

**PUBLIC COMMENT SESSION
JEKYLL ISLAND, GEORGIA
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MR. HORTON: Thank you, Madam Chair and members of the council. My name is Chris Horton, and I'm the Senior Director of Fisheries Policy for the Congressional Sportsmen's Foundation. I've spent many years engaged in fisheries management challenges in the Gulf of Mexico, and, of course, red snapper was the pinnacle of our struggles there. Fortunately, things are much better for recreational anglers in recent years, and that's thanks, in large part, to state management of the recreational sector.

While there are some similarities between the two stocks and the management challenges, I recognize also that it's a different fishery, and there are differences. However, one thing that is the same is the MSY quota management box that we find ourselves in, and it simply doesn't work, in a lot of cases, and we absolutely support the principles of Magnuson to end overfishing and rebuild stocks to healthy levels. However, the South Atlantic red snapper situation is yet again a shining example of how a well-intended, and largely successful, piece of legislation, written by folks in Washington, D.C., doesn't always work well on the ground in every case.

There needs to be some degree of commonsense injected in the management process for fisheries that don't fit neatly in the box. Even though we've supposedly been overfishing for years, the stock continues to rebuild, despite the absence of older fish in the data. In fact, we have the highest abundance of red snapper out there that anybody has seen, but the stock-recruit model that we imposing on the fishery, if it's correct, it should be collapsing. The numbers just don't add up, which points to the fact that our reference points may not be reflecting what's actually happening out there on the water, or our discard estimates are way off.

To manage to an MSY-based ACL, we need reliable estimates of harvests and discards from both sectors. It's clear that MRIP alone is insufficient for estimating that. While a federal permit might assist in identifying the universe of anglers targeting and fishing the complex, there are still a lot of questions as to how it could even be implemented or what it would look like. There's also the added problem of recreational anglers just simply don't trust the federal government, and there could certainly be a reporting bias there.

A better alternative to a federal permit would be the development of state-based management programs to supplement MRIP and that could identify the universe of anglers that target snapper grouper and other reef fish, while also significantly improving the timeliness of data. Florida already has one, and a federal permit, in their case, would be redundant and unnecessary.

With the challenges with the calibration between states versus federal data in the Gulf red snapper situation, development of a new state-based program here in the South Atlantic would have the advantage of being able to avoid a lot of those mistakes. I challenge, or I encourage and challenge, the National Marine Fisheries Service to lean into this, to work cooperatively with the states and help them to develop state data collection programs that could supplement MRIP more effectively and efficiently than a federal permit. There are certainly funds available, through the Inflation Reduction Act, that we would be eligible to be able to develop these state programs, and thank you for your time.

MR. KELLY: Madam Chair and council members, Bill Kelly, representing the Florida Keys Commercial Fishermen's Association. It's a pleasure to be here, and I am kind of jumping the gun here, and you're going to get a presentation tomorrow from the Florida Keys National Marine Sanctuary. They're going to address interagency management protocols with you all, and they're also going to look for some defining information on traditional fisheries. Where they want to go with that, I'm not sure.

With regard to the management protocols and fishing, I think that's best left alone by the sanctuary and discussed and managed between you all and the Florida Fish and Wildlife Conservation Commission and NOAA. We've seen similar issues, in the past, with regard to fisheries management in Biscayne National Park, and it was clear that, when it came to fisheries management, they didn't know a whole heck of a lot, and so I'm inclined to think, with what I've seen in the past here, what's taking place in the sanctuary, that may be a similar instance.

With regard to the traditional fishing, I would certainly encourage all of you to ask a lot of questions here. I don't know where they're going with that, and I wish we had heard their presentation prior to me speaking here today, but I will give you an example. One of the biggest threats to traditional fishing is, recently, the Florida Fish and Wildlife Conservation Commission has again broached the concept of converting the spiny lobster fishery to a casita-based fishery, and casitas, right now, comprise the most highly sought after and illegal method of harvesting lobsters in the State of Florida. Why they want to go in that direction, ostensibly, is to protect corals, but I think, more appropriately, is the two biggest proponents on the Fish and Wildlife Commission also happen to be marine developers, and what better way to make working waterfront properties more attractive than to eliminate trap storage on them and things of that nature?

This is critical, and we've been trapping lobsters in the Florida Keys for well over 100 years, and it is the most valuable fishery in the State of Florida, and it will also have significant socioeconomic impacts here on generation after generation of fishermen, if we were to make this transition into a casita fishery, and so I don't want to get too far into this, but, again, I will certainly ask you, and encourage you, to ask questions tomorrow, during this presentation, or after, and see where they want to go with this, and then I would be happy to respond, in writing, and follow-up with better definitions of what constitutes traditional fishing in the commercial fishery. Thank you.

MS. MCCOY: I am Sherylanne McCoy, with Cape Canaveral Shrimp Company, out of Cape Canaveral, Florida, and I appreciate the opportunity to submit my comments regarding the domestic commercial fishing industry to the council. I have made comments and suggestions down through the years, usually to hear why things cannot be done, and so I'm taking a different approach today. I'm asking you, as the council that we work under, how to help our fish houses and commercial fishermen meet the vision and goals of NOAA's National Seafood Strategy.

NOAA has outlined their direction for supporting a thriving domestic U.S. seafood economy and enhancing the seafood sector. Their strategies are seafood is good for people, and it is one of the best sources of nutrients essential for human health and well-being, and it is also critical for providing food to a growing global population. Seafood is good for the economy. The U.S. harvest about ten-billion pounds of seafood annually and supports 1.2 million jobs. Seafood is good for the planet. Harvested responsibly, seafood is an environmentally-friendly way to

produce a nutritious food, given its relative low carbon footprint and efficient use of the resources.

Their goals include sustained or increased sustainable U.S. wild-captured product, maximize fishing opportunity and sustainable seafood production, and foster access to domestic and global markets for the U.S. seafood industry. A thriving, well-regulated domestic seafood industry will translate into greater global seafood supply and seafood security for U.S. fisheries. It will decrease our reliance on foreign fisheries that are at greater risk of overfishing, IUU fishing, and forced labor.

Strengthen the entire U.S. seafood sector. The COVID-19 market disruptions highlighted systemic challenges to the U.S. seafood industry and the importance of supporting the entire seafood fisheries value chain, including after seafood hits the dock.

The White House Conference on Hunger, Nutrition, and Health points to the need for increased seafood consumption in the United States, which this strategy aims to address. It aims to put more U.S. seafood back on U.S. plates. To implement the seafood strategy, NOAA Fisheries will partner with state and other federal agencies, the National Sea Grant College Program, tribes, NGOs, fishermen, seafood farmers, and other stakeholders to address the challenges facing the seafood sector, especially when resources are limited.

Boutique fisheries, low trip limits, fishermen waiting for years to be able to fish increased quotas, step-downs for precautionary measures, shrimp boats tied to bulkheads, because freezers are full and credit lines are maxed out, due to imported shrimp purchases, discard mortality, fishery closures, and lowering quotas, these are not going to help with the vision and goals of the seafood strategy. This will only result in the loss of more infrastructure. Now is the time to lean into NOAA for help with different approaches.

Things that we have heard here have been quicker implementation of new data, regional regulations to allow maximizing harvest, maintaining fisheries infrastructure, turning discards into landings, working with newer data, and on and on, and we are in trouble, and so I am asking you, our council, what can you do to help us meet the vision and goals of the national seafood strategy and keep the South Atlantic domestic seafood industry a viable component of a thriving domestic U.S. seafood economy? Thank you for your time.

MR. GENTNER: Thank you, Madam Chair and members of this council, for the opportunity to comment today. My name is Brad Gentner, and I'm a fisheries economist, and thanks to the council members here for doing the hard work to manage our fisheries sustainably. I want to comment on Amendment 46, the offshore reef fish permit issue amendment. While I fully support creating a universe of offshore anglers, my support is conditioned on my experience working for NMFS on the MRIP team and my twenty-five years of experience in fisheries management.

The amendment must be explicit in its purpose, and that is a permit for data collection. If this amendment does not explicitly mention data collection as its purpose and need, anglers will rightfully be suspicious of the aim of this permit, which leads me to my second point. Anglers trust the states, and states generally treat anglers as clients and not entities to be regulated, and this engenders a willingness to provide data, even mandatory reporting, because they believe

they are part of the process. States can move much quicker than NMFS to create and implement permits and data collection efforts. States can use license fees to fund data collections, and state already run these permitting systems, and can run them at a profit, whereas the feds lose money on every permit they manage.

As demonstrated in the Gulf and out on the west coast, states can more cheaply, and more efficiently, collect data than the feds, and, in the case of the Gulf reef fish permits, funds help cover the costs of their enhanced data collections.

I strongly urge the council to make a state-based permit the preferred alternative, for these reasons, and I would also like to say that it would be preferred to have an individual and not a vessel-based permit, although this isn't a strong urging, and you can always collapse the vessel from the individual frame, but the opposite is not true, and, for economics, which we're sorely lacking in all recreational fisheries, then the individual is the important sampling unit. These separate universes will represent amazing opportunities to collect the kind of economic and behavior data that economists have previously only dreamed about in fishing, and particularly recreational fishing, particularly if those data collections are electronic and mandatory.

Doing do creates what is essentially a mandatory panel, and panels are incredibly valuable for measuring angler behavior, or anybody's behavior, and it allows the exploration of behavior in a way that's never been possible in our fisheries, and that's all I have to say today. Thanks, guys.

MR. NEWMAN: Thanks for letting me be here. My name is Thomas Newman, and I'm a commercial fisherman, and I also represent the North Carolina Fisheries Association, and I'm also on your Mackerel Cobia AP. I wanted to talk about Spanish mackerel, and I'm glad that you guys around the table are taking Spanish seriously, because it's a very important fishery for the commercial fishermen in my state, and I know that you guys are working hard to do the right thing, but, also, I wanted to keep bringing up that these fish are moving north, and we keep reaching our quota faster every year in the northern sector, and we're constrained in our gear and our catch during the biggest peak of our historical landings.

Like during the fall is when we historically caught most of our Spanish mackerel, and now we're severely limited in our gear, and we're still catching a lot of fish, and, also, we're bringing Mid-Atlantic members to our AP meetings now, and so we know these fish are going further north, and we're recognizing it, but we need to get data from this area, to get a better stock assessment, and not to mention that we just ended our fisheries season, and the southern sector only caught 62 percent of their ACL, and, I mean, that is crazy. I mean, they have been going over their ACL the last several years, and to have gone now to only catching 62 percent this year -- There's something happening.

I mean, these fish are moving north, and we need to make sure that we're doing the right management things and getting the right stuff in our stock assessments, before we make, you know, judgment calls on what these fish are doing, but, again, I want to thank everybody for their time, and thank you for keeping Spanish mackerel up on the list, but I don't want it to get lost in the fray, like white grunt.

MR. MARHEFKA: Madam Chair and council members, thanks for having me today. I'm going to go in a little different direction here, and we're going to go and talk about what's

happening out there. I fished pretty much the whole month of February, I was offshore, and we've got some problems happening out there, and we need to go and sort of address what's going on.

Climate change is huge, and it hasn't been able to be equated in any of the models, it seems like, and these are tropical fish, and they don't like cold water, and we're starting to see these fish dummy up, or go elsewhere, or we're not seeing the bait that we used to go and see, and I'm real frustrated that -- You know, with pink snapper, and, of course, this is my own views, okay, but why we went backwards, instead of forwards, if all the models were showing what they were supposed to show, and what happened? Give me a clue on this. I feel like it was, you know, a kick in the head here, when that happened with the pink snapper.

Gag grouper, I'm a little concerned with those as well, because, if we continue to go down the road that we're talking about right now, of a trip limit lowering and, you know, the smaller ACL, and, you know, once they get caught, and we're all still fishing for scamp grouper, then we're going to be interacting with the gag grouper, and we're going to be right back there where we were with the red snapper, where we're throwing things over, and that's the reason, possibly, that they're not, you know, able to open them back up as well.

You know, on some good notes, I mean, we're starting to I've been seeing a lot, a lot, of greater smaller amberjack, which is great to me, and I like to see these smaller fish, and that's another year class that's coming along, and that sort of kind of gives me a better feel about the amberjack.

I have noticed, lately, that a lot of fishermen are bringing in every single thing that they go and they catch, and I mean, they're bringing in tomtates, and they are bringing cottonwicks, and they are bringing everything to the dock, and it's really sort of kind of frustrating, because you're sort of cleaning the reef off, and it's not going to go and be a good clean, you know, healthy reef anymore, if we keep taking these species, and so I think something needs to be said about that as well.

You know, I feel like a lot of the reefs that we're fishing now aren't recovering as fast as they used to, and I'm not seeing the sizes of the fish that we used to go and see as well, and understand that I've been fishing since 1976, okay, and so I have a real good snapshot of when things were really well, and I didn't just start fishing last year, and so anyway, I mean, I really appreciate what you guys are doing, and it's a great job, and, you know, it's an interesting situation that we've got out there.

Our weather is really starting to get really bad for us now, off and on, and our bad weather is real bad weather. When it comes, it's thirty or forty knots, and, you know, we've got to go and either come home, or we hunker down, and we just sort of kind of wait it out, but, I mean, a lot of things are changing out there, and the dynamics is changing for us to be fishermen still. Thank you.

MR. COX: I just got in from fishing, and so I don't have a lot in front of me, but I did listen to the meeting yesterday, and I've got to say that -- Again, I'm on the Snapper Grouper AP, and I've been in this fishery for a long time, since the 1980s, and I've seen a lot of things that have been worrying me for a long time, and, you know, we've got a big ocean to manage, and we've

got even more participants, as big as the ocean, and less resource, and we're seeing more and more less resource, and that's a problem.

When I listen to the council deliberating on ways to protect our fish, and to allow harvest, the thing that concerns me the most is I think we're losing the commonsense approach to fisheries management, and what I mean by that is, when you guys start talking about gear modification to one hook, to reduce discards, I scratch my head, and I go, do you really think that that's going to solve the problem, because I know a lot of you there, and I know that you know better.

I mean, area and time closures is the only thing that's going to protect that. I've been fishing for a long time, and I can tell you that, since we've had the circle hook regulation, that I have never, ever been checked by law enforcement, nor do I know anybody that's been checked for their gear modification, but, you know, my perspective is from the Morehead City area, and it really concerns me that there's so much less fish now than what there has been, and what there should be. You know, there's just so much recreational effort, and it's frickin' unbelievable.

When I was on the council, we were talking about, you know, the for-hire permits, and we were concerned where this might go, and, back then, there was 400 for-hire permits, for charter for-hire permits, and now I understand there is over 1,600, and it's open access, and so how do you really think that you're going to be able to manage this fishery with all this participation? I mean, it's just not going to work.

I mean, ten years ago, when we were looking at the gag assessment, before the recent assessment, it was showing that the fishery was overfished, but here we've waited this many years before we have to do something drastic to fix it, and why didn't we start fixing it then, when we knew we had a problem in the last assessment, and that's what is frustrating. You wait for something to completely collapse and go south, and, anyway, it comes at a cost, but I just want to say, from the Snapper Grouper AP, you know, the discussions that are being had, it's all about data collection.

The ultimate goal is to have more precise landing information, and, coming from that recreational sector, it's going to have to be done just like the commercial guys do it, and the only way that you can do that is to permit it, you know, and it's got to be done just like we're doing it. Forget the study. NMFS knows how to do it. Let them do it, and that's the way we're doing it, and that's the only way to do it fairly.

I know I've kind of talked a little bit longer than I should, but the other thing I want to say is that -- Let me see here. I wrote something down somewhere that I wanted to talk about, but, you know, this snowy fishery -- All of our groupers are collapsing, and it's terrible to see that, and it's very obvious why, but you can't have cooccurring species and try to manage one, but leave the other one open, when you're talking about 500 or 600 or 700 feet of water.

Anyway, I want to do what I can, and I go to the AP, because I'm trying to do the best I can. It's about data collection, and it is about trying to get more precise information, so these ACLs aren't exceeded, and the folks can still go fishing, but, as you take the hammer on one species, like gag, we should ease it up a little bit on stuff like red snapper, because the fishery has rebuilt pretty well, and I think, you know, it would -- There is so much more to say on it, but I will be at the

AP meeting, and I hope to see some of you guys there, so we can have more conversation. Thank you.

MR. HALLETT: My name is Fletcher Hallett, and I sit on the advisory board for All Florida, which is a Florida-based conservation organization, and I'm also a stakeholder, a huge fisherman here in northeast Florida. Probably about half the time I'm fishing is offshore and nearshore waters, like within twenty miles, and so about a hundred feet and in, which is prime habitat for red snapper.

You guys hear a lot that red snapper have come back, and I don't know about the rest of the country, the rest of the South Atlantic for that matter, but, in northeast Florida, there are a lot of red snapper. We catch a ton of them, and we probably catch as many red snapper as any of the fish out there, and I go out there and try to target other snapper species, like mangroves, and we also catch some yellowtails here, which is kind of surprising to me, but we're catching more and more of those, and a few muttuns, but we do catch a ton of red snapper.

One thing that I would like to kind of hear more discussion on is creative ways to open up the red snapper fishery, and so, in inshore waters of Florida, we have slot limits for things like red drum and snook, and they've been hugely successful, and both of those species were just about caught to extinction, back in I think it was the 1970s when the red drum laws were made, and I would like to hear more discussion about maybe a twenty-inch limit, and so nothing over twenty inches, two per person, two per boat, on red snapper.

I always hear, and read, that we need bigger and more red snapper, but we have a ton of small ones, and it's pretty well documented that the prevalence rate is really high. I think the reason it's not open, if I understand it correctly, is because there's not enough big red snapper, and so maybe a smaller limit, one per person, two per boat, nothing over twenty inches, or twenty-two inches, or whatever you guys think would be necessary.

As for Amendment 35, I would like to strongly oppose it, if not administered by the states. Florida does a really good job of administering stuff like this, and I don't have problem self-reporting if that data is going to be used in a good way, and I have no problem with that at all.

The last thing is I would like to know who to email, and who to talk to, about this red snapper issue, and I have sent lots of emails out, over the last eighteen months or so, and most of them have not been responded to, or I've had to send two, three, or four emails out to get a response back, and the response has been kind of white, and I really want to understand why the red snapper fishery is not open, but I am not a scientist, and reading some of this scientific research doesn't make a lot of sense, and I would like some help understanding it, and so if somebody can let me know who to talk to, that would be great. There was one gentleman, when I first starting engaging with the South Atlantic Fishery Management Council, that was very helpful, but I understand he's no longer with the council, and so I would like to know who to engage with. That's it. Thank you.

MR. POPE: Thanks for having me, guys. Just real quick, my name is Scott Pope, and I'm a Georgia resident here, and I have fished off of Georgia for probably thirty years now, and I do a lot of tournament fishing, and also recreational fishing, off of Georgia. I know the council has probably heard, a thousand times, that, you know, how plentiful the red snapper are off the coast,

especially here in Georgia, and I would say the recreational fishermen -- You know, we have more red snapper right now than any time that I have ever been fishing, for sure.

Saying that, I understand the council still wanting to collect more data, and that's maybe at the state level or the federal level, and I think any data collected should be done at the state level, instead of the federal level, and I think the council would just get better participation through the recreational fishermen, and possibly our fishing clubs and that type of thing, in collecting the data.

That's certainly nothing against the federal studies, but just I don't think one shoe fits every situation, and data can probably be more effectively collected and studied at the state level. Anyway, that's basically all I had, and I'm just trying to get our fishery back for the red snapper, because we've got a ton of them right now. That's it.

MS. BRUGER: Thanks so much, and good afternoon. Thank you to the chair and the council members for the opportunity to give comment. First, I just want to say that it was a pleasure to meet many of you when I was there earlier this week. For those who I didn't get a chance to meet, my name is Catherine Bruger, and I'm a second-generation fishery biologist, and I've worked in fisheries for nearly twenty years, first with FWC, nearly a decade with the Southeast Regional Office, and I'm here today as Manager of Fish Conservation for Ocean Conservancy, where my work focuses on sustainable fishing, ensuring abundant fisheries, and equitable access. I'm sorry that I couldn't be there with you today, and I really appreciate the South Atlantic Council staff for the option to provide testimony virtually.

My comments today focus on Regulatory Amendment 35 for red snapper, of which I have a lot of concerns. The council was notified on July 23, 2021, that the South Atlantic red snapper stock is overfished and subject to overfishing. The Magnuson-Stevens Act requires the council and NMFS to take action within two years of such a determination, and the action must end overfishing immediately. The SEDAR 73 stock assessment is clear that overfishing is being driven by recreational dead discards. Regulatory Amendment 35 was designated as the management response to satisfy the statutory mandates, and, after nearly two years of paring back the scope of the actions, the amendment now consists of a one-hook requirement for recreational fishing.

There is no evidence that Regulatory Amendment 35 will end overfishing by July of 2023, either alone or in combination with the various outreach and research efforts that have also been proposed outside of the amendment process.

Furthermore, Preferred Alternative 2 proposes to set the OFL, ABC, and ACL for South Atlantic red snapper all equal to each other, with no buffer to account for scientific or management uncertainty, and the record establishes that substantial levels of both scientific and management uncertainty exist for the South Atlantic red snapper fishery. National Standard 1 Guidelines clearly state that setting the OFL equal to the ABC equal to the ACL presumptively fails to fulfill the statutory mandate to set annual catch limits that end and prevent overfishing, absent a compelling justification that builds on the record for why the arrangement does not comply with the statutory mandate.

Here, Regulatory Amendment 35 fails to provide any relevant reasoning for setting the OFL, ABC, and ACL equal to each other, and, in fact, the record shows that, regardless of the ACL selected in Action 1, Amendment 35, in its current state, will not prevent overfishing, because recreational dead discards will continue to exceed the appropriate levels.

Finally, I was very alarmed to hear the discussion yesterday speculating on whether there would be secretarial action, out of fear that the agency will reject a rulemaking that willfully violates Magnuson. If you want to be in control of the actions that are taken, I encourage you -- You have the pen, and use it now to make the amendment stronger, instead of giving up your responsibility. Thank you for your time.

MR. CENCI: My name is Chris Cenci, and I am an avid offshore and inshore angler, also a tournament angler, both offshore and inshore, from Jacksonville Beach, Florida. I was born and raised there, and I'm nervous about this stuff, and I never do this, but I came and talked last year, in Jekyll Island, and I can't be there right now, because I'm out of town, but I would also like to tell you that I appreciate you letting me do this. Once again, I'm an avid offshore and inshore tournament angler, and I also own a pretty sizeable lure company, and so I spend a lot of time on the water.

As a recreational angler, I wanted to speak to you about the regulations for red snapper in Florida. Our state has been studying the fishery for several years, starting with the Gulf Reef Fish Survey. Because of its success, it was expanded to the entire state, to the State Reef Fish Survey, in 2020, and this approach has been studied extensively by two National Academy panels and deemed appropriate for the challenging problem of estimating the recreational catch.

What we are doing in Florida is working, and we have a proven track record of successful conservation efforts. I am asking this council to consider that, should a federal permit arise, that Florida should be exempt, since it's proven that it is working, and that's pretty much all I have to say, and I appreciate it, once again, you letting me speak, guys, and hopefully we can get something done.

MR. UCHINO: Thank you so much for having me. I appreciate all the work that the council does, and my name is Pepper Uchino, and I am the President of the Florida Shore and Beach Preservation Association, an association that has been in existence since 1957. We represent over 200 members, and most of them are local governments that are either engaged or currently concerned with beach restoration, dune restoration, and coastal erosion.

We gave our comments back to the advisory panel before the -- I'm sorry, and my -- If you kind of guessed, my comments are going to be based on the habitat portion of this, regarding coastal construction and beach nourishment, and so we gave our comments, back in December, to the advisory panel, and we see this document that is now before us, and remarkably in similar shape as it was before the advisory panel. We still maintain our concerns from the original, and we submitted written comments, including those original comments, in December.

I guess the gist of our comments would be that we just don't see enough data, or science, in this document, to be able to adopt new policies or best management practices, and so, in regard to that, I would respectfully recommend that the council do a comprehensive review, including any data gaps, or blind spots, that we have in the science and go back and see if we can get funding

for filling in some of those gaps, to fully recommend a new policy, or best management practices.

Case in point is that many of the best management practices are already employed in Florida, including significant pre, during, and post-construction monitoring for nearshore impacts of both fisheries habitat and nearshore hardbottom and the like, and there are significant turbidity requirements in Florida that are built into the permits, and so it does not seem like these best management practices and policies have taken into consideration the activities that are already ongoing in Florida.

I mean, I guess the gist of it is that we just don't see that there is enough data to be able to fully identify a policy, moving forward, or best management practices, and I know I said that earlier, but it's just so important, and so we would formally request that the policies, and the best management practices, not be adopted, as stated in the draft document, and we disagree with the essential fish habitat consultations being used to direct potential research by the regulated community at its own cost, and we recommend that additional science and data be collected before any policies, or best management practices, are adopted by the council and moved forward. Thank you so much, and I appreciate the opportunity to make these comments.

MS. HARRISON: I would like to say that I agree with Ms. Catherine there that it does -- After listening to the conversation yesterday, it's like you all just want to push off the responsibility to the service, and have them be the bad guy, and that's kind of disheartening, because it is your responsibility to solve this, and it's been a while that we've been waiting for something, and it started off with a lot of action, such as area closures, and that's what I want to touch on.

I think you should refer to the best available science and most proactive enforcement measures when figuring out how to reduce discard mortality. The SSC has expressed concerns surrounding the effectiveness of gear restrictions, and, instead, promote area closures, in their April 2020 report, where they say that the effectiveness of gear restrictions to reduce discard mortality will be difficult to quantify and should only be considered in the suite of longer-term solutions.

Instead, we should pair both area closures, and a dramatic reduction in overall fishery effort is needed to reduce discards, and, at the February 2022 Law Enforcement Advisory Panel meeting, enforcement representatives also stressed out over gear restrictions and said that area closures will be the most effective tool available, and so, going from there, I believe we can look towards our neighbors at the New England Fishery Management Council, and the Atlantic sea scallop fishery, to see how effective area closures are as a management tool.

Not only can we rebuild the red snapper, but we can lower our bycatch and discard mortalities while fishing for other things, by implementing a rotational area closure, and so, in 2019, sea scallop landings were valued at \$570 million, and this is about twice as much as every commercial fishery in North Carolina, and they went from landing sixteen-million pounds in 1994 through 1998 to now landing over sixty-million pounds, and they had similar struggles as our red snapper.

Fishing mortality on smaller scallops prevented the fishery from obtaining optimum yield, and bycatch mortality in groundfish closed areas affected that fishery's success as well, and so we

could implement closures in the South Atlantic, in these red snapper hotspots, to alleviate pressure and allow the smaller fish to get up to a more appropriate age, where they are spawning.

It's my understanding that area closures are not a new tool in snapper grouper management, and area closures were created through Amendment 17A in 2010 to reduce discard mortality, but were eliminated the following year, for being deemed too conservative, but, while in place, they were successful, and SEDAR 24 provided evidence of decreased effort in the recreational sector. I believe you could refer back to 17A to see what your predecessors debated on this issue.

I submitted this comment in written form and attached a map from 17A, showing the area closures that were the preferred alternative, and, in this case, I think that the red snapper areas could be a lot smaller and concentrated off of the hotspots, and so I urge you to look at that. Thank you for your time.

MR. RATHKE: Thank you so much. My name is David Rathke, and I'm the Executive Director of a not-for-profit called Resiliency Florida. We are made up of both city and county governmental entities, as well as some of the largest environmental and civil engineering firms, not only in the country, but on the globe.

I would like to echo some of Mr. Uchino's comments that he made earlier, and we also would like to comment on the Habitat AP recommendations regarding beach nourishment and coastal construction. We have also submitted written comments, both back in December as well as earlier today.

I am not going to beat a dead horse too much and talk a lot about outdated, inconclusive, or selective science, other than to say that there are a lot of studies that are in that particular document that would some would use those words to describe them, and so, also, as Pepper said earlier, you know, Florida has a very robust permitting process for this, and we would recommend that the council send this back to the AP and perhaps have the AP actually have conversations with the various states about their permitting programs and how they go about and what they actually require.

Also, as previously stated, I think there's just a fundamental philosophical problem, and all of you on the council either are a representative of either a regulated entity, your company, or a regulator, as far as a state agency, and there, I think, is a fundamental philosophical problem, for many of us, with putting the additional cost of wanted, or needed, science and collection of data on permit holders, or permit applicants, and I just have a fundamental problem with that, and I think it's wrong.

Additionally, the AP does not consider public safety or navigation in their recommendations, and we think that that should be looked at, and then, just in closing, use of selective science can be considered arbitrary and capricious, and, worse yet, it creates skepticism in the regulated community, which is something that I think all of us, especially in the space of climate change, as my organization is, struggle with every day, and so I would just encourage you to please ask your AP to take another look at this. Thank you.

(Whereupon, the public comment session was adjourned.)

SAFMC 2023 Mar Council

Attendee Report: Meeting (3/6/23 - 3/10/23)

Report Generated:

03/13/2023 08:45 AM EDT

Webinar ID

199-009-555

Actual Start Date/Time

03/08/2023 07:37 AM EST

Duration

10 hours 6 minutes

Attendee Details

Attended	Last Name	First Name
Yes	Addis	Dustin
Yes	Allen	Shanae
Yes	Bailey	Adam
Yes	Batsavage	00Chris
Yes	Beal	Bob
Yes	Bell	00 Mel
Yes	Berry	James "chip"
Yes	Bianchi	Alan
Yes	Borland	Gary
Yes	Brennan	Ken
Yes	Brouwer	Myra
Yes	Bruger	Catherine
Yes	Bubley	Walter
Yes	Byrd	01Julia
Yes	CONKLIN	00The real CHRIS
Yes	Calay	Shannon
Yes	Cenci	Chris
Yes	Cermak	Bridget
Yes	Chaya	01Cindy
Yes	Christoferson	Jill
Yes	Corbett	Ellie
Yes	Cox	Jack
Yes	Crosson	Scott
Yes	DeFilippi Simpson	Julie
Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Dover	Miles
Yes	Dukes	Amy
Yes	Ferguson	Raven
Yes	Fernandes	Glen
Yes	Finch	Margaret
Yes	Fisher	Jeff
Yes	Fitzpatrick	Eric

Yes	Foss	Kristin
Yes	Franco	Dawn
Yes	Franke	Emilie
Yes	Fredrickson	Ivy
Yes	GLOECKNER	DAVID
Yes	Gentry	Lauren
Yes	Ghosh	Gautam
Yes	Glazier	Edward
Yes	Gore	Karla
Yes	Gray	Alisha
Yes	HARRELL	RYAN
Yes	HEMILRIGHT	DEWEY
Yes	Hadley	John
Yes	Harrison	Alana
Yes	Hart	Hannah
Yes	Helies	Frank
Yes	Helmey	Judy
Yes	Heyman	William
Yes	Howington	Kathleen
Yes	Huber	Jeanette
Yes	Hudson	Joseph
Yes	Hull	James
Yes	Iverson	Kim
Yes	Johnson	Ethan
Yes	Kappos	Maria
Yes	Klasnick	01Kelly
Yes	Knowlton	Kathy
Yes	LARKIN	Michael
Yes	LaVine	Britni
Yes	Laks	Ira
Yes	Locke	Charles
Yes	Lowther	Alan
Yes	Marhefka	00Kerry
Yes	McGovern	Jack
Yes	Meehan	Sean
Yes	Mehta	Nikhil
Yes	Merrifield	Jeanna
Yes	Morales	Harry
Yes	Muffley	Brandon
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Newman	Thomas
Yes	O'Shaughnessy	Patrick
Yes	OFarrell	Halie
Yes	Package-Ward	Christina
Yes	Peterson	Benjamin
Yes	Pierce	Brett

Yes	Pitts	Nicole
Yes	Poholek	Ariel
Yes	Ponte	Marisa
Yes	Pope	Scott
Yes	Ramsay	Chloe
Yes	Rathke	David
Yes	Records	David
Yes	Roller	00Tom
Yes	Salmon	Brandi
Yes	Sauls	Beverly
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Smart	Tracey
Yes	Snyder	Dave
Yes	Spurgin	Kali
Yes	Stephen	Jessica
Yes	Takade-Heumacher	Helen
Yes	Travis	Michael
Yes	Uchino	Pepper
Yes	Vecchio	Julie
Yes	Walter	John
Yes	Wamer	David
Yes	Waters	James
Yes	White	Geoff
Yes	Williams	Erik
Yes	blough	heather
Yes	brewer	00chester
Yes	collier	chip
Yes	griner	tim
Yes	hallett	robert
Yes	howell	steve
Yes	moss	david
Yes	sandorf	scott
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