

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL SESSION I

Webinar

September 13, 2021

TRANSCRIPT

Council Members

Mel Bell, Chair
Dr. Carolyn Belcher
Chris Conklin
Tim Griner
Kerry Marhefka
Tom Roller
Laurilee Thompson

Stephen Poland, Vice Chair
Chester Brewer
LT Robert Copeland
Judy Helmey
Jessica McCawley
Andy Strelcheck
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Myra Brouwer
John Carmichael
Dr. Chip Collier
John Hadley
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Kelly Klasnick
Roger Pugliese
Dr. Mike Schmidtke
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Julia Byrd
Cindy Chaya
Dr. Judd Curtis
Kathleen Howington
Kim Iverson
Dr. Julie Neer
Cameron Rhodes
Nick Smillie
Christina Wiegand

Attendees and Invited Participants

Rick DeVictor
Dewey Hemilright
Dr. Genny Nesslage
Monica Smit Brunello

Bob Gill
Dr. Jack McGovern
LT Patrick O'Shaughnessy

Additional attendees and invited participants are attached.

The Full Council Session I of the South Atlantic Fishery Management Council convened via webinar on Monday, September 13, 2021, and was called to order by Chairman Mel Bell.

MR. BELL: I will go ahead and call to order the meeting of the September 2021 meeting of the South Atlantic Fishery Management Council. Welcome, everyone. Sorry you couldn't be here in Charleston today, but that's kind of going around right now, and hopefully things will improve significantly by December, and we'll give it a shot in December, where we can see everybody's smiling face, and so, getting right into our business, the first thing I want to do is just welcome folks.

Also, welcome to our Gulf liaison, Bob Gill, who is here, and Dewey Hemilright is onboard, but Dewey is actually part of our committees, and I see Pat O'Shaughnessy here from NOAA OLE, and I would also like to recognize Trish Murphey, who will be, in December, replacing Steve Poland as the North Carolina state rep, and so is there anybody else that I need to recognize, guys, that you can see that I can't? All right.

Well, good. Then we'll get right to the first order of business here, which is actually -- I'm going to turn this over to Andy Strelcheck, and we've got three new council members that we need to basically bring into the fold today, and Andy will do that, and I would first like to recognize Andy as the new Regional Administrator. When we last left off, Andy was the Acting Regional Administrator, but congratulations to Andy. He is now the Regional Administrator, and, as such, it will be his duty to swear-in the three new council members, and so, Andy, if you are there, I will turn it over to you to conduct that for us.

MR. STRELCHECK: Thanks, Mel, and thanks for the kind words. I am looking forward to, obviously, taking on the full responsibilities of the Regional Administrator and working with you for some time to come. I did want to check and make sure that Laurilee was on the call, because, the glance I saw, she wasn't. Does staff know if she's on the call?

DR. COLLIER: She is here, and, Laurilee, if you want to unmute yourself. There you go. You're unmuted.

MR. STRELCHECK: Okay. Perfect, and so, rather than me stating the oath and new members repeating it, what I suggest is that I will start the oath for the council, and then, once I get to the part where it starts with "I" and stating the person's name, then the new council members can essentially recite the oath that is listed on the screen, and then, afterwards, I will say a few words, following the oath.

(Whereupon, Ms. Helme, Ms. Thompson, and Mr. Roller are sworn-in.)

MR. STRELCHECK: Thank you so much. On behalf of the Secretary of Commerce and the Assistant Administrator for NOAA Fisheries, Janet Coit, I want to be the first to congratulate you on your appointment to the council. You just read the oath for participation on the council, and I ask that you conduct your business according to that oath in all things going forward. I look forward, as the Regional Administrator, to collectively working with all three of you, and I'm sure the rest of the council members feel the same way, and so congratulations again. It is a significant accomplishment to be appointed to the council, and I look forward to meeting you in person, hopefully soon.

MS. HELMEY: Thank you very much.

MS. THOMPSON: Thank you. I'm glad to be here.

MR. BELL: All right. Thank you, Andy. I appreciate you doing that, and thanks, guys, and welcome aboard. Again, I apologize for the sort of odd nature of that, doing it virtually, but you all did great, and we really appreciate having you here to help us work through the things we need to work through, and so thank you.

All right, and so that takes us to the first item on our actual agenda, which is Approval of the Agenda. I might point out, to folks that are new, if you pulled up the briefing book a while back, there are things that say, "revised agenda", and so you'll see right there that they just pulled up on the screen, and we would be approving the revised agenda right now for Council Session I, and so are there any changes or modifications necessary to the agenda? No hands. Okay. Seeing none, then the agenda will stand approved as-is.

That takes us to the next item, which would be approval of the minutes, and this would be the minutes that are your briefing binder from the last council meeting, which would be the Council Session I, and so any corrections necessary to the minutes from Full Council I from the last meeting? No hands, and we'll assume there are no objections to approval of the minutes from the last meeting. Seeing no hands, then those minutes will stand approved.

Then that takes us to our first item of actual business, which will be Reports, and I have ordered these so that we can allow Pat O'Shaughnessy from NOAA OLE to go first. If you're with us, Pat, you can take it away.

MR. O'SHAUGHNESSY: Great. Thanks, Mel. Again, our OLE quarterly report was sent out last week, with the late council materials, and that's a twenty-five-page report. I recommend that everybody take a look and read that. Since we're not in full council session -- I normally get a lot of my questions on sidebars at the council, but feel free, if anybody has any questions or would like me to do follow-up, and I can go ahead and answer those via email.

The third quarter of Fiscal Year 2021 open incidents, there were 255. Actual violations processed, there were forty-three. Of those, there were twenty-nine summary settlements, and those are our ticket version, and there were fourteen cases that were forwarded to General Counsel. The remaining incidents were either not violations or were handled with fix-its, compliance assistant, or written warnings, and those summary settlements range from \$250 for descending devices to \$2,000 for VMS violations.

A more detailed summary settlement snapshot, of the twenty-nine issued, five were for during closures for prohibited fish, four were for illegal charters, charter vessels operating without the South Atlantic permits, three were for failure to release HMS species in specified form, two were for use of prohibited gear, two were failure to have sea turtle mitigation gear, two were for fishing/anchoring in the sanctuary preservation areas down in the Keys, and there were two for undersized fish and exceeding the bag limit, one for a VMS violation, one exceeding a commercial trip limit, one for disposal of fish upon law enforcement approach and having prohibited fish onboard. Again, those are unique, because it's \$1,000 for throwing one fish overboard upon LE

approach, when it would have been a \$250 summary settlement. Then, of the remaining ones, they were TED violations, undersized fish, illegal takes, permit violations, or dive flag, failure to have a dive flag, in the Keys.

Of the fourteen cases we forwarded to General Counsel for follow-up, four were for TED violations, two were for failure to maintain in whole form and permit issues, two were for observer violations, one was for exceeding commercial quantities on a trip limit, one for recordkeeping or log issues, one for retention during a closure, one for selling to an unpermitted dealer, and one for fishing in an ecological reserve.

Other OLE items, all of our enforcement officers have completed their training are now in the field, out and about, and so you'll see them, day-to-day, down on the docks, and all of our special agents are completing field training, but all of our vacancies for the Southeast have been filled, and so we have no more enforcement officer or special agent vacancies.

Finally, the last few pages of the OLE quarterly report highlights past cases that we had sent over to General Counsel and their outcomes. On this report, they range from \$2,500 for fishing in a sanctuary preservation area to \$38,500 for failing to have an operational VMS unit onboard for over a year, and those are the items that I wanted to highlight out of the report. Again, if anybody has any questions, or would like any follow-up, shoot me an email, and I will get you an answer, one way or another. Thank you.

MR. BELL: Thanks, Pat. I appreciate that, and, again, folks, it's a long report, and it's very thorough, and I would encourage you to read it. Pat and his folks are tremendous resources, but Pat would be more than willing to answer any questions, any time you guys have -- Especially for the new folks, he's a very good resource. Kerry, I know you have a question right now, if you would like to go ahead and ask Pat.

MS. MARHEFKA: Thanks, Mr. Chairman. Pat, thank you so much for being here. First, I wanted to start off by saying how much in our area we have really appreciated our new NOAA LE guy, Michael, and I can't remember his last name, and hopefully you can help me out with that, but I know a lot of the fishermen have been calling him, and he's really easy to work with. You can ask him a question, and he gets right back to you, and I just can't say enough good things about how much that makes all of our lives easier and better and makes sure we're supposed to be doing, and so I just would like to give out a public kudos to him.

My question for you is sort of about the permits and timing issues that have been coming up, and I think a lot of it is coronavirus related, and there has been some sort of perceived, or real, lag in times between when we're renewing our permits, and we sent off our permits for renewal, whether it's a dealer permit or a vessel permit, and the turnaround time, which, in my case, has definitely been longer, and I don't know if that's always the case.

I have heard different things from different fishermen, who are getting told by different law enforcement officers, as far as, you know, if you've sent your permit, and NMFS has received it, but you haven't gotten it back, then you're still in good standing to go fishing, to everything from -- The other thing I've heard is, well, if you've sent it, and they're processing it, you're not okay, but, if it shows that it's getting mailed back to you, then you are okay, and, just for the sake of

clarity for all of us, I would love to know sort of what the official line is, especially as we're dealing with coronavirus and these slowing times of people not being able to work in the office.

MR. O'SHAUGHNESSY: Thank you. That's a very good question. It's one of those things where I have tasked my folks to use officer discretion. We do have the ability to log into the permits database and see that a permit has been received and logged-in. In the past, in talking to the permits shop, it could take anywhere from five to ten days to turn around a permit and get it back, and now we're looking at weeks, with the coronavirus, and so, when I say officer discretion, we can go in and look, and, if it's the day before when your permit was expiring, and that's when you sent your application in, when there was no reasonable expectation for you to have that permit in a day, and so you would have been without it, but all of the violations, if there are violations, they come through me. I haven't seen any where we've given tickets out to somebody who has not received their permit, due to a coronavirus violation.

What we normally do is log-in, to confirm that it has been received by the permits shop, and we'll tell them that it can take a little bit longer, and to track it, and don't fire away an application and forget about it, but, due to the lengthy process in doing that, because of COVID, we have been giving some leeway on how long it takes to get that back, in the realm of up to five to six weeks beyond that time, and so, again, it's a case-by-case basis.

If they can show us they applied in advance of it expiring, we'll usually track that, and my guys can go into the permits shop, to make sure it's been mailed out. In some instances, we have identified, to the fishermen, that there were issues, that the permits shop was waiting for some follow-up, and we have assisted the fishermen to getting that information to permits, so the hold on their permit can be followed up with. I don't know if that answers your question.

MS. MARHEFKA: Thank you so much, and that's actually very, very helpful. I know, for myself, I had sent it at the beginning of July, and ours expires the end of August, and, on August 31, I was still waiting on it, and I was having to sort of make a decision about, you know, could the boat leave or not, and so I do feel like, with what you said here -- It gives me better tools for decision-making, and hopefully it's helping others that are listening as well, and so I really, really appreciate it. Thank you.

MR. O'SHAUGHNESSY: Our officers are -- Their numbers are out there, and they are reachable, and so, if you have a permit question, in this case Michael, and you could call him, and he could work with the permits shop to find out. If it was the beginning of July, and you're now at the end of August, that's eight weeks, and that does seem exceptionally long, and, a lot of times, he can find out what the hold is, by talking to the permits shop, and he can assist you in getting that permit in a timely fashion.

MR. BELL: All right. Thanks, Pat, and thanks, Kerry, for the question. Steve.

MR. POLAND: Thank you, Mel. Thank you for the report and the update, Pat. I had a question under enforcement highlights for highly migratory species. There is a summary provided about a meeting, and it looks like one of our enforcement officers met with some HMS staff, and so OLE, General Counsel, and representatives from the Pelagic Observer Program in regard to it looks like a new type of pelagic longline deep-set gear being used in the South Atlantic right now, and then

the summary concludes with the group was able to take positive first steps in identifying regulation changes that would need to be discussed at future meetings.

I'm assuming this is for the HMS Division, but I just wanted to talk to you or others, if we needed to have a conversation at this council meeting about potential new longline gear types being used in the South Atlantic and if there's any additional information, like a summary or anything, that you can provide me and others, via email, I would appreciate it.

MR. O'SHAUGHNESSY: Sure. In that particular instance, there was a couple of vessels that were using a different type of gear, and there some allegations made by some other fishermen that it was illegal. Miles Dover, my enforcement officer in North Carolina, actually visited the vessel, and took a look at the gear, and talked with the HMS shop, and it's a type of longline gear that is regularly used out in the Pacific Islands Division, but it is completely authorized within the rules and regulations, and so it's not something new, but it's just something that had not been used on this coast before, and so that was the meetings that were held, and the discussions that were held, to determine that the gear that that particular fisherman was using was authorized and legal.

MR. POLAND: Thank you for that, Pat. I was concerned, if there was a new gear in town, if our council needed to take any action, but that helps. I appreciate it.

MR. BELL: All right. Thanks for that, and I noticed Duane Smith with the legal side of NMFS Law Enforcement -- Duane, did you have something to add or ask about?

MR. SMITH: I just wanted to follow-up on Pat's answer about the permits. We do recognize that things have been slowed down some, due to COVID, and I don't have any issue with anything that my good friend and former shipmate, Patrick, said, but let me play bad cop to his good cop for a second.

Folks need to get those applications in in a timely fashion. The example your council member gave, it seems like that was plenty of time to process a permit, and the regs, I believe, say we have thirty days to process it. What I see, all too frequently, is folks waiting until the last day and then sending it in, and Pat alluded to that, and so it is going to be case-by-case, and the bottom line is what the law says, and that is, if you don't have a valid permit, you can't fish, and so it really would behoove folks to stay on top -- Just like Pat said, stay on top of your permit applications.

If you're getting close, reach out to Pat's guys, or reach out to Kevin McIntosh's shop and talk to them and see if there's a problem, but don't just yell COVID and think that that's a get-out-of-jail-free card. If you're fishing, and you don't have a valid permit, that's a problem, and so, again, let me play bad cop to Pat's good, but the law doesn't require the kind of accommodations that Pat is sort of making for you all. That's all I've got.

MR. BELL: Thank you, Duane. I appreciate that perspective, and you're right, and so it's good to have the whole big picture there and for everybody to be aware. Okay. Let's go ahead and shift to the Coast Guard. Lieutenant Copeland, if you have anything you would like to present at this point related to what's going on with the Coast Guard.

DR. COLLIER: Lieutenant Copeland, there was another hand raised, right before you were going to give your --

MR. BELL: Sorry. Missed that. Go ahead, Andy.

MR. STRELCHECK: Sorry to interrupt you, Lieutenant Copeland. I just wanted to add to the comments that were made, and so, Kerry, thank you for the question. Excellent question, and certainly our permits team can work with you, if there's delays, or what you view as excessive delays, in getting your permit issued. I do want to note that we just shifted to a new, improved online permitting system, as of the last couple of weeks, and, although we're getting our legs underneath us right now, our expectation is that will considerably speed up our permitting process and hopefully avoid some of the problems that maybe fishermen have experienced in the last year-and-a-half under coronavirus conditions, and so I just wanted to let the council know that that was in place.

MR. BELL: All right. Thanks, Andy. I appreciate that, and I'm looking forward to the new system kicking in full-gear. All right. Bobby, have you got something for us?

LT. COPELAND: I do, Mel, yes. Good afternoon, everyone. The Coast Guard, and the Southeast Region, has conducted 686 fishery boardings since our last meeting, of which we've had three major violations, and some of those have already been touched upon by Pat's report, but just to reiterate that we have a violation for actively fishing in the Florida Keys National Marine Sanctuary, having undersized snapper, and having no descending device onboard as well. Pending any questions, that is all I have to pass from the Coast Guard standpoint.

MR. BELL: All right. Thank you. I appreciate that. Any questions for Lieutenant Copeland, Coast-Guard-related? I don't see any hands. All right. Thanks for that, and, again, sort of for the new people, normally, if we were at the table, Lieutenant Copeland would be sitting at the table with us, and so the Coast Guard does play that role, and we certainly appreciate their participation in this process, and I would note that he is out of District 7 in Miami, and they provide that person for us, and so all right.

Next on the list would be Council Liaison Reports, and so we have, technically, one council liaison, and that's Bob Gill. I think I saw, Bob, that you were with us, and is there anything that you would like to present right now?

MR. GILL: Thank you, Mr. Chairman. The liaison report was sent to you all late last week, and so it should be in your late documents, and I won't read it. It's four pages long, but I would like to highlight three items, the first one being cobia. We did approve it to go out for public hearings, assuming that you do the same at this meeting and agree with our preferreds, which hopefully are in alignment with yours.

Red snapper data calibration, as you know, the council approved the calibration methodology back in April, and, at the June meeting, we decided to defer implementation of that methodology until 2023. It came back on the table for this meeting three weeks ago, and the council reaffirmed that it wants to delay until 2023, and so it's in the process of being transmitted to the Secretary.

Finally, we did realign our SSC, slightly, and we basically tried to make it a little more flexible for whatever incoming applications were received, but, most importantly, we raised the daily stipend

to \$350 from the previous \$300, and I would be happy to answer any questions, although, as the newbie, I probably can't answer them. Thank you, Mr. Chairman.

MR. BELL: All right. Thanks, Bob, and I guess I failed to point out that Bob is with the Gulf of Mexico Fishery Council, and we do the same sort of thing, rotate liaisons at different meetings, and so Bob is here today. I will point out, at the last Gulf meeting, they did elect a new chair and vice chair, and so Dale Diaz is the chair of the Gulf Council now, and you all remember Dale, because he's been the liaison a number of times from the Gulf, and Martha, with FWC, and I think most of you know her, but she's the vice chair of the council. Any questions for Bob right now? Okay.

Again, at any point -- The reason we do these updates and presentations at the beginning is to allow folks to -- If you think of something that you need to check with somebody on, you've got the whole week to do it, and, of course, if we were in the physical realm, it's a little easier to do, and you just meet somebody in the hallway or whatever, but do utilize email or whatever mechanism you need to to just kind of reach out to folks to follow-up with questions.

I know we have Dewey Hemilright onboard from the Mid-Atlantic Council, and Dewey is kind of more like family, because he's here all the time, related to some of our committees, but, Dewey, do you have anything from the Mid-Atlantic, in terms of anything you want to present right now that's going on there?

MR. HEMILRIGHT: We met in August, the 9th through the 12th, by webinar, and we basically set the specs for the 2022-2023 season for summer flounder, scup, black sea bass, and bluefish. We also have some ongoing work to develop and discuss a range of draft alternatives for further development through a recreational harvest control rule framework, and we are working -- The council is working on recreational reform initiatives, which is kind of a large undertaking, and we're working on that a lot. We also approved the specs for tilefish, golden tilefish, for three years, and we also swore in new members and reelected Council Chairman Mike Louisi and Vice Chairman Wes Townsend, back for another term, and that will conclude my remarks. Thank you.

MR. BELL: All right. Thank you, Dewey, and I appreciate you being here. Any questions for Dewey right now? No hands. All right. I can't see the big list, and do we have a New England liaison officially onboard for this meeting? No? Okay. Then that concludes all of our liaison reports, and so we'll switch to state agencies. Just picking a direction, let's start with North Carolina and work south. How about that? Steve, do you have anything to kind of update us on?

MR. POLAND: Thank you, Mel. I feel like we always start up north, and so I will focus on things that might be of interest to the South Atlantic Council, and so our red snapper season here, in North Carolina, I will go as far as to say it was a bust, just due to weather. The Friday, we had sustained winds of at least twenty knots across most of the state, and that kind of carried on through that weekend, and so we were still able to collect samples from some of the boats that were able to get out, but, as far as general effort, just anecdotally, it was down, due to the weather.

A few items from our Marine Fisheries Commission and state management, our Marine Fisheries Commission met last month, and they directed the division to initiate rulemaking to update our mutilated finfish rule, and I just mention this, since we had some discussion during the Mackerel

Cobia Committee at the last meeting, as far as state rules relative to the landing of mutilated fish and finfish intact.

The rationale, from our Marine Fisheries Commission, was more focused on allowing anglers to use fish like Atlantic croaker and spot for bait, since our rule specifies that any fish subject to a bag or size limit must be retained intact, and there was some desire from fishermen to still use spot and croaker for bait, since there is now a creel limit on those species, but I mention this because this opens up this rule for rulemaking, and, depending on the direction of the council and the mackerel amendment, where we're discussing the retention of mutilated finfish, this provides the state an opportunity to make any modifications to allow that act to potentially comply with any changes at the federal level.

I know, at the last meeting, we had mentioned that the states could provide a little bit more input at this meeting, during the Mackerel Cobia Committee, on that, and I just wanted to bring that forward at this time, since it's an active issue that we're dealing with here at the state now, as far as rulemaking.

Currently, we're in the twilight days of our recreational flounder season here in North Carolina. As everyone knows, the southern flounder stock assessment was a multi-state assessment of North Carolina, South Carolina, Georgia, and Florida, and North Carolina has significantly modified management of that species, with allocations to the commercial and recreational sectors and seasons. Currently, this year, there's a fourteen-day recreational season, starting on September 1 and ending tomorrow, September 14, and then our commercial season will pick up in the northern part of the state on Wednesday for a fifteen-day commercial season and then progress down the coast later in October.

Our Catch-U-Later app, this is an app that NC DMF is collaborating with the South Atlantic Council on, and South Atlantic Council partners, to develop a recreational app to allow recreational anglers to report their flounder catch and provide information on discards, as well as species identification. Also, as you all are aware, we have three species of flounder that occur in state waters, southern flounder, summer flounder, and Gulf flounder, and we manage all those as the flounder complex, and there has been some desire to separate those species out, and so one of the goals of this app is to collect that species ID information on those species, and this app has rolled out to our testers, and I believe our new state rep, Tom Roller, is one of those testers, and this is a good segue to congratulate Tom on his appointment to the South Atlantic Council.

He is also one of our state Marine Fishery Commission members, and so he's also available and can provide any context, at least from our state commission level. I would say that I look forward to working with him, but, as Mel mentioned, this is my last South Atlantic Council meeting, and I will hand the reins over to Trish Murphey. She's not a new hire, but just a former employee that has come back home to us here at the Division of Marine Fisheries.

She has well over twenty years of experience here at the Division of Marine Fisheries, and a lot of that was working on shrimp and other habitat-related issues, and I look forward to seeing how she settles into this role and how she represents the state from here on out, and so I just ask everyone to kind of join me in congratulating Tom and Trish and welcome them aboard. I hate that we can't do this in person, because I was looking forward to introducing Tom and Trish to everybody down there in Charleston, but hopefully, if we have the December meeting in-person here in Beaufort,

it's a ten-minute drive from the office, and maybe I can get over there and shake everyone's hand and introduce everyone to Tom and Trish. With that, Mel, that concludes my state report.

MR. BELL: All right. Thanks, Steve, and we appreciate that. Welcome, Trish. Any questions for Steve about anything going on in North Carolina that you heard about or didn't hear about? No hands. All right. Then I will briefly mention a few things for South Carolina.

We had a similar experience on red snapper, I think, that North Carolina did. We may have had a little bit better weather here than they did, but the folks were not particularly happy with the weather, and so it did impede the fishery some, and I know there was interest from folks that I heard of would there be a chance to have another swing at it, but, of course, that's based on an assessment of overall how the fishery did, and that's something we can talk about later, but that was the weather here.

Shrimp season started out pretty good, and we actually had some interesting -- It seemed like an interesting uptick in brown shrimp this year, and we hadn't seen decent brownie landings in a while, but they were actually represented in the catch a little more, and then it sort of petered out, and it was kind of a -- The summer wasn't really fun for a lot of the guys, and we got a lot of calls. We're hoping that things will pick up here, as soon as the weather kind of changes and the shrimp inside move out, and then folks will have a shot at them, and so we're hoping for a good fall. Blackgill wasn't that -- It was pretty normal this year for us.

We had a similar state issue, and Steve mentioned flounder, and we did have a flounder bill this year, in response to the regional stock assessment for southern flounder, and our intent was to try to help rebuild the regional southern flounder fishery, and our general assembly took some action related to reducing the bag limit and increasing the size limit.

The other interesting thing they also did was they have tasked us now with developing a stocking program for southern flounder, and so that's something we'll be working on, and, fortunately, they also -- To do that, they allowed us an increase in our state saltwater recreational fishing licenses, and so we'll have the revenues necessary to develop that program and actually an influx of some revenues that are badly needed, and so we do appreciate that.

Steve mentioned the mutilated fish discussion we've had. From our state's perspective, we have a state law which requires landing head and tail intact, and that's a state law, and so, if we were to -- We don't have a commission that can kind of deal with that, and we would have to go to the general assembly, through an actual legislative process, and modify that somehow to accommodate, specifically accommodate, exceptions to that, and, also, right now, of course, we utilize officer discretion with some of this.

I'm not speaking for law enforcement, but, if a fish has been -- If a shark took off the backend of it, they can look at these kind of things, but, typically, I think the metric they use is if what you have left is at least the minimum size, then you've met the minimum size, even though the tail may not be attached, and so, again, if we were going to try to adjust that to accommodate anything different from federal waters, that would need to be an act of the general assembly, and I think that was a question posed to us.

The good news is MARMAP is trucking along this year, and we worked through all the COVID protocols and things we needed to, but they've been -- The Palmetto has been underway, and she's underway right now, and that's a good thing. The Lady Lisa, which is our SEAMAP vessel, she's been out some, and she's still operating. We are looking at trying to replace her, and the general assembly has also allowed us some funds to actually replace the Lady Lisa, and so we'll be working on that.

We are having issues with crew, in terms of hiring people, and so we've had crew vacancies on our vessels. Perhaps most importantly on the Palmetto, the cook. We can't -- If anybody wants to cook on a research vessel, we are looking for a cook, and so the guys have been eating -- They haven't been eating Hot Pockets or MREs, but they've been getting by, and so that's kind of an issue in a lot of businesses, is just getting people willing to accept jobs these days.

Also, of interest to the council, our artificial reef program, with significant assistance from the South Carolina Governor's Cup Billfishing Series, is going to be adding an additional structure to our deepwater marine protected area, what we call the Charleston Deep Reef, but it is actually designated as an MPA, and so that will hopefully be later this year, or early next, and we're adding -- I think it's a 250-foot vessel out there, to the materials we already have, and it's a real popular reef with the blue-water fishermen, and, again, it is designated as an MPA, and so there is no bottom fishing allowed, and it's a site that the Research Vessel Pisces has visited numerous times and sent us encouraging ROV video, and so, anyway, that's good news.

That's really all I have for South Carolina right now, unless anybody has any questions. All right. No hands, and we'll just proceed on down the coast to Georgia. Carolyn, do you have anything for Georgia?

DR. BELCHER: Sure. Similar story as North Carolina and South Carolina relative to the red snapper season, and it wasn't as successful as we had hoped. We did get some intercepts though, as far as dockside and some carcasses, and so we'll be working with Florida on getting those aged.

Of specific interest for us, the Anna, the R/V Anna, who has been with us since the mid-1970s, was officially retired last year, as you all were aware, and she has now moved on to her new home. We ended up putting her up on the government auction site, and one of our shrimpers, who has a long history with us, through our advisory panel, has purchased her for his own personal use, and he's not planning to use her necessarily for a work boat, but to enjoy it recreationally with his family, and so she'll be migrating up the coast to Savannah, and she'll be continuing to at least stay on the water, which we were all pretty happy about.

Our second boat, which is going to replace the R/V Marguerite, it's -- We were hoping to get it last fall, but, between COVID and now supplies running relatively tight, it has kind of slowed down a bit, and the R/V Glenn is slowly coming along, but we're still not really sure when that vessel will be starting up for service, but hopefully sooner than later. Hopefully before the ice comes in in Maine.

Reef deployments, since our last meeting, we've had two steel-hulled shrimp boats deployed, one off of Sapelo at a reef known as KTK, and another one off of the Altamaha River area at PRH. There is seven more additional large-piece drops schedule for the upcoming year, including barges,

and there is a dry dock that is due to go out this week, and a lot of just de-serviced steel-hulled boats.

Relative to our shrimp season here in 2020, our landings were 3.3 million, and that's worth about \$13.1 million, which was pretty decently above our long-term average, or, sorry, our ten-year average, which was 2.3 million pounds a year, \$9.7 million, and so, in spite of COVID, our shrimp season actually did really, really well.

Because of all of the upticks with COVID, our CoastFest event, which, for those of you who are aware, it's our largest outreach event, and we get about 10,000 people, on a good year, and we've had to -- Last year, we did it virtually, and we're going to have to do that route again this year, and so, for those of you interested, our CoastFest will be October 5 through 7, and you can find a link on our webpage, if you're interested in seeing that.

Last, but not least, the Golden Ray, which has been just over two years since she decided to fall over, she is now just about gone, and they finished the last cut last weekend, and they are in the process of off-weighting the two sections that are out there, and Unified Command is hopefully that both pieces will be out of the water by the end of September.

There will be continued work, and we're not really sure how much longer beyond that the relative pickup is going to be within the environmental protection barrier, removal of the barrier, and then continued monitoring until the state is happy that we've reached the appropriate endpoint goals. It's any guess, anywhere from four to six months, potentially, but it's been a long, slow process, but at least we're farther along now than we were. With that, I have nothing else to report from Georgia, but, if folks have questions, let me know.

MR. BELL: All right. Thanks, Carolyn. Any questions for Carolyn? All right. That will take us down to the Sunshine State, which it's not sunny here -- It's kind of partly cloudy, I guess, here, and so, Jessica, what's going on in Florida?

MS. MCCAWLEY: Thank you, Mel. I am just going to highlight one thing. At our upcoming commission meeting on October 6 and 7 in St. Augustine, we will be bringing a draft rule for a limited harvest of goliath grouper, and those items showing the rule, the PowerPoint presentation, and such, are on our website, and, if you would like to have me send you the link, I certainly can, but that's the only thing that I am going to highlight today.

MR. BELL: All right. Well, thanks. Any questions for Jessica at this point? Remember that we've got the whole week, if you think of something, to engage virtually. All right. No hands, and so that concludes our state agency reports, and that takes us to our actual first agenda item, where we've got to put on our thinking caps a little bit, and that's going to be a discussion of the Acceptable Biological Catch Rule, and that will be the combination of Mike Schmidtke from staff and Genny Nesslage from the SSC, and so, Mike, if you're starting that -- Hang on. I see Monica's hand up. Monica, do you have something at this point, real quick?

MS. SMIT-BRUNELLO: I do, and, you know, council members serve three-year terms, and Spud got reappointed, and so, as such, Spud should also take the oath of office, and I think we missed that when Andy gave the oath to the three new council members, and so I think we ought to just do it now, if you don't mind, and take care of it.

MR. BELL: Thank you so much.

MS. SMIT-BRUNELLO: Well, it was brought to my attention.

MR. BELL: There was a lot of texting and stuff going on here when we realized that, and apologies to Spud. We were so focused on the three new folks that we forgot Spud, and so, if we're ready to recover on that, and Andy can do that right now, that would be terrific, before we get into any kind of actual business.

MR. WOODWARD: Well, I guess it fits in the old out-of-sight-out-of-mind thing, and so I will go.

MR. BELL: You're just quiet.

MR. STRELCHECK: Spud, my apologies. I will take the blame for this one, and I certainly did not mean to overlook you and your involvement on the council, and so, if you want to go ahead and read the oath that's on the screen, go ahead.

(Whereupon, Mr. Woodward is sworn-in.)

MR. WOODWARD: Now that I am sworn-in, we can have the swearing at begin. Thank you.

MR. BELL: All right.

MR. STRELCHECK: Congratulations, Spud, on your reappointment, and my apologies, once again. I'm glad to have you back on the council.

MR. WOODWARD: No problem. Thank you, Andy.

MR. BELL: Thanks, Andy and Monica, for correcting that, and, yes, I do apologize, Spud, and you did that so well. You've obviously read that a few times, or are very good at it. Okay. Let's get about the business of the council then. Back to Mike Schmidtke and Genny. Mike, if you want to start this off, and, at the appropriate point, I guess Genny will pick up where she needs to.

DR. SCHMIDTKE: Thank you, Mel. Will do. Good afternoon, everybody. Today, I will be going through another round of the ABC Control Rule Amendment. This has been something that's been long in development, and we're just kind of taking another bite of it and getting a little bit more guidance on the development of this amendment.

This will address modifications to the Acceptable Biological Catch Control Rule and the use of phase-ins and carryovers in management. The IPT has met a couple of times since this document was last discussed in March, and they developed recommendations that are shown in this decision document. The first recommended change is the addition of a fourth action to modify the framework procedures for the FMPs that are included in this amendment. I will scroll down and show that. That's highlighted right there.

The FMPs that are included in this comprehensive amendment are Snapper Grouper, Dolphin Wahoo, and Golden Crab. I will give a bit more detail on this modification of the framework procedure later, but the purpose of this action is to use this as the mechanism by which carryovers could be conducted.

This amendment was started back in 2019, and then was paused, waiting on some NMFS guidance, and then work resumed on it towards the end of last year. We still have some fleshing out of the modifications to the actual ABC Control Rule, and those are being coordinated with feedback from the SSC. For today's meeting, we're looking for the council to review a method proposed by the SSC to set ABCs for data-limited and unassessed stocks. We're also asking for feedback on the action language included in this document for carryovers, and that will be in Action 3 and the additional Action 4 that's been proposed here.

The plan from here is to use the feedback from the council and from the SSC at their October meeting to continue developing the actions and alternatives and start moving towards drafting the amendment. It's noted that this amendment is quite technical, and it's one part of a very busy ongoing schedule for staff and for folks over at the Southeast Regional Office, and so we're trying to have the council address it in pieces, kind of more digestible pieces, ahead of a draft document being prepared for consideration for public hearings in June of 2022.

The purpose and need language has gotten some fairly minor modifications, and you see the current language here on the screen. If the council accepts the IPT's recommended method for implementing carryovers through modifying the framework procedure, we'll need to make some further edits to this language, and so, with that said, I will pause briefly here for any questions or guidance or edits that need to be made to the purpose and need language.

MR. BELL: All right. Does anybody see any need to adjust the purpose and need language? No hands. Okay. We'll take that as a no, Mike.

DR. SCHMIDTKE: All right. Then we'll keep going, and we'll go on to the actions that are being addressed today. The plan for moving through these is that first we will address Action 1, which is modifying the ABC Control Rule. I will give a brief introduction of the alternatives, and I will try to keep it brief and introduce them as they're currently drafted, and then I will turn it over to our SSC Chair, Dr. Genny Nessler, to talk us through the SSC's recommendation for addressing ABC for unassessed or data-limited stocks.

Then we'll come back to council discussion of that recommendation and any other modifications you wish to make to Action 1 at this time. After that, we'll follow a similar type of sequence in addressing Actions 3 and 4, but we'll take those on kind of together, as they both pertain to carryovers.

Starting in on Action 1, as we've been working through this action, we've tried to be aware of our terminology, and this is something that we've highlighted before and will continue to highlight throughout this process. When we talk about uncertainty, we're talking about scientific uncertainty, which is the purview of the SSC, and, when we talk about risk, we're referencing management risk, which is the purview of the council. The council may ask the SSC to help quantify or describe the risk, but, ultimately, it is the council that decides what level of risk will be taken on in management.

We've tried to simplify the presentation of these alternatives and help make them a little bit more clear by breaking them down into three components, the ABC Control Rule that would be used and that alternative, the risk tolerance policy, and then the policy for overfished stocks.

The ABC Control Rule, for each alternative, is described by the linked tables, and those are listed out in the discussion, but you can get the quick link just below the action language there. The risk tolerance policy describes how the P^* , or the accepted probability of overfishing, is set, and, finally, the overfished stocks policy addresses the ABC determination for overfished stocks, which operate kind of in a reverse logical order from the normal control rule. Normally, we -- For the control rule, it would be looking at the accepted probability of overfishing. For rebuilding stocks, you look at the probability of rebuilding.

I will move through these alternatives. Under Alternative 1, we have the current ABC Control Rule, and that is summarized in Tables 1 and 2. Kind of quick looking down to Table 2, these tables are very similar. The difference is that Table 2 is applied to many of the snapper grouper species, and it has the addition of this level for unassessed only reliable catch stocks level, but the standard application for species is, if we get an assessment, and the SSC reviews this, they go through kind of these steps of Level 1, and they start off with P^* value of 50 percent, and then, according to these different questions in these tiers, or these different levels in these tiers, they reduce that P^* , and so, the more uncertain an assessment is, it would get a reduction to the P^* , and it would have a lower accepted probability of overfishing.

As a prelude to Genny's presentation, Levels 2 through 5, if we scroll down here to Levels 2 through 5, they describe the handling of unassessed stocks, and they show the available options, and these are fairly limited to depletion-based stock reduction analysis, depletion-corrected average catch, the ORCS method, or a decision tree that is based on landings from 1999 through 2008.

I am going to scroll back up to the option language at this point, and risk tolerance, in the current control rule, is incorporated into the criteria that are shown in that table that are evaluated by the SSC. Finally, it is common practice for overfished stocks to adhere to a rebuilding plan set outside of the standard application of the control rule and for the SSC to recommend a probability of rebuilding, but this is not specified as part of the control rule, and it is more of a common practice that is used.

The ABC Control Rule for Alternative 2 is described in Table 3, and I will give a brief look at that. Here, stocks are categorized based on whether they are assessed and the level of scientific uncertainty associated with the assessment. Unassessed stocks, which we'll be focusing on in Genny's presentation, are included in Category 4, that highlighted section that you'll see. The recommended language for how to handle these stocks is shown there, and this is based on the SSC's recommendation.

Risk tolerance, under Alternative 2, would be specified by the council, with default values set based on relative stock biomass and a stock risk rating provided by the SSC. You can see default values shown in Table 4. The risk rating system will be reviewed again by the SSC in October, but a summary of this system is provided in Appendix 1. The ratings are based on the currently-

used productivity and susceptibility analysis, but with additional incorporation of socioeconomic and environmental factors.

Kind of the basic gist of that table, if you look at Table 4, is, as risk, based on stock attributes, increases, and the biomass decreases, the default values get lower and become more risk-averse. For overfished stocks, Alternative 2 would specify that overfished stocks would adhere to ABCs, as specified by rebuilding plans that meet the base criterion of the Magnuson-Stevens Act, which is that their probability of rebuilding be at least 50 percent. There are a couple of sub-alternatives for this that are addressing tweaks to the risk tolerance policy, but, for the sake of time, we're going to skip over those and save those for a future meeting.

Alternative 3 has a control rule that is of similar nature to the current one, and I will pull that up here, that summary table, and so you see it takes on a similar form to the current control rule, but the risk tolerance would be incorporated by the council setting that initial P* value. Instead of it automatically going to 50 percent, the council would choose a value between 30 and 50 percent for Level 1 stocks, and Tiers 3 and 4 -- There used to be 1, 2, 3, and 4 tiers, and, in Level 1, 3 and 4 would be taken out, and so the SSC would evaluate based on Tiers 1 and 2 and subtract, similar to the way that they do right now, but just from that initial value that is set by the council.

Levels 2 through 5 would be replaced by one large category for unassessed stocks, and that would incorporate the SSC's recommended method for handling the unassessed stocks in the same way as was being proposed for Category 4 in Alternative 2, and, finally, the policy for ABCs for overfished stocks under Alternative 3 is the same as what is described under Alternative 2, and so that's an introduction to what we're addressing in this action. Also, it's kind of pointing in the direction of what we're looking at for these unassessed stocks.

What we need from the council today is guidance on whether the policy being recommended by the SSC for setting those unassessed ABCs should be the game-plan moving forward, and, at this point, Mr. Chair, I would like to pass to our SSC Chair for a description of their recommendation.

MR. BELL: Right. Thanks, Mike, and thank you, Genny, for being here. We really appreciate your help and guidance with this, because it's not a simple thing, and I'm sure the folks that haven't been with us long are probably scratching their heads and wondering what is this all about, but it is an important thing, and it does touch pretty much everything we do as we move forward with dealing with assessments, and so, Genny, whenever you're ready.

DR. NESSLAGE: Thank you, Mel. I will do my best to try not to muddy the waters and maybe help clarify a few things as we go along, but I agree this is a super complicated set of options. I don't know, Mike, if you -- I had two quick slides that just kind of had some general feedback on our latest comments on Action 1, Alternative 2. Do you want me to go over those or skip straight to the Category 4 stuff?

DR. SCHMIDTKE: I think we can go straight to Category 4, for today, just because we're going to be -- This is going to come back to them, as far as the rest of Action 1 goes, and so I think the focus for today, just because we're on a little bit of a tight schedule, is to be more Category 4, unassessed, minded.

DR. NESSLAGE: Okay. Then I will do this slide, and then we'll skip the next one for a later date and then head right into the ABC Control Rule recommendations, and does that sound good?

DR. SCHMIDTKE: Okay. Yes, that sounds good.

DR. NESSLAGE: So one of the things the SSC was asked was whether there was any suggested edits to this section regarding Category 4 stocks, and one of the things that had come up was some uncertainty about how we would actually define that Category 4 stock, and this is something we had discussed, both the council and the SSC, in the past, and it's a little nebulous, but we had suggested the following wording. Essentially, that a stock that would be called a Category 4 stock would be one where there is no formal stock assessment that has been accepted that provides a quantitative OFL and ABC recommendation to the council, and so this would be an assessment that had been -- That would have been reviewed through the SEDAR or the SSC process.

If there is no formal stock assessment that's been accepted through either of those two venues that is providing an OFL or ABC, then that would be considered a stock that's an unassessed Category 4 stock, and so we're talking about ones where we don't have a real stock assessment.

Regarding these unassessed Category 4 stocks, the SSC felt that our current ABC Control Rule for these guys is really not doing them justice, and so I guess it was fall of 2019, I think now, that we formed a working group to review what we've done in the past, regarding how we've set ABCs for these unassessed stocks, and then we suggested a revised process for moving forward with this amendment, and so the working group met over a series of months and then presented to the SSC in our spring meeting this year, and the SSC accepted their report and their recommendations, and so I'm going to review what the conclusions of the working group and the SSC were and what we're proposing. If anyone has any questions, just stop me.

Basically, our overall conclusions were that, right now, we're applying this kind of one-size-fits-all approach to our unassessed stocks, and maybe it's average catch, with some exceptions, and, based on our review of the literature and what folks have done in other regions, that approach seems to be insufficient, and that, given the variety of life histories that these fish exhibit, the variety among the actual fisheries themselves, there is a huge spectrum of data quality and quantity out there for these stocks.

We felt that these stocks, or stock complexes, in the Category 4 group really need more careful, tailored attention when setting the OFL and ABC, and so staff had helped extensively with this working group project, where basically they had put together a large summary table of the available data for all of our unassessed stocks, as well as a summary of what some of the approaches might be for coming up with what OFL and ABC recommendations might be for those stocks, given the available data that's out there, and so I really want to give a big shout-out to the staff for all the support that they provided the SSC during this process.

We reviewed what's available, and, in doing so, the group had extensive discussions about how best to move forward, and we came up with kind of four guiding principles of how we think we should -- What the best approach for moving forward with setting ABCs for Category 4 stocks should be, and the approach should have four characteristics, the first being -- Well, I guess the four of them are that the process be flexible, that it be customizable, that it be responsive to the council's risk tolerance for that stock, and that it be adaptable over time.

I will talk about what we mean for each of those aspects here one at a time, and so, when we say that we want the ABC setting process for these unassessed stocks to be flexible, what we're recommending is that the wording for the ABC Control Rule for Category 4 stocks be general enough that it allows the methods that could be applied to generate the ABCs -- It allows that method to be updated as new data, or perhaps better methods, better-performing approaches, become available.

That would be flexible enough that we could apply this new data, or new methods, without having to go back and revise the control rule, and so just to make sure that we have that flexibility to respond to any changes that might be coming along, so we can make improvements as necessary.

Then the second aspect is we recommend that the approach be customizable. Basically, as I said before, recent studies, the literature, suggests that one-size-fits-all approaches to assessing and coming up with ABCs for these data-limited stocks doesn't provide robust advice for management, and it doesn't result in higher yields, and it ends up with a higher probability of overfishing and all sorts of problems that we want to avoid, and so the SSC is recommending that we pursue stock or stock-complex-specific methods for each of these Category 4 stocks, or complexes, and that they be updated as new data and methods become available that are appropriate for them.

We also, as I mentioned, felt that the approach should be responsive. In other words, the ABC setting approach that we would use for these stocks would incorporate the council's stock-specific risk tolerance, and so this would mirror what we anticipate will happen with the overall amendment, with regard to the assessed stocks as well, and that the council would identify how much management risk they are willing to tolerate and that we would somehow formally incorporate that into the ABC setting approach for these unassessed stocks as well as our assessed stocks.

Then, finally, we wanted to make sure that the whole process be adaptable. In other words, we've seen this time and time again, both the council and the SSC, and we've seen instances where these unassessed stocks -- There's been changes in the fishery, and suddenly there might be new data available, or there might be a change in the quality of the data, and maybe it's better or worse, or there is other unforeseen circumstances that pop up, and then we have to kind of scramble to deal with the implications of the ad hoc ABC that we've set, and so what we recommend is that, for all of these Category 4 stocks, that we set an ABC that's most appropriate, given the data and the methods available, but that they be accompanied by either empirical harvest strategy or a harvest control rule, and I will talk about that in the next slide, what that actually means, but, basically, it's a way to formalize how you would react to changes in the fishery, changes in the stock, changes in the available data.

These empirical harvest strategies, and sorry that I'm using acronyms again, but we felt that we just needed a few more acronyms in the fishery management process, but EHS is empirical harvest strategy. What we're talking about here are basically a set program that the council would agree upon, where we would recommend an ABC, and that ABC would be then set by the council, using monitoring data, and so these are stocks where we're not going to be able to calculate an exact OFL and an ABC, and so maybe it's a landings-only species, where that's all the information we have, and even that may be highly uncertain, and so we would have some sort of strategy for, okay,

we might set the ABC in a certain way, but, if X, Y, or Z happens, this is how we will deal with it, moving forward, just so that we all have an understanding of how best to proceed.

Then harvest control rules are typically used when you have a model that's been applied to the available data, and you are estimating stock biomass, fishing mortality, and you're using some form of model to come up with your ABC, and, in those cases, you can create some sort of rule for how you might change the ABC as circumstances change, as stock biomass changes, usually, and then what we recommend as well is that both -- Whether it's an empirical harvest strategy or harvest control rule that is established for each of these stocks, that they include provisions for deviations from the rule.

Maybe there might be episodic events, and we've seen that for several of our unassessed species, or maybe there is outliers in our catch estimates, and I know you all have been struggling with that, especially for stocks like dolphin wahoo, which are in our Category 4 right now, and maybe we might find that they are anomalously high, or maybe they are anomalously low, and how do we deal with that, and it would be good if we had a plan for moving forward for all of these Category 4 stocks.

Then there is always new developments in the fishery, especially for these smaller stocks, where maybe they are not targeted right now, and they're just a rare side bycatch species, and then suddenly there might be the development of a new fishery, or there might be a change in how the fishery is prosecuted, and that might precipitate some change in how we address the ABC-setting process, and so those are the characteristics that we felt were important.

The revised wording that we are suggesting is kind of laid out here in the next few slides, and I will go through it, but I have highlighted -- I will highlight a couple -- It looks like it didn't get highlighted in the presentation, but I will highlight it as I go along, but, basically, what we're suggesting is that these Category 4 stocks and complexes -- We will set those ABCs based on, as in the past, expert judgment of the SSC, using all the available fishery-dependent and independent data, and so not just catch only.

The exact method that we would recommend, as an SSC, for determining the catch level would be stock or complex-specific, and it would depend on the quality and quantity of the available data. What we have already started to generate, and we hope to continue to cultivate, is a list of potential ABC-setting methods for all of these stocks, based on the type and quantity and quality of data that is available, and that table would then be reviewed and updated regularly by the SSC, and we would report back to the council, so that, as stock-specific changes in data availability, or maybe new innovations in methodologies for handling data-limited stocks become available, we can incorporate those in the South Atlantic.

For some stocks, we might recommend using some sort of multi-model or super-ensemble modeling approach, where we're basically -- We have a number of hypotheses about what might be going on with this stock, and then you essentially do a fancy sort of combination, or average, of the results of those multiple models to incorporate the uncertainty in our understanding of how that fishery is impacting the stock.

If the stock has adequate information to adopt some sort of data-limited modeling approach to estimating an OFL, then the ABC would be set, or we would recommend that the ABC would be

set, using the new ABC Control Rule Amendment, and so, basically, if we can calculate an OFL, then it will go and get kicked up through our normal assessed stock ABC-setting process, which is, obviously, pending right now, that you all will be approving in the next few months.

That would explicitly incorporate the council's risk tolerance for the stock, and that's really important, but, if we can't estimate an OFL for the stock, then the ABC would be set directly using one of the data-limited approaches that uses monitoring data only, like just landings only, and then we basically, as I mentioned before, had recommended that somehow the SSC would need to consider and incorporate the council's risk tolerance in that process, but, overall, the SSC felt that, if the available data are adequate, that, if you can estimate an OFL, and you feel reasonably confident in that, that that approach would be preferred over the more ad hoc methods that just provide an ABC, that are catch-only, for instance.

Then there's a couple other recommendations that go along in this portion of the control rule language that we're recommending. First, that Category 4 stock recommendations be accompanied, as I mentioned before, by some sort of empirical harvest strategy, or harvest control rule, that would be considered by the council and recommended and approved by the council.

Just a general statement we included here is that all the methods and assumptions would be well documented and clearly justified, and this is just coming out of our previous discussions, where we go ahead and we set ABCs for these unassessed stocks, and then we can't remember exactly why we made those decisions, and so that was a note to ourselves to make sure that we are very thorough in describing how we came up with these numbers.

Then the last bit of language here is we recommend that all the current ABC recommendations for Category 4 stocks would remain as they are until the SSC would work on and then recommend a new ABC that the council adopts, and then the last two bullet points here are kind of holdovers from the -- You will notice they are very similar to the old ABC Control Rule. Basically, if the species, this unassessed stock, is actually just bycatch from another fishery, then the SSC -- You may find that we will recommend that you adjust management of the directed fishery, if reductions in interactions or mortality are necessary, and then there's always the option that we may end up recommending that the council -- That the stock just be made an ecosystem species, and then you would -- That would not require us to set an ABC, and that's pretty much what we've done in the past, but that language is still in there.

Basically, if you all are supportive of this approach, then how we imagine this would play out is that, basically, we would take the data and methods tables that have been generated and solicit regional feedback, particularly on the data availability tables, and so, basically, we think we have an idea of what data are available, but we would circulate that to all the data providers, all the academics, in the region, to see if anyone has anything else that could be used to help inform management of these species.

Then the SSC, in consultation with the SEP, would recommend prioritization of the stocks, but then the council would approve that prioritization, and so perhaps we might recommend that one of the species -- That might be the top, but you might feel that maybe dolphin wahoo is the most important, or another species, and so we would go with the prioritization that you all would recommend, and then a working group of the SSC would be formed, and it would be kind of a

standing group that would develop new recommended ABCs in the order, the priority order, that the council approves.

The SSC would then regularly review and update the data availability and method options tables, and so to make sure that we're incorporating the latest science and the most recent and best data that is out there, and then, as I mentioned before, we would hope that there would be some sort of empirical harvest strategy or harvest control rule that would accompany these stock ABCs, and the SEP can provide a lot of preliminary guidance to the council on how those should be structured and how those would best respond to changes in the fishery. Then, finally, the SSC would review the working group's ABCs and provide those recommendations to the council, who would then consider them.

In conclusion, what we're suggesting here, or recommending, is basically implementation of a new OFL and ABC-setting process for these unassessed Category 4 stocks, and that will require a bit of an investment of time, and the SSC is pretty excited about this. We feel we've been not giving these stocks the attention that they need and deserve, and we're willing to work on this, but it will require the formation of a longstanding Category 4 working group for the SSC, and that requires, as I understand, approval of the council, but we do feel that this is really important, and it should result in more responsive and robust management advice for you that would be tailored for each of these unassessed stocks.

They are very challenging, and they're going to be very challenging to come up with, and they're going to be challenging to analyze the data and incorporate all the uncertainties, but we feel that this is the best approach for providing you the most scientifically, I guess, informed ABCs that we possibly can, and so I think that is the end of the Category 4 part of the presentation. Should I stop there, Mike?

DR. SCHMIDTKE: Yes, I think so. We'll pause, and we do the SSC's recommendations on carryovers a bit later.

MR. BELL: All right, and so that's a logical place to stop, I think, and get some input here. Thanks so much, Genny, for helping to simplify that, and everybody knows that we -- In our region, we have a lot more stocks than we have the ability to assess, and for different reasons. One is just it could be a matter of data, and the other is just scheduling, and so it's an ongoing issue that we will be dealing with, but we are responsible for those stocks, nevertheless, and so I think that this approach that that SSC has given us will enable us to meet our obligations towards these stocks, even if we can't do an actual official assessment, and so any questions for Genny or things you want to bring up at this point?

I realize it's not a real simple thing to crunch on and to grasp, but we do have a good SSC, and you can tell they have put an awful lot into this, in terms of thought and effort, and so, seeing no hands -- Laurilee. Laurilee, go ahead, and then we'll go to Andy.

MS. THOMPSON: Okay, and so I am going to probably reveal my ignorance here, but, being new to the process, we -- You know, obviously, we have a lot of stocks that we're in charge of, and so a Category 4 unassessed stock, is that a stock that has absolutely never, ever, ever had a stock assessment, or is that a stock that has been assessed at some point in time, but it's been like

fifteen years ago, and it needs a new assessment, but nobody has time to do it, and do we have stocks that literally have never been assessed?

MR. BELL: Yes, and there are never-ever-ers, but is that the complete -- Is that a good answer, guys? Genny might --

DR. SCHMIDTKE: Mel, yes, there are stocks that have never been assessed, and there is also kind of the case that Laurilee brought up, in the sense of a stock that has been assessed, but it's been quite a long time, and the information is kind of outdated, or the assessment has expired, things of that nature that may fall into this category as well, but definitely there is quite a group, and I think there was over twenty species. I'm not sure of the exact number, but I know it was over twenty species that had not been assessed, and part of that is some of these are fairly low-caught stocks, and so we just don't have the data for a full-on stock assessment, and that's why we would have to apply some of these data-limited methods.

MR. BELL: All right. Thanks for that. Andy.

MR. STRELCHECK: Thanks, Mel. Thanks, Genny, for the presentation. I have two comments, or maybe questions. First, I wholeheartedly agree with at least the approach for these unassessed stocks, in terms of looking at how to make it flexible and customizable. I guess one suggestion, and I don't think I heard it, was you noted, obviously, that it will very much depend on the stock, or stock complex, data and information available, but is there any consideration by the SSC to -- I will say pilot this, and maybe look at just one or two species and see how the process works and bring that back to the council for discussion and consideration before kind of launching into a broader suite of all the species that would potentially fall into this category?

DR. NESSLAGE: Thanks, Andy. We hadn't talked about that specific option, because I think we were so focused on getting you language for this omnibus amendment, but I think the group would welcome that. I know the devil is in the details, right, and how this would actually play out will depend on the type of species, how much data is available, and it would be good if we did a couple, a handful, of very different species, maybe ones that have a lot of data and ones that have maybe a different sort of challenge, and maybe one that is really just a bycatch species, and see how it all plays out. Yes, I think that's a great suggestion.

MR. STRELCHECK: Just from the standpoint of hearing the presentation and the complexity of the ABC Control Rule, to me, it would make it easier and kind of more tangible, I think, for people to understand, that we're kind of taking a small bite of the apple, to see how the process works, and looking at, as you point out, maybe some very different species, in terms of the methods that would be used, and seeing then -- Presenting the outcomes of that process back to the council.

The other question relates to assessed species, and so the one concern that I guess I have about the control rule for assessed species is very much along the lines of some of the things that you're trying to address with unassessed species, which is flexibility and customization, and, although there is certainly some, I think, refinements and improvements that have been made to the ABC Control Rule, I would be interested in you speaking to that, in terms of the benefits of designing a control rule and kind of the P* application being kind of explicitly defined, versus having kind of that flexibility with both the SSC and the council in assessing overall risk.

MR. BELL: Go ahead, Genny.

DR. NESSLAGE: Sure. I am not sure I know exactly what you're asking. Can you just clarify? Are you asking me what the SSC thinks about the different alternatives?

MR. STRELCHECK: Under the current process, we start with a P* of 50 percent and then add to it, right? Under the new approach for assessed species, we would have a P* somewhere in the 30 to 50 percent range and then add some considerations for additional uncertainty. What I guess I'm asking is, consistent with your thought process about flexibility and customization for unassessed species, has there been discussion on the assessed species side, and the reason I say this is that I feel like the council and SSC -- We never want to box ourselves in, and we want to provide ourselves maximum flexibility, but within reasonable bounds, to make sure we're not overly risk-prone or overly risk-averse, and so I guess that's what I am getting at, in terms of the approach for the ABC Control Rule for assessed species and the SSC's thinking around it.

DR. NESSLAGE: Sure. I think I understand. A couple of thoughts that I think I can safely share with you. The SSC has largely fallen under support of Alternative 2, and I am bringing that up not to dive into the details there, but because I think they are very -- They are supportive of the idea that there be a bit more structure to what -- To how we separate out the management risk versus scientific uncertainty, and I think that alternative provides some of that clarity, with some areas of concern, and so the flexibility comes in under the risk tolerance.

Can we show Table -- I hate to dive into the details, but can we show -- Is it Table 4? I forget. It's the one that shows the biomass levels and the -- Thank you. That's the one. Table 4. Basically, the SSC thought that this was a good approach, in the sense that the stock risk rating involves a really complicated table, where we get to dive into the gory details of looking at balancing biological uncertainty with socioeconomic concerns, and the council can then weigh-in and have that flexibility and the responsiveness to their risk tolerance.

The area where we would have to be a bit more responsible, and explicit, is in how the uncertainty is being characterized in the assessment and in the projections, right, and so that would move our feedback and our accounting, making sure that scientific uncertainty is being accounted for thoroughly, separated, essentially, into two different realms.

I am not sure that I am answering your question well, but I think the point I'm trying to make is that, oftentimes, we, in the past, with our current control rule, have incorporated some of the risk, management risk, into our ABC Control Rule by accounting for how susceptible the stock is to overfishing, which ends up now, if we go with this alternative approach into the stock risk rating, and so that gives it a little bit more flexibility.

Of course, if we're handed an assessment that doesn't fully account for assessment uncertainty or biological uncertainty, then we may have to deviate from the control rule, but this at least -- This alternative approach addresses some of that. I know the SSC is a bit concerned though, and I guess we'll dive into the details at a later meeting, about exactly how this would all play out, procedurally, but we can talk about that later, I guess. Did I answer your question, Andy?

MR. STRELCHECK: To a large extent, yes. I will add that I know we don't have a lot of time on the agenda today to discuss this, but I wholeheartedly agree, obviously, with anything that can

better structure the separation of management and scientific uncertainty. It's probably best to talk to you offline, and we can talk a little bit more about my comments about kind of the bounds, in terms of how that uncertainty is identified and determined and flexibility, both on the management side in making the decisions as well as the scientific side, and so thank you for your response.

MR. BELL: All right. Thanks, Andy, and that's a good point to follow-up on, certainly. Genny, did you have another point that you wanted to make related to what we were talking about unassessed, because you had your hand up.

DR. NESSLAGE: Yes, and I just -- Thanks, Mel. I just wanted to say that I love the idea of running the Category 4 option, or I guess our recommendation, with a small pilot group of species, but I'm a little worried in thinking about the timeline. I don't think we would get that done in time for -- What is the goal for this, when you would need to make your decision about the wording, hence our suggestion that this -- That the wording be pretty flexible, but the details of how the methods would be applied, given different options and different species and available data, is definitely something that I think we could work out the statement of work that the council would give the SSC and the procedures we would use, the order we would go in, in doing all of this, but I don't know -- Mike, maybe you can comment on when we would actually need to do that by, or maybe Andy was suggesting just that we kick it off with a small group, but maybe not in time for this whole process.

MR. BELL: Mike.

DR. SCHMIDTKE: Right now, we're scheduled to have a draft for public hearings in June of 2022, and I don't know that we would be able to have the SSC kind of work all the way through a process for a group of species in that timeline, but, as far as the language goes within the option, it's shown there under Level 2 unassessed stocks, but that's the exact same language that we have for Category 4, and we did write it intentionally broad, such that there is leeway given to the SSC so that they could recommend their best method, and they're not tied into it.

The only thing, I think, that we specified that was, and it was in line with the SSC's recommendation, is that the OFL -- Specifying an OFL is preferred, rather than doing just an ABC, but, other than that, I think there is leeway there for the SSC to kind of develop this process, to make it work.

MR. BELL: All right. When Andy brought that up, I was just thinking the same thing, is how that would fit in, and I kind of viewed that as sort of like the group that we were thinking about forming as they kind of test drive this a little bit, and see what happens, but then, if that's meant to be done as part of this process, then what does that do to the time table, if we're trying to stay on track here, but, okay, and so what else do we need? Are there any other questions or observations related to what we've received so far, particularly this focus on the Category 4 species? I am not seeing any hands. All right. What else do you need from us then right now, Genny or Mike? We can consider our quietness concurrence, and I really like how you explained this, and I agree with the tack we're on there, myself.

DR. SCHMIDTKE: If the quietness is concurrence, because we're looking kind of twofold. Number one, to make sure that this is the direction that we want to go in for unassessed stocks, as we develop that language, and then, number two, if there are any glaring problems with the

alternatives as they are listed right now, and this isn't the final crack at these, and they will be brought up at future meetings, but just making sure that we're on the right track in developing these, and that's mainly what we're looking for from this action.

MR. BELL: Okay. Steve, did you have something?

MR. POLAND: I just wanted to break the silence and verbally concur with the process. I think anything to make our ABC recommendations from the SSC for unassessed stocks more robust and utilize all the scientific information to meet those BSIA requirements, I'm in full support of.

MR. BELL: All right. Thanks, Steve. Jessica.

MS. MCCAWLEY: I was just going to say the same thing that Steve said. The Category 4 language looks good. I don't know if you need a motion here. I don't know what you need.

MR. BELL: Right. Mike, what's the -- Process-wise, what do you need from us, other than, right now, I would say what you've got is concurrence in the direction we're going, and do you need something more official than that?

DR. SCHMIDTKE: No, and just a thumbs-up is fine. We don't need a motion, and we'll keep on working at it, and we'll develop it and bring something around at a future meeting.

MR. BELL: Okay. Thanks. As you can see, guys, this is an awful lot of work, and we really do appreciate Genny and the SSC focusing on this, because it's no small feat there. Okay. What do we need to do next, working through this, Mike?

DR. SCHMIDTKE: Next, I'm going to scroll down to the carryover actions, and we'll go through those. As I'm scrolling through, you see Action 2 on phase-ins pop up, and you've already talked about that, and kind of broken down those alternatives and given your feedback, and so we don't need anything additional on that at this time, but just reminding you that the phase-ins are in this amendment, and they're a part of it.

We're moving into Action 3, addressing carryover, and, really, it's Action 3 and 4 at this point. These were previously one action, and it was divided into three sub-actions, and those were addressing different aspects of this whole carryover process, number one being the eligibility, number two the amount that could be carried over, and then number three the mechanism by which carryovers would occur.

However, since you last viewed this, the IPT has worked with NOAA GC to try to get a better handle on what the processes are that are available for implementing carryovers, and especially in a timely fashion. One of the points that was made by the SSC, when we brought this to them, was the timing of everything and making sure that we had the information needed to evaluate carryovers and have them in place in the way that we were talking about.

The framework procedure was identified as an appropriate mechanism by GC, and we pulled the process sub-action out and made it a separate action, which is now Action 4, so that the procedures, the framework procedures, for each of the FMPs that are included in this amendment could be modified to incorporate a carryover process, and so Actions 3 and 4 are working toward the same

overall goal of allowing and defining carryovers, and they're just addressing different pieces of that process.

Action 3 addresses carryover eligibility and the amount of unused ACL that can be carried over. Sub-Action 3.1 addresses the eligibility component, and this defines under what conditions carryover may be applied to a stock. National Standard 1 guidance states that, in order for carryovers to be used, they must be allowed by the FMP, which is what this action is addressing.

Under Alternative 1, carryover would not be allowed under these FMPs. Alternative 2 has undergone quite a bit of change from the last draft that you saw of this, and this alternative now would set baseline criteria that, to be eligible for carryover, a stock must not be overfished, and overfishing must not be occurring, and the stock must have a defined overfishing limit.

The IPT discussed that, if overfishing is already occurring, there likely wouldn't be unused harvest to carry over and that any carryovers that would be applied would just exacerbate an issue of overfishing and be contrary to the requirements of the MSA. If a stock is overfished, unused harvest left in the population would decrease the time to rebuild, and be more consistent with the goals of MSA as well, and so that's why those two components were included as just kind of -- Rather than being an alternative that could be picked and chosen around.

Finally, a defined OFL would set an upper bound on the amount of unused ACL that may be carried over. Species without an OFL are likely unassessed, or assessed through data-limited methods, and would probably have a considerable amount of uncertainty.

To go from this baseline criteria to additional requirements considered through the sub-alternatives, these sub-alternatives each hit different angles of evaluating a stock, and so multiple sub-alternatives could be selected. Sub-Alternative 2a looks at the stock biomass and would require that the biomass be greater than the midpoint between that which would produce maximum sustainable yield and the minimum stock size threshold.

Sub-Alternative 2b looks at whether the fishing season has been cut short by a regulatory closure and would require that, to be eligible for carryover, a stock should have experienced a closure at least once in the previous three years. One thing to note, with this, is that this alternative only addresses whether the stock is eligible for carryover, based on that three-year period. Any carryover amount would still be based on the landings in the previous year, in the most recent year of data that we have. Sub-Alternative 2c looks at the recent landings and would require that the sum of the total landings be less than the sum of the ACLs over the previous three years.

Alternative 3 is another one of those things that can be added. Alternatives 2 and 3 could both be selected as preferred, and this considers a different angle than simply the allowance, and this would also consider exception scenarios that would automatically disallow carryovers, and so Sub-Alternative 3a would not allow carryovers while ABC decreases are being phased in, and, especially for the newer council members, we have talked about, in Action 2, the phasing in.

If there's a big change in the acceptable biological catch, the phase-in, rather than taking that big change from one year to the next, would be done over a multiyear period, and that's what would be considered, and so, if you were decreasing the acceptable biological catch, after say an assessment that required you to have a lower one, then it would be taken over two to three years,

something of that sort, rather than just one big drop, but, under this Sub-Alternative 3a, you wouldn't be able to carry over any harvest during that phase-in period.

Sub-Alternative 3b would disallow any carryovers for stocks and sectors where there are no in-season accountability measures, and this has to do kind of in hand with one of the issues that carryovers attempt to address, which would be premature closures of the fishery. If there are no in-season accountability measures that are closing the fishery, then there may not be the need to have the carryover, and there also isn't that mechanism to close the fishery if you're going over that higher, that temporary higher, ACL level.

Then, moving down to Sub-Action 3.2, this addresses how much unused ACL can be carried over, and so this is the amount. Alternative 1, under Sub-Action 3.2, would not allow carryovers, and Alternative 2 would allow carryover for a sector up to the difference between the total ACL and the OFL, the overfishing limit, and this would include the potential to temporarily increase the ABC, the acceptable biological catch, and I'm sorry that I'm throwing out a whole lot of acronyms right now. This amendment is chockful of them, but I will try to define them as I go.

This would temporarily -- This would include the process to temporarily increase the ABC to accommodate this increased ACL, and the process for carrying out that increased ABC is kind of a bit more addressed by the new Action 4.

For Alternatives 2 and 3, and I will get to Alternative 3 next, but, for both of these, both of these alternatives, we had to beef up the language a little bit to account for the sector-specified nature of South Atlantic fisheries, and so carryovers, as described by this draft language, would be evaluated and conducted on the basis of sector landings and sector ACLs.

For example, if the commercial sector for a stock is eligible to carry over 5,000 pounds, that 5,000 pounds would be completely allocated to the commercial fishery. However, if both sectors are eligible, and both are using carryover, the council decides that both can use carryover, then there is a chance that that upper bound of the OFL could limit the total carryover amount.

In this case, what is defined in this draft language is that you would take the difference between the OFL and the total ACL, and you would divide that -- You would allocate that according to whatever percentages are specified in the FMP for that stock, and so, if you had a 60 commercial/40 recreational split, and you have 10,000 pounds worth of underharvest between both of the sectors, but only 5,000 pounds between your total ACL and OFL, the carryover amount would be 5,000, because it's the difference between the total ACL and the OFL, and that would be allocated 60/40, 60 percent going to the commercial fishery and 40 percent going to the recreational fishery.

Alternative 3 is very similar in nature to Alternative 2, except with an additional potentially more conservative limit on the carryover amount. In this case, carryover would be the lesser of 25 percent of the sector ACL or the difference between the total ACL and OFL, and the second of those, of course, that difference between ACL and OFL, that's the same thing as in Alternative 2. The allocation process that I just described for Alternative 2, that's the same thing that's written for Alternative 3.

Related to these alternatives, the IPT did have a couple of comments related to these. For the OFL requirement of Sub-Action 3.1, the IPT noted that previous versions of this document included the option for carryovers to potentially be allowed for species that don't have an OFL, and for these to be based on percentages of the ABC. If the council wants to kind of go back to that and divert from the language that's been drafted here, we would have to figure out an appropriate upper bound for carryovers for stocks that don't have an OFL, and this can be problematic, because, if we don't know OFL, we wouldn't really know whether X percentage above an ABC -- Whether that would be overfishing or not, and so there would be, potentially, some difficulty with that.

Second, the IPT recommends removing Sub-Action 3.2, Alternative 3, and that was the last alternative on the amount to be carried over. Most often, the 25 percent of sector ACL is not going to be too far from the difference between the total ACL and OFL, and the reason for that is because a lot of our stocks have total ACL equals ABC, and so it puts that number that much closer to the OFL, and so this could end up effectively operating in the exact same fashion as Alternative 2, but just with more complicated language.

Alternative 2 does fulfill the National Standard 1 requirement to keep any ACLs implemented with carryover under the overfishing limit, and so, for now, I am going to skip down to Action 4, to give a run-through of the mechanism for conducting carryovers, and then I will take any initial questions on those before passing to Genny for the SSC's comments, and we'll come back to the discussion points there.

Action 4 goes fairly quick, and so Action 4 was developed to more specifically define this process, and it was also spurred on by comments that we got from the SSC, from their April report, and hopefully we will have addressed some of the timing issues that the SSC pointed out. There are three sub-actions under Action 4, one for each of the FMPs, one for Snapper Grouper, Dolphin Wahoo, and Golden Crab. The language in each of these sub-actions is identical, but just sub-out the FMP name, and so I'm only going to go through one of these.

Alternative 2 for the sub-action would modify the framework procedure by adding the language that you see here on the screen, and you see that kind of in that bottom portion there on the screen, and, essentially, how this would work is, at the end of the fishing year, the council would review landings against the ACL for stocks that meet criteria, such as stocks that are not overfished and not overfishing and that have an OFL.

If there is an underage, and the council would like to implement a carryover, a decision would need to be made, in the first meeting following the conclusion of that fishing year, and so, for a fishery with a calendar fishing year, that would be the March meeting, and the decision would be made to send a letter to the Regional Administrator noting how the stock meets the criteria for carryover eligibility, as defined in this amendment, and how that would not result in detrimental effects to the stock.

The Regional Administrator would then decide whether the carryover could be implemented. From conversation with General Counsel, timing-wise, the hope would potentially be to have the revised ACL in place by the second-half of that fishing year, or fairly early in the second-half of that fishing year, so that it can be used by the fishery.

The SSC is part of the review of the criteria of Action 3, and so kind of the guidance that we've been given related to this is that, as long as the carryover is consistent with the process that is specified in this amendment, and the OFL and ABC that are recommended by the SSC, then it can operate through this abbreviated process without additional SSC review, such that it doesn't have to complicate the timing of it.

However, anything that would divert from the SSC's recommended catch levels, or the criteria of this amendment, would need to go through a more extensive and time-consuming, very likely, process that would probably make it not usable for immediate next-year purposes, and so I will pause right now for any initial questions on carryover. As far as what we're looking for, we're looking for any recommendations, and I will pause for questions, actually, first, and then I will bring up what we're looking for, I guess, before we get into the discussion.

MR. BELL: All right. Thanks, Mike. Any questions for Mike at this point? Chester.

MR. BREWER: Thank you, sir. This is not really a question, but I am looking at this, and this is an incredible amount of work that we're looking at here, and it's not just to put this in place, because you're talking about having these reevaluations, or these evaluations, done on any species that we manage that there is an underharvest, and you're talking about doing it on a yearly basis.

I am not a fan of carryovers, and I saw what can happen with them when I served at ICCAT, and you got some really ridiculous results, quite frankly, and I don't know that the amount of work that this is generating is going to be worth it, in the long run. In other words, if we have an underage in a particular, with regard to a particular species, I am also -- I should say I'm also uncomfortable because we're talking about, for a lot of species that we manage, we don't have a really high confidence level in the data that our folk have to work with. I just don't think this is worth it, and I would prefer that our staff was working on other tasks, rather than this. Thank you.

MR. BELL: All right. Thanks for that comment, Chester. Tim.

MR. GRINER: Thank you, Mr. Chair. I kind of want to go back to the beginning of this, where we were talking about overfishing occurring and stocks that were overfished, and that they would be immediately disqualified from any carryover, and I'm just trying to get my arms around that, because the overfishing occurring -- It doesn't seem like that would be something that would automatically keep carryover from occurring.

It seems there is too many years between assessments, and so I don't know that we ever know, in real time, if overfishing is really and truly occurring, and then Chester also kind of, in a roundabout way, put some more thought into the overfishing. The data around overfishing can just be teetering one way or the other, and it can be so, so close, and so I also don't have a lot of confidence in some species that we really know that overfishing is occurring, but, due to the risk tolerance, we say that overfishing is occurring, and so I just think a lot of thought needs to go into whether or not a species that has been deemed overfishing occurring would not be eligible for a carryover. Thank you.

MR. BELL: All right. Thanks, Tim. Mike, any response to that?

DR. SCHMIDTKE: I guess, kind of on the overfishing point, what I had pointed out before, the thought process that kind of went along with that is that, if a certain harvest level is considered to be overfishing, then we wouldn't want to increase that harvest level via a carryover, because it would be temporarily increased above its ACL, up to the overfishing limit, potentially, but then you would be -- If you're overfishing, you're harvesting probably over your overfishing limit anyway, and that's -- It kind of goes a little bit into addressing one of the things that Chester noted, pointed out, in the sense of this would -- Because of the criteria that are being put in in this action, the fact that we would need an assessment to determine an overfished/overfishing status, to know whether a stock is overfished, or not overfished, rather, and that overfishing is not occurring, as well as that requirement for an OFL, it would really limit the number of species that this would be applicable to.

Then the fact that it needs to have a particular status limits it even more, and so it certainly wouldn't be something that could be applied widespread to all of the species within the snapper grouper fishery, because we don't have assessments for a good number of the species that would be able to put them in this category, and so that's just a couple of points on the questions and comments made so far.

MR. BELL: Okay. What I would like to do is kind of continue this discussion here, but I'm looking for a place to kind of land for a second, to maybe made a head call for folks, but have you got a place, Mike, where -- We can move forward just a little bit longer, if you think, but if there's kind of a point where we can break, and I've had your undivided attention for a couple of hours now, and so what do you think, Mike? When is a good spot, or do you need a little more on this first, or --

DR. SCHMIDTKE: I guess I was about to pass to Genny. If there aren't any more questions on this, I was about to pass to Genny, and then we can come back for more council discussion, and so we can either pause now and have Genny when we come back, or we can have Genny go now and have council discussion of what's been proposed here when we come back.

MR. BELL: Gotcha. What's your pleasure, Genny?

DR. NESSLAGE: Either way. I'm ready whenever you are.

MR. BELL: Okay. Since it's a little bit of a natural break point, let's go ahead and take ten, and we'll come back, and then we'll pick up with Genny to kind of carry this discussion forward from there, and so a ten-minute break. When you get back, raise your hand, folks. We're going to still follow that protocol, I guess.

(Whereupon, a recess was taken.)

MR. BELL: Why don't we get ahead and get back at it, and so, Genny, I apologize for interrupting the flow here a little bit, but, if you want to kind of pick it up and present what you were going to present regarding the SSC take on this, that would kind of get us back into the discussion.

DR. NESSLAGE: Sure. Thank you very much. I just have a few slides, just recapping some of our discussions and recommendations from our spring meeting. At that meeting, we were asked

to review our previous recommendations and then provide any additional feedback we might have on carryovers, given especially the recent guidance document that had been produced by NMFS.

A couple of things to note. The SSC initially was concerned, as Mike mentioned, that the process that had been proposed -- The whole process would just take a bit too long to be effective, but the new revised process that he described should improve the efficiency and timeliness. This hasn't been shown to the SSC, but I think we -- I think they will be supportive of the revisions.

The SSC also agreed, in general, with the guidance that NMFS provided on carryovers, especially on page 33, and there's a nice summary, and we wanted to just point that out. Basically, the SSC, just to recap, was supportive of the NMFS guidance document, and they did make a couple of suggestions of things that I should mention to you all, and they noted that, if carryovers are allowed, in situations where the species distribution may have changed, that that may lead to localized depletion, and so that's something to keep in mind. Also, they noted that changing the ACL may increase uncertainty in the stock projections, particularly if bycatch is an issue, and so that's something to keep in mind as well.

We were also asked how should the precision of the catch estimates be considered when carryovers are being considered, and we suggested that the council look to the Center for more information on how best to include the estimated error, particularly in the recreational estimates, in the projections. Our understanding is that there's actually a working group that is dealing with some of these issues already that NMFS has put together, and so we would look to them for their general guidance, and they have been studying the issue, and they would welcome an update on that, and we can provide more of our thoughts at that time, but, really, I think the Center, it sounds like, is doing quite a bit of work on that, and so we're punting the question for now, but we would be happy to reconsider that once the group has come up with their recommendations.

We were also asked how uncertainty of the catch estimates should be considered when determining how much carryover would be allowed, and the SSC felt that, if the PSE for the catch is high, it may actually be really difficult to determine whether an underage has actually occurred, and so that's something to keep in mind. In general, our recommendation is that some sort of formal analysis of the projection methodologies be conducted that would explore the assumptions that would be used to figure out what the impact might be and to set the ABC and ACLs, but, in the absence of that, kind of a rough guideline would be that, if you wanted to make sure you're confident that an underage had occurred, the estimated catch should probably be more than two standard deviations below the ACL, and so that's just a general guideline. I think that's all that I had regarding our updated recommendations on carryovers.

MR. BELL: All right. Thanks, Genny. Mike, what do we need to do now to kind of move things forward here? Do we need to look at the comments specifically on the points that you have, like on page 22? Do we need to vote on anything, or do we just need to, again, kind of concur through not a lot of questions at this point?

DR. SCHMIDTKE: Right now, I mean, if the language is where you need it to be, then you could just give the direction that this is the language that you want to use, moving forward. I don't believe that we need a vote, at this point, on anything, and just we need that thumbs-up that what we're developing is what you all want, and we'll keep on working in that direction, and, if there's any additional guidance to give as we move forward, then please provide it.

Just generally, we're looking at the actions and the alternatives, or the sub-alternatives and the alternatives, and seeing what needs modification and making sure that the draft language is what you want and then considering the recommendation that the IPT gave to remove Sub-Action 3.2, Alternative 3, and that's the one -- As a reminder, it's similar to Alternative 2, and the difference is this 25 percent of the sector annual catch limit addition to it that may or may not come into play very often.

Just in the break -- While I am able to talk, just in the break, one thing that kind of came to mind that I want to make sure that the council recognizes as we're talking about this, is the inclusion of carryovers here was because the National Standard 1 guidance said that, in order to use a carryover, to have it as a tool in your management toolbox, it needs to be included in the FMP. That doesn't mean you need to use it every time you have an underage. There is no requirement that you have to use it at all, and this language would support that it's not a requirement that you use it, and it's something that you can use if you desire to use it.

However, if this action -- If the no action is selected for Action 3, then that would not be a tool in the management toolbox for you all, and, if that's -- Whichever way you all decide on that, I just wanted to make sure that that's put out there, so that you're aware.

MR. BELL: All right. Thanks. Steve.

MR. POLAND: Thank you, Mel. Thank you for that there at the end, because I was going to speak to that, because, I mean, my perspective on this is that, like you said, this is -- We've got the guidance now from NMFS that this is a tool that we can use, and, to utilize this tool, we've got to put it in the plan, but we're under no obligation to carry it over, and the reality is that I think it will be a very rare instance for us to even have any underharvested ACLs, or underharvested quota, for us to even carry over, just given that the majority of our species that we manage are set ACL equals ABC, and so there's really not much there left over, or any there left over, to carry anyway, but that shouldn't limit us from having this tool in the future, if we do have stocks that we decide to set ACL under ABC, and so there is a potential for carryover.

MR. BELL: All right, and so there's an argument to -- If you don't incorporate it, then you obviously can't use the tool, but, just because we have the ability to use the tool, it doesn't mean we have to at any point, and so any other thoughts on carryover or additional changes in language? Are we good with the language? No hands. At this point, we'll just say that no hands means concurrence with the language we have then. All right. Mike, does that help?

DR. SCHMIDTKE: Sorry, and I forgot to bring this up, but, for Sub-Action 3.1, kind of the eligibility, we attacked eligibility from several different angles. If there's any of those criteria that should be removed from further consideration, that's something that could help, as far as administrative and analytical things that would follow up from this, and then is there a decision on that Sub-Action 3.2, Alternative 3, and are you all okay with removing that? Do you want it to stay in? What are your thoughts there?

MR. BELL: Okay. To those two specific questions then, folks?

DR. SCHMIDTKE: I will scroll back up, so that you can see what these things look like, and so I guess the first question being is there anything from 3.1 that can or should be taken out, or leave it as-is?

MR. BELL: Keep in mind that one reason we do this at this point is to reduce the amount of time involved by staff and the IPT in further analysis and that sort of thing, and so, if there's something we would like to take out, we could take it out now, or, if not, we can let it ride. Steve.

MR. POLAND: I was going to speak to Mike's second question about Sub-Action 3.2, Alternative 3. I am fine removing that, especially given the IPT's recommendation and their rationale for it.

MR. BELL: Okay. Then so the two questions. Does anything need to come out now? If not, we can let that ride, and then, two, is it okay to remove that alternative? Tim.

MR. GRINER: Thank you, Mr. Chair. I would like to see the part that says "nor experiencing overfishing" come out.

MR. BELL: So that's just a modification of the language and not pulling that alternative out.

MR. GRINER: Correct.

MR. BELL: All right. Any issues with that, folks? Any problems with that? Andy.

MR. STRELCHECK: Well, I am not up-to-speed on our carryover guidelines, but, if the stock is experiencing overfishing, Tim, why would you want to allow additional carryover?

MR. GRINER: Well, because I think that we may not know, in real time, whether really overfishing is occurring, and I think there can be -- Again, I think we're talking about rare occasions here, but the pandemic kind of made me start thinking about a lot of different reasons that you would have an underage. Just because a stock may have been overfished three years ago, and either weather or market forces made the fleet act in a way that they did not harvest all of their ACL, yet things changed the following year, you would want to have those fish available, since they are in the biomass, to harvest. I think there are legitimate times when, even though you did not meet your ACL, that you still would have, and you still could remove those from the biomass without any harm to the biomass.

MR. STRELCHECK: Mel, in response?

MR. BELL: Yes, please.

MR. STRELCHECK: Tim, I think, from what you're saying, I'm in agreement with your thought process on this. If a stock is declared undergoing overfishing, then the yield projections would estimate, obviously, what it takes to end overfishing, and, in between assessments, we are determining whether overfishing is occurring based on whether those catch limits are or are not exceeded, and so that's where I feel like it makes sense to keep this language in, and, if we are under those yield levels, as projected, in between assessments, then we would make that determination and allow for the carryover to be added to the catch limit.

MR. GRINER: Can you say that again, Andy? You lost me there.

MR. STRELCHECK: The way you're interpreting the assessment is, once a stock is determined to be undergoing overfishing, that that's the status until the next assessment, at least from what I am hearing from you. Between assessments, we have overfishing limits and yield limits, and so we assess whether overfishing is occurring based on whether or not that overfishing limit has been exceeded with landings data. If it hasn't been exceeded, then the status determination for the stock would be changed to not undergoing overfishing, even if we didn't have a stock assessment at the time, and so that's why I am questioning the removal of the language.

MR. BELL: I think what Andy is saying is that we have the ability to kind of achieve a remedy to what you're -- The issue you're talking about, Tim, right now, but, if the stock assessment says that overfishing is occurring, that is officially -- That is officially there, and so it does seem intuitively, I suppose -- There's a problem with if something is officially classified as overfishing, and you're wanting to do this, and it doesn't seem to make sense, but I think we can deal with the situation you're talking about, if it were to come up, perhaps, if I am reading that correctly. Laurilee.

MS. THOMPSON: Actually, that was a mistake. I have my iPad, and it sat on my keyboard, and it raised my hand, but I did have a question, but it's not about what we're talking about now, and it's what we were talking about previously. By developing this tool, are we maybe setting ourselves up, where we could put ourselves in a position where we create choke species that could somehow shut down a major fishery because we caught too many incidental other fish?

MR. BELL: Well, that may be a completely different topic right now, but that can certainly happen, perhaps, but this specific point right now that I think we're dealing with is not quite the same, or I didn't see it that way. Tim.

MR. GRINER: Thank you, Mr. Chair. Then I guess I sort of understand what Andy is saying, but I don't know what mechanism that is. I mean, once the declaration is made that overfishing is occurring, how does the council -- How do we, as a council, go back to determine that, in this previous year, or currently, that overfishing is not occurring? Is this something that we request from the SSC, or does this come from -- I mean, where does that come from, to all of a sudden say that we've been overfishing, but now we're not? I'm not sure I've got my arms around that.

MR. BELL: Let me let John and Monica weigh-in here, and maybe they have some clarification for us.

MR. CARMICHAEL: Thank you, Mel. Tim, as far as that question, what Andy was pointing out is that the agency looks at the fisheries landings, the monitoring there of the fishery, and then they look at the ACLs and the ABCs and the OFLs, and they decide where the status is, and, if the stock's landings have exceeded the OFL, then they declare it overfishing. We have, I think, right now, it's four stocks that the South Atlantic manages that were shown to be overfishing in our last report to Congress. They were -- Let's see if I can remember what the codes were, exactly. The overfishing list was red snapper, red porgy, snowy grouper, and gag.

There aren't a lot of stocks right now that are considered to be experiencing overfishing in that last quarterly update, and so they do this every quarter. They do it four times a year, and so the point being that there aren't a lot of stocks that would potentially come under this.

Now, the importance of this though is, in this overall carryover plan, what's being asked is really concurrence from the SSC for the council to temporarily, for a period of one year, adjust an ABC upwards to allow it to harvest fish that were potentially unharvested in the prior year, to carry those over, and it's important to have safeguards in there so that the SSC is willing to give the council that leeway without having to go in and evaluate all the circumstances and do additional analyses, which we all know takes the kind of time that kind of makes all of this become moot.

We can have a very complicated system that checks all the boxes and is very robust, but it would take so long to carry out that it would become essentially useless, and so that's why there's been this effort here to describe some narrow criteria by which we're not incurring excessive risk and the SSC can say, okay, under those circumstances, we feel that letting some fish be caught next year that weren't caught last year should be an okay circumstance, and that's really what this was all about.

You know, the whole reason carryover came into even being in Magnuson before was over concerns that, in some cases, management may have been heavy-handed, in terms of how it responded, whether closing a fishery through an in-season accountability during the year or adjusting bag limits, trip limits, et cetera, during a post-season accountability in the following year, and, when the numbers came in, you realized that the management was more effective than predicted, and so some fish were left on the table, and this was just a way to balance the books. These criteria are just a way to get the SSC concurrence to allow the council to do these kind of things rapidly enough so that they are able to balance those books.

MR. BELL: Okay. Thanks, John, for simplifying that. That helped me, and so I think, from that, removal of that language would be a bit problematic and perhaps derail some of what we're trying to achieve. Monica.

MS. SMIT-BRUNELLO: Just to add to what John said, the National Standard Guidelines for carryovers talk about this resulting carryover must prevent overfishing, and so that's another thing to consider when you're thinking about whether to remove this or not.

MR. BELL: Right. Thanks, Monica. That's a good perspective, and so my recommendation would be to leave the language in there. Tim.

MR. GRINER: I agree, Mel. Thank you for the clarification, Monica and John. That helps me a lot. Thank you.

MR. BELL: Thank you, Tim, and thanks for thinking through this stuff and asking questions. Leaving that alone then, we're okay with the language as-is there, and, Tim, do you still have your hand up?

DR. COLLIER: I think the screen was paused for a second.

MR. BELL: Gotcha. Is the language okay right now, folks? Anything else related to taking anything out? I don't see any hands, and so we can let that ride. Then the second question was really related to the IPT's recommendation to remove Sub-Action 3.2, Alternative 3. Steve had said that he was -- I believe that Steve said that he was good with removing that. Any other discussion on that? Jessica.

MS. MCCAWLEY: I was just going to say that I'm good with removing that. I didn't know if you needed a motion or if direction to staff was okay.

MR. BELL: I think direction to staff, at this point, is fine. Is that right, Mike?

DR. SCHMIDTKE: Yes, direction is fine.

MR. BELL: Okay. Good. Let's do that. Thank you, Jessica. All right. Mike, what else do we need to do as we're moving through this?

DR. SCHMIDTKE: That's all we needed for Action 3, and I'm going to scroll on down to what we need for Action 4. We are looking for kind of a blessing on the direction that has been proposed here, in that we are adding an additional action to this amendment as the implementation method for carryovers and replacing a previous sub-action, and then, if there are, generally, any issues that are seen by the council, please let us know those.

MR. BELL: Okay. Any issues with adding this action, Action 4? No hands, and so I don't think we have any issues, and we'll take that as consent with that, Mike.

DR. SCHMIDTKE: Okay. If everyone is okay with the way it looks right now, then that's all we have for the ABC Control Rule.

MR. BELL: Thank you, Mike, and thank you, Genny, and I really appreciate you taking something that is pretty complex, and, for all the new people, it's not this complex every time, and so this is the first one we've kind of brought you into the discussion on, and don't be afraid. It gets better, or it gets a little simpler, perhaps, to understand some things, and so thanks for that, guys. All right. That takes us to our next item on the agenda, which would be the Allocation Decision Tool, and I think that's going to be a tag-team effort by multiple staff. I'm not sure who is taking the lead on that one.

MR. HADLEY: Mel, I will take control of the -- I will be presenting this topic, and I will take control of the screen here.

MR. BELL: Good deal. Thank you.

MR. HADLEY: Thank you, everyone. For those that I haven't gotten the chance to meet in person, my name is John Hadley, and I will be running through the presentation today on the proposed allocation decision tree. Really, these are applying different biological, social, and economic considerations in allocation decisions.

This has been a working group that has consisted of several staff members, Mike, Christina, myself, Myra, and Brian, on the council side, and then also Dr. Scott Crosson from the Southeast

Fisheries Science Center, who we've all worked together, and, of course, Brian has retired now, but he was the one that originally kind of developed this process and pitched it to the council the last time you saw it, and so I definitely wanted to put him in there, but, anyway, so there's been a working group, and, like I said, I will be presenting today, but there are others on the line to help answer any questions, if there's a specific topical question that needs the input of others, if you will, and so, without further ado, I will go ahead and get started.

The general background and just overview of the request of the council today, the idea is to consider the proposed decision tree approach and looking at the background and introduction to the decision tree questions and an overview of the reviews received so far from the council's advisors.

Really, today, we're going to be taking a medium-level look, if you will, and not necessarily a high-level, but we don't necessarily have the time to get into the nitty-gritty details of all of the decision questions, and so I just wanted to present this to the council, and this is the first full look that the council has seen of this decision-tree approach, and gather some general feedback on how to move forward.

Specifically, at the very end, I have a few discussion questions that focus on the potential usefulness of the approach, whether there are changes that should be made, and so are there topics that should be added or removed, and is the general structure appropriate for the task at-hand, and then, last, but not least, getting at the timing of the final review, and we'll get into the details of this a little bit more, but, right now, the council is scheduled to review this at your next meeting, as a final look, so to speak, on the council's work schedule at the December 2021 meeting, and just to get a little input of is this still the desired timing, or should this be considered again at a later meeting, or potentially considering a special meeting after the December meeting.

Looking at an introduction to the topic, in general, there's been increased attention to sector allocations, and, of course, this is no stranger to the council discussion as of late, but, as a brief overview and brief history, the report from the Government Accountability Office, and so the GAO, recommended that councils consider sector allocation needs using trends in catch and landings, stock assessment results, economic analyses, social indicator analyses, and ecosystem models.

Additionally, as the council has been discussing quite a bit, there has been a major revision in how recreational landings are estimated, moving from the Coastal Household Telephone Survey, or CHTS, to the Fishing Effort Survey, which is the FES, method. Really, the currency has changed for how recreational landings are accounted for, and that applies going forward in time, but that also has been converted to look backwards in time as well, and so this is an interesting predicament, since the landings have been the primary data source used for allocation purposes.

Many allocations were initially determined when time constraints were present for the council, such as the Magnuson-Stevens Act Reauthorization, which was in 2007, and so, given the time constraints, landings data was often heavily relied upon for setting sector allocations, largely due to availability. Landings are the most consistent data available, and they are often available for all species. With the change in methods for how recreational landings are being accounted for, you're really changing the baseline for how these landings-based allocations may be set.

A little bit of additional background information, and the council is now reconsidering sector allocations without specific time constraints that were present during the 2007 Magnuson-Stevens Act Reauthorization. However, there certainly is, currently, the pending need to do so, as you've seen through the different stock assessments that are working their way through the SEDAR process, and we discussed kind of the first real overall look for Dolphin Wahoo Amendment 10 and the subsequent amendments for different species, and so there's a little bit of time there, but there certainly is the need to look at sector allocations, potentially coming up with a method to look at additional data and additional methods.

The goal of really what I am going to present here is to help the council develop an approach to address the allocation decisions that applies a consistent method across, potentially, or ideally, across all species.

Looking at some of the recent council action on the matter, at the March 2020 meeting, the council had a fairly in-depth discussion on allocations and broad criteria that should be considered when discussing these decisions, and, at the June 2020 meeting, the council identified more specific criteria that should be considered in allocation decisions, including landings history, discard and bycatch rates, accountability, fairness and equity, market needs and trends, importance to a sector, cultural importance, and informed judgment.

At this meeting, at the June 2020 meeting, the council also approved the approach for developing a decision tree, and, really, the idea here was to create an objective and organized approach to allocation decisions, and, in this discussion, council members noted that the desire was not to be overly prescriptive and to maintain flexibility in addressing allocation decisions on a species-by-species basis, and so that's some of the guidance that staff has taken into account in developing the decision tree approach.

What exactly is the decision tree approach? Overall, you can see there is kind of a diagram here on the right that shows the question-and-answer and then potential outcomes, and it's a very simplified version of how this approach occurs, but, in general, the decision tree approach that's being considered uses the same question pattern, or tree, for each species, and, currently, there are four major decision trees being developed.

As a question is answered, the tree branches, and so you can kind of see that mid-tier branch, so to speak, and directs toward the next question to be answered, with the intent to giving a potential answer, or outcome, on which way the council may want to consider allocation decisions, specifically whether allocation decisions need to be considered in an amendment, and so this is really looking at the initial startup phase, the initial structuring of the allocation alternatives, sort of which way to examine which direction allocation should be going, or may be going, and also to help build rationale for eventual decisions on allocations.

Looking at the draft allocation decision trees that have been developed, these decision tree categories are based on the council's criteria, but also are slightly modified versions of the GAO criteria definitions, and so, overall, we've developed decision tree categories looking at landings and discards, stock status, economic factors, and social factors.

The idea here is that each species would pass through all four of these major decision trees, and, really, in doing so, some of the decision trees may not provide a relevant outcome for a given

species, and so they may not help provide direction to the council. Also, it's noted that one question in a decision tree could be applicable to another tree as well, and so we'll get into it in just a minute, and you will see landings, for example, come up several times, but looking at it in a different light or a different aspect.

Next, I am going to get into the draft decision tree questions. We're a little bit time-limited today, and so we don't have time to get into the nitty-gritty details on how the different answers would play out, but the idea here is to introduce the questions to the council and potentially get feedback on the general topic that's being discussed.

Looking at landings and discards, from a landings perspective, the question there would be should future allocations be based on harvest impacted by previous or current allocations, such as the ACL? Looking at a potential analysis to examine that, or examine the answers to that question, you could look at landings and quota by sector and time series, and also whether or not there are quota-induced closures, and so, really, by focusing on landings, you're looking at sort of calibrating the proper time series to consider when setting allocations, if they are in fact landings-based, and also looking at the potential direction which allocation decisions should go, depending on whether or not harvest has been constrained due to reaching a sector ACL.

Moving on, looking at discards, has discard mortality accounted for a more substantial portion of removals for either sector in three of the past five fishing years? To examine this question, you would look at dead discards as a percent of annual sector removals, and, here, you're looking at whether or not the allocations could reduce dead discards, and, really, that specific amount will vary by species.

Moving over to stock status, the stock status question is sort of a two-part series, if you will. It looks at has the stock status been determined, and, if the stock status is available, what is the stock status? Here, you would be looking at the SEDAR stock assessments and the results of those assessments, and, also, fishery stock status updates for NOAA. The idea here is this would help examine whether allocations can help with a species that has cause for concern, and particularly cause for concern, and so if the species is overfished, undergoing overfishing, exhibits a decreasing population trend, could allocations help in rebuilding that species and improving the stock of the species?

Moving along, we'll jump into some of the economic factors, and so we kind of focused on the biological factors there, and now we're kind of moving general topics over to the economic side. The first decision tree question under the economic factors is the economic importance, and so look at is the relative economic importance of the species changing. A potential analysis here could be looking at gross revenue from a specific species, compared to total gross revenue on the commercial side, and so, really, drilling-down on logbook data here. Then, on the recreational side, examine directed effort from MRIP for a species, compared to total effort and the appropriate range of that species, as a proxy, and this is really as a proxy for the economic importance, from a recreational perspective.

Looking at economic factors, and there's two more questions under this topic, and the trend in demand for a species, and are there indicators of notable trends in demand for the species, and so a potential analysis here is looking at the trend in ex-vessel price and landings as a proxy for the

commercial sector and then trends in directed effort and landings as a proxy for the recreational sector, and, here, primarily, your data source would be MRIP.

Additionally, we do have fishery performance reports, which most of you are fairly familiar with, for different species, and these aren't available for all species, but there are questions embedded within those fishery performance reports that ask about the demand for a species, and so there is considerable information available from those reports that could help answer this question or provide insight on the appropriate answer.

Last, but not least, on the economic side, look at trends in demand for quota, and so has the sector fully harvested its ACL on a consistent basis, with a potential analysis looking at historical use of sector ACLs and then projected use of a new ACL under the status quo percentage allocation, and so really looking at are both sectors utilizing their allocation, and, if not, would a reallocation help with that, help with better utilization of the total ACL.

Moving along to social factors, and this is the final major branch, if you will, of the decision tree, there is two parts to this. One looks at the fishery dependence, and so, among the questions to be answered, is, among the top-ten communities with the highest total commercial and recreational landings relative to other communities in the region, are most of them engaged in commercial fishing, recreational fishing, or both? A potential analysis here would look at social indicators, including commercial and recreational fishing engagement, regional quotient, and local quotient. There is also information that could be gleaned from MRIP directed trips, and so directed recreational effort for a given species.

Last, but not least, on the social front, is the cultural importance, and so does the fishery play a unique role in the history of fishing communities? The potential analysis here would be looking at fishery performance reports, again, and there are questions embedded within those fishery performance reports that help answer, and would help answer, this question and provide information on potential outcomes. Additionally, the oral histories in the NOAA's Voices database could provide information, and, additionally, the social vulnerability indicators, and, also, just generally inform judgment on the historical aspect of a specific species and a specific fishery.

That's the general overview, and it's very kind of high level, looking at the four major branches, and that's what made it, and so that's what made it in. There are a couple of topics that didn't, and so, in development of this, in the workgroup, initially, the group looked at bycatch rates, discard rates, and mortality, and so examples of this are look at whether or not there's a high discard rate, mortality by sex or maturity stage, greater female mortality, depending on the sector fishery, specific fishery, the potential for protogyny, and one sector more directly fishing on spawning aggregations.

After discussion of this, the rationale for non-inclusion of these factors was they were really difficult to address through allocation, and so these can certainly be major decision points, from a fisheries management standpoint, but they may be likely better addressed through other fishery management measures other than allocations.

The next major topic that was initially considered, but removed from the decision tree approach, and this is something that I want to take a little bit of time to discuss, is climate change, and so looking at changing distribution of a stock due to climate change or potentially other factors. This

was discussed quite a bit by the working group, and, really, the rationale for not including it, at least initially, is that it's potentially -- It's certainly an important consideration in the analysis of allocation decisions, sort of later on in the amendment process, but it may not be an informative measure initially, and so it may not help initially consider whether or not a reallocation needs to occur or what sort of direction that reallocation should move.

The intent of the decision tree approach is to aid the council in signaling the need for a reallocation, and so there is really -- A lot of the climate change data tends to be retrospective, and in retrospect, data used within the decision tree may not be informative on the need for a future reallocation, due to future shifts in range for the stock or future changes in the stock distribution, and so, in a nutshell, it's not necessarily a good fit for the decision tree approach, but climate change certainly is an important consideration in fisheries management in general, but as well as allocation decisions, and it just doesn't work necessarily quite so well with the approach, at least within our discussions, and that was the general take on it.

Initially, it was noted that, other than commercial allocations in the king and Spanish mackerel fishery, the council does not currently implement notable regional or location-based allocations, and so it typically covers most of the -- The allocations look at sector and not geographic range.

What do we do with this whole decision tree, once we've worked through it? The idea here is that council staff will gather the appropriate information, and this will be presented in the Shiny app, and so we'll run through each one of those trees, decision trees, with the appropriate information, and it will be presented in the Shiny app, similar to what's presented in the fishery overviews from previous council meetings, when you look at you're getting a stock assessment say for snowy grouper, and had a fishery overview for snowy grouper, and that sort of format, and that sort of Shiny app.

The idea is that staff will develop preliminary responses and move the council through the decision tree, and the results will be compiled in a decision tree tool, which I will give you an example of here in just a minute, with the idea that council members will be able to clarify the outcomes of each decision point and help address really any subjective outcomes that need additional information.

I have it pulled up here, but I want to give you just a brief overview of what the envisioned final product, so to speak, is for this decision tree allocation tool. The idea here is that you have -- Really, this is another Shiny app, and it's really an interactive Shiny app. You can see, on the far left, that you have the four major decision trees, and these will work through the different questions, and so it starts off with landings and discards, and I will just run through it very quickly, for example purposes, but the idea is, as you move through these different decision trees, they branch off, and they come up with a specific consideration for allocation based on the answers to those questions.

As you move through for different species, you end up with the suggested advice, if you will, or the suggested outcome, based on that specific branch of the decision tree. I am just kind of clicking away here, because I want to show you the final report, so to speak, and the idea here is that, once the council makes its way through, and this is something that council staff would work with the council on, as it makes its way through the decision tree process, there is a final summary of advice.

Once we get the questions calibrated and to the council's liking, the idea here is that you have different -- You have basically a summary of the allocation advice based on the four major nodes of the decision tree, and so, from a social perspective, it says one thing. From an economic perspective, it says another, and the stock status perspective may give a different direction, but the idea here is you've taken all of these different data considerations and different data types and come up with a specific outcome based on that specific type of data, and so this really is a very draft look at what we envision as the final product for the council to use in this whole process.

Let me jump back in, and I will run through the final few slides here. The idea here, is once the council works through the whole decision tree, and you have the outcomes there, hopefully in that nice, neat Shiny app tool, what do you do with the results?

The idea is it's possible that not all decision trees are going to have input every time for every species, and it's not likely that all decision tree nodes will point in the same direction for a specific allocation recommendation, and so what do you do if this decision tree is pointing in different ways?

There is certainly the consideration that you could have a rank order ahead of time, and so kind of a weighted outcome based on the different topics, or you could go with a preponderance of the decision tree recommendations, and so sort of a majority rules. If the advice is to allocate one way under the majority, then that's the direction that the council would go, or, certainly last, but not least, is to assign no rank or order in working through this decision tree, and, really, that's the council -- That's at least the initial staff recommendation and something -- If you feel strongly otherwise, please let us know.

The reason for that is it is very hard to assign weighted outcomes to the nodes ahead of time. Also, what happens if one node is inconclusive, or there may not be -- Maybe there's a data-limited species, where you don't have data to provide any input into that node, and what do you do with the weighting for the rest of the topics, the rest of the trees, if you will, and so the idea here is to assign no rank or order ahead of time, and this will maintain maximum flexibility for the council, which is really one of the goals stated ahead of time for this whole process.

The decision tree has been developed by staff and really taken out to the council's advisors over the past several months, the initial allocation decision tree was reviewed by the Socioeconomic Panel and the SSC at their spring 2021 meetings, and, additionally, after the advice from the SSC and the SEP were taken into account, the questions were altered somewhat and then updated and then sent out for further review from individuals from the Southeast Regional Office and also the Southeast Fisheries Science Center, and so, essentially, from the National Marine Fisheries Service, in the Southeast Region, if you will, certain staff members of SERO or the Southeast Fisheries Science Center.

Then that was over the summer, in July specifically, and then, certainly last, but not least, the allocation decision tool was reviewed by a special meeting of the advisory panel members from the Snapper Grouper Committee, the Mackerel Cobia Committee, and the -- Not committee, but rather the advisory panels, and so the Snapper Grouper Advisory Panel, the Mackerel Cobia Advisory Panel, and the Dolphin Wahoo Advisory Panel.

This was mostly made up of the AP chairs and vice chairs. However, there were a few other members present to provide input, kind of a wide selection geographically, as well as kind of covering your bases from a sector perspective, and so, overall, I got a great deal of feedback on this, and, from a staff perspective, it's been certainly appreciated on all fronts, but, in summary, the review, the good, if you will, and so the overall generally good aspects and positive feedback received is that, in general, there was positive feedback on the initiative to develop a systematic approach to collecting relevant data for addressing allocation decisions, and, specifically, to that, there was just a general appreciation for a multidisciplinary approach for considering sector allocations.

Additionally, the range of information provided was deemed appropriate, given the need for a relatively quick turnaround. In general, this is a process, again, that will take place at the beginning of an amendment, and so, really, it's kind of a time-limited approach, if you will.

Some of the issues identified, and so the not-so-good, if you will, of the decision tree was, first and foremost, concern over the single-species approach that will affect multispecies fisheries, and so this is something that was brought up by all of the reviewer groups, in general, and it's really looking at the fact that there are potential externalities to allocation decisions for one species that can affect others, and so, particularly in the snapper grouper species, if you make an allocation decision for a single species, it can have impacts on other species within that complex, and potentially outside of that complex, and so that's something that all of the reviewers brought up, in general.

Also, it was noted, by several reviewers, that climate change should be included in the decision tree process, and this was particularly stressed by AP members. As noted earlier, I kind of took a second to explain the working group's initial decision to not include climate change. However, that's something that may be reconsidered in the future, and I would certainly welcome any feedback on that, and that was a concern of many of the reviewers.

Also, it was noted that there's uncertainty in the data used in the analysis, particularly in discard data and anything coming from MRIP, and there is some level of uncertainty associated with it, and certainly that varies by species, but there was some concern over the uncertainty of the data being used and going towards allocation decisions.

Then, last, but not least, it was noted that the tool may not be applicable to all species, or some branches may provide misleading results. This could be particularly the case for some species with highly-constrained harvest levels, such as red snapper. Essentially, if you don't have a whole lot of data to put into the decision tree, you may not get meaningful results for all of the different nodes.

Overall, we're coming to the end here, but looking at a timeline for the development of the decision tree approach, and, as noted earlier, the final -- I put a question-mark next to the "final" there, and this is a table of the development of the decision tree approach, and we're getting towards the end, but, right now, on the council's work schedule, the decision tree blueprint is scheduled to be completed at the December 2021 meeting.

Given the great deal of feedback received and the amount of time that it really takes to get into the nitty-gritty details of the decision tree approach, there's a little bit of a question-mark there on

whether or not the December 2021 meeting is still the desired place for that and whether or not another meeting may be appropriate.

Looking at the next steps for this, we're looking to incorporate the council's input from this meeting and revise the decision trees, as appropriate. We'll further integrate the advisor comments and address concerns, and we'll develop a final list of decision tree questions for the council's approval and work through the whole list of questions with an example species, and so work through an example species with you, potentially the imaginary and infamous shadow shark that we have seen before.

I won't read them out loud, and I will turn it over to the council here, but there are some general discussion questions that are provided to help provide direction to staff, looking at, in general, the process of the decision tree, as it's outlined, looking at the content, whether or not anything else should be added, particularly given the cons on climate change are highlighted there, and then just general comments on timing and potentially whether the end goal is to still have final approval of this at the December meeting, or potentially look at it down the road again at a special meeting or at the March meeting, and so, with that, I will turn it over.

MR. BELL: Okay. Thanks, John. Piece of cake. Simple. Let's try to -- Realizing we're not going to be able to get, obviously, deeply into the weeds on any of this right now, and John's three areas that maybe we could give him some initial feedback on, but I think, because this is an important issue, because we would like to get it done as soon as possible, but we don't want to rush this, and, also, just given the complexity of it, I think the concept of perhaps an additional focused meeting --

Again, the utility of virtual meetings, and we could do that in a half-day or a full day or something, whatever we might consider, as we did with the AP chairs and all. That might be something to consider, but, for right now, if we could just give them some just initial feedback of we still want to head in this direction, are we following the right process, do we have the right content, and then we can talk about timing. Spud.

MR. WOODWARD: Thanks, Mel. I think we're on the right path, but I do think -- As you just described, I think this merits a separate meeting, instead of trying to perhaps shoehorn it in a normal council meeting, where we have lots of other things. I think the rather lengthy discussion about the ABC Control Rule and carryover is kind of emblematic of the fact that some of these foundational things really deserve more time than we can allow for them during normal meetings, and so I think we're on the right path. I don't know that this is going to be the be-all-end-all to it, but I think we're there, and I certainly support us having a standalone meeting, whatever the length may be.

MR. BELL: Okay. Thanks, Spud, and I like that concept of foundational. This is foundational to so many of the fisheries we deal with, and issues of mixed-use stocks, and so that's a good way to look at that. Steve.

MR. POLAND: Thank you, Mel. I was just going to run down the three discussion questions and provide my input. First, as far as process, I mean, I agree that -- I see no real issues with the process proposed, and it seems logical, how we would systematically go through it, to consider all of those factors and potential externalities. I do have a question, and this is really just more for, I

guess, the council to discuss and provide feedback on, on if we wanted kind of a, for lack of a better term, cop-out right at the beginning, right off the bat, if we felt like a species isn't appropriate for this decision tool, to just not take it through the process.

Then, as far as content, as far as including climate change, I am curious specifically what would be included, as far as informing our decision relative to climate change, and I know the region is working on a climate vulnerability assessment and an ecosystem status report, and I could see both of those reports feeding into this, but we don't have those reports yet, but I don't know if John or others could just provide a quick kind of thought on how climate change would be incorporated into this. Then, lastly, as far as timing, quite honestly, I'm not here after Friday, but I could see how this might benefit from another focused meeting and discussion, and so those are my comments.

MR. BELL: Okay. Thank you, Steve. That's really good. Jessica.

MS. MCCAWLEY: Thanks, Mel. I too think that this is a really neat process for us to use. I am not sure how we would factor climate change in here, and I also was thinking about bycatch and discards and just how we would work that in. I like the idea of discussing this at a separate meeting, and I guess my question is some of the species that are already in the hopper, that we have amendments or framework actions on, that we're looking at allocation, I guess that we would end up allocating -- Making a final decision on allocation prior to this being fully ready, and so then we would wait until the next time to use the decision tree? I just was -- That's my only question, or concern, about timing, is it seems like a couple of species would get through the process before we would have this completely done, and that's my only concern.

MR. BELL: That's a good point, Jessica, is what external drivers are there to drive the schedule? If the desire is to utilize this process for things that are on the menu coming up, is that what we want to do, or, like you said, if you can't make it, do you deal with them separately and then adopt this, and that is a good consideration. Andy.

MR. STRELCHECK: I won't repeat a lot of things that other people have said, and I am supportive of the additional meeting to go through this in more detail. I guess one of the things that is coming to my mind is the ultimate application of this, because I see kind of getting the end outcome and the summary report that was just shared with us, and there is potential multiple viable avenues for consideration, kind of a suite of alternatives for the council to consider, and so I think, going forward, we will want to talk about not only how do we use the tool and the outputs, but then how does that inform our management process and the alternatives and actions that we might consider around allocation and including those into amendments for further consideration. Thanks.

MR. BELL: Very good point. If you're going to have this tool, and you intend to apply it, how is that actually going to work, and that's -- Obviously, you start this whole thing, and you work the process, with the end being an application of it, and so that's good to know. I'm hearing a lot of support, and I would agree with the need for a focused meeting on this, and, of course, being respectful of everybody's schedules and things, and I'm not sure when we might want to consider that. John, is there any ideas on when we might do that, or would we not worry about the piece in December and bringing it to the normal December meeting and we have something right after December, or before December, or what's -- Again, this is something we'll get into when we're

looking at the overall schedule and workload and all, but I'm not sure the best place to stick this focused meeting, and I don't know if there are any thoughts on that.

MR. HADLEY: Mel, if I could, in initial discussions, we were thinking -- We'll get into this, obviously, more in the council discussion on FMP and workplan, just the general workplan, but the initial thought was to maybe pull it from the December meeting and then, depending on everyone's schedule, of course, look at a special meeting maybe in January or February, where we could take a two or two-and-a-half-hour block of time to really get down into the details of the questions and the outcomes and work through the tool, potentially, with a species, to go over it with everyone and get some detailed input, if you will.

I will note that this would pair well with potentially another -- It could be a half-day meeting, and it could pair well with another topic, perhaps the habitat blueprint, or perhaps another topic, but that's just the general thought, is maybe aim at a half-day special meeting after the December meeting, maybe the January or February timeframe.

MR. BELL: Right. Thanks for pointing that out, and I realize that there are a lot of things we're dealing with right now that involve a lot of detail and focused effort, and we're trying to work them into a meeting like this, and you can see where you just really don't have the time to give it the attention that it deserves, or the level of detailed discussion, and so I am personally --

Myself, I think that concept of working something in and take it off of December, which, of course, then frees up a little time in December for something else, but then maybe look at January or February or something, and I like that idea about maybe, if we can pull it off, that we have a day, and we do a morning of one and an afternoon of the other, or something like that, and I think that could be useful, and, again, relying upon our ability to do these things virtually, at a relatively low cost, is probably a good idea. John.

MR. HADLEY: Thank you, Mel. I guess one other -- Just to give a general ballpark on the time that it may take, when we worked through this with the AP chairs, it took approximately two-and-a-half to three hours to really go through all the decision questions and stop and get input on each specific topic, and so, just to give a general timeframe, I imagine there would be similar discussion with council members on that, looking at a two-and-a-half-hour or so block of time.

MR. BELL: Okay. All right. Spud.

MR. WOODWARD: Thanks, Mel. Just a question for John. Are we at a point where we could test-drive this with one of the species for which we are currently deliberating on potential allocation changes?

MR. HADLEY: That's a good question. I think we could, particularly given -- Maybe we can look at the schedule, to see which one would be the most appropriate one to start off with, but I think we could, particularly if the council feels comfortable with the general process and the general questions being asked. We could work on trying to work through it with a specific species.

MR. BELL: All right. That's not a bad idea, if we can work one in there that makes sense and does work. Kerry.

MS. MARHEFKA: To follow-up on Spud's idea, which I really like, I would just want to make sure that it was very clear, the first time we did it -- If we did it that way, that it was non-binding. I mean, I understand that it's non-binding anyway, but I just want to make sure that we make it clear to the public that we were really test-driving this and that the results that came out of us working with a real species the first time, before we had time to dig in, were not necessarily going to be where we ended up, and that's the only thing that makes me nervous.

MR. BELL: Right. I understand. No obligation, but, hey, if you really liked it, maybe you would. John.

MR. HADLEY: That's a good point, and I appreciate that, and I think that's one of the -- We were kind of discussing whether or not to go through it with a specific species, a real species, if you will, or come up with an example species, such as shadow shark, just so it's -- Since it is a draft phase, and it's not formally approved by the council, just to make it -- If we do use a real species, just to make it very clear that this is a test drive and not necessarily the final product, if you will, and so it's up to the -- We can go either way on that, but, we do use a real species, we do have to be careful how it's framed, since it is a draft process at this point.

MR. BELL: Right. Good point. Spud.

MR. WOODWARD: Last comment, and I won't belabor it, but I guess my thinking is that, if we're going to break this thing, we're most likely to break it with a real species, and so I would rather know that before than after.

MR. BELL: A real test-drive. Okay. Any other thoughts, folks, on that? We can look at that, and, I mean, I think the idea would be to take it off of December and look at this special meeting, and then I'm also sensitive to Jessica's comments about what's down the road here and what might be pushing us on something coming up, which could, of course, take us to that consideration of a real species, perhaps, but any other thoughts right now? I think what I'm hearing from folks is we're good with trying to work this into a dedicated effort in a special meeting, and are we good with that? Okay. I'm not seeing any objection to that, or hands, and so, John, is that sufficient guidance for us right now to proceed?

MR. HADLEY: It is, and I had one question, or follow-up question, and that is how would you like us to proceed with the climate change topic? We can kind of go back to the drawing board and try to see how we can fit it into the decision tree process.

MR. BELL: We had a few people weigh-in on that, and I, personally, feel like Jessica, and I'm not sure how that would work. You might be bringing something in that is adding a degree of complexity to this, and we really don't have the supporting data to help kind of drive that part of the equation, or the model, that we're following, and so I get it, and I understand where people are coming from with that, but I just don't see how you would actually bring that into this at this point, and I'm not sure we're ready for that, and that's just my opinion. Jessica.

MS. MCCAWLEY: You pretty much said the exact same thing that I was going to say. I agree, and I don't know that we're ready. I guess we could continue the discussion when this comes back to the special meeting, but I don't know that we have all the information we need to do that in a decision tree.

MR. BELL: Okay. Thank you. Steve.

MR. POLAND: I was kind of going to say the same thing. I mean, I'm not ready to abandon it, but, thinking about the type of climate change information that would be beneficial, such as changes in stock productivity or range shifts and that kind of stuff, I mean, I don't think the science is there yet to give us that type of input, but I would be interested to continue that -- Have the council continue that discussion, to see if there are maybe just broader climate drivers that might be incorporated somehow. I like the idea, but I think we're still some years away from actually applying it.

MR. BELL: Right, and so it stays in as kind of a placeholder or something, for further discussion, but I would agree. Anybody disagree with that at this point, related to incorporating climate change? I don't see any hands. Okay. John, does that help? Have you got enough for today from us?

MR. HADLEY: It does, yes. Thank you very much. I appreciate that.

MR. BELL: Okay. Good, and I appreciate you presenting this, and, also, from what John put up on the screen, on page 10 of the Attachment 3a, there's a lot of work that's been done on this so far, and so we do appreciate all the effort that's gone into this to this point, but it's not a simple thing. Okay. Realizing that we're down to about an hour here, and since I can't walk over and talk to John Carmichael, we can stick with the -- We can follow the process, but I'm just sensitive, and I know we've got one item that we have a person kind of from outside, and I don't know if we need to flip the order a little bit or just stick with what we've got and run with it. Myra.

MS. BROUWER: Thanks, Mel. I was going to suggest -- I believe that Jessica Powell is going to be doing the presentation on the Atlantic Large Whale Take Reduction stuff, and she cannot stay past 5:30, and so, if we could maybe allow that to go first --

MR. BELL: That's where I was going. If Jessica is available and ready to roll on that, we could go ahead and take care of that.

MS. WIEGAND: Give me one second to just pull up the screen, and I've got the presentation.

MR. BELL: Gotcha. Good. Thank you.

MS. POWELL: I will introduce myself. My name is Jessica Powell, and I'm a Marine Mammal Biologist with the Southeast Regional Office for NMFS, and, today, I am happy to be here to talk to you a little bit about the Atlantic Large Whale Take Reduction Plan and essentially where we've been and where we're going, particularly for the next rulemaking that we have in place.

Before we get started, I thought it would be helpful to just get a little bit of context, and I realize we're running low on time, and so I will be quick here, but I think it will help set the stage for why we are at where we're at and where we're going. Unfortunately, despite so many efforts over the past decade, North Atlantic right whales -- The North Atlantic right whale population is in a pretty massive decline right now, as you can see highlighted by this green line here on the graph. Since 2010, the mortalities for North Atlantic right whales have been increasing, and, unfortunately, the

number of calves being born has been decreasing and so not a good situation for a highly vulnerable endangered species.

There is a lot of numbers on this graph, or on this slide, but I think the take-home message here is that North Atlantic right whales are currently in what's called an unusual mortality event, which means there is a significant elevation in the number of deaths in the population. I think the biggest take-home, from these numbers, is that, in this UME, there has been over fifty-two known mortalities or serious injuries, and serious injuries are essentially injuries that we deem that are more likely than not to result in death, and so we've had fifty-two mortalities and serious injuries since the start of this event, and we have only counted forty cow-calf pairs, and so, essentially, we have more deaths coming out of the population than what is being born into the population.

This is another graph here, and this is focused on entanglements in fishing gear, either from U.S. commercial fisheries or for those first seen in the U.S., and the red dots there represent potential biological removal for North Atlantic right whales. That is essentially the level mandated under the Marine Mammal Protection Act for which we have to keep take below, and so, as you can see, unfortunately, over the past decade, take has been, for the most part, well above that mandated potential biological removal.

That brings us to the take reduction team. The Atlantic Large Whale Take Reduction Team was created back in the late 1990s and set up to develop recommendations to reduce mortality and serious injury to three large whale species, including fin whales, right whales, and humpback whales, although, admittedly, the focus has mainly been on right whales, given their status. Take reduction plans are something that are mandated under the Marine Mammal Protection Act when mortality and serious injury in U.S. commercial fisheries exceeds potential biological removal.

This is a consensus-based process, and we have -- For this particular team, we have over sixty folks at the table, including twenty-three fishermen, as well as state managers, federal managers, academics, and NGOs, and, just for reference, I also listed our Southeast members on this slide.

That brings us to where we are today, and so the Atlantic Large Whale Take Reduction Team has just completed Phase I of their rulemaking process, and that rule will likely publish here quite soon, and that rule was focused on reducing risk in the Northeast lobster and Jonah crab trap/pot fisheries, mostly in the Northeast region, and that is -- The reason for the focus early on in just that particular area, and just those particular fisheries, was that's where the majority of co-occurrence between whales and gear occurs. Now we are moving to Phase II of the rulemaking process, which is reducing the remaining risk in fixed-gear fisheries along the rest of the eastern seaboard.

I just wanted to give a brief summary, and I'm going to go through this quickly, and I do have my colleagues from the GARFO Regional Office on that can answer more questions at the end, if you would like some more clarification on Phase I, but, just to give you a little bit of background on that Phase I entailed, Phase I of our rulemaking, again, focusing on the Northeast lobster and Jonah crab fisheries, was a four-pronged approach, the first being the reduction of spatial overlap of right whales and gear through the creation of three new restricted areas. Those are not open to persistent buoy lines, but they are open to ropeless fishing, if the proper permits are in-hand.

The other strategy employed was to reduce the number of buoy lines by trawling up, and this is a strategy taken by the team in the Northeast region, and it's not one that we use here in the Southeast, and we can talk more about that a little bit later.

The third prong was reducing the strength of buoy lines, but, with some new research and some of the new technologies to create weak-sleeve and weak inserts into lines, most of the Northeast region will be -- Most of those fisheries in that region are going to be moving to a 1,700-pound max breaking strength, and so, essentially, if the whales do hit the lines, they will break, if at least 1,700 pounds of force is exerted, and so they should be able to break free, or at least lessen the severity of the entanglement. Finally, there was a focus on improving information on entanglements, and so there was increased marks on lines, and there is now more resolution between the different areas and the different gears within the Northeast.

Now we're moving to Phase II, and, as I said, Phase II is focusing on this green area here, which is Regulated Atlantic Large Whale Take Reduction Plan waters along the east coast. The goal here is to acquire a risk reduction target of a reduction of about 80 percent in mortality and serious injuries. The reason for that target, or the math behind that target, is based, again, on that potential biological removal level. We need to get take from fisheries entanglements down below 0.7.

To that end, we began meeting with the Atlantic Large Whale Take Reduction Team earlier this spring, and throughout the summer, and we've been sharing with them baseline distribution models and looking at risk within these waters and trying to learn more about the fisheries in these areas. The big idea behind these meetings was to essentially generate ideas from the team to bring to scoping, so that we can hear more from our stakeholders and kind of highlight some specific topics that the team was particularly interested in learning more about.

This is just a visual timeline of where we're at. As you can see, the red star, that's where we are now, and we're in this current scoping period to gather information and gather ideas and bring those back to the team. There will be additional opportunities to comment, following the two take reduction team meetings that should happen in early next spring.

I wanted to share this upfront, before I dug more in the meat of Phase II, but these are all the additional ways that you can provide input or listen to get more information. We are taking comments through October 21 of this year, and you can submit your written comments anytime to the email listed on this slide, and, in particular, there's going to be also a number of virtual scoping meetings that are listed here.

We have had one held already, but the one particularly for the Southeast region will be held on October 5, and that will be to talk about gillnets and trap pots in the Southeast. I will also note that all of these meetings will be recorded and available on our website, typically within the next day, and so, if you're unable to make the meeting, or if you want to ruminate on your comments before you submit them, those are available to you.

In the next few slides, I am going to show you some model runs based on a tool that was developed by the Northeast Fisheries Science Center called a decision support tool. This tool was very helpful to the team in making decisions for the last phase of the rule, and, essentially, what it does is it overlays whale density with gear density, and so it highlights those hotspots, essentially, where there is a lot of whales and a lot of gear, and so it helps to focus some of the management efforts.

This model, that you all might be familiar with, was based heavily upon the Nick Farmer et al. work that he did for the black sea bass fishery, and it's been refined, and will be refined again, for this Phase II, to include fisheries along the east coast.

This is -- Before I jump to the model runs, this is some of the ideas that the team wanted to hear a bit more about, in terms of when we're looking at gillnet gear along the east coast. Particularly, they were interested in the possibilities, or the feasibilities, of reducing soak time, and so restricting overnight soaks, the minimum or maximum number of nets on a string, and evaluating the use of tiedowns, as well as the potential for hybrid ropeless gear.

Here are -- This is the output from the model, and this -- The model was run east-coast-side, and it looked at covering 80 percent of risk along the east coast, and so you can see, in the left-hand-side of your screen, there are no spots in the Southeast that lit up that encompassed 80 percent of the risk in our area. However, to show the model is indeed working, I did also put on there the whale habitat layer for you to see, and so you can see we do have whales in the Southeast, particularly heavy usage of our habitats in the December through March timeframe, and you can see the animals staying all the way until May and starting to move down in October.

This is similar to that gillnet slide that you saw, but dealing with traps/pots, and so these are the ideas that the team brought to the table to hear about, in terms of getting more information on scoping. I do really want to take a second to focus on that first one there, talking about changing the minimum traps per trawl. As I said, that is a strategy used in the Northeast, but, within the Southeast, the team was still pretty adamant that perhaps singles, again, should only be looked at in the Southeast.

The reason for that is, given that we are, in the Southeast, the only known calving habitat for these animals, and those neonate calves don't have the ability to break free from gear like the adults do, and so having that lighter gear in the water is more ideal in areas where there are a higher concentration of very small animals. Some of the other things they also were interested in was talking about trap caps and also the potentially for mirroring the final rule from Phase I, essentially kind of that four-pronged approach, looking at that along the east coast.

Again, this is similar to what you saw for gillnet, but this is the model run for traps/pots. Again, the model was run along the entire east coast and, coastwide, looking at 80 percent of risk, or essentially the co-occurrence between right whales and gear, and, as you can see, we don't have any spots lighting up at this time in the Southeast, but, again, I did put that whale layer there, for your reference, so you can see how the animals are moving down throughout the year, and, as we just talked about, the Southeast is a unique place, in that it is calving habitat, and so there are small animals, and there are reproductive females, which are essential to the population, and we have less than 100, and so certainly that's something to think about when crafting comments.

One of the other things that the team put on the table during scoping was to look at existing restricted areas, and one that came up was the South Atlantic Fishery Management Council's black sea bass closures. The team was interested in incorporating those into the take reduction plan, but they were also interested in the potential for those areas to open up to ropeless fishing, similar to what's been done now with this last rulemaking in the Northeast region.

We would really love to hear from the council, particularly, on this issue. There has been some very successful trials of ropeless fishing within the Southeast, in the black sea bass fishery, over the last I think two years, and so we would love to hear from the council, particularly, on this point.

Just to show you that the model is working, here are some hotspot areas, and, again, it's the same model run, but you can see where, in terms of traps/pots, where some of the areas with the highest co-occurrence between whales and gear are lighting up, and this is in the Mid-Atlantic, and Cape Hatteras is essentially at the bottom of the map there, with Long Island near the top. These are some ideas that the team had put forward, potentially, to hear more about in the Mid-Atlantic.

Getting outside the model for a bit, some of the other topics that came up that we would love to hear more about is the potential for additional gear marking. Now, the Southeast does have a bit greater resolution than some other areas had, and so, for example, within our Southeast Restricted Area North, state waters have a different gear marking than federal waters within that restricted area, and then, also, the Southern Nearshore Trap/Pot Waters and Offshore Trap/Pot Waters have different marking schemes as well. As you all know, the black sea bass gear also has a different unique marking implemented by the council as well. Something to think about here is the team was talking about really refining that resolution, to get some better ideas of where gear is coming from and the exact locations.

Again, back to the gear strength, which was a large part of the rule for Phase I, was these new technologies of weak inserts for the lines. Now, in the Southeast, with the last rulemaking that we did a few years back, we did introduce breaking strength maximums for the Southeast within the restricted area. You can see here that, for the most part, it's at 2,200 pounds and then reduced to 1,500 pounds, particularly in Florida state waters, where there is a very high concentration of calves, but something to think about here is the potential for weak inserts to reduce line strength, potentially even further down to that 1,700 pounds that they will now be using in the Northeast.

I won't spend a lot of time here, but these are some additional topics that you will be able to reference that also came up during some of our take reduction team meetings, ranging from cap traps to reduce soak times to potentially capping latent effort, and all of those ideas were put on the table to think more about, in terms of potential risk reduction strategies.

Wrapping up here, and thanks for hanging in there with me, and I know that I just threw a ton of information at you, but, in general, we really would love to hear from the council and all stakeholders, to get a better idea of right whale entanglement, ways that we can reduce right whale entanglement, as well as information on how certain fisheries operate. Is gear modification even possible? How do we maintain the gear? What makes sense and what doesn't, essentially, in terms of some of the risk reduction ideas that have been put on the table?

Just to wrap up, for the next slide, this is just, again, a reminder that there are additional opportunities, and we look forward to seeing your comments, and we will be happy to take comments during the Wednesday public hearing session as well, and I think that's all I have.

MR. BELL: All right. Well, thank you, Jessica, for explaining all that, and I know this group could certainly give you some valuable input. I think, right now, in the interest of time, what I would like to do is, if anybody has any specific questions for Jessica -- We know -- We can work out a way to get input to Protected Resources collectively, by reaching out to the council and

provide it that way, and, also, remember we've got the ability with these public meetings they're having, but are there any specific questions at this time? Does anybody need to clarify anything that Jessica explained about the process or what's going on? We definitely need to get you some input, and we can do that.

MS. POWELL: That would be great.

MR. BELL: I don't see any hands. Christina.

MS. WIEGAND: Thanks, Mel. I just wanted to provide a little context, and so, like you said, if anyone has any clarifying questions for Jessica about what's contained in this presentation, now would be the time to ask them. Like she mentioned, this is one of the topics that we've got listed that people can comment on during the public hearing on Wednesday, and then, on Thursday, we have a bit of a longer Protected Resources session, and, during that time, Charlie Phillips, who is the council's liaison to the take reduction team, will give his input on what was discussed, and then you guys will have an opportunity to discuss any input that you would like to provide to Protected Resources related to this presentation, and so there will be time to discuss it later in the week, but, if you have questions about the presentation, please don't hesitate to ask Jessica those now.

MR. BELL: All right. Tom, have you got a question?

MR. ROLLER: Yes. Very quickly, in case I missed it, but we saw the offshore pot and the inshore pot, and what was the general dividing line, such as in mileage?

MS. POWELL: In terms of the gear marking? Is that what you were thinking of, this slide here?

MR. ROLLER: It was actually prior to that. You had kind of an offshore and inshore. You saw the offshore trap/pot waters and the nearshore, and how did you differentiate that?

MS. POWELL: Those are management areas that were defined when the team was first put in, and I believe it's the hundred-fathom line, but I would have to double-check myself on that, but I believe that's what it is.

MR. ROLLER: Okay. Awesome. Thank you.

MR. BELL: Good question, Tom. Maybe, if you could get back with us on that, that would be great. Any other questions right now for Jessica? I am not seeing any, and so, Jessica, thank you, and, again, we will get you some input.

MS. POWELL: All right. That's wonderful. Thank you, guys, for your time and for fitting me in today. I really appreciate it.

MR. BELL: Okay. Thanks for being here. Folks, in the interest of trying to make sure we get something done that we really need to, I would like to switch to Item 7 on the agenda and put Andy or Rick on the spot to go ahead and brief us on the congressional directive related to shark and dolphin depredation, because we're going to hopefully be able to receive some public comment on that later in the week, and so I want to make sure we get that done, and then we'll see if we can

get in some of the updates, the other two updates, and so, whoever is going to run us through that, Andy or Rick, fire when ready.

MR. DEVICTOR: Mel, thank you. This is Rick DeVictor, for those that I haven't met. I work for the Southeast Regional Office at NMFS. What I want to do is I will just go through this letter briefly, and this was a letter that Andy sent to you, Mel, on August 25, and it's in your briefing material, and it's on your screen there. It's Attachment 7.

NOAA Fisheries is requesting input from the council on shark and bottlenose dolphin interactions with commercial and recreational fishing activities, and so where this comes from is there is language in this joint explanatory statement that was with the Consolidated Appropriations Act of 2021, and it directs NOAA Fisheries to consult with the council and other partners. The other partners are HMS, the Gulf Council, and the Marine Mammal Commission, and it says that NOAA Fisheries shall consult with these partners in conducting a review, and you can see the language right there on your screen in italics, but a review to assess and better understand the occurrence of conflicts between dolphins and sharks in the fisheries in the Gulf of Mexico and South Atlantic.

The HMS AP, they talked last week, and there is quite a few comments about interactions northward, in the Northeast, but we would like to point out that this is specifically for the Gulf of Mexico and South Atlantic regions, or at least that is what Congress is directing NOAA Fisheries to look at.

Then there should be two parts to this. The first one is a quantification of the degree to which dolphins and sharks interfere with the commercial, charter, and recreational fishing. That's the first part, and the second one is recommendations for non-lethal methods to deter dolphins and sharks from interfering with fishing. I will point out, and this is later on in the letter, that there was a proposed rule published by NOAA Fisheries in October of 2020, and it basically -- There were guidelines for safely deterring marine mammals in that rule, and so that was a proposed rule, and they are working on the final rule.

We have this directive from Congress, and we put together a team at SERO that consists of the Protected Resources Division, HMS, and the Sustainable Fisheries Division, and we have identified potential focus areas, and that would be in this report, and there are six sections, and here they are in bold. The first one is types of known interactions, and so depredation and scavenging, where depredation is when the carcass is still on the hook, and scavenging is when it's off the hook in the water and the sharks or dolphins will scavenge the fish.

Then there is other sections like consequences of interactions to fisheries, and so what are the economic losses, lost/damaged gear, lost/damaged catch, and what are the impacts to fishery populations and degraded fishing experience. Again, the HMS AP last week talked quite a bit, and there were things potentially not listed here, such as the loss of potential clients or trips being cancelled because of the interactions that are going on. One member spoke about the increase of fuel being used in having to avoid areas where there are sharks or bottlenose dolphins at, and so those are the type of things that we're looking for in this review and the input we're looking for from people.

Then we are going to talk about consequences of interactions with sharks and dolphins, and so that's population-level impacts, any impacts of entanglement or injury or risk to animals, and

increased retaliation. Then, as it's stated in the congressional mandate there, we need to quantify, as much as possible, the shark and dolphin interactions, and so we'll looking at the fishery observer data that we have, and we'll review the literature, scientific literature, anything available to us.

There will be a chapter on recommendations for non-lethal deterrents, which I just spoke about that in that proposed rule, and, finally, research needs, and we're certainly looking for input from people that we have missed, any sort of what kind of research is needed to better understand this. Again, the HMS AP had really good comments last week, and they did talk about the need to find ways to identify the shark species that are impacting the fish, and, on Wednesday, I will be going over an exempted fishing permit request that we have received from the public, where this researcher wants to swab carcasses for DNA, to determine the shark species, and so I will be going over that on Wednesday.

There, we kind of wanted to focus on our ask here to the public, and to the council, and so we have these questions under research needs. Are there other types of interactions that are not captured here? Have we overlooked any consequences of interactions to fisheries? Are there other data or information sources that could quantify shark or dolphin interactions that you would like to provide, and, finally, what I spoke about before, any non-lethal deterrents, and do you have any research needs?

The plan is, of course, we're looking for any comments you may have from the council, and the council staff did provide a lot of information, because I know that this has come up at past council meetings, and so we do have some minutes and some comments from the public on this that has been provided, and so thank you very much to council staff for sending that, but we are looking for comments from the council by September 30. We're looking to finalize this report and send it Headquarters early next year, maybe February or March.

The plan is, of course, to talk to the HMS AP, which we did last week, and the Marine Mammal Commission, and they're going to talk about this at the Gulf of Mexico Council, and we've also been working with council staff on a way to get this in front of the council's advisory panels, and so what we thought we could do is send them a presentation, and we even have a video of a presentation that was given to the HMS AP, and we could provide this letter and provide an online form, where advisory panel members could provide comments to us.

This week, and so this is one of those topics that is highlighted for the public to comment on verbally on Wednesday, and then there is, of course, a written comment period with this council meeting, and people could provide comments then, and so council staff, thank you very much, is going to forward all those comments, and we will go through those and look for any comments on this topic, so it helps inform us as we write this report, and so, again, September 30, we're looking for any comments from the council, and so that's it. I think that covers it all. Thank you.

MR. BELL: Okay. Thanks, Rick, for that, and, as Rick pointed out, hopefully, since this is on the agenda, we'll perhaps hear from the public some on Wednesday, I guess it is, and you all know that we've heard from the public a good bit, particularly about sharks, and not so much about dolphin. I hear about dolphin while wearing my state hat a little bit, perhaps more from the inshore guides, or charter boats, but not so much dolphin, and it's mostly shark, from our perspective, but we can definitely provide some input, and I know that council staff have already provided some input, based on things that we had on file already. Dewey, do have a question for Rick?

MR. HEMILRIGHT: Yes, kind of a question, and maybe a comment. I attended the HMS AP, and, as Rick said, there was extensive questions about identifying the sharks, but, given the new for-hire reporting logbook, is there any mechanism in there where they could report depredated fish that are eaten by sharks, anything that could be helpful, because there is very limited data put together, from a logbook standpoint, or something like that, I believe, and I was just curious if that would be available, because that would be a good use, or a tool, to be able to identify. Thank you.

MR. DEVICTOR: If I may, Mel.

MR. BELL: Go ahead.

MR. DEVICTOR: I know it has been discussed by the for-hire reporting team, about what is the possibility, because we have received comment from the public about potentially having that question. I know we're going to talk, further on in the week, about the data elements that were compiled for the program and what to include for questions, and I will have to follow-up with you, Dewey, on the specifics of the discussion with the for-hire reporting team and, of course, why that isn't on there right now and what it would take to add and such, and that may be a good question on Friday, as Michelle Masi is going to be giving a presentation.

MR. HEMILRIGHT: It would probably be just a really good opportunity, because this shark depredation is going to do nothing but increase and get worse, and I don't see it changing, and I also believe that you will see, where the depredation is happening, you will see the fishermen, through gear loss, or client potential loss, be reverting to other fisheries that could increase their catches in other fisheries, where we're seeing some of that here, up in North Carolina, and so that's just an observation.

MR. BELL: I saw Chester's hand up.

MR. BREWER: Thank you, Mel. I was at the HMS meeting last week as well, and saw this presentation, and I was -- You know, I was not on the AP, and so I didn't really say anything, but one of the things that struck me is under the economic losses portion of this. They were talking about gear and that sort of thing as being the measure of economic losses, and that is nothing. That is absolutely nothing.

The economic loss is to the charter guys, and it's also the straight-up recreational people, and I think I'm kind of an example of this. The last time I went cobia fishing was three or four years ago, and it was so ugly, what went on, from the standpoint of the sharks and the cobia, when you would get one on the line, that I haven't gone cobia fishing since, and I used to spend a pretty good bit of money on it, and now I don't, and I think that the real loss, economic loss, is from the rec standpoint, and it's also true with the guides, is people just really -- They don't want to go out and experience that. I mean, you don't want to pay somebody \$800 or \$900 or \$1,200 or something to go out and essentially be subjected to a nightmare, and so I don't know how you quantify that, but it is for real. Thank you.

MR. BELL: That's a good point, Chester. It does impact trips, the quality of trips, and, like you said, whether people want to go on trips and that sort of thing, and so it's certainly real there. In the interest of time, are there any other quick questions for Rick right now, or comments, because

we'll have plenty of time to revisit this and make sure we have input, full input, by 30 September. I did want to try -- We're scheduled to go to 5:30 today, and I was hoping to get in at least one of the other items we have left before 5:30, just being respectful of everybody's time today. Any other questions, real quick, for Rick? All right. I am not seeing any. Thanks, Rick. We will, obviously, be talking more about this, and it's something we've been hearing about for quite a while, and so I'm glad they seem to be kind of a taking it seriously and listening to folks and wanting to get feedback.

We've got two items left on the agenda, updates on citizen science or outreach and communications, and, again, not being able to look staff in the eye or talk, is one of those more suited to try to kind of knock out in fifteen minutes today? I am asking Myra or Cameron or Julia.

MS. BYRD: Mel, I think the citizen science presentation is probably kind of fifteen to twenty minutes, and I think -- Cameron, jump in if I'm wrong, but I think the outreach presentation is around the same amount of time, fifteen minutes or so?

MS. RHODES: Yes, that's correct, Julia.

MR. BELL: Okay. Are both of you available if we have to push one to Council II on Friday?

MS. BYRD: I'm available. Cameron, how about you?

MS. RHODES: Yes, I'm available.

MR. BELL: Okay. Well, Julia, since you're on, and you're listed as Number 4, why don't you go, and we'll catch Cameron later, if that's okay with you guys.

MS. BYRD: All right. Then give me one minute to grab control.

MR. BELL: Thanks for your flexibility.

MS. BYRD: I will go ahead and get started, and I know it's the end of the day, but, before you all leave, I just want to give you a quick update on what's been happening with the Citizen Science Program since you all last met in June. For those folks who I haven't had an opportunity to meet before, my name is Julia Byrd, and I am the Citizen Science Program Manager.

First, I just wanted to provide a quick update on kind of programmatic-level activities, and one of the most exciting things that has happened since you all's June meeting is we've been able to hire a new Citizen Science Project Coordinator, Nick Smillie, and so I'm really excited to have Nick join our team. He recently completed his master's degree from the College of Charleston, and he worked really closely with council, and the Citizen Science Program in particular, on his thesis research, which really tried to kind of evaluate the effects of different dedicated kind of recruitment and retention efforts on mobile app usage.

As part of his research, he interviewed some of our SAFMC Release participants and dug into some of the MyFishCount survey data, and so he came onboard in August, and he was already kind of in the loop on a number of things, due to his thesis research, and so he was really able to

kind of jump onboard and get started, and so we'll be really excited for you guys to be able to meet him in the upcoming months.

I also wanted to let you know that we have set the date for a joint meeting our Citizen Science Operations Committee and Citizen Science Projects Advisory Committee, and so those are our two kind of advisory panels for the Citizen Science Program, and they will be holding a joint meeting, via webinar, on November 1, in the afternoon, starting at 1:00 p.m. We just set the date last week

One of the main things that these groups will be discussing is they will be updating our citizen science research priorities. These groups typically meet separately, but we thought, since both of them were going to be tackling the citizen science research priorities, it really made sense for them to have those discussions together, and so we will incorporate their feedback into the research priorities, which will then come to you guys in December, for your kind of review and consideration.

I also wanted to provide you guys with a quick update on ways the Citizen Science Program kind of is engaging with the American Fisheries Society conference that will be held later this year, in November, and it's kind of a hybrid meeting, a mix of in-person and virtual meeting, and so the Citizen Science Program is working with some colleagues to kind of help coordinate a symposium that's really focused on angler engagement, and so we've gotten presenters from all over the U.S., both saltwater and freshwater, to kind of present information on how they engage anglers in some of the research they're doing, and so it should be a really great symposium, and then we've also submitted an abstract to present on the SciFish citizen science kind of app scoping meetings we had this spring.

I will talk a little bit more about this in a few minutes, but we're going to present information on that, hopefully at a symposium that is focused on trying to standardize recreational fishing data collection apps, and so I think what we learn through our scoping meetings will be really relevant to those conversations.

The last kind of program-level thing that I wanted to update you guys on was some of the initial evaluation plan work that we've been working on with Rick Bonney, and so, over the past couple of months, we've really been focused on kind of Phase I of this evaluation plan, which will be kind of conducting a number of interviews to collect some baseline information on knowledge and trust levels and engagement and attitudes of various groups of stakeholders.

Since June, we have completed kind of our interview script, or questions, and we really worked closely with our Citizen Science Operations Team on the development of those questions, as well as some of the social scientists on the council's SSC and SEP, and Christina also provided some really great input, and so those interview questions have been reviewed through Cornell and the College of Charleston's internal review boards.

We have also identified eighteen potential interviewees. We were hoping to talk to six fishermen, six scientists, and six managers, kind of as this initial -- Through this initial interview process, and so Rick Bonney will be reaching out to these folks, in the next week or two, to try to set up interviews, and, again, I just wanted to kind of thank you guys for providing such wonderful suggestions on folks that you thought it would be good for us to chat with during this project, and

I also wanted to mention that we're hoping to talk to a few council members, and so some of you guys may be hearing from Rick in the upcoming weeks.

Rick Bonney will be hopefully conducting the interviews between September and November of this year, and so we'll be able to provide an update to you guys in December on kind of progress and what we've learned thus far through the project.

Next, switching gears, a quick update on some of the citizen science projects we have underway. The first one is the FISHstory project, and, as a reminder, this is the project that is using kind of historic photos to document for-hire catch and length estimates, kind of prior to when catch monitoring programs came into place, and so between the 1940s and the 1970s, and so we're really excited to say that the data collection for this pilot project is complete.

We ended up having over 2,100 volunteers participate in the Zooniverse portion of the project, and so we had over 2,100 volunteers looking through these old photos to help us kind of identify and count the different species found in the photos, and they made over 35,400 individual classifications. As a second portion of the project, we developed a method to estimate the size of fish within these historic photos, and we pilot tested it on king mackerel, and king mackerel measurements have been complete on all of the 1,300-plus kind of photos we have as part of the archive that Rusty Hudson shared with us.

What we're really focusing now, in the FISHstory project, is on data analysis, and so we have a validation team that's made up of fishermen and scientists who have helped us review some of the more challenging photos through the Zooniverse project, and I think they've reviewed around 160 photos this spring, and so we're working now to compare kind of the validation team data with some of our live volunteer Zooniverse data, and then we're also working to take all of those individual king mackerel measurements and produce length compositions for king mackerel. We're hoping to kind of finish up our FISHstory analysis later this fall.

Next, I wanted to update you guys on the SAFMC Release project, and this is really where a lot of our efforts have been focused over the past several months, since you all met in June, and so this is a project where we're partnering with commercial, recreational, and for-hire fishermen to collect information on released fish, and we're really focusing on trying to learn more about the size of released fish, as well as kind of getting information that will help us better understand how many of those released fish are surviving, things like what depth they were caught at, was a descending device used, was there shark depredation, that sort of thing, and so we're really excited to announce that, as of August 19, the SAFMC Release project has moved under a new ACCSP citizen science app that we're helping to develop called SciFish.

With that move, we were able to expand the species we're collecting information through this project from just scamp grouper to all of the ten different shallow-water grouper species, and so, over the past couple of weeks, Nick and I have been working to transition the current SAFMC Release users over to the new SciFish app, and, in the upcoming weeks, we're really going to be focusing on trying to recruit kind of new fishermen to participate in the project, with this expansion to all the different shallow-water grouper species.

I know we've already reached out to a few of you guys already, but we would love to have your help kind of helping spread the word about this project and helping us kind of identify and connect

with fishermen who may be interested in joining the project to help collect information on released shallow-water grouper, and so we may be kind of contacting some of you guys, in the upcoming weeks, to figure out how we can best do that, or how we may be able to partner with you to do that.

As we've been developing the Release project, we've also been working really closely with folks at ACCSP and Harbor Lights Software and the North Carolina Division of Marine Fisheries staff in the development of this kind of citizen science app called SciFish. The kind of idea for SciFish is to have one citizen science app that can host multiple different projects all along the Atlantic coast, and so kind of the idea -- Kind of the long-term goal of SciFish is to kind of build a tool where partners could easily create kind of a customizable project, by selecting specific data fields that they would be able to build on the fly within the SciFish app, and so partners wouldn't have to spend money developing separate standalone apps, but they would be able to build a project within the SciFish app really quickly, at really low cost.

As we've been working to develop SciFish, we've kind of broken down the development into three steps, and we just finished the first step up last month, and that was to combine kind of our SAFMC Release project with North Carolina DMF's Catch-U-Later project, which Steve mentioned a little bit earlier, at the beginning of the meeting, and so we combined both of those two projects within the SciFish app, and then a secondary focus was to hold a series of customizable citizen science app scoping meetings, and so trying to get input from a broad group of folks all along the Atlantic coast, to help us figure out what they would want to see out of a citizen science app, and that really is helping us lay the roadmap for the continued development of SciFish.

The second step in developing SciFish is underway now, and we're basically taking all the information that we learned through those scoping meetings, and we're building this customizable app and project builder kind of interfaced prototype, and so we're building the tool that would allow people to be able to build an app on the fly, based on the input we gained from these scoping meetings, which I will talk a little bit more about in just a second.

Kind of the third step in this process will be moving that kind of prototype into production, and so moving it from beta-testing and making it live, so that people will be able to kind of build projects actively within the SciFish app. As part of this third step, we're also trying to develop some policies and procedures to support partners, as they want to build partners within the SciFish app, and another really exciting thing is we're going to be adding two new projects during this third step, as well as kind of proof of concept.

After we held the scoping meetings this spring, we got contacted by a number of folks who were really interested in developing a project in SciFish, and so we're going to be trying to onboard a couple of those projects as part of this third step, to kind of test out the app and the policies that we're putting in place, and so one other thing that is probably worth mentioning is that we have received funding for the first two steps of the development of SciFish already, and we have applied for an ACCSP proposal that will fund this third step, and so we submitted the proposal last month, and it will be reviewed this fall.

Then I just want to take a really quick second to talk a little bit about the kind of citizen science SciFish app scoping meetings that we held this spring, and so we really had a great group of folks who were helping us plan and organize these meetings. We had representatives from North

Carolina and Georgia and Rhode Island and Virginia. We had a great group that made up an organizing committee that really helped plan and implement these meetings.

The process really first started through what we called community scoping, and so we had an online questionnaire, and we held two townhall kind of virtual meetings, where we brought folks together from all along the Atlantic coast, to try to better understand what their specific kind of informational needs were, and we were trying to get that from a large group of fishermen, scientists, and managers, and we really wanted to better understand what they wanted to see out of a citizen science app like this.

Then we took the information from those scoping meetings and held a series of three kind of half-day virtual workshops with a core group of participants, and these were really successful. We had a ton of participation, and there were a total of forty-six people who participated, representing twenty-three different organizations from fifteen different states, and so there is a lot of interest in the development of this SciFish app.

During the first workshop, we really focused on kind of where the data gaps and data deficiencies are within the fisheries along the Atlantic coast and which of those may work well with a citizen science approach. Then the second workshop really focused on kind of what data fields are needed to address those data gaps and which of those data can be reasonably collected, and so something that came up multiple times was, just because you can collect it, it doesn't mean you should, and so we really -- Everyone thought that it was best to focus on the key data fields needed to address data gaps, in order for the information collected to be used in science and management and then to also focus on the data fields that will really be of use to the fishermen who may be kind of participating within a project.

Then the third workshop really focused on usability, how to make the app user friendly, and looking at kind of what would make someone maybe start and continue using the app, and I'm not going to get into too many kind of details or findings from the workshop. We put together a really short summary report, and, if any of you guys are interested in checking it out, I'm happy to share it with you, but I did want to share this kind of one infographic that we put together.

We worked really closely with Amy Staples from North Carolina Division of Marine Fisheries, who helped us pull this together, and this infographic really summarizes kind of the identified data gaps that workshop participants thought would respond well to citizen science and the key data fields needed to address those gaps, and so this infographic really lays out kind of the next steps that we'll be using to develop SciFish.

I'm not going to go into the infographic in detail, but I would encourage you to check it out. The key data gaps, you can see on the fish, the blue and red fish, in kind of six major theme areas. There are some key data fields along the bottom that are really needed to address almost any of those data gaps, and then you can see, underneath each fish, some additional data fields that are needed to address that data gap as well. What we found out is that there's a lot of overlap in the data fields needed to address these many broad data gaps, and so I think this will lay out a good foundation for the next steps in the development of SciFish.

Then the last thing that I just wanted to provide a quick update on is a project that we've been working on with a number of partners that's being led by Bob Crimian with the Nature

Conservancy and folks at Grays Reef National Marine Sanctuary, and that's a project called Promoting Gray's Reef Through Engaging Georgia Anglers.

Through this project, we have helped develop kind of an online resource that shares information about Gray's Reef, and, in particular, recreational fishing in Gray's Reef. It shares a lot of information on best fishing practices, and it's really trying to help raise awareness of Amendment 29 and the kind of use of descending devices, and then it also shares information about citizen science data collection opportunities, to let more anglers kind of learn about some of these kind of citizen science projects that are available, and so it highlights the SAFMC Release project as well as MyFishCount.

We really helped pull together some of the content, in particular in the citizen science portion of the online resource, and so this is getting its final review through NOAA Fisheries now, and so it should be available in the upcoming weeks, and we will make sure to share the web link with all of you all when it's available, and so that's kind of a quick update on everything that's been going on with the Citizen Science Program, and I covered everything really quickly, and I know it's the end of the day, and so I didn't want to go into things in too much detail, but I would love to kind of answer any questions you guys have or provide more information on anything that we have presented this afternoon.

MR. BELL: All right. Thank you, Julia. That is an amazing amount of things you've got going on there, and you all have really grown this program, I think in a remarkable way, and it's very useful, and, again, remember, with this whole program, the idea was, ultimately, to do work that feeds in and to fill data gaps for science, and so the things that they accomplish -- The idea is to actually be able to apply it at some point, and so thank you for all of that. Are there any questions for Julia right now, also realizing that you can engage her at other points during the meeting, or anytime? I am not seeing any hands, Julia. You wowed them to death.

MS. BYRD: Well, I appreciate you guys letting me kind of sneak in and give you a presentation at the end of the day on the Citizen Science Program, and, as Mel said, please feel free to reach out to me or Nick with any kind of questions about projects or what's going on in the program. We would be happy to chat with you all more about it.

MR. BELL: All right. Thanks, Julia. Good work. All right. Thanks, everybody. Cameron, I apologize, but I promise that we will get to you at some point before we're done with this meeting. What I would like to go ahead and do is adjourn for the day. We're pretty close to time. Council members that received the other link for the virtual social, we're going to try to -- Those of you that can make it, we would love to see you there, and I'm not sure how long that will take to set up, maybe ten or fifteen minutes or something, but check in on that link, if you're available, and we just want to make sure that we're all real human beings talking here, but that's the point there.

We will readjourn tomorrow at 8:30, and we will be in Snapper Grouper tomorrow, and we have a good bit of time to spend in the meeting in Snapper Grouper, and so, unless there are any other questions or anything right now, we will adjourn for the day, and, those of you who can make it to the virtual get-together, if Kerry Marhefka is there, she will be the hostess.

MS. MARHEFKA: I'm here. I will be hosting.

MR. BELL: Okay. We will see you on the other side, and we'll see everybody else tomorrow.
Thank you, guys.

(Whereupon, the meeting adjourned on September 13, 2021.)

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Certified By: _____ Date: _____

Transcribed By
Amanda Thomas
October 23, 2021

September

Attendee Report: Council Meeting

Report Generated:

09/13/2021 05:43 PM EDT

Webinar ID	Actual Start Date/Time	Duration	# Registered
262-125-515	09/13/2021 12:29 PM EDT	5 hours 9 minutes	157

Attendee Details

Attended	Last Name	First Name
Yes	BROUWER	MYRA
Yes	BYRD	01JULIA
Yes	Belcher	Carolyn
Yes	Bell	00-Mel
Yes	Berry	James
Yes	Bianchi	Alan
Yes	Blough	Heather
Yes	Bruce	James
Yes	Calay	Shannon
Yes	Carmichael	01 John
Yes	Chaya	01Cindy
Yes	Clarke	Lora
Yes	Collier	01Chip
Yes	Conklin	00 THE REAL Chris
Yes	Constant	Tony
Yes	Coogan	Colleen
Yes	Copeland	01 Robert
Yes	Corey	Morgan
Yes	Cross	Tiffanie
Yes	Curtis	Judd
Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Flowers	Jared
Yes	Foor	Brandon
Yes	Foss	Kristin
Yes	Franco	Crystal
Yes	Gill	Bob
Yes	Glasgow	Dawn
Yes	Goebel	Jennifer
Yes	Gore	Karla
Yes	Griffin	Charles
Yes	Griner	00 Tim

Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Haymans	Doug
Yes	Helies	Frank
Yes	Helmey	Judy
Yes	Hemilright	Dewey
Yes	Horstman	Stacey
Yes	Howington	Kathleen
Yes	Iberle	01Allie
Yes	Ingram	Jamal
Yes	Iverson	01Kim
Yes	KELLY	BILL
Yes	Krikstan	Catherine
Yes	L	I
Yes	LARKIN	Michael
Yes	Latanich	KATie
Yes	Lawler	Sean
Yes	Lee	Jennifer
Yes	Lewis	Savannah
Yes	Marhefka	Kerry
Yes	McCawley	00 - Jessica
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	Merrifield	Jeanna
Yes	Morrison	Wendy
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	Newman	Thomas
Yes	O'Shaughnessy	Patrick
Yes	PHELPS	MARK
Yes	Patten	Willow
Yes	Phillips	Charlie
Yes	Poland	00Stephen
Yes	Powell	Jessica
Yes	Pugliese	01Roger
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Reichert	Marcel
Yes	Rhodes	01Cameron
Yes	Riley	Richard
Yes	Roller	Tom
Yes	Runde	Brendan
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Seward	McLean

Yes	Shervanick	Kara
Yes	Smillie	Nicholas
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Spurgin	Kali
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Thompson	00Laurilee
Yes	Travis	Michael
Yes	Trego	Marisa
Yes	Vara	Mary
Yes	Venker	Ted
Yes	Walia	Matt
Yes	Wamer	David
Yes	Whitaker	David
Yes	Whitten	Meredith
Yes	Wickstrom	Blair
Yes	Wiegand	01Christina
Yes	Wolfe	Wes
Yes	Woodward	00 Spud
Yes	Zamboni	Katharine
Yes	Zou	Chao
Yes	brewer	00chester
Yes	colby	barrett
Yes	crosson	scott
Yes	moss	david
Yes	sandorf	scott
Yes	thomas	01suz
Yes	walter	John