mostly sharks, and also billfish, quotas and minimum sizes and retention limits, and so this is the comprehensive suite of bycatch reduction measures that have been implemented.

In combination, since 1999, all of these measures have been very effective. The reported number of swordfish kept and discarded, large coastal sharks kept, and BAYS tuna, -- BAYS means bigeye, albacore, yellowfin, and skipjack tunas. The number kept decreased by more than the values that were predicted in 1999. In addition, discards of pelagic sharks, all billfish, and sea turtle interactions also declined by more than the predicted value.

For instance, swordfish kept has decreased by 41 percent and swordfish discarded decreased by 63 percent. Large coastal sharks kept decreased by 93 percent. BAYS tunas kept were down by 36 percent. Pelagic sharks discarded were minus 32 percent. Billfish discarded were minus 53 percent, and the number of sea turtles discarded has decreased by 70 percent since 1999.

Switching gears now, a similar project to what is being proposed currently was conducted in the East Florida Coast Pelagic Longline Closed Area from 2008 to 2010. Although some significant results were obtained, the data suggested that more research was needed, primarily due to a small sample size and the fact that 73 percent of all the sets were derived from one vessel, and there was relatively poor spatial distribution of the sets.

The next slide indicates the results of that research that was conducted from 2008 to 2010, and this is also the basis of some of the projections that I will be presenting later on, but, anyway -- This is kind of a busy slide, but what you can see is that tuna catches in the closed area were lower. Swordfish catches in the closed area were higher. Dusky, night, and silky shark catches were higher in the closed area. Billfish and dolphin catches remained pretty much consistent, the same, between the closed area and the open area, as described in this research that was presented in 2011.

Now I would just like to describe to the council members a little bit about what the pelagic longline fishery, the HMS pelagic longline fishery, looks like today as compared to around 2000. There has been approximately a 50 percent decline in the number of active pelagic longline vessels, meaning that they landed swordfish in 2015. It has declined from 200 vessels in 1999 to, currently, we have 104 vessels reporting landing swordfish.

There has also been an overall decline in the total number of pelagic longline hooks fished. They have declined by almost two million hooks, from 7.6 million hooks in 2001 to 5.8 million hooks in 2015. There has been a persistent underharvest of the U.S. North Atlantic swordfish quota. In

2016, our preliminary data indicates that we landed about 37 percent of the baseline quota and 33 percent of the adjusted U.S. North Atlantic swordfish quota that is recommended by the International Commission for the Conservation of Atlantic Tunas, or ICCAT. We are landing about a third of our swordfish quota.

Finally, there has been a change in status of several highly migratory species. North Atlantic swordfish are now fully rebuilt. Western bluefin tuna are no longer experiencing overfishing. The albacore stock has been rebuilt, and North Atlantic sailfish are no longer experiencing overfishing.

In summary, the pelagic longline fleet and fishing effort has been reduced since 1999. We have implemented several management measures to reduce bycatch and bycatch mortality in the longline fishery and, since the east Florida coast closure was implemented in 2001, there may have been environmental changes in available forage species and HMS migratory patterns and ranges. The important point here is that, by not having catch and bycatch data from within the East Florida Coast Pelagic Longline Closed Area, or other closed areas, this may affect our management options.

Partially in response to that issue, we received an exempted fishing permit application from Dr. David Kerstetter in November to conduct experimental fishing activities in the northern portion of the East Florida Coast Pelagic Longline Closed Area for up to three years. The application requested that six vessels would be fishing. All of these vessels are associated with Dayboat Seafood of Fort Pierce, Florida.

After we received the application, we determined that the application warranted additional consideration and the opportunity for public comment. We also prepared an environmental assessment to analyze the potential effects of granting the application. The environmental assessment was released in January of this year.

Now I would like to spend some time on the three alternatives that were included in the environmental assessment. The first alternative, Alternative 1, is the no-action alternative, do not issue an EFP to conduct research with longline vessels in the closed area. The red box there is -- First of all, there would be no EFP issued. All of the area in gray would remain closed. That is the East Florida Coast Pelagic Longline Closed Area. It extends pretty much from where you all are today all the way down through the Keys.

The box in red denotes the general area of the proposed research described in Alternatives 1 and 2 in the next slide, and so you can see the proposed research is not in the entire East Florida Coast Closed Area. It's just in the northern portion, starting probably just north of Fort Pierce up through Jekyll Island, by the Florida/Georgia border there. That is Alternative 1, no EFP.

This is Alternative 2, and, again, this is in the northern portion of the closed area. A couple of things. Alternative 2 would issue an EFP to conduct year-round research with longline vessels in the denoted area of the East Florida Coast Closed Area and the green adjacent area, and so it's divided into three different areas, and I want you to kind of keep that in mind for later on, when we talk about the catch projections and our sampling protocol, as we get into that discussion later on.

This is Alternative 3, our preferred alternative. You can see that the boundary extends further west in this alternative, and it also includes the 100-fathom contour, which is an area which there was some interest expressed in the previous EFP that they would like to be able to fish this area of the 100-fathom contour. Point 1, in the top-left-hand corner, is sixty-seven nautical miles from shore, and Point 4, at the bottom-left-hand corner, is thirty-two nautical miles from shore.

Again, I will get into it a little bit later on, but all of the fishing effort would be distributed equally between the closed area north and the closed area south and the open area. This is to ensure that we have good spatial stratification and also for observer coverage as well too, so that we can compare those three areas with each other. This is the preferred alternative.

One thing I want to indicate is that, when we get into the projected impacts, Alternatives 2 and 3 are the same, because the same level of fishing effort is proposed for both areas, and so the projected catches are going to be the same. That was how we had to run the analysis, but just keep that in mind when we get into the next few slides here later on, and so this is the preferred alternative.

The overall purpose of the project would be to evaluate longline catches and catch rates of target and non-target species within a portion of the closed area to evaluate the effectiveness of existing area closures as meeting current conservation and management goals. Essentially, our catch is significantly different between the open area and the closed area, for a wide range of species, and is there a difference in catches and bycatch between the northern and the southern portion? The project would be authorized for twelve months and could be reauthorized for two additional twelve-month periods, pending annual review. All fish legally caught and otherwise authorized for retention and sale could be sold.

Like I said, Alternatives 2 and 3 are identical, except that the project area is larger under Alternative 3. It's six commercial longline vessels. They have requested up to 180 sets per year per vessel, with up to 750 16/0 circle hooks per set. As I indicated earlier, all sets would be distributed equally between the three areas, and there would be 33 percent observer coverage, again distributed equally between the three areas.

All vessels would be subject to normal pelagic longline logbook reporting. In addition, and this is a new component, kind of an experimental component associated with this EFP application, all vessels would submit electronic logbooks at the end of each set to NOVA Southeastern University, and that data would be available basically on almost a real-time basis to the National Marine Fisheries Service, on request. Further, NMFS would review 100 percent of the electronic video data from electronic monitoring cameras that are already installed on the vessels.

All vessels would be required to possess sufficient individual bluefin quota prior to departing port, and the retention of bluefin tuna would be subject to the applicable IBQ, fishing seasons, and retention limits at the time of the project, and so these are some of the reporting mechanisms that are in the application.

These are additional terms and conditions that we have included in the environmental assessment associated with the bycatch of sharks. First of all, all live sharks that are not being retained, fin clips and photographs would be required of those sharks, and this is primarily -- All of these first two or three conditions are because there is difficulty in distinguishing, oftentimes, between dusky

sharks, night sharks and silky sharks, and so we want to ensure that we're getting good data on which shark species are actually being caught. That could have been problematic in the first EFP from 2008 to 2010.

All sharks dead at haul-back, including prohibited species or legally retained for sale, would be biologically sampled, meaning that the vertebra and reproductive organs would be removed. Those would be sent to the Southeast Fisheries Science Center. A certain proportion of hooks would be equipped with hook timers, to determine when the fish were captured and when mortality occurs.

Then we have special conditions for dusky sharks. If three dusky sharks are caught and discarded dead, a maximum set soak time of ten hours would be established for that vessel, because soak time has been shown to reduce dusky shark mortality. If three more dusky sharks are discarded dead, then that vessel could not make another trip inside the closed area for the remainder of the twelve-month period, unless they are authorized by NMFS. All of these are primarily shark terms and conditions.

In the environmental assessment, we conducted a catch projection. This is kind of a detailed slide here, but what we did was that we projected catches using catch per unit effort, or CPUE, rates obtained from the 2008 to 2010 project for each species for fishing activities inside the closed area, and we used catch per unit effort rates from observer data from 2013 to 2015 for activities outside of the closed area, in the open area, and so we used observer data in the open area and we used rates that were established in the previous experiment for inside the closed area.

For the EFP, as I indicated, those sets would be distributed equally between the two closed areas and the one open area. We used those rates there, and we compared those with if no EFP were issued and all of that effort, or all of those hooks, were fished in the open area. Those rates, for each species, were then multiplied by the fishing effort, and we did that two ways. First of all, we looked at the fishing effort that is requested in the application, and, as I said, that's six vessels times 180 sets a year times 750 hooks per set.

Then we also discovered that most of these vessels that have applied for the EFP historically do not fish that level of effort, and so we took their historical effort of the participating vessels, and that would be six vessels, 120 sets a year, and 600 hooks per set. That's what we called the likely fishing effort associated with the EFP. Using this data, these are the projected catches that we developed.

I am not going to get into it in too much detail, but you can see that we project that the amount of swordfish would increase, tunas would decrease, blue and white marlin is kind of a wash, but sailfish discards would be projected to increase, and dolphin, or mahi, catches would be projected to decrease. For dusky, silky, and night sharks, the projections were basically that catches would increase. For sea turtles, leatherback and loggerhead, catches are projected to decrease, and, again, this likely different scenario is based on six vessels setting 120 sets per vessel per year with 600 hooks per set.

This next slide is basically what I just went over. Catches of tuna, white marlin, dolphin, and sea turtles are projected to either decline or remain the same. Swordfish kept, discarded dead, and discarded alive are projected to increase, but those catches would remain within the U.S. North

Atlantic swordfish quota. Sailfish discards are projected to increase, but the increase is not expected to lead to overfishing.

Finally, discards of dusky, silky, and night sharks are uncertain, as I indicated, because of that misidentification issue with those species, and so we think that they are uncertain, but they are projected to increase, and so that's why we implemented the additional precautionary measures for sharks. All of the swordfish discards, we presume those to be undersized fish.

Just a quick summary of the socioeconomic impacts. We anticipate potential benefits for the six vessels that would be participating in the project, through increased swordfish landings and possibly lower fuel, food, and ice costs from shorter trips. There would be potential long-term benefits from scientifically-valid catch rate information between the closed and open areas. There are additional potential long-term benefits from information on real-time electronic logbook reporting, enhanced electronic video monitoring, and improved biological information on shark species and other species.

We also project potential adverse impacts to the recreational fishing community resulting from potential gear conflicts and potential reduced catches of HMS and other species. Additionally, there could be potential adverse impacts to other commercial longline vessels that are not authorized to participate in the research, resulting from increased swordfish supply and, if that happens, a possibly decrease in swordfish ex-vessel prices. That's the socioeconomic impacts, in a nutshell.

This is the information on submitting comments. The comment period closes on the 29th of this month. It's not regulations.gov to submit comments to this. It's an email address, and so, if you want to submit comments, this is the email address here. In the title, please indicate this identifier, or you can submit written comments to our Division Chief, Margo Schulze-Haugen. That is the presentation summary, and now I would like to open the floor to any questions or comments.

DR. DUVAL: Thank you very much, Rick, for that. Are there questions or comments from council members? I know Chester has gotten himself in the queue. Chester, I know that you've got some substantial comments, and do you mind if I let a couple of council members go before you? I saw that Zack had his hand raised, and I think Doug did. Then, Ben, did you also have your hand raised? Okay. We will start with Zack.

MR. BOWEN: Thank you, Madam Chair, and thank you, sir, for the presentation. When you were going over the projections, I was curious to where they originated from. Is that from maybe the differences in the hooks in the water from the last EFP, from 2008 to 2010, or maybe could you just elaborate on the projections a little bit and where they derived from?

MR. PEARSON: The 2008 to 2010 research project developed catch per unit effort for each of the species from inside the closed area, and so we took -- The catch per unit effort is based upon 1,000 hooks, and so we took that rate and then multiplied it by the number of hooks that were requested in the EFP application.

For the EFP itself, one-third of the hooks are going to be fished in the northern closed area, one-third are going to be fished in the southern closed area, and one-third would be fished in the open area. Basically, the CPUE from the prior research was used for the two closed areas and multiplied

by two-thirds the number of requested hooks, and that was added to one-third of the requested number of hooks for the open area, but the open area catch per unit effort was derived from observer data, observer data from 2013 to 2015.

Then, if the EFP were not issued, all of the fishing effort would be conducted in the open area, because that effort, that fishing effort, those hooks are not going away. They are just going to be fished in the open area, and so we used all of the hooks to multiply it by the catch per unit effort that was derived from pelagic longline observer data, and then the difference between those two was how we came up with the projected catches.

MR. BOWEN: Forgive me, but I am just not understanding how your projections show less tunas, but I guess that is okay.

MR. PEARSON: That is primarily a result that fewer tunas were caught in the closed area in the previous EFP.

MR. BOWEN: Thank you.

MR. PEARSON: I went through it very quickly, but the information is described in much more detail in the environmental assessment.

MR. HAYMANS: I'm sure it's probably in the EA as well, but it looks like, to me, you're in right whale critical habitat, and what sort of discussions were there on right whales?

MR. PEARSON: I have to recall this. The previous research did not encounter any right whales, and I do not believe that we have significant numbers of right whales captured by pelagic longline gear in the open area either.

MS. SCHULZE-HAUGEN: That is correct.

DR. DUVAL: Thanks, Margo. I have Ben and then Chester.

MR. HARTIG: Rick, a couple of things. I think I myself, personally, am pretty concerned about the dusky shark interactions, and we've seen explosive population rebounds in almost all of our shark species. Maybe dusky is a little bit slower to rebound, based on the last assessment, but, even so, we see dusky on a much more frequent basis, and especially I guess there was a recent shark set that had way too many dusky in that particular set, and he did not make any more sets, because of that.

One of the questions I had about the dusky is you've got your six vessels in the different areas, and you say that, after one catches three or more dusky that that boat would no longer be able to fish in the closed area. However, are you still going to maintain six vessels in that area? Will another vessel be able to fish that has not hit the three or more dusky interactions?

MR. PEARSON: That's a good question, and we haven't fully gone down that road, but my impression is that there would not be a back-up vessel to replace that vessel, but that's a very good point, and I've made a note of it. That's why we put in the soak times and then the additional prohibition on fishing in the closed area, if they encounter those dusky sharks. I am being honest

with you that I don't think that we've really fully thought through whether a replacement vessel could go in for that vessel if it exceeds its dusky allocation.

MR. HARTIG: I appreciate that, and, without that, I couldn't support this EFP, but the other -- If I may, Madam Chairman, the dolphin also is of concern for this council. We had a closure, two years ago, where half of the season was closed to access to the dolphin fishery because we reached the allocation. Now, that allocation subsequently has been increased, and we would not have hit that allocation based on how the fishery was operating then.

However, if you add that extra effort in a little bit of area that is a little more constricted than where the fishery occurs farther north, there are concerns about how that would impact the fishermen in the Southeast with additional dolphin harvest and a potential closure, and so that's one thing that we're concerned about.

Then the last thing is that I didn't see any economic information on how this EFP would impact buoy fishermen who have already -- Although, normally they operated farther south than where this EFP is slated to be done, I haven't seen any economic information on how buoy fishermen would be impacted.

MR. PEARSON: That would be similar to other commercial longline vessels. If there is increased landings of swordfish, and prices become depressed, then that buoy gear fisherman would be economically disadvantaged, and so that would be pretty much the same conclusions that we reached for other longline vessels.

Getting back to the dolphin issue, and I appreciate that, first of all, the projections indicate actually lower dolphin catches versus if all of the fishing effort was going to be conducted in the open area. The important point here is that those vessels would be fishing anyway and, based upon the data that we received from the 2008 to 2010 research project, dolphin catches were actually lower in the closed area, and so, again, it's that that fishing effort would still be occurring otherwise.

MR. HARTIG: Thank you.

MS. SCHULZE-HAUGEN: If there are particular ideas or thoughts on how to address the council's concerns for mahi, we would certainly be open to hearing them.

DR. DUVAL: Thanks for that, Margo. I am going to keep working my way around my list of folks with questions or comments. I have Chester and then Anna and then Charlie.

MR. BREWER: Good afternoon. I have been sort of involved with this since the closed areas came into being, and so I've got quite a history on it. I will ask some questions that I probably already know the answer to, but I will ask them anyway. First, let me thank you for the presentation. I would very much have appreciated to see it before four o'clock on a Thursday afternoon for the first time. The first question is how many applications for EFPs have been made to longline in the closed area since 2007?

MR. PEARSON: Margo, you might be better to answer that.

MS. SCHULZE-HAUGEN: I don't think we've gotten one, because we committed, when we did the last study in 2008 to 2010, that if we got a request for longline access to the closed area that we would put them out for standalone notice and comment, like we've done this time, and this is the first time we've done it since then, and so I think then and now.

MR. BREWER: The answer is four. There has been one instance in which longlining in this area has been permitted under an EFP, and that was the study that was originally supposed to be one year, but became three years, and it ran between 2008 and 2010, and I want to focus on that one for just a second, if I could. How many sets, longline sets, were permitted in, or were anticipated, I should say, or were scheduled in the closed area off of Florida and the Charleston Bump in that 2008 to 2010 study?

MR. PEARSON: I don't have that information in front of me.

MR. BREWER: Okay. The answer is 256. Now, how many sets were actually performed?

MR. PEARSON: 182.

MR. BREWER: 188.

MR. PEARSON: Six of those sets were thrown out for data purposes.

MR. BREWER: But there were 188 that were performed.

MR. PEARSON: You are correct, yes, sir.

MR. BREWER: Okay. Now, were those 256 sets in both of the closed areas, Charleston and Florida, considered appropriate or sufficient for scientific purposes?

MR. PEARSON: Yes.

MR. BREWER: Do you know how many sets are permitted or would be allowed under the current application?

MR. PEARSON: 1,080, I believe.

MR. BREWER: That is per year. The answer is three years, and it's 3,240. Could you explain to us why it is necessary, when 256 sets in two closed areas are deemed sufficient, that it's necessary to have 3,240 sets under this EFP?

MR. PEARSON: First of all, this is for one year, and so it's 1,080. That is what the applicant requested and that we're putting out for public comment.

MR. BREWER: Next, I read the environmental assessment pretty carefully, and you have got numbers for catch that are dramatically different in this presentation than are set forth in the environmental assessment, and are you aware of that?

MR. PEARSON: Yes.

MR. BREWER: Under the environmental assessment, how many blue marlin are anticipated to be killed?

MR. PEARSON: I can't answer that off the top of my head.

MR. BREWER: Okay. The answer is 372. Next, how many sailfish are anticipated to be killed if this EFP is granted?

MR. PEARSON: I would have to refer back to the application, which is in you all's packet. If you do have the answer, could you share it with us?

MR. BREWER: It's, 1,416. How many oceanic whitetip sharks are anticipated to be killed, according to the environmental assessment? I will help you out. It's 228. How many juvenile swordfish are anticipated to be killed, according to the --

MR. PEARSON: I'm sorry, but you said according to the environmental assessment?

MR. BREWER: Yes.

MR. PEARSON: Oceanic white is eighteen.

MR. BREWER: No, it's seventy-six times three. You did it on a yearly basis.

MR. PEARSON: That is correct. That is what this application is for.

MR. BREWER: Okay. Next, how many juvenile swordfish are anticipated to be killed if this EFP is granted?

MR. PEARSON: 977.

MR. BREWER: According to the environmental assessment? I'm sorry. I should have specified that.

MR. PEARSON: In the environmental assessment, it's 977.

MR. BREWER: No, that's in your chart. I am talking about the environmental assessment.

MR. PEARSON: That is what is in the environmental assessment.

MR. BREWER: In the environmental assessment, it says 1,883 per year times three is 5,649. Have you received comments with regard to this EFP?

MR. PEARSON: Yes.

MR. BREWER: Have you received a comment from the Billfish Foundation?

MR. PEARSON: Yes.

MR. BREWER: Was it negative?

MR. PEARSON: It was not in support.

MS. SCHULZE-HAUGEN: Can I comment? Chester, all the comments are being posted, and so people are free to read them on their own. I don't necessarily want to try and characterize what public comment is for you all. You have the ability to read them directly.

MR. BREWER: Okay.

DR. DUVAL: Chester, just for other council members, the numbers that you were reading off from the environmental assessment, which table is that from that you are referring to?

MR. BREWER: I will stop asking questions, at least for now, and I will find that for you.

DR. DUVAL: Okay. That would be great, just so council members could follow along. Next on my list, I had Anna and then Charlie.

MS. BECKWITH: Hi, guys. As you've mentioned a couple of times, this EFP is only for twelve months, with the option to renew it. What sorts of things would you guys consider to not renew this permit after the first round?

MR. PEARSON: Primarily it would be excess levels of bycatch or non-reporting or non-cooperation or problems conducting the EFP or problems carrying observers or vessel performance, a wide range of things.

MS. BECKWITH: Okay. Thanks. Then I noticed that you guys have a max of six vessels participating, with I guess seven boats backed up, and I read through the application, and the PI had mentioned where any vessels willing to participate would be welcome to contact the PI and so on and so forth. I presume that, if you guys were to issue this EFP, that you would actually max out the number of vessels to six or less than six, based on public comment, and it would not sort of be open to all of those willing to participate, and is that correct?

MR. PEARSON: There is thirteen vessels identified, and those would be the ones participating in the project.

MS. BECKWITH: But only a certain number of vessels would be permitted in the closed area for a certain number of sets and such. It's not like all thirteen vessels are going to have access to the closed area for all of those sets, and you guys will have that regulated in the EFP.

MR. PEARSON: Yes, that's correct. Go ahead, Margo.

MS. SCHULZE-HAUGEN: It's six boats that would be participating in the research at any one time. If there are vessel issues, needing maintenance or something like that, then one of the seven backup vessels would be authorized to move in, but it's six boats actively participating at any one time. Does that make sense?

MS. BECKWITH: Yes, it does. Thank you.

MR. PHILLIPS: Thank you. Have you all considered interactions with the royal red shrimp boats. On one of those alternatives, it might even get in as far as the rock shrimp guys, but I know the royal red boats work in those areas.

MR. PEARSON: No, that was not a consideration, but I will make a note of that, and I appreciate you informing us of that. Thank you.

DR. DUVAL: Okay. Are there other comments?

MR. PEARSON: Could you elaborate a little bit more on that? How significant is that? Could you provide a little bit of information on the royal red shrimp fishery in that particular area? Is that a significant area for that fishery?

MR. PHILLIPS: They're down towards St. Augustine, or maybe further south. Generally, they're going to be dragging 900 to maybe 1,200 feet deep, and they're just going to be making long, straight tows. I don't know that they generally turn around, in that tide and with that kind of cable out, and so I would have to follow up with them and find out exactly where they work, but I think most of them are rock shrimp boats and they have the VMS, and so there's tracks. We have seen tracks at the council where we were talking about it, because they get close to our coral areas, but I think they would be working in the same areas.

MR. PEARSON: Okay. That could be an issue. Thank you.

MR. HEMILRIGHT: Thank you. Rick, this is Dewey Hemilright, and could you tell me -- I have read it, and I don't remember the answers, but could you tell me -- This EFP is for one year at first, correct?

MR. PEARSON: Yes.

MR. HEMILRIGHT: In that one year, do you have a slide that you showed of what you're expecting to catch in that one year?

MR. PEARSON: That would be the slide entitled "Projected Catches".

MR. HEMILRIGHT: Could you show me that slide?

MR. PEARSON: Could you go back up to that slide? That's it.

MR. HEMILRIGHT: These are the numbers that you are projecting for one year. At the end of the one year, you will take an analysis, if it's the reason that you have listed, or you've told, that you will not renew the EFP for a second or a third year, correct?

MR. PEARSON: I'm sorry, but I didn't catch how you phrased that. We could choose not to reauthorize it. That's correct.

MR. HEMILRIGHT: One of the reasons for the not reauthorizing was three or four of the answers that you gave Anna that you wouldn't renew the EFP, because of one of various reasons.

MR. PEARSON: Yes, and there are several possibilities why it might not be renewed.

MR. HEMILRIGHT: All right. Now that I see that these numbers in front of me that are up on the screen that you're projecting for one year, I've got another question. Can you go back to Slide 17? Will all hooks be equipped with hook timers?

MR. PEARSON: No. You will see that third bullet that is in accordance with NMFS protocols. We have not yet established a certain percentage of hooks or sets that would be equipped with hook timers, but we do not anticipate that all hooks will be equipped with hook timers.

MR. HEMILRIGHT: Okay. Another thing is that there was some comments here about dusky shark on pelagic longline, and there was a set that somebody caught a lot and they couldn't go back, and I'm not sure what that set was or what that was in accordance with. Maybe it was bottom longline, but, recently, last year, myself and another fisherman took part in a post-release mortality of dusky shark on pelagic longline gear with all hook timers equipped, and, in that study, which I think hasn't been put out, and it might be that somebody is preparing it, but it was under I think like 7 percent, or close to 5 percent, that the dusky shark, using 300-pound mono and the 16/0 circle hook, and is the mono being used in this? Has anybody decided if it's 300 or 400?

MR. PEARSON: No, that will be at the discretion of the vessel operator.

MR. HEMILRIGHT: All right, because, in our study, it was amazing using the hook timers and seeing how long the fish on pelagic longline and the different species we caught. I want to thank you for your presentation, because it's pretty intensive of the different things. Looking at it for the one-year pilot study, I think it's in the realm of I would support it, for the realm that it's in, and as far as the one year, because after you do the work and then you can decide.

Another thing would be maybe this council has a -- About the mahi. Maybe a mahi cap or something like that, but there's a lot of concern about 2015, when the season was closed early. Last year, it was only, I think, about 965,000 pounds caught, and so the increase of mahi is something that we worry about, in protecting our fishermen hook-and-lining and having mahi throughout the season and stuff, but I really don't have any more questions, but I think it was a good presentation, and it's pretty sound.

You've got cameras and you've got observers and you've got electronic logbooks. It's like everything, sitting around the council this week, about what you would want in doing something, and it's all here. Another thing is our country is not landing our swordfish quota, and maybe this little bit of help, if it's not too late, on what is there, but you get the statistical sampling and you get the scientists put in there, and so I think you can do a one year and then add up the cards and see what happens. It's definitely needed. Thank you.

DR. DUVAL: Thanks, Dewey. I know that Chester probably had some more comments that he wanted to make. Anna, can I get you really quick? Okay. Go ahead, Chester.

MR. BREWER: I will just wait through the discussion.

DR. DUVAL: One more question from Mel, and then we're going to entertain a motion.

MR. BELL: It seems to be a pretty reasonable commitment, in terms of they are interfaced with NMFS and they would have to do this and they would have to do that. It looks like a lot of work and a lot of time, and I assume NMFS is onboard with that and supporting it in terms of their piece of it, I guess, in terms of it talked about reviewing all of the video and receiving the data at some point, and so I guess they are prepared to do that?

DR. DUVAL: I think that's a question for you guys, Rick and Margo, about reviewing the video data?

MS. SCHULZE-HAUGEN: I didn't really hear the question part.

DR. DUVAL: I think what Mel is asking is do you all have the capacity to review the video data and do sort of, I guess, the auditing that would be required, essentially, to sort of police the vessels and make sure they're acting in good faith.

MS. SCHULZE-HAUGEN: Yes, we have found some resources to cover this level of effort for 100 percent EM review.

DR. DUVAL: Thanks, and so I just had one quick question, and this goes back to the projected catches on Slide 19. The numbers there for dolphin would decrease with the effort occurring in the open area versus the -- If the EFP was issued, these numbers show that catches of dolphin would actually decrease, and I just wanted to make sure that I was understanding. I think it's Table 4.3, that starts on actual page 42 and PDF page 48 of the application.

When I scroll down to page 47, I think it is, actual page 47, where the decreases, the differences, in dolphin kept dead or discarded alive between if the EFP was approved versus if it wasn't. Those numbers on that table, that would be if the exempted fishing permit was granted for the entire time, and is that correct? It's just because there's a difference between the numbers that are on Slide 19 that is shown right now versus the ones that are in that table.

MR. PEARSON: Yes, and I can explain that. First of all, when you look at -- It's a long table, but it's 4.3 on page 47. With dolphin, what you should be focused on is the difference, and the difference is actually a reduction of dolphin of 589 kept minus sixty-nine dead and a reduction of twenty-four discarded alive.

This table is based upon the amount of effort that was requested in the EFP. You will remember that was 750 hooks per set and I forget what the number of sets was. The table in the presentation is from Table 4.4 in the environmental assessment that is on page 51 of the EA, and that is based on the amount of expected fishing effort that we anticipate, and, again, we don't expect that they are going to be fishing more than they historically have, and so we have used their historical level of fishing effort and put those estimates in the presentation.

DR. DUVAL: I've got you. Thank you very much. I appreciate that clarification.

MR. PEARSON: Thank you.

DR. DUVAL: So it sounds like folks are ready to entertain some kind of motion and have that discussion, and so, just for Margo and Rick, we really appreciate the presentation and you being here for the questions. Is there anything else that you would want to make sure the council was aware of prior to our deliberation on a motion?

MS. SCHULZE-HAUGEN: I would just add that we have a public webinar on the 27th, and so there is the additional opportunity for folks to listen in on that and, Chester, I think I will be seeing you in two weeks at ICCAT Advisory Committee meeting, and I would offer to sit down and go through it all, or anyone else, if you have additional questions later.

MR. BREWER: Thank you, Margo.

DR. DUVAL: Thanks, Margo, and so I will just note that there are, as part of the briefing materials, there are several letters that have been submitted, one from the Billfish Foundation. That is addressed to the council. That is Number 4 in that sort of sub-packet of attachments. There is also a letter from, I think, the Guy Harvey Foundation. There is also a letter from the West Palm Beach Fishing Club. Then there is also a letter from the Pensacola Big Game Fishing Club. Is there a desire for someone to offer a motion, in terms of recommending approval of this exempted fishing permit? Anna.

MS. BECKWITH: Before I put a motion forth, I would try and sort of characterize what I have heard this committee say, which is, I think in general, this proposal was clearly -- They've spent a lot of time with the folks at HMS and the Southeast Science Center being developed. It does fall under the research needs that EFPs are meant to do.

I think, in general, I am hearing support for this EFP, for that research, but concerns about the number of sets, and so, if a comment would be recorded, it would be that we would support the research with the necessary number of sets, as needed for sort of the scientific validity of it, but if that number -- If the current requested number of sets could be decreased, then we would encourage that, in order to reduce discards and user conflicts within the current closed areas. I would like to get a sense from the committee if that sort of covers our general feeling on that EFP before we put a motion forth in support with those comments.

DR. DUVAL: This is Full Council, and I am just reminding you of that, and so anything we do here is final.

MS. BECKWITH: Right.

DR. DUVAL: Are there thoughts from other council members around the table? Is there support for this EFP with potentially some qualifications, I guess, with regard to the number of sets that would be required to ensure that the data are statistically robust and useable? I think I heard another comment mentioning possibly something about a cap on dolphin harvest. Charlie.

MR. PHILLIPS: I would be tentatively supportive if they could at least stay offshore of where the royal red guys are working, which would probably put them closer to their Alternative 2, and maybe put a cap on dolphin, if they catch a lot more dolphin than they think they are, and maybe a number of sets, but I have no idea what that number would be.

MR. HEMILRIGHT: As far as the royal reds, pelagic longline gear is not conducive to a dragger, and so you won't have your gear if you fish. That dragger will still be there, but I think that would be a no-brainer for them, if they're seeing royal reds in where they're working, that you get up, because the stream is going to take you off, but you don't want to be around their draggers, just like you don't want to be around squidders or red crabbers or lobster pots, because you will get your feelings hurt.

DR. DUVAL: That's a nice way of putting it. Mel and then Chester.

MR. BELL: So dolphin would be an obvious thing to us that kind of falls into our jurisdiction, but, related to the concerns that Anna expressed, I agree with them. Also, another one would be that I realize that it's for one year, but, the way it seems to be set up, it's one year with it going to three years, unless they stop it, I guess, and so you would have to be -- What I would want to see is sort of the -- Again, if in one year you get the data you need that is useful, then maybe that's when it ends. It's sort of, I guess, the minimum amount of effort necessary to achieve the scientific data that you're looking for. If it can be done in one year, great.

MR. BREWER: I don't have any problem with research, and I don't have any problem with doing research in the closed areas. What I've got a problem with is going fishing, one company, one company, to the exclusion of all other longliners going fishing in a closed area.

They've been wanting to do it since 2008, because you've got an area that, other than that 188 sets that were done between 2008 and 2010, it has not been longlined since 2001. It's like they are salivating over it, and it's one company that is salivating over it, and they are located in Fort Pierce, Florida, right here by the closed zone.

I applaud Mel on your belief that all people are good. I am very familiar with some of the participants and people involved in this, and I am not talking about at NOAA, and I have some pretty significant opinions with regard to them, and so your thought that this thing is going to get cut off voluntarily at one year if they've, quote, got sufficient data, that's not happening.

They found before that 256 sets for the Florida Closed Area and the Charleston Bump, and they fished both, and they fished half in and half out, and, this time, they're fishing two-thirds in and one-third out, and they're talking 1,095 sets per year. You noticed that they talked about having seven boats in reserve, and that's part of the smoke-and-mirrors. If you think about it, for six boats to make that many sets, they've got to be doing 2.9 sets per day.

What they're going to be doing is, as soon as they bring back in the -- Dewey, you can tell me the right word, but, as soon as they haul their lines to come back on one boat, the other boat is going to set. No? Is that the wrong terminology?

I am sorry, but, to get that kind of intensive pressure -- You didn't see that kind of intensive pressure when these areas were open, and I take great offense that someone would come in and say to us that, okay, this is research, when, in fact, yes, there is a small research component to it, but, in fact, it's longlining in an area that's been closed for sixteen years. To the point that Anna made, if they were saying, okay, we're going to make 250 sets, half of them in the closed area and half of them outside, I would not be red in the face and screaming like I am.

DR. DUVAL: Jessica and then Dewey, and then we're going to wrap this up. It's 5:22, and it's been a pretty long week, and I think we need to get a motion on this.

MS. MCCAWLEY: The FWC has been on record since 2007 as being opposed to longlining in this area. At our recent commission meeting, the FWC is still opposed. There are no caveats that you can put on this proposal that would have the commission be okay with it. We are working on our own commenting letter about the number of reasons why we are opposed.

It is everything from the improvements to the HMS fisheries. We feel like that those gains will be lost and it would reverse this positive trend. We don't believe that this is going to ultimately lead to increasing swordfish catch, partly because the U.S. was steadily increasing our swordfish catch and moving towards fulfilling that U.S. quota without considering the reopening of any closed areas.

We believe that there are some issues with the individual bluefin quota and how the boats have to stop fishing for anything that would result in bycatch, including swordfish, that is an interaction here. We also have a problem with the potential for the dusky shark bycatch. I could go on and on here with the reasons why our commission is against this, and so there aren't any caveats, and I will be voting against this.

MR. HEMILRIGHT: I think there is a cap on how many sets they can make in a twenty-four-hour period. I think that's in the exempted fishing permit, if I read it right, and so it's one set per vessel. Our swordfish catch, I am not quite sure, but I've got it here for the last fifteen years, or sixteen years. It's an average of, from 2000 to 2013, 65 percent the last three years. It's 46, 40, and 36, and so I don't know where the numbers about the swordfish catch and we're going to catch our quota and stuff like that. We're not going to catch our quota, and we're going to be giving some to the other countries.

Basically, they spent three years, from the questions I asked, on this. We also have got HMS that's spent a lot of time on it. It is what it is. It's for one year. As far as the dusky shark, they will probably be using 300-pound test, and it will be bite-offs. We did shark research. I don't believe the dusky shark is in danger, but that's beside the point. I mean, the permit, or the EFP, is long and it's exhaustive and it's accountable. I am not going to go into the character of the people, like Chester wants to, but here it is. It is doing research. It's valid, it's accountable, and it's something our country needs to do, because of the swordfish quota. They are looking at things, and so it is what it is.

MR. GRINER: I just had a question for Dewey. Dewey, maybe you can educate me on this a little bit. Typically, on your monitoring system, where you have cameras, do you manually enter your intercepts as you go along? Do the captains manually enter them at the intercepts and then that video feed is downloaded at some other time?

MR. HEMILRIGHT: What happens, I believe, in the EFP, with this project, is they've got something where they're identifying -- We have cameras. When I turn the hydraulics on, it starts running. It is peering right down my cheek right here and down the side of my vessel, and I have one at the back of my boat, where fish come onboard. That camera runs the whole time that I'm hauling gear with my hydraulics. It stays on for an hour afterwards.

After I haul my gear, if I haven't -- In this particular area where I'm at, if I haven't caught a bluefin -- I've got to report within twelve hours if I caught a bluefin or not. Even if there's not one within a thousand miles of me, I've still got to do that, and so the accountability of what is here, I don't know how you could get any more accountability, whether you like it or not. That's besides the fact, but their EFP is exhaustive. It is all of these things, and it's asking for one year.

They have laid out these numbers for one year, and I don't know about the extrapolated further, but I think the one year, and so I don't know what more you can say when you're looking at it. I am not the spokesman for them, but I am just explaining it, because I think this exhaustive process they went through, and they've laid everything out.

Maybe, if there is something that you're concerned about with mahi, there's a cap. There is probably going to be a dusky cap that's put on this thing, period, anyway. I know there is with bottom longline for the research fishery that there is the five vessels. I don't know what else to say.

DR. DUVAL: I think plenty has been said, and talk about exhaustive. We have had plenty of conversation around the table, and so would the council like to offer a recommendation with regard to this exempted fishing permit? Anna.

MS. BECKWITH: Yes. **I would like to recommend that the EFP request regarding the pelagics longlines be supported, with the caveat that the minimum number of sets and time to accomplish the scientifically-valid research and reduce discards and user conflicts be part of the permit, however you want to word that.**

I think Margo understands where we're coming from, which is, if this is voted up and we support it, that the EFP -- We're looking for the science, but we want the number of sets and the time for this research to be performed to achieve the scientific need for it, but not go further than is necessary, and so that's the intent.

DR. DUVAL: Let's let Brian get some language up on the screen here. While he is doing that, Roy.

DR. CRABTREE: Please don't send this recommendation to me. It needs to go to Margo or to Alan Risenhoover.

DR. DUVAL: I think it would be to recommend to HMS, I think, instead of the RA.

DR. CHEUVRONT: So either send it to her or to the Acting Director?

DR. DUVAL: Why don't we recommend to the HMS Division Chief. This reads: Recommend to the HMS Division Chief that the EFP request regarding pelagic longlines be permitted, with the caveat that the minimum sets and time for this research to be performed to be scientifically --

DR. CHEUVRONT: I was typing. Should it be "necessary"?

DR. DUVAL: For this research to be scientifically -- I don't even know if you need "performed", but for the research to be scientifically -- Then not permitted beyond that point. Mel.

MR. BELL: Just, to that, and I assume that it's HMS that will make that determination. These people that I don't know, and I don't have opinions about, aren't making that determination. It's up to the Service to make that determination of what is sufficient or what is not to serve -- Keep in mind the data are useful for management and regulation of resources, and so, if they have sufficient data, then, boom, they can say that's it and done.

DR. DUVAL: Just to let everybody know, this recommendation from the council is not a make-or-break whether or not this exempted fishing permit is issued. There are many other comments that are going to be submitted, and the Fisheries Service will need to take all of those into account, and so I just want to make sure that we're comfortable with the language. There is not a second to this motion yet, but, Anna, can you read that? Does that capture your thought and intent?

MS. BECKWITH: Sure.

DR. DUVAL: Is there a second to this motion? It's seconded by Chris. **The motion reads: Recommend to the HMS Division Chief that the EFP request regarding pelagic longlines be permitted, with the caveat that the minimum sets and time necessary for this research to be scientifically-valid and not permitted beyond that point.** Any further discussion? Ben.

MR. HARTIG: One thing I neglected was that it does happen to fall, since they moved that to the hundred-foot contour, it falls right in the heart of the tilefish fishery, and so there will be interactions with the tilefish fishery, since all the sets of tilefish occur deeper than a hundred fathoms, and so that's one thing to keep in consideration.

The other thing I had concerns about is the unpredictability of trying to figure out what dolphin abundance is going to be in any one year is almost impossible, and so certainly a cap on dolphin would help make me favor this EFP. The other question I had was about the whitetip shark information that we just got from Protected Resources and how that dovetails into -- Since we just had a new status determination on whitetip sharks, how that dovetails into this EFP request, and so there is a number of uncertainties, and I am going to have a hard time voting for it.

DR. DUVAL: Any other discussion on this motion? I think the concerns that have been raised here with regard to dolphin and with regard to interaction in our golden tilefish longline fishery and with regard to interaction with the royal red shrimp fishery -- I guess, for Margo and Rick, I hope that you all have noted all of those as part of the discussion here today. Are we ready for a vote? **Could I please see a show of hands of those in favor of the motion, six in favor; those opposed, six opposed. The motion fails.**

DR. CRABTREE: What say you?

DR. DUVAL: I don't vote on these. I have not voted on anything other than final submission to the Secretary for final action. I will just let the record reflect that. Thank you very much. That's up to you all. If you want to direct staff to send a letter on behalf of the council, but my guess is that, given the vote that you all just had, it would be a difficult letter to write, unless it is strictly speaking to the concerns regarding timing, interaction with our fisheries, and a cap on dolphin harvest. Anna.

MS. BECKWITH: I still think that's a worthwhile letter to send, to have on record, the concerns expressed by this council.

DR. DUVAL: Okay. I guess, Brian, in terms of a motion to send a letter to the HMS Division noting the concerns with regard to -- I am just trying to get some language up here. Regarding interaction with the royal red shrimp fishery, the golden tilefish longline fishery, concerns about having a cap on dolphin harvest, user conflict, shark discards, and ensuring that the minimally necessary effort and gear deployments to ensure the research is scientifically valid. I can work with you on this. Roy.

DR. CRABTREE: The letter will reflect that we had a motion made, but we split down the middle?

DR. DUVAL: Yes, it will.

MR. BREWER: Madam Chair, there was also a concern that I expressed that it was only one company that was involved in this, and there is only one company involved. It's Dayboat Seafood.

DR. DUVAL: And concern about only one company being involved. Okay. Is somebody willing to make this motion?

MS. BECKWITH: **I will make it.**

DR. DUVAL: **Anna makes the motion. Is there a second? Second by Ben. The motion reads: Send letter to HMS Division Chief noting concerns regarding interaction with the royal red shrimp, golden tilefish fishery, cap on dolphin harvest, user conflicts, shark discards, concern that only one company is involved, and ensuring that the minimally necessary sets and time needed to be scientifically valid. Mel.**

MR. BELL: Those are all the fisheries we think have any potential for interaction?

DR. DUVAL: Yes, and we will also note that we're talking about our managed fisheries.

MR. BREWER: Sailfish, too.

DR. DUVAL: We don't manage sailfish. This letter will also include the fact that we took a vote and it was a split vote, and so the vote failed.

MS. BECKWITH: Just a technical point. **We don't manage sharks either, but we do have shark discards noted in there, and so I just think just "discards" in general.**

DR. DUVAL: I will start at the top. **The motion reads: Send letter to HMS Division Chief noting concerns regarding interaction with the royal red shrimp, golden tilefish fishery, cap on dolphin harvest, user conflicts, discards, concern that only one company is involved, and ensuring that the minimally necessary sets and time needed to be scientifically valid. Include the fact that a vote was taken and the council was evenly divided on approval or disapproval. Any more discussion? Could I please see a show of hands of those in favor of the motion, ten in favor; those opposed; abstentions, one abstention. The motion passes. Okay. We will recess until, I believe, 8:30 tomorrow morning.**

(Whereupon, the meeting recessed on March 9, 2017.)

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MARCH 10, 2017

FRIDAY MORNING SESSION

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The Full Council Session of the South Atlantic Fishery Management Council reconvened in the Westin Jekyll Island, Jekyll Island, Georgia, Friday morning, March 10, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: I would like to go ahead and call the council session back to order. It's great to see everybody's bright, shiny, smiling faces this morning, and so we're going to go ahead and get started with committee reports, but, first, before we get started on committee reports, could I see from folks who is going to have to leave before noon to catch flights? Roy, Anna, Leann, Dewey, Lieutenant Pray.

It seems like some folks are going to have to leave by eleven, and is that correct to catch flights to get out of here? I think we'll get through things. We're going to take a break, so that people have a chance to check out and do whatever else they need to do, but I just wanted to get a quick check on that. The first committee report is the Snapper Grouper Committee Report.

The Snapper Grouper Committee met in Jekyll Island on March 7 and 8, 2017. We reviewed the Status of Amendments Approved for Secretarial Review and the Status of Commercial Landings for Snapper Grouper Species Under Annual Catch Limits. We received a very informative presentation from Dr. Ponwith with regard to commercial landings are tracked and how those are projected to account for non-reports.

We also discussed guidance on reopening criteria when projected landings are close to an annual catch limit, and the discussion document outlined criteria that the council could consider in this regard, and we made the following motion, which was, if less than 95 percent of the annual catch limit is taken and at least consecutive days of projected harvest remain, then the RA shall reopen the fishery.

We then had a substitute motion that if less than 95 percent of the ACL is taken and at least two consecutive days of projected harvest remain, then the RA shall reopen the fishery. That substitute motion was approved, which then became the main motion. That main motion was approved by the committee, and, on behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion stands approved.

The next item on the agenda was Vision Blueprint Regulatory Amendment 26. This deals with recreational management measures, and, although we made no motions, we did provide guidance to staff and I would like to go through this a little bit. With regard to restructuring of the aggregate bag limits, we instructed staff to develop alternatives for the deepwater complex with individual

bag limits of two, three, four, or five fish, which would apply to all species in the deepwater complex, and you see the list there, in addition to snowy grouper, blueline tilefish, and golden tilefish.

In the interest of the discussion we had at Executive Finance yesterday, I am wondering if five fish is anything that we would ever actually choose for these deepwater species, I mean given -- I would personally be concerned about pressure on snowy grouper, and so I am wondering if we could simply remove five from consideration, and that would lighten the load, in terms of analysis for staff. I am seeing consensus around the table to remove five from there, and so thank you.

Next was to develop alternatives for the shallow-water grouper complex with individual bag limits of one, two, or three fish and to include sub-alternatives that include no more than one of each species. Next, we provided direction to develop alternatives and sub-alternatives for the twenty-fish aggregate limit, with ten fish per person of triggerfish, ten fish per person of spadefish, ten fish per person of any species in the aggregate, five fish per person of any species in the aggregate limit, and status quo.

Then, finally, include for analysis a May through August season for deepwater species, and you can see, in parentheses here, it says to structure each species as a sub-alternative, and then it has a question mark, and include single-hook rig option and descending devices.

Here, I think, in terms of a May through August season for deepwater species, there is only three likely things that we would do here. We would either keep things the way they are, which is May through August for snowy grouper and blueline tilefish, or we would do May through August for snowy, blueline, and golden tilefish, or we would do May through August for that entire suite of species.

I don't see the need for sub-alternatives for each individual one of those like half-dozen species in there, but I wanted to bring that forward to the committee, and, again, this is in light of the conversation that we had yesterday at Executive Finance about the number of sub-alternatives. I think it's highly likely that we would pick and choose amongst the smorgasbord of the remaining deepwater species, and so it was status quo, which is just snowy and blueline, May through August. The next alternative was snowy and blueline and golden tilefish, May through August, and then the third would be all the deepwater species that is listed up at the top there.

The next thing that we provided direction on was a shallow-water grouper closure, which was to develop alternatives and sub-alternatives of 2, 4, and 5 from the list of possible and to add an alternative or sub-alternative for red grouper that applies specifically off of North Carolina. We also requested landings of gag, scamp, and red grouper by month and state for both commercial and recreational sectors, and so, for each sector, this would be displayed separately.

We also looked at removal of size limits for deepwater species, and so I think that's pretty self-explanatory. Then we discussed modification of the minimum size limit for black sea bass and asked for a couple of alternatives that would look at lowering the minimum size limit to twelve inches and eleven inches and also to present information on the distribution of black sea bass discards in state versus federal waters. The next item was a modification of the minimum size limit for gray triggerfish, which would bring waters off of Florida in line with the minimum size limit elsewhere along the coast.

The next item for discussion was Vision Blueprint Regulatory Amendment 27, and this dealt with commercial management measures. We again made no motions, but we provided some significant direction to staff. With regard to commercial split seasons, we asked to receive landings over time, month and year, for the deepwater species of blueline and snowy.

Then you can see, highlighted in yellow, hook-and-line golden tilefish, and so that was a question mark that I wanted to get some committee feedback on, because we removed from consideration just a modification to the fishing year for hook-and-line golden tilefish, but now would be the opportunity, if the committee did want to look at a split season for the hook-and-line portion of the golden tilefish fishery, this would be the time to include it. If you want those landings for hook-and-line golden tilefish by state, by month and year, this would be when we would include that.

MR. HARTIG: I mean, the season has stayed open the last couple of years. I know we may have a problem when we decrease the ACL, but I don't know if that's going to solve any major distributional problems or not. I don't know how the North Carolina fishermen feel about trying to get access to that. They have access to it now. If we decrease the allocation significantly, they may not, and so I don't know.

DR. DUVAL: Do you want to see the landings for the hook-and-line portion, by state and month, which is what we requested for all the remaining species?

MR. HARTIG: That would be great.

DR. DUVAL: Okay. Great. So I guess we can remove that question mark, in terms of the landings, but whether or not we would consider a split season is up for grabs. Again, in terms of the split seasons, looking at different ACL proportion splits over different month scenarios for blueline, red porgy, and snowy, starting with a January 1 start date and also show different ACL proportion splits over different month scenarios for greater amberjack, with a March 1 start of the fishing year.

In terms of trip limits and step-downs, the first bullet there talks about exploring options for a reduced trip limit for vermilion in the second season, and we had 500, 700, 800, 900, and 1,000 pounds, which is status quo, and I asked Myra to highlight this, because I am wondering if there is really a whole lot of difference between 900 and 1,000 pounds. Can we reduce one of those sub-alternatives?

I think we wanted to keep 500 in there, because you would get a sense of 500 pounds throughout the entire timeframe, and then certainly a couple of other options, to see how the season might be extended under a trip limit that is less than 1,000. I guess I'm just wondering if there's going to be a whole lot of difference between 1,000 and 900. Again, I'm just looking to decrease possible workload for staff. Charlie.

MR. PHILLIPS: I could just see 500, 750, and 1,000, if you really want to -- That's probably going to tell you what you want to know.

MR. CONKLIN: That's fine, the 500, 750, and 1,000.

DR. DUVAL: Is everybody else okay with that? Okay. Thank you. I appreciate your willingness to revisit that. The next thing, again, is do not consider a number of trips option for golden tilefish at this time. We also asked that the analysis on the trip limits for the jacks complex that was done previously to be updated and, in June, that we would see a range of trip limits, as suggested by the public comments. We also noted that we did not want to include greater amberjack in that aggregate trip limit. We also eliminated consideration of setting commercial ACTs to trigger step-downs in the amendment, because this would require a full plan amendment.

With regard to the shallow-water grouper closure, we are simply importing the options that were discussed in Regulatory Vision Blueprint Amendment 26. Again, we did not consider a fishing year change for golden tilefish hook-and-line. That was just highlighted in case folks did want to consider it as part of the split season type of approach for other species, and it sounds like we're not going to do that, and so that's fine.

Then other guidance was to continue to work on the portfolio analysis and the socioeconomic characterization of the commercial fishery to explore management approaches for -- We need to find a new phrase other than "traditional bandit boats", but I think folks understand what we're talking about.

The next item for discussion was Amendment 43, and this was red snapper and recreational reporting. We received a briefing from Dr. Ponwith with regard to the discards-only projection scenario. We received a literature review from council staff on red snapper release mortality and a review of the 2012 Southeast Barotrauma Workshop.

We reviewed the scoping comments that were received on the amendment and had a very robust discussion on possible management approaches for red snapper. We received an update from Dr. Crabtree with regard to the actions taken to address overfishing, and so now the focus is shifting to development of an interim methodology to obtain an ABC.

We discussed trying to make sure that considerations in Amendment 43 were still aligned with the actions that we were taking in the Vision Blueprint Amendments as well, and we discussed fishing practices, such as single-hook rigs and descending devices.

We had just one motion here, which was to remove Action 6 from the Amendment 43 options paper, and, on behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion stands approved.

Then you see we gave guidance to staff with regard to the remaining actions in the amendment, particularly those with regard to MSY, MSST, the status determination criteria, where we would not address those until after we have received additional recommendations from the SSC. We provided some guidance with regard to seasons that would not include peak spawning months for red snapper. We looked at additional depth lines for consideration, with regard to differential fishing regulations, and we discussed permits in Action 9 and what the goal was there. We added a voluntary option for reporting under Action 10, and we explored --

DR. COLLIER: Reporting for a vessel or for an individual, if you want to do it that way.

DR. DUVAL: Gotcha. Under Action 12.

DR. COLLIER: Correct.

DR. DUVAL: Okay. Next, we moved into Amendment 44, which was yellowtail snapper, and reviewed comments that we received from public hearings and approved the following motions. **The first motion was to approve the wording in Action A in Amendment 44 as modified. 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 approve the wording in Action B of Amendment 44, and, on behalf of the committee, I so move. Is there any discussion? **Is there any opposition? Seeing none, that motion stands approved.**

The next motion, Motion Number 5, is to approve the wording in Action C of Amendment 44 as modified, and, on behalf of the committee, I so move. Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

The next motion, Motion Number 6, is to approve the wording in Action D of Amendment 44, and, on behalf of the committee, I so move. Is there any discussion? **Any opposition? Seeing none, that motion stands approved.**

Motion Number 7 is to add a commercial trip limit action to Amendment 44, and, on behalf of the committee, I so move. Is there discussion? Are there any alternatives that the committee would like to offer up for the IPT to include at this time? Jessica.

MS. MCCAWLEY: Bill Kelly brought up multiday trip limits. I didn't put that in here, because I couldn't really figure out how to word anything like that, and so, if somebody wants to add that in there. I don't know how to word it. What's in there right now is just basically some step-down trip limits during the spawning months and then, kind of like we did with dolphin, that, once a certain percentage of the quota has been harvested, then you would drop down to a certain poundage, because I couldn't figure out how to write the other thing.

DR. DUVAL: I guess we could include, under here, direction to staff for a trip limit trigger, similar to dolphin, when 75 percent of the ACL has been met.

MS. MCCAWLEY: That's in there. It's the multiday trip limits that aren't in there.

DR. DUVAL: Okay. So I guess direction to staff to just include some options for a multiday trip limit. Chris.

MR. CONKLIN: If I recall from public comment, one of those options needs to be about 3,500 pounds for the multiday boats.

DR. DUVAL: The step-downs were in there, were they not, Jessica?

MS. MCCAWLEY: Yes, and so one of them was to step down during the spawning month to something, and that's the one that is listed as Alternative 2 up there. Is that what you're asking

me? That's already in there. Then the step-downs, there is a step-down at 65 percent, 70 percent, and 75 percent of the quota has been met.

DR. DUVAL: I am not seeing that on the screen. Sorry. I am just looking at the committee report. Thank you. So we would need -- I guess we could just do direction to staff to include these alternatives, or do you want a motion to include -- We already have the motion on the table to include a trip limit action, and so it would just be to include the following alternatives. Okay. Charlie.

MR. PHILLIPS: If you're going to do a step-down, you need to take into consideration how much longer the season is going to be open, because you don't want to do a step-down and there is three weeks left in the season or something like that, which would guarantee that you would close it with fish left on the table. I know it's complicated, but we don't want to leave fish on the table.

MS. MCCAWLEY: If I understand what Charlie is saying, and so we were looking at the landings from the past few years, and we're kind of running an analysis. When we were looking at numbers that were greater percentages of the quota having been met first, before the step-down, it still looked like the fishery, the commercial fishery, would have closed early, and so that's why we picked these particular percentages, but I'm hoping, when staff does it, that you will be able to see the same analysis that we were running here as well.

DR. DUVAL: Okay. Then I guess -- I am trying to figure out how best to do this. We have the motion on the table, and I guess perhaps direction to staff to add the alternatives, as requested by the Florida representatives, and is that okay? Is that good enough, Chip, do you think? He is nodding his head yes. Okay. Then we will get back to the committee report. Then we just need to -- We have had our discussion. **Is there any opposition to that motion? Seeing none, that motion stands approved.**

We did provide additional guidance with regard to Action A, in terms of an alternative that would allow sharing of the ABC for yellowtail snapper between the South Atlantic and the Gulf of Mexico, and under Action C, to remove the sub-alternatives that had been there and add new sub-alternatives using the most recent five, ten, and fifteen years, and this was for allocation purposes.

The next item on our agenda was Amendment 45. This is the ABC control rule revisions and golden tilefish, and Dr. Ponwith presented the results of the additional projections that the council had requested in December of 2016, and council staff reviewed a possible approach for the committee to consider in terms of specifying an interim ABC for golden tilefish at the projected yield at 75 percent FMSY, and obviously this is something that would need to go to the SSC.

We discussed the reasons for this approach, such as a shift in selectivity towards larger and older fish, and a better fitting approach for the age composition data, and we also discussed asking that 2016 be the terminal year of data, and so the intent is for the council to request a standard assessment for golden tilefish late in 2017, understanding that this is something that gets debated at the SEDAR Steering Committee, which is where final decisions will be made.

We also discussed requesting that the National Marine Fisheries Service possibly issue an interim rule to revise the fishing levels while the new assessment might be completed, and the phase-in approach to end overfishing that was included in revisions to the National Standard 1 Guidelines

would still be considered for golden tilefish, but those first need to be completed through a plan amendment, and so, in this regard, we made the following motion.

The motion is to request the SSC to consider establishing an interim ABC for tilefish based on the projected yield at 75 percent FMSY and compare and contrast the risks and uncertainty with establishing the ABC for tilefish at the 75 percent FMSY yield versus that provided by the P* approach. The interim ABC would be in effect until a new tilefish assessment is prepared to address: multiple selectivity periods to account for a selectivity shift in the longline fishery toward larger, presumably older, fish over time, as supported by both the testimony of tilefish fishermen and the selectivity pattern used in the 2016 update assessment; the latest best scientific information model fitting algorithms, as applied in the red grouper stock assessment update; an advancement of the tilefish terminal year, given that (1) the most recent projections incorporate a five-year lag between the assessment terminal year and changes in management, (2) the SEFSC memo regarding red snapper projections indicated that projection uncertainty is “generally high after three to five years”, and (3) the uncertainty in tilefish is exacerbated by the seven-year lag of estimated recruitment deviations in the tilefish assessment, due to the high age of selectivity for tilefish and the lack of any abundance information for ages below the age of fishery selectivity, that results in 2006 being the last year class informed by data in the assessment. The council intends to request a SEDAR standard assessment of tilefish for late 2017, provided to the SSC for consideration in April of 2018, with a 2016 terminal year. On behalf of the committee, I so move. Is there discussion? Is there any opposition? Seeing none, that motion stands approved.

Next, we discussed limited entry for the for-hire component of the snapper grouper fishery. We had a presentation from council staff on a white paper that they put together regarding possible criteria for a program, pros and cons of various approaches, and a summary of public input to date. We didn't make any motions, but we did not finish our discussion on that, and so that will be an agenda item on the next Snapper Grouper Committee. Doug.

MR. HAYMANS: Madam Chair, I had one thing I would like to add for that discussion coming up, if I could, and that would be to request a letter from NOAA GC. We have talked about this several times in the past, and I've mentioned it to Monica, but I would like for the council to request a letter.

If I look at Section 307 of Magnuson, it's unlawful to violate any provision in this Act or any regulation or permit issued pursuant to this Act, and so I assume that reporting will be a provision of this Act, a regulation of this Act, and so that's part of that. Then the second part is that, under the permit sanctions section, it says, in the case in which (A) a vessel has been used in the commission of any act prohibited under Section 307, which I guess is reporting, the Secretary may (i) revoke, (ii) suspend, (iii) deny, or (iv) impose additional conditions.

I guess I would like a clarification from NOAA GC of why non-reporting wouldn't qualify for denial of a permit, and I know we've heard, multiple times, the argument that a person can just come back and get another permit, but this specifically says that they can be denied a permit, and, if we're going to elevate reporting, the for-hire reporting, to a level such that we're thinking about limited entry, to me, that seems about as high as you can get, and so I would like to have something

from NOAA GC that says why you can't deny a permit to someone who doesn't report or suspend a permit that doesn't report. Thank you.

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

MS. SMIT-BRUNELLO: That's fine, and would you like a presentation on it at the next council meeting or would you -- What are you looking for?

MR. HAYMANS: A presentation or a letter back. A presentation would probably be best. That way, everybody kind of is on the same footing.

MS. SMIT-BRUNELLO: Okay, because I am imagining that is already a possibility, right? That could be done, but it depends on the penalty schedules, I am sure, and the facts of each situation, but I will be happy to work with the enforcement attorneys and bring something back in June, or whenever you want it next.

MR. HAYMANS: Thank you.

DR. DUVAL: Chip is going to add this to the timing and tasks, and I just want to see what this looks like on the screen first. Mel, you had your hand up?

MR. BELL: Just following up on that, I think, in kind of a general sense, and I think she's covered this, is what do existing regulations provide us, in terms of enforcement or compliance capabilities related to permit violations, non-reporting, and what are our options, I guess, including, like Doug is saying, denial or suspension or whatever, but just kind of an analysis of, based on what is in place now, what are all our options, and that may be an option.

DR. DUVAL: I was just saying to Chip that I think it's important to include some language in there, in terms of the timing and tasks, about, as per the section of Magnuson, I think 307, that Doug read off -- It seems like there is probably confusion at the public level about this is what the law says, but here is what the regulations say and here is what the penalty schedule is, and so it seems like there is a disconnect between these two pieces as to why would there not be this immediate action, I guess, that would not allow for issuance of a permit to a vessel that has failed to report in the past, and I think just some clarification on that, if that helps, Monica.

MS. SMIT-BRUNELLO: Okay. Thank you.

MR. BOWEN: While we're on this topic, Mel brought it up the other day, and I actually think I brought it up at the last meeting, but is there a way that we can send out something to these for-hire permit holders to get a gist or get something -- I forget how Mel phrased it the other day, and maybe he can refresh our memories, but just something to the permit holders, because, like I said, when I went around to them, they didn't even really know or understand what was going on, the three that didn't sign the paper, and is that possible?

DR. DUVAL: I think, in terms of we could certainly -- I think we could, but I will defer to Monica, but I think that we could send something out to all the for-hire permit holders, all the snapper grouper for-hire permit holders, and we could attach the white paper that staff has developed, and that might be the most informative thing.

MR. BOWEN: That's a great idea.

MS. BECKWITH: My personal preference would be -- It's sort of like the EFP we just went through. I mean, it's a lot of angst for not a lot of information at the moment, and I guess, instead of sending it out right away, I would like the council to have a bit of discussion and for us to kind of key into our points that we're going to move forward with, or consider moving forward with, rather than sort of sending everything out, but that's just my personal sense.

MR. BOWEN: Just to that point, Mel brought up the topic that -- I lost my train of thought. I'm sorry. I will come back.

MR. BELL: I think what you're talking about, what I was discussing earlier, was the ability to determine what the current permit holders thought about a limited entry concept.

MR. BOWEN: Yes, that was it. Thank you.

MR. BELL: That's when that came up in discussion, and then why don't we just ask them? It seemed kind of simple.

DR. DUVAL: So what's your pleasure, everybody? Do you want to send something out to permit holders? I guess, Monica -- I know you are side-barring with Roy a little bit, and I didn't know if -- It seems like this is something the Gulf Council has done with other actions in the past, but can the council send out something to permit holders, just saying that we're having this discussion? I mean, it is an agenda item on the agenda, and I know that it's been part of the update that Kim sends out to the constant-contact list, that this would be on the agenda, and so I just want to get a sense from the committee of what you all want to do and if we can do it. Monica and then Doug.

MS. SMIT-BRUNELLO: Right. Essentially, is this kind of like a survey? Do you want something back from the as to how they feel, what they think about limited entry? What is your ideas a little bit here?

DR. DUVAL: I am going to let Gregg jump in ahead of you, Doug, just for a minute.

MR. WAUGH: Just to remind people, we've been talking about establishing these forums, and, now that we have our staff onboard, this is something that we could do. We have talked about starting it initially with the snapper grouper permit holders. I have talked about this with Monica. What this would allow us to do is to create a forum where the permit holders could sign in and post materials. It's open to the public. Everybody could view it, and our thought was this would be a way to get information from each of our groups of permit holders.

We could do a similar forum for the for-hire permit holders, and that may be a more informative avenue to get some feedback from them. We could, for instance, post that white paper on there and then pose some general questions to the permit holders and get their feedback, and, again, it's open to the public, and so anybody can see the responses, but the only ones that would be authorized to post on that forum would be the permit holders.

MR. HAYMANS: I just think it's too early to send out a survey to the charter guys. I think there's plenty of information that goes out in the packets in advance of each council meeting, and they know it's going to be coming up again in June. We've seen that there were 149 charter/for-hire guys who responded to the public comments, although only twelve to fifteen of them responded to issues on limited entry, but they know the information is out there. I just think it's too early, until we have more pieces to inform them of where the council is.

MR. CONKLIN: I've been thinking all week about the public comment form and that type of thing, and how I really would like to see a field in there of are you a permit holder and what type of permit do you hold. Then you can check a box or whatever, and it could be voluntary. Then you could put your permit number in there too, and we could gather information that way. We could send out something to drive people to that form. That way, we can all see it and it's public information, but we have had a lot of stakeholders make comments on stuff that they are not actually stakeholders in, and so I would like to know that information.

DR. DUVAL: I would encourage you to tread lightly when, I guess, using the word "stakeholder" and potentially stating that folks aren't stakeholders.

MR. CONKLIN: I mean participants in different fisheries. How does that sound? What is your permit number?

DR. DUVAL: Zack and then Mel, but I would like Amber to address just what Chris brought up right now, and then, Zack, I will get you and Mel and then we'll wrap this up.

MS. VON HARTEN: A couple of you had mentioned adding that field, and we can certainly add that. I can't make it required, because then it won't let you proceed with the form if you're not a permit holder, and you can't enter anything, but it's something we can add, and they can choose to enter that or not. We will need to think about what we're asking in that column though, to make sure that we encompass all the different permits that they could potentially put in there. Do you want them to put all of their permit numbers, if they have multiple permits?

MR. CONKLIN: Do you want to have this discussion now?

DR. DUVAL: Not really. Actually, I don't. I think I would like for Amber to be able to chew on this and come back to us, or at least maybe she could send around an email with thoughts on how we could do that.

MR. CONKLIN: Just to that point, a lot of the comments that I read, people offered up that they had the permit and this is their number, and, if we had a field in there that they could voluntarily do that, we would probably get more of those numbers and the types or whatever. I'm sure it would be dependent on the issue, but it would be nice to know.

DR. DUVAL: I think certainly we could add something. I think just making it required, like Amber said, we would then lose the ability for people to finish populating the form, and we don't want to do that. I had Zack and then Mel and then Anna.

MR. BOWEN: Thanks, Madam Chair. The one thing that I see negative about the way it's set up now, and maybe the possibility of a permit holder forum, is that it's like somebody might read

something that's misinformation, that is misrepresented, and they just pick up on it and it keeps snowballing as more misinformation and misrepresentation. I mean, I see your expression, but that's the fact of the matter, Madam Chair.

It's like I got a text last night from a permit holder that asked if the comment was still open, and I said that I wasn't sure and I would check in the morning, and his response was, okay, worn out and I need to get my thoughts together, but some of these comments that I read on here are false, and most of the comments, and this is just from a stakeholder, and most of the comments -- Some of the comments are false, and most of these guys, from what I see, really don't understand it.

DR. DUVAL: Zack, that is a -- Misinformation is a part of what we do. I mean, that is a constant threat, I guess, for everything, and it's not limited to any one topic. We have talked about how to address this in the past, and that's just a risk that we incur, and we can try to correct information here, on the record, as much as possible.

MR. BOWEN: That's one reason my thinking was, if you will give me the latitude for a second, but that's one reason that I thought that it might be a good idea for council staff to send a letter that is absolutely, 100 percent true in what we're trying to do, with no misrepresentation and no incorrect facts.

DR. DUVAL: I think the problem is that we don't know what we're trying to do yet. We're still having a discussion, and so this is why the sense I'm getting from folks around the table is that they're not interested in sending a letter like that at this point. I had Mel and then Anna.

MR. BELL: Mine was just related to timing and Doug's point. If it's too early for this level, but it seemed to me that you would want to know kind of early on in the discussions, or our discussions, of what the community thinks, but, if it's too early to do that, if we feel that we're alarming people or something, but Zack is right a little bit that you need to, at some point, explain, when we are ready to explain, what we kind of are working on or the concept. I will leave it up to you guys with timing, if it's too early to do that, but I think we do need to do it at some point.

DR. DUVAL: Anna and then that's the last word.

MS. BECKWITH: I just wanted to point out, for the forms, that we don't have permit numbers on our permits, which I sort of wish we did, and, if there was a way of moving us towards having permit numbers at renewals, that would be excellent, although I don't know how to make that formalized.

DR. DUVAL: All right. This takes us to our timing and tasks motion, and so I would like to -- **The first was the landings request for commercial and recreational of scamp, gag, and red grouper by state and month, and we didn't actually specify the timeframe over which we would want that. My suggestion was the last ten or fifteen years, to capture fishery performance prior to regulatory changes. Does that sound reasonable to folks? Is anybody paying attention? I didn't think so. Okay. So we will make it the last fifteen years. Is that okay with everyone? Okay. Great.**

Then we also had review analyses from Regulatory Amendment 25 to determine whether the majority of black sea bass discards come from state or federal waters. Then we have a

request that the Science Center and the SSC work together to explore approaches for obtaining an ABC for red snapper and request that the Science Center provide the following items prior to the SSC consideration of red snapper fishing level recommendations, and those are a BSIA, which is best scientific information available, determination for the SEDAR 41 red snapper assessment, in light of recent information and developments cited by the Science Center that prevent development of reliable projection updates and the result in an inability to set an ABC that can be effectively monitored. The determination should indicate whether the current South Atlantic Fishery Management Council SSC fishing level recommendations based on the SEDAR 41 assessment and projections, including ABC, OFL, MFMT, MSST, and Terminal F and SSB estimates represent BSIA.

A BSIA determination on the ASPIC stock assessment model prepared for SEDAR 41 and an evaluation of whether the ASPIC approach could be used as a data-limited method for supporting red snapper fishing level recommendations. Additional details concerning the evaluation of the effect of upcoming changes on MRIP on the red snapper assessment that the Science Center indicates is necessary before the assessment can be useful for management, including the type of analyses to be conducted and when results will be available for review by the SSC.

Application of and results from data-limited techniques that can be considered by the SSC to develop fishing level recommendations for red snapper, including ABC and OFL. This should include a BSIA determination and a comparison of the scientific pros and cons of each method considered.

Then the next item was to inform further discussion on for-hire limited entry, provide an overlay of for-hire permits by zip code and tourism statistics for South Atlantic states. Then the one that we just added, at Doug's request, was a presentation on how non-reporting could result in suspension of a permit, as per Section 307 of the Magnuson Act. Is there someone willing to make this timing and tasks motion? Charlie.

MR. PHILLIPS: I so move, Madam Chair.

DR. DUVAL: There is a motion by Charlie and a second by Ben. Is there any discussion on that motion? **Is there any opposition to that motion? Seeing none, that motion stands approved.** Is there any additional business to come before the Snapper Grouper Committee? Chris.

MR. CONKLIN: I wanted to ask Dr. Ponwith about the possibility of, once we get our new data streams through our new red snapper seasons that may be coming, the possibility of running the BAM model side by side with the SS3, if you could block off a little bit of time with your folks in Miami to put a lot of stakeholder concerns to rest, so we can compare the two models, much the same as we did with the ASPIC and the BAM model.

DR. PONWITH: When an assessment is run -- Essentially, what the staff at the Center are going to be doing is looking at what data we have that are reliable as inputs for an assessment and then, based on the availability of those data, what type of an assessment could be done that would provide the council with the advice they need to effectively manage the fishery.

At this stage in the game, I am reluctant to constrain the Science Center or the SEDAR process as to what assessment model is or isn't going to be used. Once we take a look at the data streams and make that determination, we can look to see if there are multiple models that lend themselves for use that would be appropriate with those data streams, and we certainly, as part of that evaluation, we would be considering multiple modeling approaches or, if the data indicated it, data-limited approaches.

In a situation like that, there may be more than one modeling approach that's appropriate, but, at this point, I would be reluctant to constrain the assessment process to this model or that model or running both of those, but we're certainly open to looking at that is appropriate and running those.

MR. HARTIG: I think, Bonnie, to incorporate your concerns and to incorporate Chris's concerns, we could add a TOR, worded specifically somehow, to take your concerns and Chris's concerns into consideration and at least have that addressed during the assessment, if I'm not mistaken.

DR. PONWITH: I need to understand what Chris's concern is.

MR. CONKLIN: My concern is not wanting to interfere with what's going on now, but my concern is not a concern, but it's to give you guys the heads-up that there is a request like this that's going to be coming from the council for the next red snapper assessment and that we would like to see two different labs do two different assessments, whatever models may be deemed appropriate at that time.

DR. DUVAL: Bonnie, let me see if I can help out here. I think some of the concerns that have come forward from stakeholders are that there is two models that are used in the region. There is a Beaufort Assessment Model and then there is SS3, and I think there is concern from stakeholders that perhaps use of -- Because red snapper in the South Atlantic has been assessed with the Beaufort Assessment Model and red snapper in the Gulf has been assessed with SS3, that you're looking at different outputs that are a result of the model itself, and so I think that's what Chris is asking, is if you could have a side-by-side comparison, and not right now, but down the road for red snapper in the South Atlantic using the SS3 model that the Miami Lab tends to run as well as the Beaufort Assessment Model that the Beaufort analytical team runs.

DR. PONWITH: You know, a side-by-side run of BAM and SS3 could be done. Standing up SS3 is a very, very labor-intensive process. It is not an intuitive package, and so, essentially, what it is, it's they're doing exactly the same kind of stock assessment analysis. It's the software that you're using to run that analysis is different and the way you set the inputs up. Because of that, the buttons you push are different.

Essentially, it's the same type. It's an age-structured assessment. That could be done, but it would take a long time, and, if you -- I mean, we could bring assessment scientists from the Gulf of Mexico who have shifted from other types of modeling approaches into SS3 who have experience with doing that and can explain roughly what kind of time you're talking about to do that for the first time for an assessment, and they will be able to tell you that they're glad they did it, but it takes a long time, and so we can take a look at a stock assessment, if you want, and run an assessment into those two, but we just need to build in the additional time that we need.

I am reluctant to make a commitment to the council at this point that the next red snapper assessment will be done using both of those modeling approaches, because I don't know if using either of those modeling approaches is going to be appropriate, because the first thing we need to do is look at the data inputs we've got and choose the modeling approach that fits the best, and that may be BAM or it may be BAM using a non-tuned approach. I just can't say at this point, but, yes, a comparison can be done if the council is willing to live with the extra time that it takes to run those two side-by-side.

DR. CRABTREE: I think, if the issue is just to see, given the exact same data, does the BAM model give you the same answer as SS3, you could do that with a made-up dataset, effectively, and I think it's my understanding that the underlying equations in the two models are basically the same, and so I think, if you did that, you would probably get the same answers.

I think the differences you're seeing between Miami assessments and Beaufort assessments for red snapper have much more to do with the underlying selectivities and weightings and data sources and all the other decisions that go into putting the assessment together, but it seems to me, if you just want to see if the models, given the exact same datasets, produce the same answer, you wouldn't have to do that as part of a SEDAR. That would just be more of an exercise to generate some dataset and run it through both of them.

MR. CARMICHAEL: It's been well proven that the same model packages fed the same data tend to give you the same answers. Where they fall apart is some models are better with some data gaps than others. I think the way to go about this is to make a request like this and include it in your research prioritization plan.

This, to me, seems to be the type of research that you can say this is a significant concern with us and we would like to see this question addressed before you get around to the next assessment, and it could be done with the data that was done for the last red snapper assessment. The information is all there, and it would be a matter of doing the two things, and it could be the type of research project you could do, because the next red snapper assessment may have a lot of different challenges that are very different than where we're going now.

DR. PONWITH: But that's the equivalent of running two stock assessments, and so, if you want to do it, it's not just, well, do some research, but get it done before the next assessment that you're going to do. You don't shoehorn something like that in. It's to set up that model. The Beaufort people don't use SS3, and so they have to shoot the learning curve to be able to do that and then actually stand up and run the equivalent of two stock assessments.

We can do that, but it's not free. You don't shoehorn that in between now and when you do the next assessment, and so we can do it. We can talk about it. We can -- I don't know if we can kind of explore. I want to be careful about going too far on this without discussing it with the analysts. They may be able to come up with an idea that would be less onerous than the equivalent of two stand-alone stock assessments. It's just that it takes a lot of time to do these things.

DR. DUVAL: I think the point was not to get into an extended discussion here. I think the point was to put the idea forward that these are concerns that are being brought forward by stakeholders and how can we address those concerns that it is a model versus underlying data and selectivities and things like that.

That is why Chris was bringing this forward, and so I think this is just the tip of an iceberg of a discussion. You know, Bonnie has brought up valid concerns, and John has brought up a possible approach. I think this is not the end of that conversation, I guess, and so Charlie had his hand up, and I let a couple of people jump in front of him, and so I'm going to let him have the last word and then we're moving on.

MR. PHILLIPS: Thank you Bonnie, and, as Michelle said, we've got a lot of stakeholders, and if I had a dollar for every time I've heard that we need better science, we could go have a party. Whether this gives us a difference or not, I don't know that it matters, if we can get some results so we can alleviate some stakeholder concerns.

I might even say fears, but, if I had to bet, I would say the stakeholders would rather have some other stuff pushed back so they could see if there's a difference and how you all might be able to work through their concerns. This is just the start of the conversation, and we appreciate whatever you can do. Thank you.

DR. DUVAL: Okay, and so a couple of things really quick that I was going to bring up. The first is having to do with the implementation of the new sea bass pot regulations under Regulatory Amendment 16. This is just kind of putting folks on notice. I've gotten a lot of calls from stakeholders, particularly in North Carolina.

I have talked to the folks at the Regional Office, and there is a lot of concern about the waypoints for the winter period of December through March off of North Carolina. There is only three waypoints. There is one at like Frying Pan Tower and there's one in the middle of Onslow Bay and there is one at Cape Lookout Shoals, and there is the bottom contour, and I think a lot of stakeholders are feeling a little bit cheated, I guess, maybe about that, because the bottom, the way the alternative was structured, was that, during that timeframe, fishing would be allowed at depths greater than the thirty-meter contour, and those waypoints were to generally approximate that.

If you look at that thirty-meter contour closely, there is a lot of water actually deeper than thirty meters that is inshore of those waypoints, and so that's just a concern that I bring up. I already talked to the Regional Office staff about that, and it appears that it would take an amendment to revisit those waypoints, but I think it has also caused some friction on the water, I think some conflict between user groups, between folks who do not have pot endorsements and folks who do have pot endorsements.

This is something that the AP has brought up before, but modification of the 300-pound limit that we have for the hook-and-line component of the black sea bass fishery during that January through April timeframe. We were in quite a different place when we put that in before. We had a lower annual catch limit when we were considering that. We weren't sure how the fishery was going to perform under the increased ACL that we put in place, and so that's one thing that stakeholders are interested in, is having the same trip limit for everybody, commercially, during that time.

Then I think one of the other things that is probably going to come up down the road is an allocation, similar to what we have for the hook-and-line and longline components of the golden tilefish fishery, and that was something that stakeholders had also brought up, that the hook-and-line component might need its own allocation versus the pot component. I don't want to get into

a discussion, but I just want to raise these as these are things that stakeholders have brought forward.

Then the only other thing I wanted to make sure that we addressed was that remember, in discussion of the portfolio analysis, that was brought up previously and we discussed in Executive Finance, was additional input on exactly what you would want to see in that portfolio analysis, and I don't know if we want to do that under the Executive Finance Report or if folks had ideas here.

Again, I don't want to get into an extended discussion, but a couple of things that I had in mind were if there's a way to determine the total number of leased permits and what other permits do vessels permitted in the snapper grouper fishery have, what other federal permits, and is there a way to determine -- I think some vessels participate in both state-managed and federally-managed fisheries.

Those are just a couple of things that come to mind, but I would just ask folks to think about the types of things that you would want included, so that we can get some feedback back to staff, and it doesn't have to be here, but it can be via over the next several weeks, to help inform that. I will shut up. Is there any other business to come before the Snapper Grouper Committee? Okay. Our next committee report is Mackerel Cobia, and so I will turn things over to Chairman Hartig and to Kari.

MR. HARTIG: Thank you, Madam Chair. The Mackerel Cobia Committee met on Wednesday afternoon and Thursday morning. The first item of business was to approve the agenda and the minutes. The committee next started out talking about Atlantic cobia, and the committee was briefed on the ASMFC interstate plan for cobia by Bob Beal. The South Atlantic State/Federal Fisheries Management Board will review a draft plan at their May 2017 meeting, and the plan is expected to be implemented in 2018.

The next item of business was Dr. Jessica Stephen from SERO provided an overview of the 2017 recreational landings for Atlantic cobia and the analysis to determine the 2017 closure date. Then, following that, we had the state representatives from Virginia, North Carolina, South Carolina and Georgia that provided updates on regulations for Atlantic cobia harvest in state waters.

The next item of business was the commercial landings and coastal migratory pelagic updates. The committee received an update on commercial landings for Atlantic king and Spanish mackerel and cobia from SERO staff, and the committee also received updates on Coastal Migratory Pelagic Amendment 26 and Framework Amendments 4 and 5.

Then we had a discussion on common units for coastal migratory pelagic species. After considerable discussion, the committee directed staff to draft a letter to the Gulf Council and SERO and the Southeast Fisheries Science Center to explore options to have a common unit for tracking coastal migratory pelagic species and necessary council actions to update the current system.

The next item of business was the Gulf Council report. During that report, the Gulf Council approved a motion to postpone Amendment 29 indefinitely, for several reasons, and that brings us to our next agenda item, which was Coastal Migratory Pelagics Amendment 29. Due to the fact that this was a Gulf-centric motion, and the Gulf Council moved to postpone it, the following motion I will bring before you.

The motion is to postpone Amendment 29 indefinitely, and, on behalf of the committee, I so move. Is there any discussion? Is there any objection? Seeing none that motion is approved.

Our next item of business was the Mackerel Cobia Advisory Panel and Cobia Sub-Panel agenda items, and the result of that discussion was the committee provided guidance on items to include on the agenda for the April 2017 meeting.

Under Other Business, there was extensive discussion about an emergency action for Atlantic cobia. The results of those discussions were that the committee requested a white paper on emergency rule criteria and how the recreational closure and stock boundary for Atlantic cobia may qualify or not qualify for emergency action.

That brings us to the timing and tasks motion that I will read, and there is a question on Bullet 2, but we can answer that while I read it. **Number 1 for timing and tasks is the council staff will draft a letter to the Gulf Council and SERO/Southeast Fisheries Science Center to explore options to have a common unit for tracking coastal migratory pelagic species and for NMFS guidance on the necessary council actions to update the current system.** Number 2 is council staff will work with SERO and General Counsel staff on a white paper on emergency rule criteria and how the recreational closure and stock boundary for Atlantic cobia may qualify or not qualify for emergency action. The question we had was should we include the white paper in the AP/sub-panel meeting briefing book, if it's available? Roy.

DR. CRABTREE: I think what the white paper is going to amount to are the agency guidelines on emergency rules, right, because that's what we have. It would go through when it's appropriate and the things you have to meet to justify an emergency rule.

DR. DUVAL: Yes, but, Roy, I think that I see the guidelines, as published in the Federal Register, as being a piece of that paper, but what folks are really asking for is why does the economic harm that is being caused by the existing federal waters closure not qualify as an emergency under those guidelines?

DR. CRABTREE: It might, but an emergency rule to do what? To reopen it?

DR. DUVAL: No, the request has been an emergency rule to shift the boundary.

DR. CRABTREE: So I think the answer is shift it to where and what would that do and how does that solve anything and what is the scientific basis for shifting it?

DR. DUVAL: We are not making that request. We're just asking that -- These are questions that stakeholders have brought forward with regard to --

DR. CRABTREE: I understand that, but the answer to it can't be given without the rationale for why you would do that and what it would do. We can't tell you if it would meet the emergency rule criteria without knowing what the rationale behind it would be and what the effect of it would be. Without that, I don't know how you can go any farther.

There certainly is economic hardship caused by this. I don't know if moving the boundary would change any of that, and so you can't really say whether an emergency rule would be appropriate or not, but I guess people can hash that out, but it's going to have to have some specifics to it and some rationale behind what you might be proposing to do before we're going to be able to give you any insight as to whether it might be appropriate to be done under an emergency rule, and I haven't seen any of that kind of analysis.

MR. HARTIG: I appreciate that, Roy. We were trying to find some way to explain why or why not an emergency action may be done. If we had asked for it, what would it accomplish, and I think we were going to try and lay those out under that. If we could incorporate your concerns about whether or not an emergency exists -- It does confound the problem, but it was trying to find a way for all these new people who have got into the process, to try and explain to them where we are, what an emergency rule request may or may not do, and, if you ask for this request, would it solve the problems that you are trying to address?

Frankly, the discussions we had during the committee meeting was it probably would not solve the conditions we are trying to address, because there's not enough ACL in Florida to cover the overages that we have in the fishery now, and so I think explaining at least that part to them may allay some of the concerns about we can't go that direction, because it won't work.

DR. CRABTREE: You guys have been here when we've had lots of other fishery closures, and we get requests for emergency rules, and the problem is we set these up through a plan amendment. The council moved that boundary. You had an action in Amendment 20B, was it, that looked at moving the boundary, and you voted to move the boundary.

We set up accountability measures that clearly could lead you to a closure, and so all the things that have happened here with the closure, they are not unforeseen, any more than any other closure we've had, and so it's not clear to me how we go back with all of that and say there is some new or unforeseen thing that has happened here. The accountability measures have acted as we set them up, and so, given that, it's not clear to me how an emergency rule would be appropriate.

Now, if you had new science showing that where the boundary is is completely inappropriate and is creating all kinds of problems and it needs to be moved, maybe then you would have the basis for an emergency rule, but I am not aware that we have any real basis at this point to know whether to move the boundary or not.

MR. HARTIG: Frankly, I believe, after your discussion we had during the committee meeting, that an emergency rule is not appropriate to move forward with, based on all the things that we discussed. All I want to do is frame it in the explanation of an emergency rule and show the public why, in asking for that, it's not going to solve the problems that they are trying to solve. That is all I am trying to do. That's all I'm trying to do. I'm not trying to ask you to do an emergency rule. I am trying to explain why we can't do it.

DR. CRABTREE: Okay.

DR. DUVAL: I think that was clear when we had the discussion during the committee meeting, that we weren't requesting an emergency rule, but it's that we have nothing to point to for the public to see to lay out the rationale. I mean, there is nothing in that emergency rule policy that

shows how that decision-making process occurs, because the public reads that and they say, well, we've got an economic reason for why we think an emergency rule should be implemented, but there is nothing written down.

There is no document that lays out the bullet points that says it's inappropriate because of this, and so we keep having to have this discussion, over and over again, and stakeholders aren't going to go back, necessarily, and -- Well, they will, but not everybody is going to go back and read these minutes. I think it would be much easier if there was something that laid this out.

MR. HARTIG: Madam Chair, am I calling on people or are you?

DR. DUVAL: I'm sorry.

MR. HARTIG: No, that was a question. It wasn't any comment. I had Doug, Gregg, and then Chester.

MR. HAYMANS: Roy, the emergency rule, I feel quite certain, doesn't apply, and I understand the reasons why the closure. Where we get hung up or what our constituents question is why the mid-January closure when the landings haven't occurred yet. We understand that North Carolina and Virginia are going to catch the quota, but they're not going to start catching that quota until sometime in June, and I understand that MRIP can't track it quick enough in order to be able to close it, but it would seem that that closure date wouldn't have happened until June or June 15, at least until North Carolina and Virginia start catching fish.

DR. CRABTREE: We have explained how that all happened on the record, and so that explanation is there to give to people, and you and I have had that discussion.

MR. WAUGH: If the intent, as I understand it, is to try to explain to the stakeholders, and we've got a new group coming in for the Cobia AP meeting, and we've got some good people on there who can bring those questions and convey them, perhaps, rather than hitting them with a white paper that just lays out the guidelines, if we could have NOAA GC there and have -- I think Mel made the offer that, since it's in town, maybe some of his staff could make a stock presentation, and if we had that presentation at a council meeting.

I think if you were to give those two presentations there, and maybe we could have -- There will be questions about the projections, and we could have someone from the Region either there or available via webinar, and have that open discussion with the AP there, and I think that would be more effective, in terms of answering their questions, than trying to give them a white paper that just lays out here are the guidelines, because they have questions. They have read it, believe me. These guys have read the documents and they have read the Magnuson Act. I think a give-and-take discussion period would be much more effective.

MR. BREWER: I just wanted to point out that, since Wednesday night, almost all of the comments that we've gotten have been on cobia, and they've been people demanding, in no uncertain terms, that we put some sort of emergency rule in place, and so I think that the idea, whatever it might be, of advising the public what is required to put one of those in is a very good idea.

MR. HARTIG: Okay. So where are we? That's what I would ask. Are we still going to do the white paper? Michelle.

DR. DUVAL: It sounds like, based on Gregg's suggestion, that if someone from NOAA General Counsel was willing to be available or participate by webinar in the committee meeting to have this discussion to review the emergency rule policy and to allow for stakeholders to ask those questions as to why or why not and what would constitute an emergency and why this does not, because of the notice and comment rulemaking, because of the actions that have taken place and what counts as unforeseen circumstances, that might address it.

I think staff could capture the bullets of that discussion into something that we could, as part of the committee report, that we could then circulate to folks, and that is what we could use to answer these questions. Monica, I don't know if it would be you participating via webinar or someone else in your office, but I guess, if you're available, you're most familiar with the issue, and that might be good.

MS. SMIT-BRUNELLO: Sure, and I see that -- You're talking about the AP meeting, right? That is April 19th and 20th, and so I will go back and talk about this with Mike McLemore. Travel funds are iffy, a little bit, and so at least maybe I could participate via webinar, if not in-person, but I will be happy to bring that request back and look into it.

MR. HARTIG: Yes, and Kari can help narrow when that timeframe is going to occur, and so we can help with that as well. Okay. In that timing and tasks paragraph that I mentioned, we will not include the white paper.

DR. MACLAUHLIN: I have, on the board, Number 2 as kind of edited.

MR. HARTIG: Council staff will work with SERO and NOAA GC -- Can you read that for me?

DR. MACLAUHLIN: Okay. **Number 2 on the timing and tasks list has been edited to read that council staff will work with SERO and NOAA GC on a discussion document with emergency rule criteria and how the recreational closure and stock boundary for Atlantic cobia may or may not qualify for emergency action, to be included on the agenda at the AP and Sub-Panel meeting.**

MR. HARTIG: Great. **If everybody is happy with that, Number 3 was to provide the Mackerel Cobia AP and Cobia Sub-Panel meeting report to the ASMFC for their May 2017 meeting.** If someone would like to make that motion --

MR. BREWER: **So moved.**

MR. HARTIG: Motion by Chester and second by Michelle. Is there any more discussion of that motion? **Is there any objection to that motion? Seeing none, that motion is approved.**

Is there any other business to come before the Mackerel Committee? Seeing none, Madam Chair, I will turn it back over to you.

DR. DUVAL: Thank you, Ben. Next up is Dolphin Wahoo and Ms. Beckwith.

MS. BECKWITH: Thank you. The Dolphin Wahoo Committee met on March 7. Following approval of the agenda and minutes of the December 2015 meeting, the committee received an update on the preliminary 2016 and 2017 commercial landings for dolphin and wahoo in comparison to the sector ACL from SERO staff. The committee also received an update on Dolphin Wahoo Regulatory Amendment 1, which is expected to become effect March 21, 2017.

The committee then reviewed the decision document for Dolphin Wahoo Amendment 10. Additionally, the committee discussed the potential implications of revised recreational landings from the MRIP Program that are expected to be available in late in 2017 or early in 2018.

In other business, the committee discussed how to better differentiate landings of dolphin taken by pelagic longline on commercial vessels that possess a permit to land HMS species using pelagic longline gear and commercial vessels that do not possess such permits. There was further discussion on the different regulatory requirements of vessels that do and do not have the necessary HMS permits to fish pelagic longline gear.

The committee directed staff to work with the Southeast Fisheries Science Center to examine a mechanism to better determine the amount of dolphin landed using pelagic longline gear by vessels that do and do not possess the HMS pelagic longline-related permits. The committee made the following motions.

The first motion was to accept the IPT's edits to Action 1 with change to Alternative 4. This motion was approved by the committee, and, on behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion carries.

Our second motion was to approve wording in Action 2. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.

Motion Number 3 was to approve wording in Action 3. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.

The fourth motion was to approve revised wording in Action 4, as discussed. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.

Motion Number 5 was to accept wording for Action 5, with the exception of Alternative 2. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.

Motion Number 6 was to approve wording in Action 6, as revised. On behalf of the committee, I so move. Is there discussion? Is there opposition? That motion carries.

Motion Number 7 was to approve wording in Action 8. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion carries.

We had some direction to staff, which included, in Action 4, to direct the IPT to examine ways of merging Alternative 3 and Alternative 5, where Alternative 3 would take place initially and

Alternative 5 would occur afterwards. This was sort of in reference to the potential accountability measures. If you guys remember, we also had a little bit of discussion after that, where Ben helped us sort of note that the quota sharing option, based on the previous year's catch, would likely not benefit the dolphin commercial fishery, the way that it is prosecuted, because they typically experience those overages due to high abundance, and that wouldn't be indicated by the previous year, and so I just wanted to add that in there.

Additional direction to staff was, in Action 5, Alternative 4 and Alternative 5, further specify what is being referenced by "available uncaught sector ACL". In Action 6, we directed the IPT to incorporate the proposed rollover of unused commercial ACL and the revised rollover of unused recreational ACL in respect to the sub-alternatives of Alternative 3.

In Action 7, we incorporated wording from Alternative A into the action and add a geographic component to the alternatives. Also work with FWC staff to incorporate language that would allow other pot and trap gear to be onboard a vessel possessing dolphin or wahoo. Use the wording of "incidental limit" instead of "recreational limit", similar to wording in CMP 26.

We do have a timing and tasks motion. **There are three components of that timing and tasks motion. The first is request that the SSC examine the maximum PSE above which recreationally-caught estimates would be unreliable for management purposes, particularly for comparing catch to ACLs and triggering accountability measures.** I did want to make a point that this discussion encompassed more than just dolphin wahoo. We would likely be interested in this, as Full Council, to expand to all of our species.

We also requested a draft memo to the Southeast Fisheries Science Center to examine a mechanism to better determine pelagic longline landings of dolphin that occur on vessels that possess permits to land HMS species with pelagic longline gear and on vessels without such permits, but hold a dolphin wahoo permit. The third component was to continue the development of Dolphin Wahoo Amendment 10, as modified, for further development and review at the June 2017 meeting. I presume, Madam Chair, that that third bullet will depend on discussions at Executive Finance.

DR. DUVAL: Yes, because you all indicated yesterday, during our Executive Finance discussion, that folks would be willing to postpone further work on this amendment as well as Amendment 44 for yellowtail, given MRIP revisions and workload and et cetera, et cetera, and so I guess perhaps this bullet would need to be removed, I guess.

MS. BECKWITH: Okay. Would someone be willing to make the timing and tasks motion with just the first two bullets, as read by me?

MR. CONKLIN: **So moved.**

MS. BECKWITH: Motion by Chris. Is there a second? Second by Jessica. Is there any discussion? **Is there any opposition? That motion carries.**

Then, in reference to when we would pick up Amendment 10 again, the idea is to wait until the MRIP revision numbers are available. With that, that concludes my report.

DR. DUVAL: Great. Thank you, Anna. Next is the Spiny Lobster Committee Report and Jessica.

MS. MCCAWLEY: The Spiny Lobster Committee met on March 6. We approved the minutes from the previous meeting and then we started a discussion of Spiny Lobster Regulatory Amendment 4.

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

The committee also took a motion to, under Action 1-1. Approve the language in Alternatives 1 and 2, and, on behalf of the committee, I so move. Is there any discussion of that motion? Any opposition to that motion? Seeing none, that motion stands approved.

The committee then made a motion to, under Action 1-1, select Alternative 2 as the preferred, and, on behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion stands approved.

Then the next motion was to add additional alternatives. I think that we've had some discussion this week about not needing as many alternatives, and I am going to turn it over to Monica.

MS. SMIT-BRUNELLO: Right. Initially, when we brought up the idea earlier this week about needing more alternatives, I have since gone back and looked at this, and what is being proposed is really based on your and the Gulf Council's previously-approved equation of how you want ABC to equate to ACL and OY, and so I think, since both SSCs have looked at this and given you their single recommendation on what you should do, and that is simply just applying the equation and updating the numbers, I think you're fine to just have the alternatives that were in the original document that was brought before you at this meeting.

MS. MCCAWLEY: Thank you, Monica, and so I don't think that we need to make Motion Number 4 that the committee made, and so do we just leave it here and not make it? Okay. **Then the next motion the committee was looking at was Action 1-2, and the motion was to select Alternative 2 as the preferred. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, that motion stands approved.**

Then the committee was looking at Action 2. **The committee made a motion to approve the wording in Alternatives 1 and 2 under Action 2. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion stands approved.**

The committee then selected Alternative 2 as the preferred, and, on behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion stands approved.

Then we went into Other Business and had the discussion about the possible changes that are needed in the CFR, based on recent changes with bully netting that the FWC did. We have already sent some things over to Monica about this. She has been looking into it, and there is actually, I believe, a guidance document, but I'm going to let her talk about that.

MS. SMIT-BRUNELLO: It was brought to my attention that you had the wisdom, with your council ancestors, or I don't know what you call them, previous council members and the Gulf Council to set up a protocol with the State of Florida and the two councils and put it in the amendment as to how these regulations would be updated in the federal regulations when Florida updated their regulations, and so we'll dust off that protocol and look at it and figure out how to address these proposed changes from Florida, and we will bring that back to you.

DR. DUVAL: I just have one question. Which amendment was that protocol in? Do you recall?

MS. SMIT-BRUNELLO: I will let you know.

DR. DUVAL: Thanks.

MS. MCCAWLEY: All right. The last thing that we have is a timing and tasks, and so let me go ahead and read that. **We move to direct staff to: 1) work with the Gulf Council staff to prepare Spiny Lobster Regulatory Amendment 4 for web-based public hearings and for the June meetings of the Gulf and South Atlantic Councils; 2) hold a webinar public hearing for Spiny Lobster Regulatory Amendment 4; 3) work with FWC staff on potential changes to federal regulations to align with the Florida regulations, which will be presented to the committee in June.** Would someone like to make that timing and tasks motion?

MR. CONKLIN: **So moved.**

MS. MCCAWLEY: Chris. Thank you. Is there a second? Charlie. All right. Any discussion of the timing and tasks motion? **Any opposition to the timing and tasks motion? Seeing none, that motion is approved, and that completes my report.**

DR. DUVAL: Thank you, Jessica. Next up is the Protected Resources Committee Report and Dr. Laney had to leave, and so Vice Chair McCawley is going to take us through that report as well, and we will just let Chip get everything ready.

MS. MCCAWLEY: All right. The committee didn't make any motions, and so I'm just going to highlight some of the items that are in the report. The Protected Resources Committee met on March 6 and received updates from Jennifer Lee with the National Marine Fisheries Service. There were a number of updates. Some of the things that that included were oceanic whitetip sharks, skimmer trawls and pusher-head trawls and wing nets and their TED usage, and we also received some information about Atlantic sturgeon.

We also talked about a newly-approved black sea bass pot fishery markings and the similarity to markings in another fishery. We talked about the next Bottlenose Dolphin Take Reduction Team, and we talked a little bit more about sturgeon and the stock assessment plans. Then we noted that the red knot critical habitat final rule was not completed yet. Then, in Other Business, we talked about the double-crested cormorant depredation permits and the fact sheet that was submitted by Wilson. As I mentioned, there were no motions made by this committee.

DR. DUVAL: Excellent. Thank you, Jessica. The next committee, even though I know on the agenda it says here that we would have a break after this committee report, but, given that we're

ahead a little bit, I would really like to get through the AP Selection Committee Report before we would take a break, and so I will turn things over to Chester and Kim.

MR. BREWER: Thank you, Madam Chair. The Advisory Panel Selection Committee met March 6, 2017. The committee met in closed session to review applications for seats on the following advisory panels: Dolphin Wahoo, Habitat, Information & Education, Law Enforcement, Mackerel Cobia, Snapper Grouper, and SEDAR Pool. The Committee approved the following motions as recommendations to the council.

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

Motion Number 2 is to appoint Rita Merritt to the North Carolina recreational seat on the Habitat Advisory Panel. On behalf of the committee, I so move. Is there any discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 3 is to reappoint Dr. Pat Halpin to the at-large seat on the Habitat Advisory Panel. This is an additional term. The discussion was that he was so valuable that we would go with an additional term for him. This was a motion that was made by the committee, and, on behalf of the committee, I so move. Is there any discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Next, Motion Number 4 was to reappoint Katie Latanich to the Information & Education Advisory Panel. On behalf of the committee, I so move. Is there any discussion? Is there any opposition to the motion? Seeing none, the motion stands approved.

Next, Motion Number 5 is reappoint Shelley Kruger to the Information & Education Advisory Panel. On behalf of the committee, I so move. Is there any discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 6 is appoint Doug Kelly to the Information & Education Advisory Panel. On behalf of the committee, I so move. Is there any discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 7 is re-advertise the commercial representative on the Law Enforcement Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 8 is appoint Gary Robinson to the Mackerel Cobia Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 9 is appoint Captain Tom Roller to the Mackerel Cobia Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 10 is re-advertise the Florida Sub-Panel Seat on the Mackerel Cobia Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

The next motion, Motion Number 11, is re-advertise the NGO Seat on the Mackerel Cobia Advisory Panel. On behalf of the committee, I so move. Is there any discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 12, and this was a number of people that were being recommended for the SEDAR pool, is appoint Brett Fitzgerald, Allan Fluharty, Daniel Zier, Jack Cox, Otto Gruhn, Michael J. Roland, and Tim Sartwell to the SEDAR Pool. On behalf of the committee, I so move. Is there any discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 13 is reappoint Dave Snyder to the Snapper Grouper Advisory Panel. On behalf of the committee, I so move. Is there any discussion of the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 14 is reappoint David Moss, Jim Freeman, and Jimmy Hull to the Snapper Grouper Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 15 is appoint Robert Freeman to the Snapper Grouper Advisory Panel. On behalf of the committee, I so move. Is there any discussion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 16 is reappoint Jim Atack to the Snapper Grouper Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

Motion Number 17 is appoint Greg Mecurio to the Snapper Grouper Advisory Panel. On behalf of the committee, I so move. Is there any discussion on the motion? Seeing none, is there any opposition to the motion? Seeing none, the motion stands approved.

We had some direction to staff, which I will just read. We don't need a lot of discussion on this. It was to review the structure of the Habitat Advisory Panel at the next AP Selection Committee Meeting. This was with regard to a point that was brought up by Roger. Then include a description of the NGO representatives when advertising open positions on species-specific advisory panels. Any questions or discussion with regard to the direction to staff? Seeing none, Madam Chair, that concludes our report.

DR. DUVAL: Thank you very much, Chester. I would actually like to go ahead and get through the SEDAR Committee Report before we take a checkout break, if that's okay with everybody, and so I will let John get up here and, after that, we will take a checkout break.

The SEDAR Committee met on March 6 in Jekyll Island and the agenda was corrected to include Chris Conklin as a member of the committee. We received an update on ongoing SEDAR projects

and some of the changes in scheduling, due to the pushback of MRIP revision assessments that were originally planned for 2017.

The committee reviewed the stock assessment prioritization tool that has been developed by the Fisheries Service and recommended a number of changes in the prioritizations and the research plan pertaining to our species that you can see there. Dr. Ponwith reported that the Science Center was considering providing annual updates for abundance indices, which was supported by the committee. We also talked about resources necessary to clear an ageing backlog and keep our ageing operations up to date.

The committee also requested that the Steering Committee consider replacing the planned MRIP revision assessments in 2017 with a standard assessment of golden tilefish, and we had some requests of the Science Center with regard to consider ageing issues of golden tilefish, in light of some of the challenges that have been identified for blueline, and so we will consider those at the SEDAR Steering Committee at its May 5 meeting.

We have a timing and tasks motion. The first item there is request that the SEFSC provide an evaluation of ageing resources for the South Atlantic to consider: a) the resources required to clear the current backlog of age evaluations; b) the resources required to provide up to date age structure evaluations for South Atlantic Council primary data collection species; c) a comparison of current age structure evaluation resources with the resources required to keep age evaluations up to date. The second is to request that the Science Center provide an evaluation of whether the challenges to age determinations for blueline tilefish also apply to golden tilefish, for consideration by the SEDAR Steering Committee at its May 5, 2017 meeting. The third item is to direct staff to work with the Gulf of Mexico Fishery Management Council, the Southeast Fisheries Science Center, the Southeast Regional Office, and MRIP to convene a joint Gulf/South Atlantic SSC meeting to: a) address regional MRIP issues, such as excessive catch estimate uncertainty and the challenges of developing estimates for rare occurrence species; b) consider unit stock definitions, as applied in management and stock assessment, with the goal of identifying stocks that stocks require further stock ID evaluations and stocks that have adequate and acceptable definitions to address management and assessment needs. Is someone willing to make that timing and tasks motion?

MR. HARTIG: Can I ask a question before you do that?

DR. DUVAL: Sure.

MR. HARTIG: It was specific to what Bonnie had reported, that they're considering providing annual updates for abundance indices. Bonnie, are you going to come up with a framework that is going to do that? I know you had said that there is time constraints with that, and then maybe - I am just trying to see how we get the timing on some of those different items.

DR. PONWITH: I appreciate that question, because it does seem like it's going to have to be kind of an iterative conversation between the Center and the SSC and then the Center and the SSC with the council, because there are going to be some tradeoffs. Essentially, we have started talking, because of this conversation and the interest in the council in this, we have started talking a little bit about what would it take to update those indices on an annual basis, such that those indices

could be used as an indicator of the status of the stock as an interim measure in between stock assessments.

We are interested in this, and we are willing to invest some time in evaluating that. Colleagues in Beaufort are working on some analyses right now. We would like to spend some time looking at other councils that may use this approach, to see what kind of successes and not so much they've had in using this approach.

Then maybe the way to go for this is for us to do a preliminary analysis and have some conversations with the SSC and then come to the council with a proposal of this is how this could work and this is how it could be used and these are the species that it might be appropriate for and then have the discussion of what are the impacts of using this approach on the way your current control rules and regulations -- Just to make sure that we're not forgetting something in how we consider this.

The bottom line is we're interested in doing it. I don't think it's a matter of push the button and go. I think it's going to take some iterative discussion back and forth to get the procedure rolling. If the council is interested enough in this, we will continue to make these investments in that first step.

MR. HARTIG: Thank you, Madam Chair. **I would be glad to make the timing and tasks motion.**

DR. DUVAL: Motion by Ben. It's seconded by Chris. Is there any other discussion on the timing and tasks motion? John.

MR. CARMICHAEL: I think, on behalf of our SSC Chair and his role in MARMAP, he wanted to urge that, in the consideration of ageing resources, that MARMAP is also considered, and expect that would be the case, because they are so integral, but I wanted to throw that out there for his behalf.

DR. DUVAL: Thank you for that reminder. Any other discussion on the timing and tasks motion? **Seeing none, is there any opposition to this motion? Seeing none, that motion stands approved.** We will go ahead and take about a fifteen-minute checkout break. If folks can be back here at 10:35, we will pick back up. Thank you.

(Whereupon, a recess was taken.)

DR. DUVAL: The next committee report we have is Habitat and Ecosystem, and I am going to turn things over to Doug and Roger.

MR. HAYMANS: Thank you, Madam Chair. The Committee met on March 6, 2017, and we were provided an overview of working drafts of FEP II Sections, an update on regional coordination supporting habitat and ecosystem tools and model development, and a presentation on NMFS Draft South Atlantic Regional Action Plan for Climate Science.

Brett Boston of Group Solutions provided an overview of the overall structure of FEP II, including working drafts of FEP II sections on South Atlantic Food Web and Connectivity, South Atlantic

Climate Variability and Fisheries, Managed Species, Artificial Reefs and South Atlantic Habitats, EFH and EFH Policies and associated linkages.

Council staff provided an update on activities supporting habitat and ecosystem tool development, including the EcoSpecies web-enabled species information system supporting FEP II and the regional South Atlantic ecosystem modeling effort funded by the South Atlantic Landscape Conservation Cooperative.

The cooperative is conducting workshops, which are noted. You have those in the summary. I won't go through all of those, but the cooperative is conducting workshops to further refine the blueprint and indicators which draw on council conservation of EFH and managed areas, better linking to council mandates and FEP II. Dr. Ponwith provided the committee a presentation on the National Marine Fisheries Service Draft South Atlantic Regional Action Plan for Climate Science.

There were no motions were made. **There were five timing and tasks items, which you see presented in your summary report, and I would entertain a motion to accept those timing and tasks motions.**

DR. DUVAL: Charlie has a question first, I think.

MR. HAYMANS: Go ahead, Charlie.

MR. PHILLIPS: Doug, it said, on whichever bullet, the council staff will advance partner-funded South Atlantic ecosystem model -- What does that mean?

MR. PUGLIESE: What that means is we are -- It's already happening. We're ramping up working on the ecosystem modeling, Ecopath and Ecosim, and, to advance it even further, we're going to have a team that had been funded through the LCC meet in St. Pete in May, and so we're advancing the coordination to take these to the next steps and get closer to tool development, et cetera.

MR. PHILLIPS: It was just oddly worded.

MR. PUGLIESE: Yes, and that's my bad on the wording.

DR. DUVAL: The other thing I would just call folks' attention to is the comments that staff will be developing on the Draft South Atlantic Regional Action Plan for Climate Science. If folks have any input on that, I would ask that you please get that to Roger by March 20, and so I just wanted to note that, for your attention.

MR. HAYMANS: Thank you. **Do I have a motion to accept the timing and tasks?**

MR. PHILLIPS: **So moved.**

MR. HAYMANS: Motion by Charlie. Is there a second? I see Ben. Thank you. Any discussion? **Any objection? The timing and tasks are accepted.**

Is there any other business to come before this committee? Seeing none, Madam Chair, that concludes the business of this committee.

DR. DUVAL: Thank you very much for an efficient report. Next on the agenda was Citizen Science, but I think our committee chair is not here right now, and so I think what we will go ahead and do is probably move to Executive Finance. Speak of the devil and the devil appears.

MR. CONKLIN: Okay. The Citizen Science Committee met March 6, 2017 at the Jekyll Island Westin for the second time ever. Staff provided an update on implementing the council's recommendation to hire Cameron to back-fill Amber's position. We talked about how we hired Amber as the Program Manager for the Citizen Science Committee. Then we reviewed the first year of work. There are seven objectives.

We talked about the transition team and the organizational infrastructure. We talked about how we were going to find people to maximize resources and provide development perspectives and the role of the transition team will be to provide broad administrative support for the program, as the infrastructure is developed. Once the infrastructure in place, then the program oversight will be transferred over to the Citizen Science Committee.

The council gave ideas on what type of people to put on the transition team. For instance, add some additional NGO seats. As noted, the NGOs are not just environmental groups. It could be fishermen or fishermen's organizations.

We also talked about the role of state agency reps on the transition team, and then NOAA General Counsel provided guidance on how to set up the transition team as an AP or a workgroup, and, from that, we were looking for guidance from NOAA GC on what to do, and so an update from Monica would be helpful.

MS. SMIT-BRUNELLO: I have talked with some folks back in my office too, and we think this really should be set up as an AP of the council, because it's going to involve non-federal people and we want to make sure it's covered under FACA and all of that. It's similar to the SEDAR Steering Committee, and I think you even set that up as an AP, and so I would urge you, at the next council meeting, to put this on your agenda and establish this transition team as an advisory panel to the council.

MR. CONKLIN: Thank you, Monica. Does anyone have any questions for Monica? Seeing none, I will move on. Then staff reviewed the South Atlantic Research and Monitoring Prioritization Plan for 2015 to 2019. The council recommended flagging the research priorities in the plan that could be addressed using a citizen science approach. Then the council added a priority for an evaluation of release mortality for red snapper using descending devices to collect general information on this, and this, Madam Chair, concludes my report.

DR. DUVAL: Thank you, Chairman Conklin. Well done. Okay. The next committee report is Executive Finance, and so we will let Gregg pull up a couple of documents here in addition to the report. The Executive Finance Committee met on March 9 in Jekyll Island and received a report from the February 28 through March 1 Council Coordination Committee meeting as well as the Administrative Officers' meeting.

We reviewed the Council Year 2016 Expenditures and reviewed the Draft 2017 Budget. We will defer approval of that until June. We also reviewed a report on the council follow-up and priorities, and council staff reviewed with us the large number of amendments and the cascading impacts that that has on council staff as well as Regional Office staff to move those documents through the process.

Staff presented recommendations for to address that issue, in terms of putting a few amendments on hold, pending revisions to the MRIP data, and by selecting four amendments to work on for the June 2017 meeting, and we agreed to prioritize those amendments during this Full Council session, which we will do here momentarily.

We also reviewed the Standards and Procedures for Participating in Council Webinar Meetings and provided direction for staff on procedures for exploring both a mixed in-person and remote participation for council, SSC, and AP meetings.

Then, under Other Business, we reviewed a draft letter to NOAA concerning MRIP landings and directed staff to make a number of revisions and send the letter to NOAA prior to the next council meeting. We also provided some guidance to staff on modifications to council meeting materials, and Mr. Conklin volunteered to be our representative on the Bottlenose Dolphin Take Reduction Team, and so we appreciated that.

We do have a number of timing and tasks. **The first of these is follow-up on items from the CCC and Administrative Officers' meetings, including helping council members establish a separate email account for council-related emails, revise the Council Year 2017 Budget based on the funding level for the June meeting, implement the revised schedule and priorities as identified during the Full Council session, revise the draft MRIP landings letter and provide council members one week to review and send prior to the June meeting, modify council meeting materials as directed, and notify the Take Reduction Team that Chris Conklin is the South Atlantic Council representative.**

Before we get to a timing and tasks motion, I think one thing I would like to do is get a motion from the council with regard to postponement of Snapper Grouper Amendment 44, which is the yellowtail snapper amendment, and the Dolphin Wahoo Amendment 10. I want to make sure that, just for the public, that we're not postponing these indefinitely. It's our intent to postpone them until we get revised MRIP information, and so I just want to be clear about that. Is someone willing to make a motion in that regard? Ben.

MR. HARTIG: I don't know if you want a time in there. Do you just want to suspend current work on those two amendments? I mean, how do you want to word it?

DR. DUVAL: I think we want to suspend work on those two amendments, but I want to make sure it's not indefinitely. It's due to concerns about revisions to MRIP landings for these species or until revised MRIP landings are available.

MR. HARTIG: **I move that we suspend work on Snapper Grouper Amendment 44 and Dolphin Wahoo Amendment 10, with the intent that we will resume work on those two amendments when --**

DR. DUVAL: **Revised MRIP information is available?**

MR. HARTIG: **There you go.** Thank you.

DR. DUVAL: Ben has made a motion. **The motion is to suspend work on Dolphin Wahoo Amendment 10 and Snapper Grouper 44. We will resume work when the revised MRIP data are available. Is there someone willing to make that as a second?** It's seconded by Chester. Is there discussion? Jessica.

MS. MCCAWLEY: I just want to say that the FWC Commission sent a letter that said to work on these two and work on them as fast as possible. I know why we're doing it, and I don't necessarily disagree, but I haven't had time to go back to the commission to get additional direction, and so I'm going to have to vote against this.

DR. DUVAL: We understand that. I think, but, given all the concerns that were expressed around the table about how MRIP data could potentially impact these and that there, I think, is a yellowtail assessment that is coming up, and is that not correct as well, that there were concerns that we would simply be having to rework a whole bunch of information. I certainly understand why you have to vote against this, and hopefully you will be able to provide the commission some information at their next meeting.

MS. MCCAWLEY: Yes, and I will give them information at the next meeting as to why, but just know that, because of that's previous direction that's hanging out there and that letter that they sent, I am going to have to vote against it.

MR. PHILLIPS: Just to that note, I talked with one of the industry guys down from the Keys and told him that we probably were going to have to do this, and they seemed okay with it.

DR. DUVAL: Thanks, Charlie. Is there further discussion on this motion? **Is there any opposition to this motion? Could I please see a show of hands of those in favor of the motion, eleven in favor; those opposed, one opposed; abstentions. The motion passes with one opposed.**

This is the time where we get to the four amendments that we would like to identify to bring forward in June, and I want to ask Gregg to kind of review this and provide a little clarity in terms of what this means for work for the next couple of council meetings.

MR. WAUGH: Thank you, Madam Chair. The workload issues document that we distributed to you yesterday has, as Item 3, to specify four amendments. Then the next, Item 4, is, at the June meeting, what we would do is have more time and go into looking at the other amendments and how you want to schedule them to fit in after these four are completed.

Now, as we are continuing on this schedule, work will continue on the ABC control rule modifications. Previously, that was tied to the golden tile amendment, but we will now continue working with the SSC to get that material ready. Then, at some point, we will go forward with a comprehensive amendment that will amend the control rule for all of our FMPs.

Then, as we get stock assessment results coming forward, we will have to address the output of those assessments, and we do have an abbreviated framework procedure that we can use at one meeting, basically. We would do the analysis ahead of time and incorporate the values that came out of that stock assessment. Then you all would look at it at a meeting and we would take public comment at that meeting and approve it at that meeting, and so we will work that type of action in as we get stock assessment results.

Then, of course, if you want to make changes to the management measures, then we have to do a framework, and we've got open and closed and varying amounts of time for some of those, and so, as we get -- We will have more details for you in June on how we might fit those in as we get assessment results. Then you have also got, in the briefing book, as Attachment 4b, Version 2, the revised spreadsheet that shows the plans and amendments that we're working on, and we've got that up here, if you all need to look at that as you choose the top four amendments that you all want us to work on.

DR. DUVAL: Just to refresh people's memories, we have the two vision blueprint amendments, and we have the spiny lobster amendment. Gregg, the postponement of Snapper Grouper 44 and Dolphin Wahoo 10 allows for additional staff time to continue work on the portfolio analysis, correct?

MR. WAUGH: That's correct, and, as long as we keep the other amendments to four, we feel that that can be accomplished.

DR. DUVAL: So what other amendments then do we have? Red snapper. How could I forget? That's Amendment 43. I don't think that there are any other amendments going on besides those four. Jessica.

MS. MCCAWLEY: Based on what Monica said, I don't think that spiny lobster is going to need a full amendment. There might be another way to just publish a rule or something, and so only one lobster amendment, it looks like.

DR. DUVAL: So that would hopefully not take up too much staff time. Gregg, if we kept those four items on the plate for June, the spiny lobster, Snapper Grouper 43, the two vision blueprint amendments, what would be the other amendment? I know that the SSC has to review golden tilefish projections. Was that one of the amendments that you all were thinking of as well?

MR. WAUGH: Yes.

DR. DUVAL: So, to be clear, the four that we would select, we would see again in June. Then, in June, we would make a decision about what we would be seeing in September? Is that how you would like us to proceed?

MR. WAUGH: Somewhat, because what we would do is -- Obviously the visioning amendments would continue for the balance of this year, for 2017, and, given where we are, in all likelihood, it would carry over into the first quarter of 2018. At June, we would be talking about, okay, what do you want to stack behind those two amendments? What would be worked on once those are finished?

DR. DUVAL: I kind of feel like that the ball is kind of in the SSC's court, in terms of forward momentum on golden tilefish right now. Is that not correct? Because we would need to get some interim ABC advice from them before we could start work on amendment?

MR. WAUGH: Yes, and, when you see those results in June, if your direction is just to change the ACLs, then we would just look at doing the analyses of that change in the ACL and bring that back to you in September for your review and approval in September. If you want to make additional changes to management measures, then that's going to involve more work, and we will have to figure out, in June, how we fit that into the schedule.

DR. DUVAL: Then the other thing I would just bring up is that there also -- Based on the timing and tasks that we approved in the Snapper Grouper Committee Report with regard to red snapper and having a conversation with the Science Center and the SSC about how to proceed with an ABC determination, I mean, even if we continue work on Amendment 43, we're not going to be able to populate that with anything for at least a couple of meetings, correct?

I am just trying to figure out how to fit pieces into the slots. Do we need to see Amendment 43 in June? Is that something we could pick back up in December, after the SSC has come up, so that we could look at the two vision blueprint amendments and spiny lobster and review something on golden tilefish? I am just trying to figure out how the work on the ABC determinations for golden tilefish and for red snapper are going to fit into our work on amendments.

MR. WAUGH: Chip, do you want to address that?

DR. COLLIER: As far as Amendment 43, there are some parts in there that could be approved, it seems like, pretty quickly, such as descending devices. That was something that was recommended. Without an ABC, you potentially could go forward with something like that and maybe some of the other best fishing practices, if you think those are most appropriate, and try to get them through quicker, while you're waiting on an ABC to be developed.

There is other options in there that you might not want to consider in greater detail until you have an ABC, but we can continue to work on some of the values that you gave us, such as the hundred-foot or 110-foot lines, and different things like that that we can continue to work on.

As far as Amendment 45 and the ABC control rule, staff will need to continue to work on that in order to develop everything to be prepared for the SSC meeting. The SSC is not going to be developing anything. They're going to be reviewing a document that's developed by staff, and so it still will involve quite a bit of time.

DR. DUVAL: But it's no longer -- The ABC control rule work is no longer tied to the golden tilefish amendment, and so that work would continue in the background on the ABC control rule. I guess what I am trying to figure out is, since that's something that is going to be continuing in the background, is that one of the four that we have to select? I think that's what we're a little confused about.

MR. WAUGH: No, that wasn't the intent when we put this document together. It was that there would be four, and, in addition to that, staff would continue working with the SSC on the modifications to the ABC control rule.

DR. DUVAL: Okay. Ben.

MR. HARTIG: I mean, this is where I got into trouble before. Now that Chip has laid out what we might do with red snapper, which seems an appropriate vehicle to go, by simplifying this amendment and making it much shorter and focusing on best practices and descender devices, that is very appealing to me. I don't know. It makes it tougher.

DR. DUVAL: Is the spiny lobster amendment -- I mean, my understanding was that we were going to have a webinar public hearing on that and that we could probably wrap that up pretty quick, so that we would only need to see it again in June and that would be it. Monica.

MS. SMIT-BRUNELLO: Not to that point, but I believe that yes. I believe your timing on spiny lobster is accurate. Both councils, and they meet one week after the other, and both councils were going to take final action on it in June. I raised my hand because I may have missed it, but have you factored in how we're going to address the overfishing of golden tilefish, in what kind of vehicle that is going in?

DR. DUVAL: That is kind of what we're trying to figure out. For our menu of four that we get to choose, the ABC control work is continuing on in the background separately from these four amendments that we would review to continue work on for June, and we're asking the SSC to review the possibility of an interim ABC determination at their upcoming meeting, and so that could feed into -- It just depends on what the council wants to do, because we have that framework that would allow us to simply modify the ABC, but, if we then want to consider additional management changes, it would need to go to normal framework, I guess I will call it, for lack of a better term.

MS. SMIT-BRUNELLO: Right. From the abbreviated framework to a regular framework, I guess, and then remember that I had thrown out that you always have the possibility, I think, in this situation to use an interim rule to reduce overfishing, which lasts for six months and can be renewed for another six months, similar to an emergency action, in terms of the time period. That potentially -- I mean, you have it in your toolbox if you need something as a placeholder while you are developing other things to replace that interim rule.

DR. DUVAL: Okay. I think we would definitely want to see spiny lobster, because we're going to wrap that up. Chester.

MR. BREWER: Following on with what Ben said, and I am not sure that this isn't already happening, but we were sort of talking about, while citizen science was being set up, doing some sort of work with regard to best handling practices with regard to red snapper, and in fact all snapper grouper, and the use of descending devices.

I kind of think back to the history of circle hooks, and, before circle hooks were ever required by the HMS, there was a big drive. It was really by both the commercial and recreational and their organizations to implement the use of circle hooks, and, in fact, it was mandatory to use circle hooks in billfish tournaments years, years, before HMS required it, and so, while we may not be in a position at this point to go to mandatory, I would just -- I am trying to figure out how to do something in the interim that gets people used to the idea and gets them behind the use of

descending devices, even though there may not be some regulation in place that says you've got to have them onboard or you've got to use them.

To me, that would give us an awful lot of bang for the buck, and so I throw that out there as a potential, and maybe that kind of thought can be worked into the red snapper amendment. I don't know. It may already be there. Arguably, I think it is, but that's something that at least I would really like to focus on, and I think there was a lot of support around the table for getting people using descending devices.

MS. MCCAWLEY: What I think Chester is saying was the same thing that Ben said a minute ago, was kind of taking these core pieces and parts of the red snapper item and continuing to move that ball forward, and I would definitely be in favor of doing that as one of our slots.

DR. DUVAL: I think, maybe next to the red snapper amendment, maybe just some parentheses and focusing on the best practices pieces of that, just so we make sure we know what we're doing. So spiny lobster, red snapper, and Gregg has the two visioning amendments in there as well.

I feel like, for golden tilefish, because we're going to be dispensing with spiny lobster at the June meeting, that we could slip golden tilefish in after that, because we will be getting our advice back from the SSC then, and so we can make a decision as to which tool we want to use. Do we want to use an interim rule, as Monica has laid out, or do we want to move forward with a regulatory amendment that might include additional management changes? Does that sound like a reasonable way forward to folks?

MS. MCCAWLEY: Could you say it one more time?

DR. DUVAL: If you look at the four items that Gregg has up there, it's spiny lobster, and we definitely would like to complete that, and red snapper, the components that deal with best practices, and then the two visioning amendments. Because we need to get advice back from the SSC with regard to an interim approach on golden tilefish, and because we're going to be completing spiny lobster, then we could slide golden tilefish in as the next thing to consider.

We can't really do anything on golden tilefish before we get that advice from the SSC, and so, in June, we can choose our tool. Would it be simply the interim rule to adjust an ACL, you know the abbreviated framework, as Monica has laid out, or, at that point, we could also consider, the quote, unquote, normal framework. I forget. One is open and one is closed, or some terminology like that.

I forget which is which, but if there were additional management measures beyond simply modifying the ACL that we could consider. It's not like we're jettisoning golden tilefish. I think we're waiting for the information to come back to us before we take that next step and decide which tool we're going to use. Does that sound reasonable? Okay.

On the screen, we have to direct staff, and I would be looking for this in the form of a motion, direct staff to work on the following four amendments for the June 2017 meeting: the visioning amendment commercial, the visioning amendment recreational, red snapper amendment focusing on best practices items, and spiny lobster. Mel.

MR. BELL: **I would make that motion.**

DR. DUVAL: Is there a second? It's seconded by Ben. Is there further discussion? **Is there any opposition? Seeing none, that motion stands approved.**

Gregg has indicated, in terms of golden tilefish, that we would begin work after the June meeting, after spiny lobster is completed, and we will receive that SSC advice. Gregg.

MR. WAUGH: What we will do too is, in June, is bring you some recommendations for how we address things like the wreckfish ITQ review, allocations policy, although we can make the argument that we've done some of that work, bycatch and how we deal with that. Jack will be bringing something to us in June, perhaps, but we will work with them too to see how that might fit into the timing. There won't be work done on these, but we will come back to you in June, and we will have some discussion about where they fit into the longer-term schedule.

DR. DUVAL: I would appreciate that. Thanks. Then I think the only thing remaining is the timing and tasks motion, which I reviewed previously, and so is someone willing to make that motion?

MR. HARTIG: **Madam Chair, I will make the timing and tasks motion.**

DR. DUVAL: Thank you. Is there a second to that motion? Second by Chester. Thank you. Is there any further discussion on the timing and tasks? **Seeing none, is there any opposition to the timing and tasks? Seeing none, that motion stands approved.**

That then takes us to our Agency and Liaison Reports, and I am going to start down at this end of the table with Lieutenant Pray, and we have a guest here today, Mark Nemec, who is also going to present as part of Lieutenant Pray's report.

LT. PRAY: Thank you, ma'am. It was an exciting week here, and there are a few things that I would like to address in my agency report. First, you've heard a lot about this case off of Brunswick that happened in February. Coast Guard Station Brunswick boarded a recreational fishing vessel. The master was in possession of seven red snapper, three undersized black sea bass, two cobia, and two red drum. The catch was not seized. However, it was documented and photographed for purposes of the case package, which is in revision at the sector in Charleston, and it will be forwarded to my office in Miami. Then I will get it over to SERO for future prosecution.

The BO was in contact with NOAA OLE Special Agent Kevin Mitchell, and he was briefed as well and concurred with all the recommendations. The master returned to the dock and was allowed to keep the catch, with the exception of the black sea bass that were alive, and those were released. I don't know if there's any questions on that case.

MR. HAYMANS: What kept coming into my office was why isn't this in the paper? Why don't they report the fact that they have caught somebody? I kept telling them that, well, you're innocent until proven guilty and the case hasn't been adjudicated. At what point can the Coast Guard or NOAA OLE or anybody else post for public consumption those cases?

LT. PRAY: Not being a Coast Guard attorney, I would probably consult my legal office, but we have, in cases where we have migrant interdictions or drug interdictions, we are able to release the facts of the case, that a vessel was intercepted and it was cited for such and such violations and it has been referred for prosecution, and so I would think that a public affairs release could have been done. It wasn't pushed to a higher level, and that's unfortunate. At the local level, at the state level, we could have worked together maybe to push something out, and, after the fact, I would think that we would be able to as well.

MR. HAYMANS: I would like to pursue that, if we could. I have gotten dozens of phone calls, as the word got out around the community, of why isn't this in the paper, and this is the type of example that needs to be made.

LT. PRAY: No, absolutely. I think it's a good platform to push the message.

MR. HAYMANS: So maybe you and I can work on something?

LT. PRAY: Absolutely.

MR. HAYMANS: Thanks.

MR. PHILLIPS: Considering that the vessel got to keep the fish, I think, if possible, a policy might be that you try to meet a state boat inshore, whether it's Georgia or South Carolina. That could amount to \$400 or \$500 worth of fish. That could be quite a -- You could let a good bit of money go, which he may think he's just going to keep the fish and do something with them and that helps pay for his fine, but I would think the fish need to be confiscated, if possible, and I understand there is times when it's not possible, but, if there's a way to get them in and get them to a state boat, where they could give those fish to charity or do something else with them, I would suggest that, if we could work on that, that would be good.

LT. PRAY: Yes, I'm definitely going to follow up on this case. The vessel was terminated for safety reasons, and so it did return to the dock, and I believe the station escorted it into the dock, and so, at that time, it could have easily been handed over, and so I want to work with NOAA OLE and determine where we may have gone wrong.

DR. DUVAL: Any other questions for Lieutenant Pray on that portion of her report? All right. Please continue.

LT. PRAY: I wanted to follow up from our last meeting, the HMS Committee meeting, in which we discussed the HMS recreational permits and, of those vessels who hold that permit, which are Coast Guard inspected. We were able to provide John Hadley with the data, and so we're going to present that at the June meeting. For the council's awareness, the majority of those possessing the HMS recreational permit are not inspected by the Coast Guard.

I also wanted to comment that, earlier in the week, when we were talking about Amendment 43, the options that the council is considering, there were concerns raised over the enforceability of a line in the water about a hundred feet of depth, and I just wanted to say that, if it's the desire of the council to create such a boundary, the Coast Guard can and will enforce this boundary.

In agreement with Mel, straight lines are good and more waypoints are good. That will just give us better positional -- For prosecution purposes, it will be better to confirm a vessel's position. Then, while I can't guarantee that we will catch every violator, we can work with the council on the options they're considering. Lastly, I will turn it over to Mark, unless there is questions on that.

DR. DUVAL: Thank you very much, and we appreciate the concerns that you bring forward to us as we're working on development of our amendments. You know we absolutely -- Sometimes we need to work our way all the way around them before we get to something that we settle on. Mark, I will turn it over to you.

MR. NEMEC: Good morning, everyone. I really didn't plan anything, necessarily. I just like to talk, and so I figured I would get up here and talk a little bit. We did get a memo from CVC, which is our Headquarters Office of Commercial Vessel Compliance. I am on the safety side of the house, and so they did say that, if you're familiar with the commercial vessel safety decals, that if a vessel has a current decal and it's sold, that null-and-voids the decal, because there is going to be a new operator and a new owner and the equipment may change.

Definitely the documentation of the vessel will change and everything like that, and so that just came out just about a week ago, where there was a memo that came out from CVC that said that, and so that's just for your awareness, the commercial fishing vessel decal program, that those will become null-and-void. They may still look like they're current, but they will become null-and-void.

I forgot I was going to start out by saying -- I will throw out a shout-out to all the commercial fishing vessel examiners, the safety examiners. There is one at each sector officer, and there may be multiple ones that are trained. Clyde Bowman is here with me, and he's with the Coast Guard Auxiliary, and so he works a lot with me, and he's a local contact. He knows a lot of the local folks down here, down south. I work out of Savannah, and so we work together, and it just puts more eyes out there on the docks and everything like that. If you have any questions regarding safety or new regulations that are coming out or regulatory reform or whatever, just refer to your local commercial fishing vessel safety examiner or to the district fishing vessel coordinator.

MR. CONKLIN: Do you guys, either Tara or Mr. Nemec, do you all go through the permit list and see who you can call up and try and do some outreach to them, because there is a lot of permitted vessels out there that are not in compliance.

MR. NEMEC: That is correct, and I can tell you, from my fleet, of the ones that I'm familiar with and that I know, and I've got a list of the ones where I check out all the permits, and that's kind of how I know who is operating outside of three miles. Anybody that operates outside of three miles, as of October 15, 2015, is required to have a dockside -- Not only to have a dockside safety examination, but to have the decal, to pass the dockside safety examination.

It's pretty much an examination that looks at the safety equipment. It's not necessarily structural integrity or anything like that, but it just looks at the safety equipment itself and some other things, different things, navigational equipment, obviously, and things like that. I can tell you, for me, in a world that is kind of in flux and there's a lot of boats that are just tied up that still hold the permits

that really don't go out and do anything, I am probably at about 45 percent of the ones that I have identified for mandatory exams.

Now, the district's numbers, they tell me that I'm at 8 percent, but the district always has a bleak outlook on life and stuff like that, and they actually have -- I think they kind of almost include the ones that are inside of three, the ones that are only fishing the state waters, which still can have the safety exams, but they're not mandatory, because they're not operating outside of three miles. They're not fishing outside of three miles, but I know, and I've tried to do that outreach, and that is where I am working with our LMR folks.

We have certain target lists that we say, hey, here's a bunch of guys that don't have the permits. If they're out there, outside of three miles, and you stop them, the Coast Guard policy isn't to terminate their voyage, but it's to give them a warning, where they have thirty days to contact me or one of the other fishing vessel examiners and to get that decal, to get the safety exam and to get the decal. Once that's done, then everything is good and they wouldn't be fined, but, after that, they would be fined.

As far as I understand it, the policy is, the second time out, if they've already been warned once and still don't have that mandatory exam, their voyage will be terminated, and they will not be permitted to leave the dock until they get the safety exam and they pass the safety exam, and so we're aware of it. It's one of those things.

I have had fishermen tell me straight to my face that it's just like speeding, that, until I get caught, I ain't going to let you on my boat. Dockside, I don't have a lot of enforcement authority. Once they get outside, that's when the enforcement authority comes in. Did that answer the question?

MR. CONKLIN: Yes, and a good place to refer to is the SERO website. It has the list.

MR. NEMEC: Yes, and that's always what I use, and I check it probably every three months or so, because it does change, and it's constantly changing, the number of boats, and that's why I try to get out at least once a month, where I'm walking all my docks, the docks that I'm familiar with. Obviously a lot of the more recreational, which I don't really get too far involved with, but the ones that I am not really familiar with, but especially the shrimp docks, which is most of my fleet.

I am walking out there and making sure. I'm reaching out to people and talking to them and looking, because we were just -- Clyde and myself just went to Knight's Seafood there in Brunswick, because we noticed there was a boat that they were having issues with on the rail, and we pointed out another boat that Clyde hadn't seen before, but I knew who it was, because he had just purchased the boat, and so I was familiar with him, and he's going to be getting his examination pretty soon, and so that's the big thing.

As far as outreach goes, I'm in the same boat. I am trying to figure out the best way now, and, with the HMS permits and all of that that has just recently come out, I have a new list of boats that I didn't have exposure to. They weren't on my radar before. It wasn't a whole lot, but there was about fifteen boats that are operating off the Georgia coast, or out of Georgia, that do have those HMS permits.

What I am planning on doing is, within the next month, I am planning on putting out a newsletter to explain a lot of stuff. The hard part with me is there's not really a good -- A lot of my folks don't have the internet and everything else, and so it's really hard to reach out to everybody as a whole basket or whatever, and so, before the mandatory exams, I did do a mass mailing, where I sent out about 150 of the commercial fishing vessel examination guidebooks.

I sent out the MSIB, which is a Marine Safety Information Bulletin, and it was the same MSIB that was sitting out on the table a little while ago, this one right here, that talked about the mandatory exam, and so my numbers went way up before October of 2015, and they have kind of leveled off now, where I am not getting to as many boats or there is not as many boats requesting the examination, but that's it.

As best as I can reach out, that's what I'm going to do, and it's going to be in person, out on the docks. It's going to be through the mail. However I can do it, I am going to do it, but I do keep my eyes peeled on that and also with the state, too. Georgia DNR, I work closely with Georgia DNR, and she kind of gives me her list of ones that are at least getting the state permit.

MS. BOSARGE: I will be quick, but thanks for coming. We have a great relationship with our guys. Our guys are out of Sector Mobile, where I am from. I am from the Gulf, but anyway, I just wanted to say that I picked up all of your papers out there. They are really great and informative. As you know, the next step for us, from the commercial fishing vessel side, is the Alternative Safety Compliance Program, which is going to be a biggie for the older vessels.

You mentioned the shrimp fleet. In the Gulf, that's the biggest fleet that's going to be impacted, for sure. A lot of those boats actually overlap, probably, with the South Atlantic. We are dually-permitted, and we're over here sometimes and we're over there sometimes, but, if you have any feedback from them on that Alternative Safety Compliance Program, because we're talking about something that, if it was implemented the way it's lined up right now, it would be probably six figures to comply with it for a lot of these shrimp boats. It's big-time money to do what they would want us to do to come up to that particular class.

Anyway, if they have any feedback or anything, there is a guy named Bob Perkins in the Coast Guard that -- I am not sure what his position exactly is. Our Nemo in the Gulf is Scott LaBlock, and so somehow Bob Perkins is above him somewhere, but anyway, if you correspond with any of those people, if you could give some feedback from your shrimp fleet over here, that would be great. What we're seeing in the Gulf is that it's a nationwide regulation, and they're trying to tailor it to each region.

The issue is that most of the regulation for that new classing program, or safety program, has to do with stability of the vessel, and, unfortunately, in the Gulf, that's not really our problem. Our deaths, our fatalities, which is what is driving this train, come from man overboard, for the most part. That's the majority of our deaths in the Gulf, and I think that, if they would really like to save some of the people that we love, there is some other things that they could focus on that would actually maybe save some lives. Anyway, I'm just putting it out there, and, please, call me anytime if you've got any ideas or you get any feedback from your guys, and thanks for all that you do.

MR. NEMEC: Thank you. Just to put in a little plug for it, the Alternative Safety Compliance Program was going to be out in regulation. It was one of the things that was in the Coast Guard

Authorization Acts of 2010 and 2012, and Congress said, all right, Coast Guard, the fleets are getting a little older and stuff, and we want you to come up with some sort of safety program for them.

At first, they said the vessels should be classed, and we said there's no way, because, if the vessels were -- They would never be able to, because they weren't built to class, and it would just be too much. It would just put everybody out of business, and so they came out with this Alternative Safety Compliance Program.

Well, after two years of kind of working on that, the Coast Guard was working towards it, as far as the regulations and everything like that, and it got tanked. Then they came up with the Enhanced Oversight Program, and that got tanked, and that got tanked within two weeks. That was weird, and so now they have -- One of the papers up there was the Voluntary Safety Initiative and Good Marine Practices, and so it's strictly a voluntary program.

We as fishing vessel examiners go out, and we kind of push that to the public. The new word, the new buzz word, within the Coast Guard is "incentivize". We are going to give people incentive to do it, because it's a good thing and stuff like that, and this is one of those ones that I think is a good thing.

Now, all of it, I agree, would be not cost-effective, and that is always what I hear out there on the docks, is you're trying to kill me, Mr. Coast Guard, and you're going to break me and stuff like that, but, for the sake of safety and stuff, there is a lot of good things in there. I don't know if it will ever come out in regulation, and the way regulatory reform is right now, everything is on the freeze, even with the out-of-water survival craft. That has been tabled now, and so, if you didn't have to have life rafts or IBAs before, you're not going to have to have them now, and I don't know when it's ever going to get changed.

We had a notice of proposed rulemaking on it for the amended commercial vessel safety regulations. Public comments ended on December 18, 2016, and so it's tabled back again, and so there is no telling when that is going to come out, and so I tell my guys don't do anything. I will let you know when you need to do something, when it starts to get to the witching hour, but, even before February of 2016, when the whole life raft thing was supposed to come out, I told them not to do anything, because you're going to buy something and then you're going to have to take it back, if you saved the receipt or whatever.

DR. DUVAL: Thank you very much, Mark, for all of this information. Are there any other questions for Mark before we move on to our other liaison reports? If not, thank you very much, and, again, thank you for all that you do. We appreciate you guys being here in the audience and listening to what must have been some extremely tedious conversation, and so we appreciate it. Thank you very much.

MR. NEMEC: You're welcome, Madam Chair. Thank you.

DR. DUVAL: Next, we will move on to Mr. Haymans and the great State of Georgia. Thank you for your hospitality this week.

MR. HAYMANS: You are very welcome. I'm glad we could provide a beautiful week of weather for you all. I hope you've enjoyed it, and I think we're coming back here next year. I have two things, neither one of which are very good.

I will just say that the cobia issue has hit us pretty hard, as it has South Carolina as well. Our commissioner sent a letter to the Regional Administrator a couple of weeks ago, and, a few days ago, we got our "no" reply, which wasn't -- We got a reply, which was that, no, we can't reopen the waters, which was expected, but I don't know how we can address issues like this moving forward, but it just seems that sometimes we get caught up in unintended consequences with some of our -- We just didn't realize how high landings would be. Well, I don't know. It's just very frustrating.

To cap that frustration is our reef fish artificial reefs. This council has, multiple times, commented on how important artificial reefs are to habitat of the fish that are out there, yet we have run headlong into the Office of Protected Resources. We have been without a permit now to deploy artificial reef material for eight months. We started sixteen months ago to get it renewed.

We were told a month before it expired that if we would accept no deployment of materials during right whale season that we could get it renewed. We said no. We have been deploying material since 1971 and have never had an issue, and, all of a sudden, the right whale issue turned into an endangered species and a turtle issue. A technical memo written by National Marine Fisheries Service and published in January, six months after our permit had expired, has now held us up even further.

Fortunately, we've been able to go through two informal consults trying to come to some agreement, but, at the moment, Protected Resources is holding us up on vessels, which is one of the primary materials that we want to use, steel vessels offshore, and on basically entanglement risk from some of the other materials that we use.

Again, we've been about this since 1971. Our first Corps permit was issued in 1971. We do roughly 150 or 200 dives a year on our reef materials, and, granted, we don't cover every reef, and we can't see every potential scenario, but we haven't found an entangled or entrapped turtle, to date. We have lots of video evidence showing it, and it's extremely frustrating that we wind up beating our heads against the wall over a program that this council views as extremely valuable, and Mel knows. They're up next, and so hopefully we can plow through some of this before South Carolina gets to it, but anyway, other than that, things are rosy in Georgia.

DR. DUVAL: Doug, just one question. If you have the name and number of the NOAA technical memorandum that you referenced that was published in January and can maybe send it to Mike to send around to everybody, I think that would be great. I know that I would appreciate it. I mean, we're engaged in the same types of discussions that you all are, or will be, and so I think that would be valuable for everybody to see.

MR. HAYMANS: I will have it to you in just a moment. If there are no other questions, that concludes my update.

DR. DUVAL: Thank you, Doug. I think that next is Jessica. Jessica had asked Mike to send around a presentation. Did you want us to pull that up as part of your liaison report?

MS. MCCAWLEY: No, I don't think you need to pull it up unless someone has specific questions, but I guess that's probably the big news from Florida, is that, at the FWC's February Commission Meeting, the commissioners asked us to move forward with considering a limited harvest for goliath grouper in state waters.

You can see the presentation that we gave to the commission. The commission direction was specifically that we come back later in 2017, which would likely be December of 2017, and I can tell you that that FWC meeting actually conflicts with the South Atlantic Council meeting, and the FWC is unwilling to move that meeting, and so you might not see me here, because I might be at the FWC Commission meeting. We will send somebody else, but those two meetings are on top of each other. The FWC was aware of the South Atlantic Council meeting, and, because of conflicts of other commissioners, they had to put that meeting on top of the council meeting.

DR. DUVAL: That is September or December?

MS. MCCAWLEY: December. If anybody has any questions about the specifics of the commission direction, between now and December, FWC staff will be going out and holding public workshops. There is a website out there right now, if folks are interested, about where people can comment on the proposal that's on the table.

DR. DUVAL: Are there questions for Jessica about the commission's action with regard to goliath? I guess you're going to have a lot of work and exciting times on your hands ahead of you. Okay. I will go ahead and go next.

I think our big news is that we're looking for a new Fisheries Director, and so, if anyone is interested in applying or if you know of someone who is interested in applying, send them our way. Many thanks to Kim and other public information officers throughout the region who have sent forward that announcement that just came out earlier this week.

Our legislature is in session, and there are a few bills moving forward that -- Not necessarily -- We haven't heard anything about specific impacts to fisheries, but we are certainly expecting some of those with the new administration, and so, if there are any questions for me -- Seeing none, we're moving on to Mr. Bell.

MR. BELL: Thank you, Madam Chair. Real briefly, we had a very interesting shrimp season, or ending to our shrimp season. Actually, we had an interesting beginning and ending, and this is applicable to us, particularly with white shrimp, because there is a federal component, but we actually -- Our season didn't end this year until -- We closed all state waters on the 6th of February, which was later than I have ever seen it close, the reason being that folks were catching a lot of large white shrimp, in particular, out in federal waters and in state waters.

What was really interesting about this is season is those shrimp were -- I guess North Carolina had a lot of landings and Virginia. They were catching white shrimp in the Chesapeake Bay, which is really unusual, and so it's kind of perhaps part of this whole thing dealing with climate and water temperatures changing and fish moving and changing ranges, perhaps, but that's the first I have ever heard of that. I know right now, or at least a week or so ago, our water temperatures were about five degrees above the sixty-year mean, and so we'll see what happens this season.

With that, perhaps some of what is going on with cobia and landings in -- I am not saying that the landings of the MRIP numbers are 100 percent accurate for Virginia and North Carolina, but perhaps shrimp are moving north, and maybe cobia are slightly shifting north, and maybe there are more cobia available or something. That's just something to think about, but, as we talk about how climate does cause animals to move around and change ranges, that's just part of what we'll be dealing with, but that could be part of what's going on there as well.

Doug covered the reef stuff, and I won't get into that at all, but it is something to be concerned about. We've mentioned MARMAP, and we've got the Palmetto is up and running. It's got brand-new engines. She's an eleven-knot boat now, and we're looking forward to this year's data collection season, and so that will be going on.

Then, related to just kind of things that we're doing, we have implemented the option for electronic reporting for our wholesale dealers and our charter boat captains. Folks are taking advantage of that at the state level, and so we're getting our people integrated into the, and this is federal and non-federal, integrated into electronic reporting, and that seems to be going well. We will just continue the -- As Amy has pointed out to me, Amy Dukes who runs that for me, the big part of this is outreach, and I know she spends a lot of time, whether they're federal dealers, but just kind of -- We'll call it hand-holding, but educating and trying to help people understand and embrace the technology and the use of it.

That's where I think states can really be helpful, in that we have relationships with our dealers and our fishermen, and it's just kind of helping them through this transition into using this new technology to give us better data, more timely data, and more accurate data. That's a big effort for us.

We've actually hired a person to kind of deal with the whole implementation of electronic reporting, and part of her job is putting together outreach materials and videos and things to just try to help people, because this includes our state as well as federal folks. That's a positive thing, and folks are starting to get used to it, and it takes a while to transition. Our systems have always been paper-based systems in the past, and I guess we're kind of entering the twentieth-century, but maybe the twenty-first-century as well, and so that's good news.

Our legislature is in session as well. There are a number of bills up there that have to do with fisheries, primarily state issues that I won't go into. The interesting one will be that we are looking to be able to actually, for the first time ever, have South Carolina oysters on the market in the summertime, but these will be limited to mariculture only and mariculture triploids only. That's the way it's set up right now, and we're working closely with our colleagues at our health department that handles the sanitation side, but I think we've got a -- Through their regulation and our law, and this goes all into a place where perhaps you will actually see South Carolina oysters on the market, perhaps this summer, and so that will be different. That concludes my report.

DR. DUVAL: Thanks, Mel. Any questions for Mel? Seeing none, Madam Chair Bosarge, thank you very much for being here with us this week. We very much appreciate all of your contributions to our conversations.

MS. BOSARGE: Thanks for putting up with me again. We pretty much have covered everything on my report, like in-depth, through our conversations throughout the week. I don't think I need to recap most of that. The only thing that maybe I will touch on is that you know the Southeast Science Center had their pilot program for commercial logbooks and electronic logbooks.

We are waiting on that final report, and, in June, we may have an options paper to consider. We will start looking at that as we look at the final report. As you know, the Southeast Science Center has encouraged the South Atlantic and the Gulf Councils to work jointly on this amendment to implement these regulations, and so I guess we'll see if we end up getting married or divorced or going through counseling, but that is out there, and we will be working on it, and so we'll keep everybody posted.

Maybe the only other couple of things that I will just kind of update you on is we do have a coral amendment that we're starting to work on. It's at the very basic scoping stage at this point. We are still modifying our gray triggerfish rebuilding plan and working on that to try and get that in line. We are doing our headboat reef fish management and charter vessel red snapper management, which could roll into a full reef fish plan, but anyway, to look at some changes in those fisheries, based on what the stakeholders have said they would like to try out.

It is deep. It gets deep quick with that, because it's kind of different, especially on the charter boat side, where we don't have any landings history, but I think that it's a really good exercise that we're going through. It actually can be applicable to some of the other systems. Over here, I know it's the hated devil IFQ system, but some of the exercises that we're going through on that charter boat side, where there is no landings, I think there are some things that could be implemented that will make things a little bit more equitable, in some people's eyes, as far as allocations are concerned, that could go through to the commercial IFQ side.

Anyway, it's always good to learn and try and make things better and improve upon them wherever we can. I thoroughly enjoy your meetings. I really do, even though I felt like it was maybe being crucified during public testimony. I thought, oh, gosh, they're going to throw me out of here, but I'm glad I was here. I love to hear that. There is two sides to every story, and it's really good, and sometimes refreshing, to hear that pushback and saying this is why and don't forget that this is how it used to be, and so there is pluses and minuses to both systems, and it's good to hear that.

I am taking some of your ideas back to the Gulf. I wrote them down. There's a few things that you all talked about that I just really was excited about, and we're going to see if I can get the Gulf to bite on them and see if we can't get any traction, and so thanks for having me. I don't know if I will be here in June, but I will probably be back at the next one, and so I will be seeing you all again. Thanks.

DR. DUVAL: Thank you very much, Leann, and we're glad that you enjoy our meetings, because I'm not so sure that we enjoy our meetings all that much, and so it's good to know that someone is getting a little bit of pleasure out of those meetings. Any questions for Leann before we move on? Dr. Ponwith, any further updates from the Science Center?

DR. PONWITH: Just to reiterate the words of our illustrious Madam Chair Bosarge, and that is can't we all be electronic reporting friends? As we look into moving from the pilot project to the potential of there being regulations for mandatory electronic reporting for the commercial vessels,

having a system that spans our jurisdictions between the two councils would be really, really beneficial, and we're excited about that one, to the point where we continue to make very good progress on preparing for people to be able to submit voluntarily before it does become mandatory, and so thanks for that.

Then just to reiterate the 16th through the 18th of May is the program review on the economics and social sciences. I know how crucial that information is in council decision making. This is a chance to see how those programs have evolved and what the state is and actually hear the advice that our august panelists are going to bring to us on how we can strengthen that program. Thank you, Madam Chair.

DR. DUVAL: Thank you, Bonnie. Any questions for Bonnie? Then, seeing none, we are moving on to Dr. McGovern.

DR. MCGOVERN: Thank you, Madam Chair. I think most of the items that I would have discussed were discussed in Gregg's CCC Report, and so I don't have a lot to add, but I do want to thank Gregg and his staff for the plan to prioritize the council workload. I think that's going to help us all out a whole bunch.

One thing I do want to mention is that probably most of you know Dr. Stephen Holliman, and he retired last week. He was the Branch Chief for the Economics Branch, and we're in a hiring freeze right now, and so I don't know when we will be able to replace him. Lastly, I want to thank Doug and Charlie for the meal that we had, last week I think it was, or it seems like a long time ago, but it was really good food, and we appreciate it. Thank you.

DR. DUVAL: Thanks, Jack. Are there any questions for Jack? Okay. Are there any items of Other Business before we just go through review of the upcoming meetings? Charlie.

MR. PHILLIPS: Considering the public comment about what the Gulf does and doesn't do, if it would be the pleasure of the council, it might be a good idea to have Jessica come and talk about where they were in their regulations, especially with their catch shares, where they're going, what things are morphing out, so that we can make decisions from a more informed point of view, if we could do that at the June council.

DR. DUVAL: Jessica means Jessica Stephen?

MR. PHILLIPS: Yes, Jessica Stephen.

DR. DUVAL: So what is it that you are looking for or what would you ask her to present?

MR. PHILLIPS: Well, she's got a paper that she's working on dealing with rolling allocations that I think they're working on for their for-hire, if I remember right, and I would like to hear some of those options on how they're doing stuff. I am a firm believer in watching what somebody else has done and see what works and see what doesn't work and working off of their successes and mistakes, instead of us having to possibly do the same thing and learn it by ourselves.

DR. DUVAL: What kind of allocations does this refer to?

MR. PHILLIPS: It's rolling allocations, and we don't have any, but, at some point in time, we may want to look at something, but it's at the pleasure of the council.

DR. DUVAL: So is it allocations between like the commercial and recreational sectors? I guess I just want to --

MR. PHILLIPS: This is strictly like rolling allocations, landing-based allocations, or reallocations, i.e., something like a catch share that does not have ownership, which is why a lot of people don't like catch shares. Are there ways to have management tools that don't have the negative issues that most people associate with catch shares?

DR. DUVAL: So what is the pleasure of the council? I guess I would -- For a presentation like this, I would want to see a motion from the council as to whether or not you would want to see a presentation like this in June. Tim.

MR. GRINER: I don't think that's appropriate for the council to do that.

DR. DUVAL: Would you like to expand upon that?

MR. GRINER: I think we just had an EFP withdrawn, and that kind of presentation would be appropriate as part of something like that, but I mean, as far as I know, the council is not going down that path as an amendment, and so I don't really see the point in that, but I think there is valid information there, and I think that could be certainly looked at, but not just brought up at a council meeting. I mean, those are my thoughts, but, yes, I do think more information and more dialogue is always great, but I don't see what it's a part of.

DR. DUVAL: Are there other thoughts around the council table? Chris.

MR. CONKLIN: It's always good to be able to make informed decisions, and, if we have withdrawn the EFP and want to continue to work with fishermen and fishermen's groups, we will be bringing something back at some time in the future, and so it would behoove council members and the public alike to learn a little bit about what other regions are doing and stay in the know and learn about different options before you just have the thirty-minute conversation about whether to approve something or not, especially as much time and energy as goes into what fishermen could come up with.

Learning is always a good thing. Informed decisions are always good, and nipping misinformation in the bud and actually having some ground-truthing is a good thing as well, and so I don't see a problem with having some sort of a presentation on what could happen, even if it was after the visioning process.

MR. BELL: You said this is a paper that Jessica has published or is working on or a technical paper or something?

MR. PHILLIPS: She is working on a white paper. I think she's going to present it in the Gulf. Jack may know a little more about it.

DR. MCGOVERN: This has to do with the for-hire sector and the amendment they're developing over there for charter boats that don't have allocation, don't have a landings history, and so it's a procedure to try to figure out how to allocate for the for-hire sector for that amendment.

MR. BREWER: I have a question. Is what you're talking about presenting, is it coming out of the charter/for-hire folks in the Gulf or where is this coming from?

DR. MCGOVERN: It's something we're working on with the Gulf Council.

MR. BREWER: But you're talking about making a presentation of something that was developed within that, and I think it's actually an ad hoc committee, and I'm not positive about that, but something that was developed within that committee or is this something that the Gulf Council folks are -- They are preparing for a presentation to that committee?

DR. MCGOVERN: It's being worked on for an amendment, for a Gulf Council amendment.

MR. HARTIG: I am going to have a hard time focusing on one specific thing to talk about, one specific way to move forward or just get information on. You really need to talk about the whole suite and what has happened in the Gulf and how you solve the problems in the Gulf that you think are problems.

I mean, I have done some of the education early on, before the controversy got to where it was, with fishermen and workgroups and workshops about IFQs, and so, to me, I think this needs to be a concerted effort, not at the council-meeting level, but the council may be involved in some kind of educational process about what IFQs can and can't do for you, basically. I mean, frame it like that. I don't think this is going to be constructive to change peoples' minds about the IFQ process. I think it has to be a ground-up educational program that really lays out everything, all the concerns that fishermen have, and needs to be addressed at some kind of educational forum.

MR. BOWEN: **Given that Dr. McGovern just gave us the information, and given that we have a for-hire fleet over here that doesn't have any history of landings, I would make a motion that we would like to hear that presentation on Wednesday at the latest that we can, so that most of the public will be there for public comment to hear it themselves.** That is a motion, and I'm looking for a second.

DR. DUVAL: **There is a motion by Zack to allow this presentation at the next council meeting.** Is there a second? Are you seconding, Chris?

MR. CONKLIN: I am.

DR. DUVAL: Is there discussion on the motion?

MR. BOWEN: That would be Wednesday afternoon.

MR. CONKLIN: As it was laid out to me by Jessica the other day, this is something that NOAA is working on a national level, and looking at revamping some of their other IFQ-type programs, and it would behoove us to know and learn about those ideas in all the other regions, and so the presentation is an idea based on a national agenda from the Fisheries Service, if I am not mistaken.

DR. DUVAL: Does anyone from the Fisheries Service -- I am still sort of struggling with exactly what is in this presentation, and so it sounds like it is about IFQ programs and different ways to allocate between folks. I guess I'm confused. If this is a presentation that is being given at the Gulf Council meeting, is it happening at the next Gulf Council meeting or when would it be? Jack.

DR. MCGOVERN: This is just something that Jessica is working on. She could talk about anything you want her to talk about with regard to IFQs. She works very closely with the grouper/tilefish and red snapper IFQs. She is working on the IFQ for-hire amendments. Whatever you want. If you want her to come talk to you about IFQs, she can do it. She is very well versed in it.

MR. BREWER: It sounds like we're kind of reinventing the wheel here. There is already a publication called the *Catch Shares Handbook* that sets forth the considerations that should go into any well-designed catch share program. It's out there and it's available. I have read it, and there might be some benefit for that to be distributed to the council members.

MR. BOWEN: Maybe, instead of the word "presentation", about a "question-and-answer"? I don't know. If she's got something to say, and it's different than what we're doing, and it may or may not benefit us, I think we should listen to it.

MS. MCCAWLEY: Like Ben, I am kind of confused about the presentation. I don't have a problem being informed, but it sounds like maybe what the motion was about was more about what the Gulf is working on that was for the for-hire fleet. I thought the EFP was for the commercial sector, and so I'm little confused about what all would be coming here. Ben was talking about, if we're going to do a presentation, maybe it needs to be a broader presentation. I am just kind of confused.

DR. DUVAL: I guess my concern is that, if this is a presentation about a paper that's being worked on for different types of allocations that could be used for catch share programs or whatever, I mean, if this is not -- If we are not actively working on something like that, why would we need that presentation now? It seems like it might be more appropriate if it comes with a consideration for -- If the Collaborative is going to resubmit the EFP, as they have indicated, then it seems like then might be an appropriate time for that presentation. Chris.

MR. CONKLIN: When are we looking at revisiting the wreckfish ITQ program? We were talking about that earlier, and is that not coming up soon?

MR. WAUGH: That is an item that's on the work plan. It's to evaluate that program, but we will have to look at the scheduling and bring that back to you in June, to see when we would be circling back to that, but there will be some staff discussions between our staff and the Regional Office staff about who can do what when to begin work on looking at that program.

MR. CONKLIN: To that point, what I get out of the white paper that Jessica is working on is a way to eliminate ownership slowly, or actually quickly too, ways to do that and ways to -- I could see some merit in the South Atlantic, if we were going to revisit our wreckfish ITQ, which I think is owned by two or three people, and they're not really willing to share or lease some fish back on the table for other fishermen to use, it certainly would be a good idea. This is not a Gulf idea. This

is an agency idea that could be applied in any type of fishery, and so, coming from a commercial fishing standpoint, if we could get wreckfish leased back out or redistributed somehow, then it certainly would benefit a lot of the stakeholders that have concerns.

DR. DUVAL: If this is a white paper that is in progress and we're going to get some updates from staff on review of the wreckfish ITQ program, because we do have to do that. There are regulations that have been published with regard to review of catch share programs. It might seem more appropriate to have this type of presentation, when that white paper is done, when we're going through that wreckfish ITQ review. Mel.

MR. BELL: I was just going to say, given the uncertainty about what it is and when it's going to be ready and all of that, I don't see an imperative to rush to do this in June. Let's do it at some point, and I agree with Chris in terms of information that's useful to us and the decisions we make in the future or whatever, but I don't really see a need to try to do this in June right now, because I'm not even sure what it is we're asking for.

MR. BOWEN: **Madam Chair, the motion is withdrawn.**

DR. DUVAL: I think Chris has raised an excellent point that, if we're going to have a review of the wreckfish ITQ program, this could be informative. I think it would be nice if the paper was completed and we could bring it forward then. It would absolutely make sense. Gregg, if we can keep this nugget included as part of the staff discussions that you guys have with the Regional Office on when that wreckfish IFQ review is brought forward. We're not losing the desire on the part of some council members to receive this information. Is that okay? All right.

MR. BOWEN: **Motion withdrawn.**

DR. DUVAL: It's been debated, and so it's the council's motion, and so it would have to be with the consent of the council.

MR. BOWEN: Okay. Well, I will vote against it.

DR. DUVAL: Does the council agree to withdraw the motion, or would you just prefer to vote this up or down? Let's vote it up or down. **Could I please see a show of hands of those in favor of the motion; a show of hands of those against the motion, eight against; abstentions, three abstentions. The motion fails.**

Is there any other business to come before the council before I turn things over to Gregg to just review the next meeting? Gregg.

MR. WAUGH: Thank you. You have the upcoming schedule in Attachment 10. I am not going to go through that. Just, in terms of some of the bigger items in April, that week of April 17th, we've got our three APs meeting in Charleston. The Socioeconomic Panel and the SSC meet the following week. We've got a CCC meeting the week of May 15th, and then we will be prepping for our council meeting the week of June 12th. It's just a little bit farther south, in Ponte Vedra, and so, if you have any questions, let us know.

DR. DUVAL: Thanks for that, Gregg. Are there questions? Doug.

MR. HAYMANS: Just a brief -- I know the agenda for June hasn't been set, but do we foresee a morning start that Monday or afternoon?

MR. WAUGH: Probably the morning, but we can look at that and try and see if we can work it to start in the afternoon, to allow people to travel on Monday morning.

DR. DUVAL: It all depends on how early you want to get out of here on Friday.

MR. HAYMANS: A morning start will be okay.

DR. DUVAL: Okay. Any other business to come before the council? If not, thank you all for your hard work. This was a very difficult council meeting, and I understand and appreciate everybody's gentle treatment of one another. Thank you and safe travels. We are adjourned.

(Whereupon, the meeting was adjourned on March 10, 2017.)

Certified By: _____ Date: _____

Transcribed By:
Amanda Thomas
March 27, 2017

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FULL COUNCIL – ROLL CALL VOTE

Date:

Meeting Location: Jekyll Island, GA

Issue: GmFmc FOR-HIRE AMENDMENT + CODIFIED TEXT

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

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SAFMC MARCH MTG DAY 4 THUR

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Bill	Weeks	fishsaltlick@gmail.com	on file	Private Recreational Angler	Charter/Headboat/For-Hire	

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Name	Last	Email	Mailing Address	Private Recreational Angler	Charter/Headboat/For-Hire	Commercial Fisherman	Seafood Dealer/Wh	Non-Governmental Organization (NGO)	Other	If Other, please provide more information:
Clyde	Bowman	bowman.clyde@att.net	3011 Charing Cross, Brunswick, GA, 31525						Other	USCG(A) Commercial Safety Examiner
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Mark	Nemec	mark.a.nemec@uscg.mil	On File						Other	USCG Fishing Vessel Safety Examiner