

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION I

**Westin Hotel
Jekyll Island, Georgia**

March 7, 2022

TRANSCRIPT

Council Members

Mel Bell, Chair
Robert Beal
Chris Conklin
Tim Griner
Kerry Marhefka
Trish Murphey
Andy Strelcheck
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Kim Iverson
Dr. Julie Neer
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Attendees and Invited Participants

Leann Bosarge
Shep Grimes
Dr. Jack McGovern
Dr. Clay Porch
Dr. John Walter

Rick DeVictor
Dewey Hemilright
Dr. Genny Nessler
Monica Smit-Brunello

Additional attendees and invited participants attached.

The Full Council Session I of the South Atlantic Fishery Management Council convened at the Westin Hotel, Jekyll Island, Georgia, on Monday, March 7, 2022, and was called to order by Chairman Mel Bell.

MR. BELL: I've got 1:00, and so let's go ahead and get started. I don't have any adult supervision up here, but I think I'll be okay. Good afternoon, everyone. Welcome. It's good to see everybody's face, and we will call the March meeting of the council, South Atlantic Fishery Management Council, into session, and so welcome.

The first item on our agenda will be to adopt the agenda. Are there any changes to the agenda desired? We are in -- Technically, we are Full Council, Session I, and I don't see any hands, and then the agenda is adopted. Next would be approval of the minutes, and this is actually four sets of minutes.

There will be three sets of minutes from the December 2021 meeting, where we had three separate sessions in Full Council, one of them being closed, and those were in the briefing binder, and then we have -- Well, let's go ahead and do that. Any changes or edits to any of the December minutes? I don't see any hands, and so any objection to adopting the minutes? Okay, and so the minutes from the December meeting are approved.

Then we also, recall, had, on February 7, a special meeting, which was just a one-topic meeting, and those were in your -- That was to discuss the decision tool and all, and that was February 7, and that was actually in the late materials, and so any edits or corrections to those minutes? I don't see any hands, and so then those minutes will stand approved, and so then that takes us to our first actual item, which would be reports. I don't see him, but I'm assuming that Pat is online?

MS. BROUWER: I think Matt Walia is going to present, and so let me get him on the mic.

MR. BELL: Okay. Good. We've got NOAA OLE that will be reporting first.

MR. WALIA: My name is Matt Walia, and I'm the Compliance Liaison for OLE, and Lieutenant O'Shaughnessy was unable to make it today, but both of us will be online throughout the week, if anything comes up, and so just be aware of that. In the meantime, you get to hear from me now, and we hope to be there, at future meetings, in-person.

We just wanted to give you a brief kind of update of where we are. The way we do our effort is on a fiscal year, quarter year, and so our most recent one is actually the October to December effort that I am showing here. There is a report that is also in your late briefing materials as well, if you want to follow along, and I'm giving you a little snapshot of the South Atlantic region, and so there's a lot more in-depth in that actual report, and that covers the South Atlantic as well as the Caribbean regions, but, specifically, here within the South Atlantic, in that time period, we opened up 211 cases.

Out of all of those, there is actually thirty-one that we processed violations, and so you see the breakdown there, and there is seven cases that we referred over to General Counsel or the U.S. Department of Justice, and those entailed one for right whale speed violations, two for Atlantic large whale take reduction plan, one for VMS program requirements, another one for retention

during closure for recreational snapper, one for fishing in the closed area, which is inside Oculina, and one for HMS species retention without the valid permits.

Those are the ones that we did refer over, and the twenty-four summary settlements that you see listed here, that's actually found on page 16 of the report, for a breakdown of it, and they ranged in monetary fines from \$250 for not having a descender device up to -- This is actually a typo, and my apologies, but \$2,500 is the highest fine that we had, and that was observer program requirements. We also had a few TED and BRD requirements as well that were given out, but the breakdown is more in the report there.

The remaining of those 211 were either unfounded, and they're from boardings, us doing compliance assistance, written warnings, and so that's the breakdown of what that is, and, like I said, more is in the report.

The enforcement highlights, this is on page 10, and there's a lot that's in the report, but we just wanted to pull out a couple, just to showcase here and show you. We had one that's actually an investigation that we worked with FWC, and a lot of effort went into this. We got a substantial civil penalty of almost \$64,000 of a notice of violation assessment, and this was for a vessel fishing in an MPA during the closed season. They have a slew of stuff taken against them, like undersized, bag limits, retention, gear, and they were selling fish to a dealer as well, and this actually involved an unpermitted charter that should have had an open access permit, and so this was a good result that we were able to get through all our efforts, and with our JEA partners as well.

The other case we wanted to highlight had to do with a cooperation with the U.S. Coast Guard, and it involved a shrimper down in the Tortugas shrimp sanctuary, and the cutter actually intercepted the vessel, terminated their trip and brought them in, and our officers were able to assist with the initial investigation, and, when we completed it, we were able to figure out how much shrimp they took from the closed area, and it ended up being about 447 pounds of pink shrimp were seized, and those assets were taken from there as well, but more highlights, like I said, are in the report, if you want to check and get an idea of what our efforts are otherwise besides that.

I kind of alluded to our partners, FWC and the Coast Guard, and our partners help us get our mission done, and we couldn't do it without all of them. On page 7 of the report, we give a breakdown of all the referrals that come from our partners, and this is entire the SED, and so the Gulf and the Caribbean. This past time, within the South Atlantic, FWC and the Coast Guard, D7, as well as Georgia DNR, ended up getting some referrals over our way, and so we just wanted to show that there as well.

Special operations patrols that did happen during the area, we had a couple of operations that were blown out due to weather last year, and it was pretty bad during that time, but we did have some substantial patrols to report on, specifically in the North Carolina area. Our enforcement officers did a lot of work towards HMS species, and they targeted docks and dealers and inspections. Just one officer alone did over sixty boardings, and he took tons of calls, and we saw very, very high compliance. I believe there was only one violation seen in all those efforts, and that was up and down his whole area there, and so that was good to see.

A lot of outreach with the HMS fishery, and the other one is we were able to do a targeted patrol, also in the Carolinas, down a little bit, for MPAs that we patrol during and before the reopening

of the commercial snapper season, and we did coordinate that with the Coast Guard as well, and so we're getting our presence made in those MPAs.

That was a quick breakdown of what we did. What I did want to highlight as well is we also have our priorities in where we go, but kind of where our current efforts are right that we're trying to prioritize, SEFHIER continues to do that, and we're doing a lot of outreach and enforcement for that program, and that's within the Gulf and the Atlantic here.

For those of you who are dual permits, just to be aware, effective just recently here, on March 1, the VMS is required with the Gulf permit, and that's regardless of location, but we are doing a lot of work with that on SEFHIER, and that will continue as it progresses. Unpermitted charter operations, open and closed access, as well continues to be a big effort that we work with and take tips.

We encourage people to call in tips if they have them, and we do run them down, and North Atlantic right whale enforcement measures as well, and we recognize that as a priority, and we've actually recently sent over 160 compliance assistance letters to operators that have violated speed zones, and so we're doing a lot of work behind the scenes of charting that out and getting in contact with them, and the next case will then go to NOAA GC, if needed, and as well as doing targeted patrols for right whales as well.

I wanted to throw this up, and I know it's in the briefing material, and so, if you need to look for something afterwards, you have our website, and there's a lot of good info on there, and I'm sure you're all very familiar with the NOAA Fishery Bulletins, but we also put news stories, and you can go and subscribe to that link, if you already haven't done so. Our NOAA Office of General Counsel posts their enforcement actions at that URL that you see there, and that's also in the report and summarized, so you get an idea of what's getting publicly disclosed, as well as the counts report that's in your briefing materials, and so there's a lot of material available to you, and our door is always open too, if anyone has questions.

That was the last one, and I did just want to note, on the last part of the quarterly report, those notice of violations, and I mentioned that, and our General Counsel has -- There's a lot that are on there, I think a total of over \$270,000, and so you can get an idea of what cases we referred over to General Counsel, if you want to read that afterwards, and, like I said, myself and Lieutenant O'Shaughnessy will be online throughout the week, and for public comment, during that time on Wednesday, and so, if there are any questions, please reach out to us, and I look forward to seeing you in the future, and that concludes my report, Mr. Chairman. Thank you.

MR. BELL: All right. Thanks, Matt. I really appreciate that, and you guys always do a really thorough report, and you have an awful lot going on, and so are there any questions for Matt right now? I would encourage you -- It is a very thorough report, and it's in the briefing binder, and so you can take a look at it if you think of anything, as Matt said, and you can access either him or Pat sometime this week, but thanks a lot. Okay. Next on the list is Coast Guard, and is Lieutenant Copeland wired in, or how are we handling that?

LT. COPELAND: I'm on the line, Mel.

MR. BELL: Hi, and it's good to hear from you. All right. Well, welcome, and I guess you've got it, Bobby.

LT. COPELAND: Yes. Thank you. Good afternoon, everyone. Sorry that I couldn't be there in-person, again, and hopefully, for the next council meeting this summer, that might change, but, in the meantime, I'll be tuning in virtually all week. Just piggybacking off of what NOAA said, there is nothing significant, from a Coast Guard enforcement standpoint, that hasn't already been stated, and I have nothing significant to report since the last meeting in December, and so, pending any of you guys' questions, that's all I have right now, and so short and sweet.

MR. BELL: Okay. Thanks. Any questions for Lieutenant Copeland that are Coast Guard related? Again, he'll be here in a virtual capacity this week, and so, if you think of anything, we can access him that way. Okay. All right. What I would like to do next is actually go to the liaison reports, and we'll conclude the reports with state reports, but, first, and you already have the Gulf report in your briefing binder, but we have with us Leann Bosarge from the Gulf Council, and we're glad to actually have her in-person here, and so, Leann, if you would like to give you report first.

MS. BOSARGE: Thank you, Mr. Chairman. I'm glad to be here and see everybody again, and so I'll just be brief. There's a couple of things to highlight that might be of interest to you council, and so our Amendment 33, our mackerel amendment, which you all, I think, will take up this week as well, we did decide to split that into two separate documents at our last Gulf Council meeting. One will address the catch level recommendations, and the other will address things like allocation, et cetera, but you all, obviously, would have to bless those changes, because that's a joint amendment, and so that will be coming up I think tomorrow.

We received our greater amberjack assessment, and, unfortunately, that is overfished and undergoing overfishing, and so we'll be working towards some reconciliation of that in the future, which that's probably going to be a tough one for us. We have pretty low limits on that already, and it just hasn't responded to management the way we've wanted it to over the past couple of decades, essentially.

Then, our gag grouper, that one didn't come back very rosy either, and that's overfished and undergoing overfishing, but that one we saw coming. I mean, we could see the catch levels decreasing, both recreationally and commercially, and we think that actually it has started to bounce back a little bit, and so hopefully it's going to be getting better, but we still have to take some management measures there.

Yellowtail, and I don't know if you've already discussed this, maybe at your last meeting, and we might have been a little behind you on this, but we've decided that we're going to wait for the update assessment, because the terminal year of that last yellowtail assessment was 2017, and so it's getting a little old, but hopefully we can take some action on that when we get the update.

Wenchman, we're actually going to do something with wenchman, which is in the midwater snapper complex, and that's kind of interesting, because it's not something we look at very often, and it's really one of those that's just kind of off to the side, and it does its own thing, and we don't have to touch it very often, but we have a few fishermen in the Gulf that are targeting other species, like butterfish and things like that, and so they're having bycatch of wenchman, and so we're hitting that complex quota, that catch level, and so it's shutting down the other, the actual intended

target species, because of the bycatch, and so we're going to look at some things to try and update that assessment. It is one that's just based on average landings, if I recall correctly, and we'll see what we can do, and so that's something exciting and new on the horizon, and so that's all I have. Thanks.

MR. BELL: All right. Thanks, Leann. Any questions for Leann? I don't see any hands. Again, she'll be here all week, and so be sure to take advantage of being able to talk to her face-to-face, and it's great. Dewey, do you have anything from the Mid?

MR. HEMILRIGHT: Thank you, Mr. Chairman. The Mid-Atlantic Council met by webinar for two days in February, and also with the Atlantic States Marine Fisheries Commission, and reconsideration of the 2022 black sea bass management measures, and it started out, in December, that it needed a 28 percent reduction, and after the council meeting in February, it was reduced to 20.7 percent needed coastwide reduction.

We also had the recreational harvest control rule framework and addenda, and, as that continues going on, and it was a long day, and I think we got over at 6:30 that night, and, the next day, there was an update on the Atlantic sturgeon bycatch by NOAA, and that was about all, and we had some other business that had to do with offshore wind and our SSC appointments and other meeting topics for 2022, and so it was pretty much short to a few subjects. Thank you.

MR. BELL: All right. Thanks, Dewey. Any questions for Dewey right now? I don't see any, and, again, Dewey is here, and so be sure to get up with him, if you think of anything. All right. That's it for liaison, and what I would like to do is the states now, and I'm going to work from north to south, and so, Trish, you can go first.

MS. MURPHEY: I'm ready for you this time.

MR. BELL: All right.

MS. MURPHEY: Our Marine Fisheries Commission had their meeting, their quarterly meeting, a couple of weeks ago, February 25 and 26, and, there, they adopted preferred management options for our southern flounder fishery management plan, and that includes things like quotas, trip limits, bag limits, and ocean season. They did delay the transition of allocation by two years, and we started out at a 70/30, and it goes to 60/40 and 50/50, but they pushed that back two years. This plan will now go to the Department of Environmental Quality Secretary and the legislative committees for review, and it will come back to the commission for final approval in May.

The commission also did a final approval on our shrimp fishery management plan, and they sent the estuarine striped bass out for public comment and advisory committee reviews, and that will include also a listening session that we've started now, so that folks can listen to the biologists and ask questions of things.

The commission also approved proposed rule language to begin amending a mutilated finfish rule, and that is probably going to come in handy with any of the depredation issues that this council here has. We also had a new state record for speckled trout, at twelve pounds and eight ounces, and that busted like a sixty-year record. It was caught in the Neuse River in February.

We're also finalizing the peer review stock assessment for our striped mullet, and we are beginning to accept applications for the federally-funded relief of Hurricane Florence, and this will go for the seafood dealers and processors, ocean fishing piers, for-hire, bait and tackle shops, and all those folks are eligible, and that's for like \$7.5 million, and I think that's it for North Carolina.

MR. BELL: Okay. Thanks, Trish. Any questions for Trish right now? All right. I don't see any. South Carolina is next, and so I'll just go ahead, and I don't have very much. Kind of a good news/bad news thing, and so this year is MARMAP's fiftieth anniversary, and so congratulations to MARMAP. However, their current PI, Marcel Reichert, will be retiring at the end of this month, and so that's the bad news, is we'll be losing Marcel, but a well-deserved retirement, and we'll get to see him, and he'll be here a little bit later, but that's going on in the Marine Division right now.

You may have heard that we have a bill passing through the General Assembly at the moment dealing with red snapper, where South Carolina will be adopting the same regulations, and, for us, it would be law, that Florida and Georgia have in place, which basically are the 1992 federal bag and size that were in place back then, and so that has cleared the Senate, and it's on to the House, and we'll see how that plays out.

Again, not necessarily a federal thing, but we're kind of interested in red drum, and we're getting a lot of folks concerned about red drum right now, and our red drum fishery is pretty much a catch-and-release fishery. I would say, depending on which piece of the recreational sector, it's 85 or 90 percent catch-and-release already, with a fairly low bag limit and a slot, and so, in terms of future management actions, if we need to go that route, we're kind of limited on things we can do, but that has taken a little bit of our time, in terms of focus right now, and red drum, of course, still do occur in federal waters, and regulations are in place, but it's a state-managed fishery, obviously, through the commission. That's about it, and that's really all I have right now. Any questions? I'll be here all week too, and so feel free to hunt me down. All right. Carolyn.

DR. BELCHER: Georgia has two dates that -- Well, two things that happened for us on March 1 is we're continuing on with a bluefish season closure here in Georgia, and so bluefish is closed for March and April, and that's our offering up to the big cut that would have happened in our creel, and we're still holding out for discussions on *de minimis*, and then overall within the commission, and so we're offering up a season instead of the major cut.

Then our ability to land billfish in the state now is open, as of March 1 as well, where, before, even if you had federal permits, you could not land the fish through state waters, and so now those waters have been opened, and, as long as you have all of your appropriate federal permits and papers, you can land those species here.

For those of you that -- Last time we met, we had this nice big thing in the middle of view up on the north end of Jekyll Island, and the Golden Ray is now pretty much all but a nice memory. They're still picking up a lot of the riprap that was put down around the edge of the boat, because of scouring and keeping the boat's integrity together, and they put down quite a number of boxes of rock to keep the underpinnings from getting too weak, and so now they're basically extracting all that rock from the bottom, and we've been putting it out on artificial reefs that are relatively close to shore, and so we've been able to build some habitat out there.

Currently, all the activities that are associated with it have now been shut down with the state, and it's all back to Gallagher, which is the marine group that's doing the cleanup. They're still doing debris recovery on the beaches, and will be doing that for the next four months. We were really lucky. Like I said, we were fortunate enough to dodge any kind of major environmental bullet, and we had some impact, but not to the degree it could have been.

We're still, unfortunately, working on disaster fund money. The good news for us is, for 2013, we've obligated all of those funds. We had put out a request for proposal, back in the late fall, for continuing some blackgill research here in the state, and that award notice of intent was just done within the last week, to continue on with some work for the next year-and-a-half or so.

One of the things that we're really proud of, and I guess we got a call-out in the *National Fisherman* for it, is we were able to use some of those funds towards a scholarship and endowment with one of our local technical colleges, and they have a basic fishermen's course, and so \$25,000 went to that program, to help fund students in Macintosh County who are doing dual enrollment between the high school and the technical college, and so any expense they have relative to those courses, whether it be tuition or safety equipment that they have to buy in support of the class, and even license fees while they're an enrolled student, and they can go and ask for reimbursement from the school. It was good to know that we could do that perpetually, because the thought was that, initially, \$25,000 is really not going to carry very far, but the college was able to work that, moving forward, and so we were really excited about that.

Going into our 2018, it's stay tuned, because we have some good things we think that are going to shake out with that. Jennifer Sweeney-Tookes, who most of us heard talk about her infrastructure study that she was doing here in Georgia, we're hoping that the proposal that they've submitted for us will be submitted as part of that spend plan, to help us with dispersal of funds, because the amount that we got is much bigger than the direct payouts will be, and so we're hoping to put some money back into the fleet and infrastructure here in Georgia with that remaining money. Some other funds were also set aside to go to the technical college too, as well.

Then our big thing is two retirements that were pretty hard-hitting for us and the vessel crew, and I'm sure most of you all have had these issues too, is that rotations of folks over time, and vessel crew has been very typically done, for us, with people in succession. You come on, and you're a technician. You do your time and service and move up through, and, in the last ten or fifteen years, we've really not had that same involvement, and so we had two of our advanced captains retire, both of them with more than thirty years of service, and we've been fortunate in that we were able to hire a retired Coast Guard captain, or, well, he's a retired Coast Guard chief, but he is now our lead captain for the vessel support unit. His name is Ellis Johnson, and things are really looking great under him so far.

Then a gentleman who has been in service through the state for a number of years has just been moved up as primary captain for the R/V Harris, and we have two positions open, and so, if you know anybody who is looking, there will be a captain 1/2 open in our shop, and it should be on the papers right now, and then we'll have a marine technician that we're hoping will be an apprentice coming into that service as well, and so, again, if you know of anybody who might be interested, send them to our hot sheets, and we would appreciate it.

MR. BELL: Any questions for Carolyn? I apologize, and you reminded me of something when you said artificial reefs, and so, of interest to this group, sometime this month, we'll be adding a 250-foot ship to the Charleston MPA artificial reef, which is the deepwater reef, Charleston Deep, in about 300-plus feet of water, and so that will be happening this month, and that's the plan, and she's actually, I think this week, undergoing the final inspection by the Coast Guard and walk-through, and then we hope to have her on the bottom, and so that will be more material out there on the deepwater MPA. All right. Jessica, you want to go ahead and run through Florida?

MS. MCCAWLEY: Yes, and thank you, Mel. I'm going to focus on a couple of items from our FWC Commission meeting that was last week, and so the commission took final action on dolphin. The commission has been concerned with the decline of dolphin in southeast Florida and the Keys, and they took action to reduce the recreational bag limit from ten to five fish per person and reduce the private recreational vessel limit from sixty to thirty fish per vessel. Also, clarifying that, in our rule, that the captain and crew bag limits are prohibited, and our commissioners are very supportive of the South Atlantic Council working on a new amendment for dolphin.

The other big action that happened last week was on goliath grouper, and so the commission took final action to approve a limited, highly-regulated harvest opportunity for goliath grouper, and this will be a recreational harvest of up to 200 goliath per year. Harvest permits and tags would be awarded via a random draw lottery, and there is a fee of \$150 for residents and \$500 for non-residents, and there is bag, size, gear, open season, harvest area, post-harvest requirements, scientific collection, all the things, and all of that was approved last week, and so I know there's been a lot of questions about what does that mean, here at the council table. If you're ready, Mr. Chairman, I am willing to make a motion, in order to have our SSC go back and look at the ABC for goliath.

MR. BELL: I think that would be appropriate at this point, and we'll have some discussion then.

MS. MCCAWLEY: **All right, and so the motion I would make is to move to request that the SSC reconsider the ABC for goliath grouper.**

MR. BELL: All right. There's a motion, and Chester seconded. Basically, Florida is taking this action, but the council has something that we need to do. Go ahead, Jessica.

MS. MCCAWLEY: **Motion to request that the SSC reconsider the ABC for goliath grouper.**

MR. BELL: That's the motion in front of you, and Chester seconded, and so is there discussion? Do you want to lead-off, Jessica?

MS. MCCAWLEY: I sure can, and so, as we were going back through the information -- So there's a lot of history here on goliath through the councils, and just a reminder that goliath grouper has been closed to harvest since 1990, and, actually, the Marine Fisheries Commission, the predecessor agency to the FWC, went first, and then the Gulf Council, and then the South Atlantic Council later that same year, and so there is evidence of increasing, but let me tell you a little bit about -- You guys might remember the workgroup that was the joint workgroup between the Gulf and South Atlantic Council, and it was a request of Mark Robson, who used to sit in this seat before I did, and Roy Crabtree was onboard with it.

It was a workgroup to consider moving goliath grouper beyond the moratorium, and so the workgroup met a number of times and looked at all the information and ultimately decided that there was enough data to complete an additional stock assessment, and FWC took the lead on that stock assessment, and it was completed in 2016, and, ultimately, it was rejected for use in federal management, but it did indicate that the stock was increasing, and both SSCs, at that time, indicated that the stock was increasing.

The ABC recommendation of zero, based on what Carmichael and I can dig up, is really just reflecting the council's harvest prohibition, and so just the -- It's kind of backed-into it here, and so regulations really aren't a valid basis for setting the ABC, and so we would like to ask the SSC reconsider this, in light of this recent action that is occurring in state waters. There is no OFL that is listed for goliath on the South Atlantic, and there is an ABC and an OFL of zero in the Gulf, and so we would be making a similar request to the Gulf Council as well at that April meeting. Thanks, Mel.

MR. BELL: Okay. Does everybody follow that? So things have changed over the years. All right. Dewey.

MR. HEMILRIGHT: When you ask for reconsideration from the SSC, would it be based on new landings data, or abundance of the stock, even though you couldn't use a stock assessment, and I'm just wondering what new information would help them, because it might help in some of the other things that I'm thinking about for different species.

MR. BELL: Jessica, go ahead.

MS. MCCAWLEY: The other thing that could happen here, and, in looking at when the SSC was discussing this, and discussing that stock assessment, it looked like they were also looking at speckled hind and warsaw grouper, and so, in theory, you would be doing something here that would look at all three of those species, although I think that this is a little more timely for goliath.

The first harvest season would be in spring of 2023, and so the first lottery draw would be later this year, in the fall, and then the first harvest would begin next year, and so this could be something that the SSC could consider for multiple species, is how to handle this, and, yes, there is additional information, and we had this stock assessment, and it did indicate that the stock was increasing, and there are some data gaps, and there were a list of these that the workgroup came up with and that came out after that stock assessment. The FWC has also developed five management metrics that they're using now to assess the stock, and it's not the same, and it doesn't meet quite the same standards as a SEDAR assessment, but I think all these things can be brought to the table during this discussion.

MR. BELL: All right, and so then the intent would be to hopefully take this to the SSC at their next meeting, or the next available opportunity. John, is that enough, in terms of guidance, or direction, that we're trying to go in at this point? Okay. Any questions? Any further discussion? Tim.

MR. GRINER: Thank you. These other metrics, is the SSC able to use other metrics other than what comes out of SEDAR?

MR. BELL: That's kind of a John question here.

MR. CARMICHAEL: I mean, I think only eighteen of our species have been assessed through SEDAR, and so there's many species where they use other sources of information, and so they can use other stuff, and I think the big point here is, as Jessica said, the ABC was set at zero, reflecting the council's management. There are other stocks which they used a different approach, and they applied the decision tree and other types of analysis, and so this is just letting them know that the council would be interested in looking at something that's potentially more biological-based, or based on the species, and not just echoing the council's management, because that really ties your hands to do anything about management.

I think there is, and I don't know how much they will do in a single meeting, but, you know, they can get this started, and they can start thinking about what this means, and they've been looking at the ABC, through the ABC Control Rule Amendment and everything else, and so I think it's pretty timely to get them to start thinking about it.

MR. BELL: All right. Anything else? Andy.

MR. STRELCHECK: I just wanted to first thank Jessica, and she's been good about reaching out to me and coordinating with our office and asking some good questions. I mean, I don't want to get too far ahead of this motion and the SSC's deliberations, but, obviously, there's a logical question of, well, if they don't change the ABC, what happens?

I think the guidelines, National Standard Guidelines, our regulatory authority, is clear that it does not extend into state waters, and there is provisions in our National Standard Guidelines that allow for specification of a state ACL separate and distinct from a federal ACL, but that still requires the ABC to be greater than zero, and so I think those are some things that we'll need to consider going forward, depending on, obviously, the outcomes of the SSC.

MR. BELL: All right. Thanks, Andy. Clay.

DR. PORCH: Thank you, Chair. I would just point out there's a number of indices of abundance that were used in that assessment, and they only went through 2014, and so there is a number of years that you could add to update those, and I think that would be very important for the SSC to look at. Just some preliminary ones that I've seen suggest that it's going back down again, and so it would be really important to have them look at the whole suite of indices.

MR. BELL: Carolyn.

DR. BELCHER: Jessica, just so that I'm clear, the stock assessment we're talking about was the 2016 one that was done here, and it wasn't a state-specific one?

MS. MCCAWLEY: That's right. Even though FWC did it just like FWC does the yellowtail assessment and the mutton assessment, it was put through the SEDAR process, yes.

MR. BELL: All right. Any other questions or discussion? All right. Let's try this. **Any objections to the motion? Seeing none, then the motion passes.** All right. Great. Thanks, Jessica, for bringing that up, and that was a lot of hard work on your part down there. All right.

That takes us to the first item that we need to kind of weigh-in here, and Mike is up here, and, Mike, we're going to talk about the ABC Control Rule, which is always a fun topic to go through, and we had a lot of discussion back in September, and this is one of those rather technical and difficult sometimes, for myself, to comprehend, but it's necessary, and so we've got the amendment for that, and we're going to have a little more discussion on that, and we'll let Mike run us through what he's got. Thank you.

DR. SCHMIDTKE: Thank you, Mr. Chair, and I'm just pulling up the documents right now, and the presentation.

MR. BELL: I will also say that I think Genny Nessler, from the SSC, the SSC Chair, is also going to kind of tag team a little bit here and provide some SSC feedback as well on this.

DR. SCHMIDTKE: Yes, and we can actually -- That was a good reminder that we can let Genny go ahead and go first, with her presentation, and I will kind of piggyback at certain points, on my presentation, from notes that she has made, and so let me pull that up.

MR. BELL: Genny, are you with us? Have we got her unmuted? Okay. Hi, Genny.

DR. NESSLAGE: Hi. How is everyone?

MR. BELL: Good. Welcome.

DR. NESSLAGE: Thank you. Are you ready for me to go ahead?

MR. BELL: Yes, ma'am. You go ahead and get started, and Mike is going to kind of follow after you.

DR. NESSLAGE: All right. Sounds good. At the SSC's October meeting, we had an opportunity to hear from Mike about all the updates that had been made to the ABC Control Rule Amendment and to provide some feedback. I will just briefly go through the remainder of our recommendations that came up at that meeting. In general, most of our recommendations remain the same as what he has summarized in the document, but a couple of things that we wanted to bring to your attention.

The first was that, under Action 1, Alternative 3, if you look at Table 3, we noticed that there were some options for the Tier 1 classification for assessed stocks that would adjust the buffer, or the P*, basically, if there was unreliable catch history or scarce and unreliable catch records, but that seemed a little counterintuitive, why you would be doing an assessment if you had bad catch data, and so we just suggested that, if an assessment was in that category, basically that it would be moved to the unassessed stocks category completely, and we wouldn't be then using this ABC Control Rule like we would for a normal assessment. Basically, if you don't have reliable catch, don't do an assessment, and put it in the unassessed stocks category, and so that was our first recommendation.

We discussed a bit the risk rating scores and how they're generated, and the SSC thought that the work that had been done so far, in collaboration with council members and the advisory panel

members, to come up with the preliminary risk rating scores, was very productive, and folks thought there was good discussion, and there was a lot of value in the transparency of the process, and so the SSC really wanted to highlight that this was something that we were very supportive of, but we just noted that there isn't a lot of information in the amendment about logistics of how that would continue in the future and suggested that maybe some wording would be added there.

Then we also suggested that there be language added to clarify how the risk tolerance, the P*, translates to a probability of rebuilding for overfished stocks, in particular, and how that would be calculated, and I noted that Mike had already added that clarification on pages 4 through 6 and 11, and so hopefully you'll be able to take a look at that, and that totally addressed our concerns and clarified things, and so we thank him for that.

The SSC just wanted to confirm that we do continue to support Alternative 2, because we felt the biomass and stock risk ratings are included in the council's setting of the P*, which is important, and we felt that Alternative 3 provided less clear guidelines on how to justify selection of P*, and so we continue to support Alternative 2.

Then, within Alternative 2, we recommended the alternate method for scoring risk tolerance, and so, basically, it would rank all the overall risk scores and then divide them into equal thirds, and then you would have three categories of high, medium, and low, and so we just wanted to -- I don't remember if we -- Frankly, if we had talked about that, and I think we had talked about it at a previous meeting, but we revisited it and confirmed, I think, that this was the preferred within Alternative 2.

Then we just wanted to reiterate that the SSC is concerned about how scientific uncertainty is sometimes characterized, or described, and so we just wanted to reiterate that scientific uncertainty encompasses both the assessment uncertainty, and so the data in the modeling, as well as biological uncertainty, what we know about the animal, with regard to things like natural mortality or fecundity or maturity and so on, and so it encompasses quite a bit. Then, as I mentioned earlier, all of the recommendations that we had previously provided on this amendment, which Mike has outlined in the document, remain unchanged, and so I think that's everything, but I'm happy to answer any questions.

MR. BELL: Any questions for Genny right now? Dewey.

MR. HEMILRIGHT: Thank you. I was wondering about the part of the scientific uncertainty and the buffers that are placed with that, and is that kind of like they shouldn't -- That buffer shouldn't be caught, and I'm just curious what happens if it's done year after year after year, and what's the -- What could be the effect, from you all's point of view, with the SSC? Thank you.

MR. BELL: Is that something you can answer, Genny?

DR. NESSLAGE: I can try, if I understand the question correctly, and so I think he's asking, if the ABC is exceeded, and that buffer isn't achieved, what would happen, and is that what you're asking?

MR. HEMILRIGHT: No, and I'm asking -- The buffer that's placed there, the scientific uncertainty -- For blueline tilefish, it's about 98,000 pounds, 95,000 pounds, and, the last few

years, that uncertainty has been harvested, except for -- One year it's been harvested, and last year it was 76 percent, but I'm just curious, and that shouldn't be touched. If the ABC is exceeded, and then you go to exceeding the buffer that you all set, what's the ramifications for that?

DR. NESSLAGE: Thank you for clarifying. Yes, the way these work is, if you are -- Well, assuming that -- I don't remember exactly for blue line, but, if the ACL is set to the ABC, and you're exceeding the ACL, then you are moving into that margin of error that we've tried to establish to account for that scientific uncertainty, and, if the projections from any particular assessment that you might be talking about are reasonably accurate, you could end up getting closer and closer to an overfishing state. Yes, it could be detrimental to the stock, and that's the whole idea of the buffer, is to account for some of the things we don't know, and I don't know if that answers your question.

MR. HEMILRIGHT: It does, and I'm sure there will be more. Thank you.

DR. NESSLAGE: Sure. Thank you.

MR. BELL: Thanks, Genny. Any other questions for Genny? She's going to be here a second, and so, Mike, do you want to follow-on? Go ahead. This decision document is in your briefing binder as Attachment 2a.

DR. SCHMIDTKE: Thank you, Mr. Chair. I just wanted to bring up the decision document, pointing to you it, and I will be giving a presentation that alludes to a lot of the stuff that is contained in here, but this is in your briefing book. Now, moving over to the presentation, as Mel alluded to, this is kind of another chunk that -- The council has been looking at this amendment kind of in several chunks over the last few meetings, for I guess a year, or a year-and-a-half, since I started with the council, and so this is another piece.

We're not going to tackle the entire thing today, but we're going to take another look at pieces of it, and, ultimately, with the goal of having some additional guidance before this moves into a draft amendment stage, and so this slide just kind of outlines how long this process has been going on, and there was a start and then a stoppage within that, awaiting some NMFS guidance that we now have on carryovers and phase-ins.

At this stage, in the current year, the current meeting, we're looking for the council to review the alternatives, as they're developed at this point, and provide any guidance that you have as the IPT moves into the drafting process for the full amendment document, and we're expecting you all to review a draft amendment in June of this year and consider that for approval for public hearings.

As a reminder, the ABC Control Rule Amendment is considering three general actions, and that's three with an asterisk, because one of those actions, carryover, is kind of taken in two pieces, and so we're looking at modifications to the ABC Control Rule, phasing in of ABC changes, and then carryover of unharvested ACL. That carryover component has one action that addresses the eligibility of a stock and sector for carryover, and then Action 4 addresses the implementation of that carryover and kind of the process for actually carrying it out when the council desires for that to happen.

The goals for today's meeting are, first, to review the updates to the Action 1 language, and, specifically, taking a bit more of an in-depth look at the process for using stock risk ratings, and there was some SSC guidance, or some SSC recommendation, on that, and we're looking to the council to provide guidance as we move forward with developing that language.

Then we'll be looking at the updated language and the process for implementing carryovers, which is defined in Action 4, and then, finally, kind of a coverall. If there's anything additional that you all want the IPT to consider, as we're drafting the amendment, then please let us know at this meeting. Like I said before, we are hoping to bring back a draft amendment to you all in June, for your review.

Just a note that, as you're looking through the document, the decision document, there is some highlighted language, some minor wording edits that are generally in the spirit of what you all have directed this far, and I'm not going to go over every single one of those, but if you all would just make sure you take a look at those, and, if you have any disagreement with that, then please let me know, and we can try to get that addressed as well.

A couple of definitions that we've been putting out there and reiterating as we go through this process, and the ABC Control Rule has components for both risk and uncertainty, and we're trying to make sure that we define these things, because they're approached in a little bit of a different way, and so risk is used to denote management risk and is the purview of the council. This is something that we're going to be looking at in a bit more depth today, whereas uncertainty is used to denote scientific uncertainty, and this can be assessment results, projections, biological information, as the SSC has reiterated in their recommendations, and this is the purview of the SSC. Both of these components interact in defining what an ABC is for a specific stock.

The action that we're going to be focusing first on is Action 1. Thus far, it's been developed with Alternative 2 being the SSC's preferred option, and recommended option, and, really, Alternative 2 is the biggest change from the current control rule, and I will have a note about Alternative 3 a little bit later, but Alternative 2 is the focus here. Table 1 in your decision document, and I had to cross off some -- Just make some on-the-fly edits, and I noticed that the numbering wasn't updated, but Table 1 in your decision document shows how the assessments would be categorized and used to develop ABCs. As a reminder, P^* is the accepted risk of overfishing, and so a higher P^* means a higher ABC, or closer to the overfishing limit, and also a higher risk that overfishing would occur.

One component of this, under Alternative 2, which is really the focus today, is the council's determination of risk tolerance, through a stock risk rating, and Table 2 in your decision document describes how the stock risk rating is used with the relative biomass from an assessment to determine the council's default risk tolerance. I will come back to this table after describing the risk rating methodology, but I just wanted to give this to you as a reference, so you know where we're going, and we'll tie it back in a little bit later in the presentation.

With this methodology, the stock risk rating, what we're trying to capture is that risk, and one of the aspects that we're trying to capture is that risk is not simply biological, in the sense of having characteristics that would make a stock be easily subject to overexploitation, but it also accounts for human usage. For example, are people catching the species in question, and then are there any notable environmental factors that are affecting how a stock responds to exploitation, and so that's

led to the development of three categories of stock or fishery attributes, and there are included and evaluated in this methodology. These are biological, human dimension, and environmental. Under each of these categories, there are specific attributes that are evaluated to determine whether a stock is high, medium, or low risk with respect to that attribute.

We scored the risk for each attribute categorically, assigning a value of one for high risk, two for medium, and three for low. If an attribute is unknown, then it is not included in the scoring, and there's been discussion about that, whether there is the need for a penalty involved with an unknown, and it was recommended that it would be simply not included in the scoring, so it doesn't hurt or help either way.

Scores are averaged within each category, and remember those are the three groups shown before, and then the category averages are also averaged for an overall score, and so the next step, which the SSC had discussion about in October, was that, once we have those numeric scores that are going to be somewhere between one and three, how do we translate that into a risk rating, a high, medium, or low, or another way of phrasing that is what are the numeric dividing lines between the high, medium, and low risk ratings?

The SSC's recommended method was an approximate uniform distribution of the scored species, and that was what Genny talked about before, and we have forty-nine total species that have been scored in the preliminary evaluations, and this includes species in the Snapper Grouper FMP, as well as both dolphin and wahoo, and another way of looking at that is that you would be approximately dividing those one-third high, one-third medium, and one-third low.

When you apply that method to the preliminary ratings that have been previously looked at, and they passed through APs quite a while back, as well as the SSC, and this is how those scores kind of play out, and I recognize that the species names are small, but the focus here is more on showing how they are split out, rather than evaluating each species.

With that in mind, there are a couple of notes related to these preliminary scores. Number one, these are forward-looking, and this is something to keep in mind with this entire control rule amendment, is the entire thing is forward-looking, and so any aspect of it is not going to affect the current in-place ABCs, ACLs, catch levels, all of that, and this would be, as we're looking to a new assessment that occurs after this amendment is put into place, and then these methodologies would be used in developing those new ABCs.

Number two is to keep in mind, kind of with the way that this is structured, medium may not be truly medium risk, and it could be simply a mix of high and low from different attributes. We see this play out within these scores because we have limited environmental information, in terms of how an environment would impact a specific stock, and so, if we have nothing, from an environmental standpoint, to go on, if there is a biological rating of high and a human usage rating of low risk, then, when those get averaged, it's going to average out -- It could average out to a medium score, even if there may not necessarily be a medium risk for that particular species.

The SSC's recommended method moves stocks out of the medium category and into high or low risk, relative to some of the other scoring methods that were considered, and so it's something that is kind of addressed as it's able to be within this method, but that remains a possibility to keep in mind, as you all -- When we get to that stage, much later on, as you all think about actually

developing risk ratings for management use in going through assessment processes and catch level setting.

Now I'm going to go through the proposed steps for developing and applying stock risk ratings, and this process would really start with an operational assessment. Before an operational assessment, there would be presentation of the preliminary attribute scores for that specific stock to the SSC and AP, and there would be a request that they would recommend any changes. That would then come to you all here at the council, and you all would consider those recommendations and determine how those attributes should be scored and, ultimately, the risk rating that should be applied for that stock.

This is something that -- At least as I was thinking through it, it was something that I had to adjust to with the current assessment setup. Right now, we have a research track and operational assessment set up through SEDAR, and we've only just started going through that process, but it's really advantageous to have that in place with respect to this, because the operational is what provides the catch advice, but a research track that is run ahead of the operational is something that would provide an estimate of natural mortality, which really isn't a decision point for the council, but it is something that is considered in the biological attributes, as well as the age at maturity, and the research track would provide those values, generally. Most of the time, they should be available before the operational assessment would occur. That allows those values to go into the risk rating and the risk rating to really be available at the early stages of an assessment.

During an operational assessment, the projection analyses can be run using what's already used now, the P* of 50 percent for the OFL, and then the P* that is defined by Table 2, using the risk rating and the relative biomass, and these would derive estimates of OFL and ABC, and so those should be available to go with an assessment to the SSC and to the council, really on the same timeframe that we would be looking at currently.

Then one question, to go along with this, is kind of what about unassessed stocks, and that's something that you all have talked about previously, but I just wanted to reiterate what you all had directed to this point, and so the SSC has a working group that has been formed, and, upon implementation of this amendment, they would begin working through groups of unassessed stocks to determine ABC recommendations.

The council would determine risk ratings, as described for the assessed stocks, and those would be looked at by the AP and the SSC, and then you all would probably take them in a chunk and then, as you all had directed before, if the OFL can be defined, then the standard ABC Control Rule of applying the P* values of 50 percent and the value from Table 2, and that gets applied, and it's really similar to the way an assessed stock works. If an OFL cannot be defined, then the SSC would be recommending directly an ABC, and they would describe how the council's risk rating was considered within their report and that proposed ABC.

At this point, I'm going to pause, because that's all I have for the stock risk rating component, and I wanted to pass back, if there's any discussion related to that, before moving into later pieces of the decision document.

MR. BELL: All right. Any questions or observations about the risk rating part? I don't see a lot of hands. Don't be shy.

MS. MARHEFKA: More cartoons, please. That's helpful.

MR. BELL: I said this was technical, and it is very technical.

MR. GRIMES: I will ask a question, just for discussion purposes, and so do we envision going back and then revisiting these ratings on an assessment-by-assessment basis, or it's -- I mean, they obviously need the range risk rating for a species when they get a stock assessment, but they're going to go with that, with the council's decision, and then those things are going to stay fixed, right, until some periodic review, or is, each time it comes up, that going to be a new topic of debate?

MR. BELL: Interesting process question.

DR. SCHMIDTKE: Right now, it's envisioned that the ratings would be evaluated with the beginning of each assessment, and so, at the beginning of each assessment process, there is a fishery performance review that's filled out by the AP, and that can be their opportunity to look at the risk attributes, the scores, and to provide any recommendations of whether they need to change from what's there already.

The SSC would also have opportunities, possibly when the terms of reference are being drawn up for an operational assessment, and that's something that the council could have an opportunity, at that point, to have their crack at it, to decide this is what the information is saying at this point, but it would be sometime early in that assessment process, and, yes, it would be repeated each time there is an assessment, but it would only be taken for that one species, and so there would be kind of -- What is it, eight scores put up on the screen, and, council, is there any disagreement from what is put on the screen, and, if there is, then there can be discussion. If there isn't, then it's kind of smooth sailing and move forward.

MR. BELL: Okay, and so it's kind of a dynamic process, as we work through the different assessments and all. Any other questions right now? I don't see any hands. Do we want to move on? Sorry. Andy.

MR. STRELCHECK: Thanks for the presentation for a difficult topic. I am curious, and maybe it's for you, Mike, and maybe it's for the SSC, but, with the high, moderate, and low biomass, I know that we often set MSST as one minus M, right, and so the difference between like BMSY and MSST is fairly small, and one of my concerns, with this approach, is it's very prescriptive, and then we're potentially assigning a level of certainty with the assessment and its assessment outputs that we probably don't actually have, even through our assessment process, and so I'm just curious to hear if the SSC has deliberated over that.

MR. BELL: Is that a you or a Genny question?

DR. SCHMIDTKE: I think I might pass that to Genny, initially, and, Genny, has the SSC talked about the different threshold levels that are shown here, in terms of the biomass, the high, moderate, and low biomass levels?

DR. NESSLAGE: I am not sure that I understand the question you're asking. Is it if we discussed the magnitude relative to MSST? I'm sorry, and could you clarify?

MR. BELL: Go ahead, Andy.

MR. STRELCHECK: Thanks, Genny. The different levels of biomass are premised on BMSY and MSST and the differences between each of those, and so my question was more are we able to really distinguish, effectively, each of these different levels, given the amount of uncertainty in a stock assessment? We certainly have a specific point estimate and uncertainty around it, where it would fall, based on an assessment, but I'm curious if the SSC has deliberated and discussed kind of the uncertainty surrounding these estimates and is comfortable with, obviously, assigning that risk rating based on the different biomass levels.

DR. NESSLAGE: I think, if I were to put this into stock assessment speak, you're asking if we're simulated the -- Or talked, even, about whether these will work, right, is essentially what you're getting at, and, in other words, if we had followed our -- If we simply followed the general P* approach, versus using the risk ratings to categorize the stock, and see whether you would have the same outcomes in avoiding overfishing, and I don't think we've done that, and is that getting at what you're asking?

MR. STRELCHECK: I will follow-up with Mike afterwards and talk a little bit further about this.

DR. NESSLAGE: Sorry.

MR. BELL: Thanks, Genny. Thanks, Andy. Any other -- Clay.

DR. PORCH: Thanks for this, Genny. I had a question about what risk we're talking about here, and so there's the probability of overfishing, and we often use it interchangeably with the risk of overfishing, but, obviously, classically, there's a loss function that characterizes risk, and so you have the probability that something will happen and then the consequences if it will happen, and I'm just trying to understand what this risk is, and is it just -- Is it the risk of stock collapse? What are we implicitly trying to account for here? Thank you.

MR. BELL: Go ahead, Genny.

DR. NESSLAGE: These P*s are supposed to be the risk of overfishing, right, but now we've -- In an effort to separate scientific and management risk, we've managed to conflate them, and so, by putting the stocks into these categories, and assigning them a P* based on the outcomes, and so now I think I get what you're saying, Clay, is that it's unclear now what we're actually achieving, and is that what you're asking, what does the P* mean now?

DR. PORCH: Yes, the risk of what? There is probability of overfishing, and so you want to set the P* at a certain level to avoid overfishing, but the choice of P* depends on what are the consequences if you do undergo overfishing, and so what are we talking about here? Is it the risk of stock collapse, or what is the risk we're talking about?

DR. NESSLAGE: I believe this was designed, and, Mike, correct me if I'm wrong, but the whole idea was that this is the council's risk tolerance, their tolerance for accepting the risk of overfishing, and not the risk that the stock is going to collapse, and am I wrong in that?

DR. SCHMIDTKE: You're correct, Genny, and I think a way of putting it is we have our OFL, and we have our ABC, and how likely does the council want to be of exceeding the OFL and where its ABC gets set, and, obviously, it can't go above a 50 percent probability with that, per Magnuson, but, below that 50 percent probability, how close does the council want to be in determining that? I guess does that help answer a little bit more?

MR. BELL: Shep.

MR. GRIMES: If I can jump in here, if you go back a few slides, you have a slide of what is the stock risk rating based on, and you have a number of things up there of biological, human dimensions, environmental factors, and it seems, to me, that you must necessarily take into account some of the consequence aspect of the probability severity risk, and it can't all just be probability, or why would you have human dimensions?

DR. PORCH: Well, that's what I am getting at, is exactly what is the loss function here, and so you have a list of things, categories, but then you have to weight them, somehow, to come up with essentially what is the loss function that feeds into what probability of overfishing you would tolerate, and so I think that's going to be important for the council to understand, and what are you saying that they care about implicitly here.

MR. BELL: All right. Thanks, Clay. Do you want to carry on? Any other discussion at this point, since the idea is to provide some guidance here, I guess? Andy.

MR. STRELCHECK: More of a question, and so, with this potential change in the ABC Control Rule, can you clarify how we would handle species that are jointly managed with the Gulf Council or blueline tilefish, for example, that extends into the Mid-Atlantic?

DR. SCHMIDTKE: So those would have to be kind of a -- Those would have to be joint decisions with those respective councils, and this could be applied for say if there was an allocation to the South Atlantic, to a South Atlantic component of a stock, but it wouldn't be applied to kind of the general stock for say a jointly-managed Gulf and South Atlantic -- It couldn't be applied on the Gulf side, and that's something that the council would have to consider on more of a case-by-case basis and have direct discussions with that other managing body, to figure out what they want to apply. I mean, they certainly could, if that council was up for it, apply this, but this would be designed more for a South Atlantic component, and then there would need to be discussions about jointly-managed species on a case-by-case basis.

MR. BELL: Go ahead.

MR. STRELCHECK: Yes, and I think there just needs to be some more specificity with that, because I could see that, obviously, being a point of a contention between the councils, and certainly more clarity would be needed, as far as exactly how that process would work and move forward.

MR. BELL: All right. Leann, to that point?

MS. BOSARGE: In the Gulf, and I think, Andy, this is probably what you might have been trying to get at earlier, in the Gulf, for MSST, we have a lot more lenient, I guess, measure on a lot of species, and do the 50 percent of BMSY, right, Andy, for MSST, and so, essentially, if you all are still using the one minus M, for species that have a very low natural mortality, it wouldn't take much of a fluctuation in biomass for you to probably be in that high-risk category for some of your species, whereas, in the Gulf, we're willing to fish them harder, I guess, which, personally, I am not really a proponent of, but that's where we're at, okay?

We'll willing to fish it down to 50 percent of BMSY before we decide that we have some big issues, okay, and so that same species, for us, may not be a high-risk species, and we might see it as just peachy keen, and so, anyway, I think that's what Andy might have been getting at that might cause some turbulence later.

MR. BELL: Yes, and I think, when Andy said it was probably good to be a little clearer on how we're going to approach that, if and when it pops up, and did you have something, John?

MR. CARMICHAEL: Yes, and, just talking about how we've handled it, and don't be too specific, because we've handled those two examples very differently. In yellowtail, and other joint assessments that we've done that typically Florida has led, that we manage jointly with the Gulf, the two councils have just decided like which SSC is going to look at it first and how the other SSC is going to participate and which ABC control rule you're going to go with, and so you've left it pretty flexible to allow the scientists to come up with their recommendations.

I think, as long as it's clear that each situation may vary -- In some cases, you may, yes, do an allocation, and the council applies its control rule, and that's somewhat what happened with blueline, where there was a joint working group that dealt with the component of the stock that was assessed with the data-limited approach and then decided on an allocation and the two councils applied their ABC control rules, us and the Mid-Atlantic, and so there's a lot of different examples for how this happens, and so we don't want to do something now that ties your hands down the road, because each of these stocks can be really different.

MR. BELL: Shep.

MR. GRIMES: Thank you, Mr. Chair. That's good, and I think, when we write it up, it can be, I guess, specific that it is not dictated by this control rule, that it could be this control rule, that it could be the Gulf control rule, or it could be some compromise of the two, but we just want it to be clear, so we don't end up arguing, down the road, whether we're bound to this. We can argue about what to do in that specific instance and not necessarily what this control rule intends.

MR. BELL: Yes, and I think that's good for the record right now and the direction we're heading. Okay, Mike. What's next?

DR. SCHMIDTKE: All right, and so next, just kind of highlighting what Genny had talked about for another one of the SSC recommendations, and that was concerning Action 1, Alternative 3, and that's the place where I'm going to zoom-in on that Tier 1 of that table, and you can see those Classifications 4 and 5 that are highlighted right there, and that's what the SSC recommended

removal of, and then redistribution of the remaining percentages, up to 10 percent, within those three remaining classifications, and so I just wanted to point out that and then request any guidance that the council has related to that. Should the IPT develop Action 1, Alternative 3 according to the SSC's recommendation or in any other direction that you would have?

MR. BELL: Any questions about the SSC's recommendation or problems with following through with it? I don't see any hands. Silence is concurrence.

MR. SCHMIDTKE: All right. Then we'll move forward in that way. Now we're kind of switching gears to another part of the amendment that's looking at carryover. Action 3 -- We're not really doing a deep dive into Action 3 right here, and there's already been discussion about that, but I just wanted to note this as a bit of precursor for looking at the implementation step in Action 4.

Also, to highlight some of those minor wording changes that are intended to clarify specifically that only the unharvested portion of the originally specified ACL can be carried over, and I have an example that's kind of out at the end of the presentation that outlines what this looks like, as well as language noting that carryovers are only for the immediate next year. Otherwise, this language is the same in defining the annual sector eligibility and the amount available for carryover.

That annual eligibility part is important to keep in mind as we now move on to our next focus, which is Action 4, implementation. Action 4, the way it's constructed, is it has three sub-actions. In these three sub-actions, we're going to have the exact same language, and there's just one for each FMP that's included in this amendment, one for the Snapper Grouper, one for Dolphin Wahoo, and one for Golden Crab, and these would be changing the framework procedures for each of those FMPs, and we got the request within the IPT, and we will make sure that, when we write the draft amendment, that we are going to include, probably in the appendix of it, the fully updated framework procedures for each of these FMPs. That way, those are all available in one place.

When specifying an ABC and ACL, the council would determine whether carryover will be authorized, and this is if annual conditions cause a stock or sector ACL to qualify for carryover, and this is something that I just want to make sure is clear from the council's end, that the carryover would be written into the amendment, and that carryover would happen automatically in every year when the annual conditions from Action 3 are met, and so that not overfished, not overfishing, and then there's a whole host of other things that you all can choose from to set that up, and, if those conditions are met, then the carryover would be automatic. The reason why it's automatic is for the purpose of the timing of the rulemaking, to actually get it in place for the next year, and that's the process that would need to be used.

The council is able, but not required, to approve carryover during the amendment process. If it's not in an amendment, it would be through the framework here, and, if it's not in a framework or an amendment, then the carryover would not be allowed, and it would not be applied, but, if the council approves carryover, via an amendment, then that approval is for carryover to occur automatically in all years that that stock, or sector, the one that they have determined to be approved for it, that it qualifies for it, and that would carry on forward until it's changed by a future amendment, and so I wanted to make sure that that was noted and clear of how that would work.

There is an example that I have included here, and we have the infamous shadow shark, and shadow shark has gone through an assessment, and it's been determined to be not overfished, and overfishing not occurring. It has an OFL of 12,000 pounds, using relatively small and simple numbers, but trying to work through this, for conceptual purposes, and the council has approved an ABC of 10,000 pounds, with a 50/50 sector allocation, and both sector ACLs are eligible for carryover, or are able to carry over when they are eligible.

The criteria for annual eligibility are kind of the baseline, not overfished and not overfishing, and there is an underage of the sector ACL, and we're not getting fancy with this example right here, and we're just trying to establish some of the principles of it, and the amount eligible for carryover is that it's determined by the temporary revised ABC and the total ACL may not exceed the OFL, and so they can bump up the ABC, as long as it doesn't go over the OFL.

Looking at how that plays out within a landings scenario, and so I'm going to take this kind of year-by-year and note the intricacies of each of these things, and so, in 2023, we have an effective ABC in place of the 10,000 pounds that was set forward. The commercial catches 4,000 of their 5,000 pounds, and so there is a thousand pounds there that is eligible to carry over into the next year. Recreational landings went over the ACL, and so there is no carryover for that sector.

We then move down to 2024, and you will notice that the commercial ACL has been bumped up by that 1,000 pounds, and the recreational ACL is the same. The effective ABC has been bumped up by that 1,000 pounds. The commercial doesn't catch the bumped-up ACL, the temporary ACL, but it is over the originally-specified number of 5,000. Therefore, there is nothing for the commercial to carry over, and so you will notice that there. On the recreational side, there is an underage of 500 pounds, and so 500 pounds can be carried forward to 2025.

Next, when you look at 2025, the commercial has gone over the ACL, and so there is nothing to carry over. On the recreational side, they're under by a thousand pounds of their recreational ACL, but it's only 500 under the originally-specified number, that 5,000 that we started out with, and so only 500 can be carried forward to 2026.

Moving down to the next row, you see that there is a 2,000-pound underage on the commercial side, and there's a 1,500-pound underage on the recreational side. In this case, there is a limitation of what can be carried over by the OFL. You can only carry over up to 2,000 pounds, because there's a 12,000-pound OFL, and so that amount gets allocated according to the allocation scheme that is set out in the amendment, 50/50, and so 1,000 can be carried over on the commercial side, and 1,000 can be carried over on the recreational side.

Moving down to the next row, in 2027, there is a large underage on the commercial side, and there is no underage on the recreational side, and so the full 2,000 pounds between the ABC and OFL can be carried over on the commercial side, whereas the recreational would not be able to carry over, and so there are several different scenarios of how it plays out when there is one sector versus another and a mixture of these things, and, if there are questions about that, and I know I ran through it a little bit fast, but I can certainly address a specific situation with what is set forth in that example, but that just kind of notes how it plays out, and, within this process, this would all be automatic.

It would be landings come in, and staff would let you all know that, hey, this species that you all have deemed eligible for carryover is going to be carrying over in this year, and then that would go through kind of the automatic process for putting that into place, and that's how that would kind of work, and so that was the last thing that I had related to that, and we're just, from the IPT's standpoint, looking to the council. If you all have any guidance or if you want anything to be changed about how we're developing this, then please let me know, and we can try to incorporate that as best we can.

MR. BELL: All right. Thanks, Mike. Questions or concerns or comments or direction? Tim.

MR. GRINER: The automatic component of it, how does that work with getting the data from like the last wave of the year for the recreational sector?

DR. SCHMIDTKE: It would be subject to data availability, the timing with which that process starts, but then it would be able to impact probably the backend of the season, which really is when the harvest would potentially be hitting the limit anyway, and so I may need to look to Shep, if there is like a stop and then start again component, if that would be able to be done, but that's kind of the line of what we were thinking.

MR. BELL: Go ahead, Shep.

MR. GRIMES: Thank you, Mr. Chair, and I think, ultimately, I would defer to NMFS on that. I presume they're going to be monitoring landings, right, and, if you see landings are way below where they normally would be for that time of year, you start looking at it and be ready for it. If you have a season coming to a closure, and you know you have that overage potential coming, I guess, that's when you would make the determination that, yes, the facts you established in your framework exist, and we're going to go forward with this process.

Also, I am sure there will be some bumps along the way, right, and, I mean, we'll figure this out after we implement it a few times, and we may need to tweak out how we do it, or set out milestones, trigger points, at which we start really thinking about or planning for carryover.

MR. BELL: I think the implementation and execution of this -- Yes, we're going to find out that it will look good on paper, but not every detail for every single outcome is figured out on paper. Any other questions? Andy.

MR. STRELCHECK: Just following-up on that, and certainly, with recreational data, it's typically finalized around this time of year, into the April timeframe, and then, for commercial, although we have really good quota monitoring, there's also just some lags from the start of the fishing year to when we actually can complete those landings estimates.

One thing I think we probably need to think about here is, for the commercial sector, those that have split seasons, how that might work if we carried over quota and we weren't able to, for instance, apply it to the first split season, but would add it onto the second split season. The other thing I think NMFS needs to -- We need to talk internally, with the Science Center, about the examples that Mike, for example, provided. It seems pretty straightforward and simple in practice but, when you're dealing with forty-plus species to quota monitor, it could get very complicated quickly, and tracking the changes, obviously, in catch limits, based on carryover, and so we'll

probably have some recommendations with regard to specifics and how we could do this going forward.

Then the last comment is I'm supportive of carryover, and I think we need to be careful. It's not always a good thing when we have stock that is under the catch limit, right, and even though -- That's kind of the way that Magnuson set it, is that we're not hitting the catch limit, and so things must be good, when, in reality, that could be an indication that the stock is not doing so well, and so kind of the law of unintended consequences. I think we probably can build in some things as well, to think about when it's appropriate for carryover, especially when we're seeing stocks not hitting their catch limits on a regular basis.

MR. BELL: Right. Good point, Andy. Thanks for that. Okay. Chester.

MR. BREWER: I just want to echo what Andy just said, because we all know of situations in which you would say, oh, well, the stock is doing great, because we're not catching all of it, and so there's more fish down in the water there. Well, there may not be, and so the carryovers, to me, I think are very dangerous, and I used to serve on ICCAT, and they had a lot of carryovers, with regard to the fish that they managed, and you got to the point where you had some really just ridiculous results coming out of it, and so I am not a big fan of carryovers, and we need to be really, really careful.

MR. BELL: Good point, Chester. Okay, and so this is our opportunity now, and is there any further input to allow them to work the document? We'll see it again in June, the idea then being that, from June, then we take it to public hearing after that, and so anything else right now? Have you got sufficient guidance, Mike? I know we were kind of quiet, but you got some questions and some good points, and so we captured that.

DR. SCHMIDTKE: Thank you, and if -- I mean, if the general direction that the IPT is moving right now is fine with you all, then we'll keep plugging along, and we'll have something back for you all in June.

MR. BELL: Okay. Is everybody good? Andy.

MR. STRELCHECK: We kind of breezed right past the SSC's recommendation about removing and redistributing some of the percentages for the alternatives, and so, Mike, at this point -- I mean, we still have plenty of time to work on this amendment, but do you need direction from us? Is that something that the IPT, working with the Science Center, could bring back some recommendations for us in June to discuss?

DR. SCHMIDTKE: I think we were going to go -- I mean, the plan was to just kind of take it straight from what the SSC was saying, in the sense that -- I can pull -- Sorry for the scrolling, but I can just pull that back up, and, I mean, we have three categories there, and they would be ranging from zero to 10, and so the Number 2 classification would go to 5 percent, and the Number 3 classification would go to 10 percent, and that was the direction.

MR. BELL: Okay. Shep.

MR. GRIMES: Thank you, Mr. Chairman. I am just saying this so that it will show up in the minutes, and I will see it later and not forget, but we need to -- I think we need some consideration and discussion at the IPT level, and one of the slides in here had -- It was language relative to overfished stocks, and rebuilding takes precedence, and that there's language in there that the council decides on the rebuilding plan, and so let's have some discussion of what exactly constitutes the rebuilding plan and what the council will need to provide, in terms of decision on that, that will result in the ABC for overfished stocks. I think gag grouper is sort of my factual construct for wanting greater certainty, and just so that's there.

MR. BELL: Okay. Thanks. Anything else on this? All right. Are you good? Okay. I do want to thank the SSC and the IPT and staff. There's a lot of work on this, and, as we said, it's very technical, and I do appreciate everybody's continued work on it, and we'll pick it up in June, and then hopefully take it to public hearing at that point, and so thanks for that. Then, if we're finished with that item, I would like to take ten, if we could, please, take a ten-minute break, and we'll come back and deal with the allocation decision tool a little bit.

(Whereupon, a recess was taken.)

MR. BELL: All right. The last item on the agenda here is a discussion of the allocation decision tool, and we're going to review that and provide some additional input, perhaps, and we'll let John Hadley walk us through that. John, when you're ready.

MR. HADLEY: All right. Thank you, Mr. Chair. I will start off, and, just to kind of orient everyone, the intent of this item on the agenda is to pick up where we left off from the February 7 special meeting, and so I will go over a little bit of background and kind of address some of the concerns that were brought up at that meeting, and then we'll go over some of the fishery performance report questions, which is one of the items that you mentioned, and then, finally, end up -- We're hoping to gather some guidance on where to go with the allocation decision tool, and so I'll start off, but Christina will be picking up kind of in the middle there and going over some of the fishery performance review questions, or fishery performance report questions.

As a little bit of background, just to kind of jog everyone's memory, at the February 7 meeting, we went over the decision tree approach, and we went over the example with greater amberjack, and, in that discussion, there were a few concerns that were brought up, and one of them was really kind of clarifying the intended use of the approach and really what the tool is and what it isn't.

As we mentioned during that meeting, it's an extra tool for the council to really supplement the council's decision-making process when it comes to allocation decisions, and it's really not a replacement for any of the traditional analyses that you typically see throughout the amendment development process, and so I just kind of wanted to clarify that there and, really, the intended use of what it is and what it is not.

During the council's discussion, there were a couple of items that came up on potential issues, or potential concerns, over distribution shifts due to climate change and also the importance of abundance, and potentially catch and release, when making allocation decisions, and so one of the intended changes that staff -- We kind of got our heads together and said, you know, how can we address this, and, really, those two items -- They can be sort of a data challenge, and so it's hard to show data, in particular, but those are two questions that we could add to the decision tree

process, one being does the species appear to be exhibiting distribution shifts that could affect allocations in the near-term and, really, another question getting at whether or not there's an important catch-and-release aspect for the recreational fishery for a specific species.

Really, the data limitations around this would really require the council to use really a -- Well, sorry. I was looking at my notes there for a second, but one of the ways you could use it, you could address this, is using informed judgment, and then, also, you can gather information through your fishery performance reports, and so, as you may recall, the council discussed the fishery performance reports themselves, which is what we've been working on with the various APs, on a species-by-species basis, and so gathering information specific to a species at a given time.

From the snapper grouper perspective, typically, it's been before stock assessments are performed. For other species, such as dolphin and wahoo, it's been kind of on an as-needed basis, but those are really two major avenues that could be used to address those two concerns, and so, with that, I will take a pause, before we get into the fishery performance review questions, but I just wanted to let you know that those are some of the updates that staff intends to make as this decision tool kind of goes live and moves along.

MR. BELL: Great. Thanks, and recall that it is a tool, and a tool is designed to be useful for us in making decisions. Any questions, real quick? I don't see anything. Christina, if you want to go ahead and continue.

MS. WIEGAND: Perfect. Well, like John said, one of the ways to get some of this information is through the fishery performance reports, and I wanted to, very, very briefly, since all of this is in the briefing book, go over broadly the fishery performance report process. We've been talking a lot about this, but I know there are some new faces on the council.

Like John said, this is something that we do with our advisory panel members, typically before a stock assessment is about to commence, or as needed, depending on the other species, and what really happens is staff puts together this fishery overview, very similar to the fishery overviews that we've been presenting to you guys in the aftermath of stock assessments, and it covers things like general biology, stock status, management history, general landings statistics, as well as some economic performance information.

There is also a list of discussion questions that are prepared for the advisory panel members, and these cover everything from landings and discard levels to social and economic influences and any other sort of concerns or data gaps, and, typically, staff will reach out to whoever is working on the stock assessment and ask if there is anything that they would like to get input from the advisory panels on, and, if there is, we usually try to make sure those questions are incorporated into the fishery performance report.

All of that information is then provided to the AP members in advance of their meeting in the briefing book, and then, during the meeting, AP members are able to sort of go through and discuss each of those talking points with each other, and this is, of course, all captured in the minutes, and so staff then summarizes, from those meeting minutes, a fishery performance report.

There were a couple of things that were brought up during the February discussion on allocations that we thought could be addressed through fishery performance reports, and so, in the appendix

of this document is the full list of questions, but what I've done here is sort of pulled the issue and what question sort of currently addresses it, if any, and then what we may be able to add to the report.

The first thing you guys mentioned was species distribution shifts and how those may affect allocations, and so we do currently ask when the fish are available, if it has changed, and if there's been any shift, and we could add a question specifically to look at allocation, and so, if they have seen a shift in catch, does it have the potential to affect current sector or regional allocations.

You also asked us to look at important catch-and-release aspects to different species, sort of trying to get at this idea of the importance of abundance to the recreational sector, and we don't currently have any questions that address this specifically, but we do propose adding a question to just ask how common is the practice of catch-and-release in this fishery and if the AP members could sort of describe how that works within the fishery.

Then, last, but not least, you guys asked that we get a little bit more information of like the cultural and historical significance of species within a community, and we do ask what communities are dependent upon a fishery, but we also could now ask if they are familiar with any festivals or events that highlight this species, or have highlighted this species in the past, or if it's an important driver of tourism. Those are the things that we could add to the fishery performance report.

The other sort of part of this that was brought up in February is the idea of an additional tool to gather stakeholder input, similar to the Fishermen Feedback tool that the Gulf uses, that used to be called Something's Fishy, and so this is something that staff could put together, and the idea would be that we would open up this tool for stakeholders to provide input on at the same time we were conducting a fishery performance report with an AP, so all of that information could be compiled at the same time, and there are some pros and cons to this.

An online form would allow you to get input from a wide range of stakeholders and not just those who participate on your APs, and, depending on how that form is structured, we could do additional analyses with that information.

There are some cons though. One, depending on how this tool would be structured, whether it's sort of very broad and we're just soliciting public comment on a species, or if we sort of dig down and make it into more of a survey, we could need to get approval through the Office of Management and Budget, because of the Paperwork Reduction Act, which is a timely process. Additionally, it's an additional ask of stakeholders, and so we're also asking them to come and make public comment, and we could ask them to fill this out, but it is sort of an additional ask to stakeholders.

Those are just some things to consider, and so I will scroll down here, where we're looking for input from the council today. First and foremost, are the proposed discussion questions sufficient to gather the information that you guys felt you needed from AP members at your February meeting, if you have any suggestions for other improvements that we should make to the fishery performance report, and then, given the full list of questions, is there anything that you feel is unnecessary or redundant? We do have to balance development of these fishery performance reports with the other asks of our advisory panel members, and the fishery performance reports do take a significant amount of time for AP members to complete.

Then, of course, outside of the fishery performance report, does the council want staff to look into developing an online tool, similar to the Fishermen's Feedback tool that the Gulf has, and, if the answer to that is yes, staff would then develop something to bring to the council at a later date, for you all to see an improve. With that, I will quit talking and get some feedback from you guys.

MR. BELL: All right, and thanks. I will say, kind of watching things over a number of years, I really like the way you guys are engaging the APs and pulling information out of them in a very organized fashion. Since we've kind of started this, we get a much better product, I think, that's useful for us, and so thanks, and so this is some potential additional improvements, or some tweaks to the process, and so, related to the questions that Christina put up there, are there any proposed additional questions, or any comments or concerns about that? Jessica.

MS. MCCAWLEY: I was one of the ones that talked about the Gulf's Something's Fishy tool, or whatever it's called now, and so I would like to see some type of tool like that, to collect broader public input, and I know that it would be additional to everything else that we're already doing, but I think it's just another mechanism that the public could provide input on allocation decisions, and, if they have something that they feel like is not being considered as part of the process, and they're not an AP, or they can't get to an AP member, this is just another way that they can give us that input.

MR. BELL: Yes, and I certainly can see the value in that, and then, also, it takes time to develop, but, yes, I see exactly what you're getting at there. Anything else? Trish.

MS. MURPHEY: I was just going to ask how well does the Something's Fishy work down in the Gulf? Have you found it really useful and that this could be worth looking into?

MS. BOSARGE: Thanks for the question, and I have to -- The Something's Fishy tool is actually an idea that I had, and staff really brought it to life for us over there, but I have to give Tim credit, because I was at one of our meetings, and it was something he said that was like my inspiration for that, and so kudos to Tim. He was saying that it would be nice to be able to aggregate -- You get, in public testimony, you may get feedback from -- Well, in your world, maybe like North Carolina, on the north end of your spectrum, versus the Keys or somewhere down there on the southern end, and it's hard to aggregate all of that and really see what's happening with that stock, if it's doing different things in different places.

Ours is actually -- We've gotten great feedback, especially when we use our state partners to kind of help us push it out and boost it a little bit, the viewership, and so I think that would be important. I will say that ours really is geared more towards long-term trends that fishermen are seeing, and we push it out prior to a stock assessment on that particular species, because, originally, the impetus behind ours was to not only aggregate what fishermen were seeing across the Gulf, from one side to the other, but to somehow include more of that anecdotal information from fishermen in the stock assessment process.

That's when we push ours out, prior to a stock assessment, and we ask about a specific species and what you're seeing in long-term trends, and we want to provide that to the scientists, obviously as purely qualitative data, right, and they don't have to use this, and we don't anticipate them doing

anything quantitative with it, but we have gotten good feedback, and I think it has been helpful in the scientific realm, just to provide color, sometimes, to some of the numbers that they're seeing.

MR. BELL: Thanks, Leann, and so your public perception of it, or their take, is they like it, I guess?

MS. BOSARGE: They seem to.

MR. BELL: Good. Okay. Kerry.

MS. MARHEFKA: Thank you so much, and thanks for looking into this and bringing this back, and that's, I think, something I had requested, and this looks great. I wanted to have just a couple of tweaks. I think I would love, when we get to the part about observations on price and demand, at the AP level, on the commercial side, to ask them to discuss it past sort of what the boat is getting paid.

Sometimes we've had a chef there in the past, and sometimes we haven't, but certainly folks like Jimmy Hull, and there is plenty of others who are, on the Snapper Grouper AP at least, very knowledgeable about end-user demand, and so, to the extent that we can find out -- Pull out of them end-user information, or end-consumer, I guess is the right word.

When it comes to the part about historical importance, or cultural importance, beyond seafood festivals and a current driver of tourism, I think that I would like to ask people that, sort of in the past and currently, do you see that -- I am trying to think of how to word this, and I go back to the example that I gave when we were online about short of Shem Creek, where no one, I think, right now would say, in Mount Pleasant, South Carolina, that commercial fishing is a current driver -- What I'm saying is, yet, if you look at, as I said, the marketing materials they all have fishing boats on them. You can word that more eloquently than me, but beyond festivals, and there is not a seafood festival in Mount Pleasant, South Carolina, but, undoubtedly, if you look at the materials, they are marketing commercial fishing.

Finally, I just want to make sure that every AP -- As we start the fishery performance report discussion, it's clear now that this has a direct line to how it's going to be used in management. In the past, as an AP member, it wasn't that I didn't take it seriously, but I didn't always understand sort of the direct line that it would have in management, and so I think that there needs to be a disclaimer that this is going to be used in an allocation discussion, and here's how it's going to play out, and I think the idea of a knock-off, or South Atlantic version, of Something's Fishy is such a wonderful idea.

Hopefully, when people come to public hearings, and they get a little off-track of the topic we're discussing of the day, that's a great -- That's a great mechanism to steer them to, to say that's not what we're here to discuss tonight, but here's a great place for you to talk about that as well, and so well done, and I'm looking forward to seeing these being used in this manner.

MR. BELL: Thanks, Kerry. Any other comments or questions or direction? You're quiet. Did you guys get something out of that? Are you going to jump back on there, John?

MR. HADLEY: All right. Thank you for that. We just had kind of some final questions to gather some guidance on how to move forward with the decision tree approach and the tool itself, just getting a general feel of -- You know, is the council comfortable with moving forward with using a decision tree approach when making initial allocation decisions? Are there any other items that you would like additional review from your advisors, or NMFS, potentially? That was a discussion that came up last time.

As a reminder, this has -- In draft form, and not in this final form, but, in draft form, it has undergone a considerable amount of review from your SEP, SSC, AP chairs, the Southeast Regional Office, and the Southeast Fisheries Science Center, and, there again, that wasn't in its current form, and those were previous forms, and kind of we took into account all of that input, and it changed over time. With that in mind, is there anything in particular that you would like to see outside review on?

From a council staff perspective, when we were discussing this, if possible, a targeted review would be helpful, rather than the whole thing, and there are certainly some social and economic questions that we would like to run past the Socioeconomic Panel that's going to be meeting in April, and so that will be fairly soon, and so that was the initial staff recommendation, just because there's sort of this open-loop scenario, where, if you have one group reviewing it, and then another group reviewing it, and then you take those set of recommendations and put them together, then one group may not -- Group A may not be happy with what Group B said, and so we're just kind of looking for a closure to that review loop, if there is an additional review requested.

Then, last, but not least, guidance on whether or not -- If you are comfortable with moving forward with a decision tree approach, ideally, this would be -- The decision tree tool would be applied to Spanish mackerel, and this would come before you at the December 2022 meeting.

MR. BELL: Okay. Thanks, John, and just kind of give some thought to the questions there, and it shows you, I guess, the benefit of having a -- Being able to have a focused meeting, where we spent some time on this, a month ago, and so that enabled us to see a demonstration and the whole thing, and so that was useful. I had Chris and then Spud.

MR. CONKLIN: Thanks. John, have we -- Have you guys explored, or communicated with any of the other councils in different regions -- Are there any similar tools developed in the fisheries world, or are we -- Is this the first one, and, if there are any, have you guys like looked at them and compared them to the tool that we have?

MR. HADLEY: Well, I don't know of any other currently developed. I know that Gulf staff has been -- I think they're developing their own version of a tool, and I know that that's been a work in progress for them, and I think the South Atlantic is a little bit ahead, development-wise, on sort of a final product, as far as I know. I don't know any of the other regions, outside of the Gulf, that are working on a tool quite like this.

MR. BELL: Okay. Spud and then Kerry.

MR. WOODWARD: Thank you, Mr. Chair. John, remind me. Are we still using landings as the metric for recreational demand? I know we had some discussions, during our meeting, about trips versus landings, because landings, obviously, don't capture catch-and-release fishery demand,

whereas trips obviously are a much broader measurement of total recreational demand, and so where are we on that?

MR. HADLEY: I believe, within the tool, specifically looking at recreational demand, it's looking at directed trips, and so there are different metrics that you can use within MRIP for what directed is, and so what we are using is targeted, and so primary or second, or harvested, and so the idea is, if the fish ended up in the cooler, or it was a target, that would play into recreational demand.

MR. BELL: Kerry and then Jessica.

MS. MARHEFKA: I am sorry, and I forget if we discussed this and decided, but, when we were going through the sort of mock thing in April, I had asked a question about what happens -- You know, these are very subjective -- Some of the questions are subjective, and we're not always going to agree on, as a council, the answer to that question, and I forgot if we had decided, procedurally, how that's going to be handled.

MR. HADLEY: I think any subjective -- The council will be the one that works through the decision tree tool, and, I mean, similar to how we went through it in February, on the 7th, and the council will work through the decision tree with staff, and so the council is essentially the one to come up with the final answer for any questions along those lines may be a little subjective.

MR. BELL: Jessica.

MS. MCCAWLEY: I felt like, at our meeting back in February, that we had a lot of questions on the social decision tree, and so I'm wondering if, looking at the questions that are on the board, if we could have the SEP look at that a little bit more and just see if they have any guidance, or input, and I know that they had already said that like, oh, we don't know how to incorporate climate change and shifting stocks and other things, but just my concern is we're trying to make allocation decisions for the future and not just based on information from the past, like landings, and so it just seems like we should be able to incorporate some of that information in there, and so maybe they could take one more look, but, overall, I'm supportive of the process, and I think this is a great plan, and I would also support that Number 3 there, to look at Spanish mackerel coming up later this year, but, yes, I was just hoping that the SEP could take another look and maybe look at some of our questions that we had raised at the previous meeting.

MR. BELL: Thanks. Andy, did you have your hand up?

MR. STRELCHECK: Yes, and I just wanted to respond to John's question. I am supportive of this going back to the Socioeconomic Panel, and I had also asked that the Regional Office and Science Center have an opportunity for review, or coordination, with the council staff, and I would encourage that following the SEP meeting, and I certainly don't want to get into these multiple iterations and lots of different groups commenting, but I think it would be helpful, especially since my team works so closely with the council staff in development of these actions, and I want to make sure that the metrics that we're looking at kind of align with the analyses and work that goes into those management plans, and so that's my first comment.

My second comment is I'm still struggling with the outcome of the process, right, and so I think you've done an exceptional job of laying out the many different decision points that the council

could pursue, right, but that produces then many different outcomes that the council could also pursue, and so, John, can you talk to us, kind of further, about how you see the council taking that information from the tool and plugging it into an allocation decision in one of our fishery management plans going forward?

MR. HADLEY: Sure, and that will definitely be on a case-by-case, or species-by-species, basis, but there are several directions, or arrows, if you will, on the outcomes that point towards keeping existing current allocations, and so, in theory, if we work through the tool, and it seems like there is not a change in allocation that's being -- That is the recommendation of the tool, then that would be used as basically the council's rationale, potentially, for saying we're okay with existing allocations, and, really, we're not going to consider that in this amendment, and, really, that sort of scenario is probably several years down the road, when we're not dealing with the FES estimates, as we've done that on a species-by-species basis recently, and so that's more of a future scenario, probably.

Really, as you pointed out, there are different directions, and really conflicting directions, that the tool can point towards on a species -- For a specific species, and, really, that could be used to help the council when developing alternatives for the different allocations, and so, directionally, if they're all pointing directionally towards one sector or the other, that could -- That's the way that alternatives could be initially structured.

If they're pointing in separate directions, then that still could be helpful, and you consider additional allocation to both sectors, and so one allocation that would increase -- One alternative that would increase the allocation to the recreational sector, due to social metrics, and, obviously, using that as an example, and then maybe the biological metrics say to increase allocation to the commercial sector. The point being is that could help kind of the directionality of setting the alternatives.

MR. BELL: Andy, go ahead.

MR. STRELCHECK: Thanks, John, and so I think you and I are thinking about this in a similar manner, and I think the challenge becomes that we have many different FMP objectives for our fisheries, right, and so it's not just a single metric, or factor, that we're considering, and it's kind of the holistic balance of all of those and trying to determine then what's the best net benefit to the nation, in terms of how we allocate, and how is that fair and equitable, and I think that's probably where I am acknowledging my struggle, more than anything else, in terms of that end outcome, is that it's going to point us -- The obvious one will be if it points us all in the same direction, right?

Where it's pointing us in different directions is, well, then how do we take that into consideration, and what we weighting more importantly than others with regard to that allocation decision, but I agree with you, and I think at least it will help us to present then a range of alternatives, based on a variety of factors, that could be considered for changing allocation, and so thanks.

MR. BELL: Thanks, Andy. Tim.

MR. GRINER: Thank you, Mr. Chair. Could you remind me what the SEDAR schedule is for Spanish?

MS. WIEGAND: I am going to look at Chip as I say this, to make sure I'm not saying anything incorrectly, but the stock assessment for Spanish mackerel is wrapping up now, and it should be done sometime in May, and so we'll likely hold a special SSC meeting to review that assessment sometime over the summer, and it would come to the council in September.

MR. BELL: Okay. Thumbs-up. All right. Are there other questions? Jessica did express her desire to see maybe this move forward with Spanish, and so any other comments on that or thoughts on that? Carolyn.

DR. BELCHER: I would support that as well.

MR. BELL: Okay. Go ahead.

MS. WIEGAND: Just as a note for Spanish mackerel, we have completed the fishery performance reports for Spanish mackerel, and we always do that ahead of the assessment, but Spanish mackerel would probably not have the Something's Fishy tool, because staff won't have time to get that developed, and so you'll be relying on just the fishery performance report this time around.

MR. BELL: Right, and we'll call it something else, probably. Okay. Are there other thoughts or questions or any additional input for John and Christina? Do you guys have something to work with? Are you comfortable? Okay. Good deal. Wow. All right. Well, thank you so much. Good job. All right. We had no other business for this committee, and that takes us -- We could go ahead, and, whenever Chip is ready, we can roll into SEDAR. We'll go ahead and take five, and then we'll set up. Get another cookie or something.

(Whereupon, a recess was taken.)

MR. BELL: We're going to reconvene Full Council for one simple item, and I'm going to try to buy some more time and pull something in from Thursday, and Christina says she can knock that out for me in fifteen minutes or so, and we're still -- Or twenty or whatever.

What this is, if you go to your agenda for Full Council Session II, this would be approved topics for the AP meetings, Spiny Lobster and Golden Crab, and so this is just some input for her related to those AP meetings and topics, and so go ahead, Christina, and so we're back in Full Council right now, so everybody is -- We're on Full Council. Thanks.

MS. WIEGAND: Just to provide a little context for you guys, if you will remember, a while ago, you had revised your AP policy to have all APs meet at least once a year, and so that means that Spiny Lobster and Golden Crab would be two of the APs that we would be convening this year, and our thought is to have those in-person, given that the Golden Crab AP hasn't met in quite some time. The last time Spiny Lobster met, with the exclusion of a special meeting for the Florida Keys, was via webinar, and this was prior to COVID, and I believe it was May of 2018 was the last time the full AP met.

Given that most of the spiny lobster fishermen, as well as most of the golden crab fishermen, reside in Florida, we thought that it would be more cost effective for the council, as well as a bit more convenient for most of those fishermen, if we held the meeting in Florida.

Sort of as an aside to that, and we'll talk about this a little bit more when we talk about the wreckfish amendment, it's time for those guys to meet again as well, and so it's possible that we end up holding sort of a three-day, or two-and-a-half-day, meeting, where we just have these guys meet back-to-back-to-back, so that we only have to reserve one hotel for it.

The meeting dates are pretty flexible, given that there is nothing currently on the agenda related to spiny lobster or golden crab, and wreckfish will come to you at this meeting, but then, because we're talking about wreckfish at every other meeting, it won't come back to you again until September, and so we have some flexibility on when exactly we schedule these meetings, and so hopefully we can work with the fishermen to make sure it's a good time that's convenient for them.

With all that being said, to provide context, I guess there's sort of two things, first to make sure that you guys are comfortable with us holding these AP meetings down in Florida, which is a bit atypical, and we typically hold AP meetings in Charleston, and then, second, to see if you have any specific agenda items that you would like these two APs to discuss, and they will be filling out fishery performance reports.

MR. BELL: Okay. Those are kind of the two simple asks from Christina, in terms of being able to interact with the APs, and I do like the fact that, if we appoint people to APs -- What we want to make sure is that they actually have a chance to meet before, years and years later, they finally meet, and so I really like that approach of somehow at least engaging them on a frequent basis, and so, Jessica, I know this is kind of thrown at Florida, but it's a heavy Florida influence, but, I mean, do you guys have anything, or have you had any thoughts on that? We jumped a little earlier on this in the schedule, but --

MS. MCCAWLEY: We have a list of topics from the FWC that we can send to Christina on some things that -- Assuming that there's time, there's lots of questions that we have for the Spiny Lobster AP. On the wreckfish one, I know we're -- Right now, the item says Spiny Lobster and Golden Crab, but, on wreckfish, I feel like some of those questions are going to come up during Snapper Grouper, and so I don't really have anything specific to golden crab at this time, but I will email her the list on spiny lobster.

MR. BELL: Yes, and I figured you guys -- Obviously, unless spiny starts wandering a little more north, which would be okay with me, it's really kind of a Florida-dominated thing, obviously, and so all right. Tim.

MR. GRINER: Thank you. On spiny, for the Spiny AP, at one point, we had some discussions about increasing the commercial trip limit for spiny, and I would like for them to revisit that, and let's get that back on the agenda for them. Thank you.

MS. WIEGAND: Just to make sure I'm remembering the correct issue, this was one that the council had talked a few years ago about increasing the commercial trip limit per fisherman that had the snapper grouper permit, to be able to retain a commercial quantity of spiny lobster, and is that specifically what you're referring to?

MR. GRINER: Yes, and I think we had some options, and I think it was twenty or twenty-four per trip, or something of that nature.

MS. WIEGAND: Perfect. Thank you.

MR. BELL: So we actually do have them up this way, our way, but they're just not as frequent, or abundant, as they are in Florida, and it is kind of a byproduct of the snapper grouper fishery. Anything else that Christina could capture right now related to either spiny or golden? Wow. Okay. Well, I've run out of things to try to move, that I feel comfortable about moving, and so I guess we could go ahead and knock off a little early today. We'll adjourn for the day.

(Whereupon, the meeting adjourned on March 7, 2022.)

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Certified By _____ Date _____

Transcribed By
Amanda Thomas
May 5, 2022

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SAFMC March Council

Attendee Report: Meeting (3/7/22 - 3/11/22)

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Attendee Details

Attended	Last Name	First Name
Yes	BROUWER	MYRA
Yes	Barbieri	Luiz
Yes	Beal	Bob
Yes	Bianchi	Alan
Yes	Blackshear	David
Yes	Bublely	Walter
Yes	Calay	Shannon
Yes	Chaya	Cindy
Yes	Conklin	00The Real Chris
Yes	Copeland	00 Robert
Yes	Cox	Derek
Yes	DeVictor	Rick
Yes	Finch	Margaret
Yes	Flowers	Jared
Yes	Franke	Emilie
Yes	Glazier	Ed
Yes	Godwin	Joelle
Yes	Gore	Karla
Yes	Hadley	01John
Yes	Harrison	Alana
Yes	Hart	Hannah
Yes	Helies	Frank
Yes	Hemilright	Dewey
Yes	Howington	Kathleen
Yes	Ingram	Jamal
Yes	Iverson	01 Kim
Yes	Kittle	Christine
Yes	Klasnick	01Kelly
Yes	Knowlton	Kathy
Yes	Laks	Ira
Yes	Laney	Wilson
Yes	Malinowski	Rich
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	Mehta	Nikhil

