

**PUBLIC COMMENT SESSION
CHARLESTON, SOUTH CAROLINA
SEPTEMBER 18, 2024**

MR. ZALES, II: Thank you. Bob Zales, II, Executive Director of Southeastern Fisheries Association, and, just so everybody knows, Southeastern Fisheries is not strictly commercial. We have for-hire charter members as well, especially from down in the Keys, and you all have heard me, since I've been coming back to these meetings now, talk about supporting the limited-entry program for your for-hire-permitted fleet. We're still working to try to get that done.

I can tell you that, from my experience in the Gulf, the SEFHIER program that was started there -- I would suggest to you that, had it not been for the VMS component, that program would still be in place today. Issues that we had with part of that program were being addressed, and they were getting those corrected, and so I would encourage you to try to mirror that system, with the improvements that we had suggested to it, to try to expedite for-hire-limited-entry program here in the South Atlantic. At some point, you've got to address the excessive effort, and the increasing effort, that's going on in these fisheries.

The issue about filing the report, and what you all discussed on a for-hire trip, within thirty minutes after the vessel landed is not practical. In the for-hire business, when you get to the dock, you're working with your party that was on the vessel. If you've got another trip behind it, you're waiting to address that new party coming on there, and that thirty-minute timeline doesn't give you enough time to take care of your business as it should be taken care of, and so you need to reconsider that.

The private rec side of this is also the more critical part. I mean, clearly, and all your information indicates, the data that you're getting on the private rec sector is just not any good, and the issues that you have with the ever-increasing effort that's coming from that fishery, the increasing discards, and the increasing discard mortality, is working to pretty much destroy our fisheries.

You can look at pretty much the entire east coast and the Gulf, and, when you see problems with the fisheries that we have, it's pretty clear, from the Fisheries Service's own information, that the problem is excessive effort, and the lack of reliable data, on the private recreational fleet. That's going to have to be fixed, and it's going to need to be fixed soon. Otherwise, fisheries are going to be in serious trouble.

The key thing that I've got to leave you all with is something that I came up with, and somebody has probably said it before, but this is something that I think everybody needs to seriously consider. You cannot sustainably manage a limited resource when the resource is prosecuted by unrestricted and increasing effort. It's impossible to do, and all of our resources are getting pretty much restricted. In the Gulf of Mexico, we've got a red snapper fishery now headed to where you all are in the South Atlantic, because of all the excessive effort and everything going on in that fishery.

Andy, and several others, have heard, for the past two or three years on the Gulf side, problems that we're seeing with red snapper, and this is coming from the commercial fleet, which is IFQ, and it's clear money, when a quota gets increased, in their pocket, and they're telling the

Fisheries Service that we don't want that money, that we don't want to see the increase, and that tells you that there's a significant problem, and so that's what I've got to say. Any questions? I will be glad to try to answer them.

MR. GENTNER: Good afternoon, council. Thanks for giving me the opportunity to relay a couple of my comments here today, and I would also like to thank the two new members of the council, and thank the rest of the members here for their service.

Regarding red snapper, NMFS has laid their cards on the table here, and it's now simply a matter of who gets blamed for closing the bottom, you guys sitting around this table or NOAA, and this mess is strictly due to NOAA's faulty data system, yet they clearly would like this council to be left holding the bag, and this council has made it very clear that they do not want to take drastic action without better data and better science. I commend the council for standing firm here.

I have a few comments on SEFHIER. I have a couple of cautions. NMFS talks about the lack of compliance across for-hire in the current logbook, and I would like to know how that compliance looks in other commercial fisheries. Currently, that compliance issue is being used to argue for a limited entry, and this isn't a gotcha, but it's a question that I would like to see answered.

The council should also get their opinions from the Gulf for-hire sector about the progress of SEFHIER in the Gulf. I'm not as certain as Bob is that that will be adopted in the Gulf, and I think the council would also be well advised to obtain the letter that the Gulf Council just sent to NMFS HMS regarding their parallel logbook requirement that they just introduced, and is about to be put in place, and that goes across all HMS permit types. I think it would be informative for you guys in designing your SEFHIER stuff.

I'm 100 percent behind improving data, particularly if it involves economics data. I'm an economist, and I kind of have a bias there. However, we need to be very careful about designing a program for the nice-to-have, versus the must-haves, and I make this comment a lot. We have economic add-ons to the logbooks currently on the commercial side, and they're very poorly subscribed. There's very little quality control, or quality analysis, in those datasets, and I have worked with those datasets, and I'm currently working with those datasets. They don't link well with other datasets, and they're, frankly, rarely used.

I'm not here to say that a logbook is a bad thing, or the economic data is bad thing, but I'm here to caution against overcomplication increasing burden. Make sure what you're collecting will be used, before you go to your constituents and ask them to put their time on the line, and, finally, with regard to management flexibility, we're here in the face of two court decisions, one that we talked about, and one that we haven't talked about, and it wasn't even mentioned, one that brings the hammer and one that vastly is going to increase flexibility in the management of fishing stocks, and that's Framework 17, the Framework 17 ruling.

It's an open door to increased management flexibility and to get away from a blind reliance on a bad data system and mortality only as a way to manage the recreational harvest. I hope to see the Framework 17 ruling brought to bear on our challenging fisheries management issues that we have on this council. Thank you.

MS. GUYAS: Hi, everybody. Good afternoon. Welcome back, Charlie, and welcome, Jimmy, to the table. It's good to have you all at the table again, or for the first time, but you'll do great things. I also wanted to flag the for-hire reporting, the HMS proposed rule, because I do think it affects South Atlantic permit holders, and I think it overlaps, and maybe could disrupt the council's process, or what you all are trying to do in looking at changing SEFHIER and being inclusive and working with stakeholders.

Having a proposed rule out here that kind of already dictates how that's going to move forward may not be -- It may not match up with I think what you all are trying to achieve, and so I guess my point is it would be nice to have a presentation on that, at an upcoming meeting, and, if you haven't had a chance to look at the Gulf Council letter, I think they raise some issues that probably apply to this council, too.

Black sea bass, I agree, and appreciate the conversation that you all had around the table, and I too question what a rebuilding plan is going to accomplish, dealing with the overfished status, given the environmental factors and shifts that we're seeing, and certainly there's more than meets the eye here, and so I think it is -- I think black sea bass may be a regime shift case, and I know the SSC is still talking about that, but it seems like the traditional rebuilding plan path may not be successful here, given the changes that we're seeing, and that's really tough.

I am glad to hear that genetic analysis is being done to help understand what stocks are where, and I'm supportive of the two-step plan that you all talked about in looking at preventing overfishing as a first step, but, you know, it could be that even that might be somewhat out of the council's control, if much of that stock is moved north of the council's jurisdiction, but, anyway, it makes sense to wait to go to scoping until we have catch advice from the SSC as well.

Looking at tomorrow's agenda, you all are going to talk about the Florida Keys National Marine Sanctuary, and it's been a while since you all talked about that, but I know you provided some thoughtful comments on the restoration blueprint final rule, and that's going to come out pretty soon, in the new few weeks or months, certainly by the end of the year, is what I'm hearing, and I know there's been discussions on updates to the protocol for fisheries management in the Florida Keys National Marine Sanctuary.

That will set the processes by which the councils, the sanctuary, FWC, and NOAA all engage with each other on fisheries management issues for the sanctuary, and so, when you all get a chance to talk about that, and look at that document, that's an important one. We encourage the council to work with all the parties involved to address the identified issues and finalize that agreement as soon as possible, so that it can be implemented alongside the final rule to implement the restoration blueprint, and hopefully we can get to a durable agreement that meets the needs of all the management authorities and stakeholders and all the people that have a stake in the sanctuary.

Then I will just say that I'm looking forward to the MRIP discussion tomorrow. Lots of issues there, but lots of opportunities as well, and I'm looking forward to talking recreational data improvements and thank the MRIP team, and Evan, for making the trek down here to sit down and understand our unique issues down here, and so that's it. Thanks.

MR. GRUNDY: Thank you, and good afternoon, council members and staff. Ben Grundy, with the Center for Biological Diversity. Just a quick comment, in regard to Snapper Grouper Regulatory Amendment 36. The Center for Biological Diversity strongly supports the addition of on-demand pots as an allowable gear for the commercial harvest of black sea bass, and we would just like to thank the council, and the staff, for the time that they've spent reviewing comments and moving this amendment forward.

On demand gear, we believe, is a solution to marine mammal entanglements in fishing gear, and its advancement is critical to protecting threatened and endangered marine life and keeping people on the water. We're encouraged by all of the support from members of the council, as well as members of the fishing community, and ask that the council continue to support engagement reduction efforts and act swiftly to expand access and the use of on-demand gear in the black sea bass fishery. Thank you.

MR. GRAVITZ: Thank you, council members. My name is Michael Gravitz, and I'm the Senior Policy Fellow at the Marine Conservation Institute, and I've been following the ups and downs of Amendment 10 to the Coral FMP for a couple of years. I have to say that the deliberations and work on this small fishery have appeared to take up a lot of your time, and some scarce budget resources, over the last few years, a level of effort, and expense, that, to me, seems out of proportion to its small potential benefit to the rock shrimp fishery or fishermen.

In a time of increasing NOAA and U.S. efforts to protect critical habitat and recover marine populations, the effort to trawl in close proximity to some of the last remaining oculina reefs seems out of a different time and a different place. The rock shrimp fishery destroyed 80 to 90 percent of the oculina reefs that grew for thousands of years off the coast of Florida, and I believe it would be a shame to have to protected the remaining reefs, some for decades, only to allow the same fishery to destroy more of it today.

Very little has changed since NOAA Fisheries rejected Amendment 10 in July of 2022. There is very little new information with which to answer the questions posed by NOAA HQ at the time. There's no new information about bycatch in the fishery, let alone species like the snappers and groupers that are known to spawn and use the oculina habitat to grow and feed. The one-week cruise to a small part of the buffer area next to the oculina coral, where the bottom currents were so difficult that only two transects could be accomplished in a week, well, that cruise produced little new evidence about the occurrence of oculina in the buffer strip or how far east high-relief corals may be found. The cruise established that, in less than 1 to 2 percent of the buffer strip, there were no corals. Well, what about the other 98 or 99 percent of the buffer area?

There is no new evidence that opening the buffer strip would have a significant economic impact on the fishery or its participants, and, on the contrary, the recent SAFE report on the shrimp fisheries in the South Atlantic shows increasing rock shrimp catches, increasing CPUE, but declining prices, and maybe declining profits, due to higher costs. There is no evidence on either rock shrimp stock size or optimum yield, and there hasn't been a stock assessment in decades. You have no idea whether this amendment might or might not allow fishermen to achieve OY, if that is an objective of such a proposal.

There is no new evidence about the impact of the potential habitat destruction on the recovery plans for important snappers and groupers in the region, but we do know that the likely impact of

more bycatch, and habitat destruction, will be negative. There is no new evidence about which direction the bottom currents flow, and whether sedimentation from nearby shrimp trawl nets could impact living coral reefs.

Though your process for considering this amendment has been quite deliberate, you have skipped a critical step, by not consulting your own coral experts on the Coral Advisory Panel. You have studiously -- To me, you have studiously avoided asking the coral experts what they think about Amendment 10, or any of the alternatives presented by the IPT and today, and why is that? Without input from your own Coral AP, your own process would look like it was arbitrarily and capriciously ignoring the council's own experts.

Our advice to you is to abandon this entire process and save your time and money for more important and pressing issues. The existing boundaries of the northern CHAPC were originally based on good science and good judgement, and there was no error made at the time on the eastern boundaries. Thank you for accepting this public comment.

MR. JOYNER: First, let me thank your administrator for getting me back on the screen. For some reason, I got thrown off. Good afternoon. My name is Woody Joyner, and I'm a fulltime resident of Hatteras Village. I would like to thank the council for this opportunity to address the snapper grouper two-for-one permit sanction on the commercial industry, on behalf of the board of directors of the North Carolina Watermen United.

Twenty-five years ago, the South Atlantic Council, via Amendment 8, initiated a permit sanction on all commercial permittees desiring to enter the fishery commercially. They would have to buy two permits, and retire one. Permittees, in 1999, that did not meet the pounds per landing threshold were rescinded, which reduced the fishery from about 2,800 to approximately 1,100 permits. Since there is no sunset clause enacted, there are many commercial operators today, in my area, who were asking if the original ruling was a rationalization, or an elimination, since there is no real end in sight for these hardworking watermen.

In 2021, 90 percent of all the snapper grouper permit holders were over the age of fifty, with only 523 active. Today, there are approximately twelve left in all of Dare County, with five being over seventy years old. The permit sanction reduction, along with the single SG 1 permit, at \$50,000, and the single entry permit costing \$100,000 plus, is severely limiting access to the next generation entering the fishery.

Few of the permits appear to be going to the commercial sector, but to the well-heeled recreational fishermen. In truth, it is very doubtful that there are 400 actual commercial permits still valid in the entirety of the South Atlantic. Meanwhile, with no sunset clause, the for-hire industry, that numbered 1,100 in 1999, has ballooned to over 2,300 permits, and counting. Secondly, should not the for-hire sector have a limited entry, or is it only the commercial sector that is saddled with these far-reaching regulations? We believe a for-hire section would add value to their permits and also professionalize their fleet.

As many of us at these public comment sessions point out, the council is mandated to consider the negative socioeconomic impact of not just the harvest of this public resource for the last twenty-five years, but of the many small businesses that benefit from the fishery.

I would like to quote the National Standard 8 of the Magnuson-Stevens Act. Conservation and management measures shall take into account the importance of fishery resources to fishing communities, in order to provide for the sustained participation of such a community. Again, I would like to thank the council for the time and ask that you consider either eliminating or restructuring the snapper grouper two-for-one permit sanction on the commercial sector. Thank you very much, and, again, my thanks to the administrator for getting me on today. Thank you very much.

MR. HAYDEN: Thank you, council, for your time. My name is Andrew Hayden, and I'm here as a concerned citizen and recreational fisherman. I'm also here to speak on oculina. I want to state my absolute opposition to any alternative plans that would reverse current bottom-trawling closures around the oculina deepwater reef. This is an ancient and unique ecosystem that is of national significance, which is why it was protected in the first place and why protections were expanded in 2014. These unique deepwater oculina corals exist nowhere else.

The idea that we are again discussing the destruction of part of such an incredible natural wonder for the benefit of a small number of rock shrimp fishermen does not make any sense. The tradeoff is unconscionable.

I would also like to add that, by protecting this ecosystem, both commercial fishermen and anglers like me, up and down the coast, benefit. The closed area protects critical habitat for juvenile and spawning groupers, including snowy, speckled hind, gag, and scamp, as well as a number of snapper species and many other economically-important species.

If allowed, trawling will absolutely take its toll on the vital reproductive populations within the closed area beyond the destruction of coral structures. As we all know, the council found that rock shrimp fishery trawl bycatch includes 166 species of finfish, thirty-seven crustacean species, and twenty-nine other species of invertebrates. I understand that those numbers are a bit older, but the idea of opening that buffer area to trawling will not be harmful to the oculina ecosystem is frankly dishonest. Trawling, and the resulting sedimentation, will destroy corals, and it will absolutely damage the populations of countless other species within the protected area. Thank you again.

MR. ODEN: Thanks for the opportunity, and thanks for all the previous commenters. All were very well spoken. Anyway, I've got a couple of issues, and the migration of sea bass. There is one thing about sea bass that those of us in Hatteras know, and we have obviously -- We're right here on the line, okay, and, first, I would like to say that line needs to be moved to the state line, instead of right here in the middle, where I ended up originally. I had both Mid-Atlantic and South Atlantic, and, finally, one would shut down, and I would be disallowed to fish in the other complex, and so I finally got rid of the Mid-Atlantic, and it seems like now they've got all the sea bass that we used to have, and that was -- The particular line there right around the 35.05 North coordinates, and, anyway, I can tell you that Charlie Phillips is probably not very happy with me, or maybe he is, and maybe he's catching them down there.

I sold him my sea bass pot endorsement, a couple of years back, because, after being out of the fishery for twenty years, I came back, and, since that time, I have not caught 200 pounds, and I've tried, and that area, which is right on that boundary -- When I left, we were catching twenty boxes a trip, and some might say, well, I was the problem.

Well, I left them biting like that, and I didn't bother with them for twenty years, and, when I came back, they were just not there. I don't know if it's predation from bluefin tuna or the massive amount of sharks that are part of the problem, because, fishermen, if they did catch one, they probably wouldn't get him to the boat, but, anyhow, that is a concern, but there's also one other concern in that fishery, and it's the thirteen-inch size limit, with a seven-fish bag limit, if that's still accurate, and that's what I Googled today.

Originally, I thought that a previous chairman got it to twelve inches, with a ten-fish bag limit, just trying to get the bag limit up, and so it's pretty obvious what's going to happen with that. You know, you're going to be throwing a lot of daggone little undersized back, just trying to get a few thirteen-inch ones, and I think you need to lower the size limit, and perhaps even the bag limit, or maybe you can leave that where it is.

My other concern is I happened to read the allocation review policy, and, after listening for a few minutes there yesterday on triggerfish and amberjack, it just -- You know, it kind of -- It's just hard to swallow. I mean, the way it's worded, if either sector exceeds their ACL for three years - - If either sector underharvests its ACL by 50 percent, in at least three of the five years -- Well, anyway, I mean, essentially, in other words, the goal -- Is it to two-for-one us into oblivion, and, instead of increasing a viable trip limit, you intend to take our quotas, or is it for you to allow the rec for hire to continue escalating, while we're going down the tubes?

I mean, Woody Joyner spoke well there, a few minutes ago, about the mandate this council has by National Standard 8, and, frankly, I sure wish you all would take heed to that, and I thank you for the opportunity to speak.

MR. BELL: Thank you. I'm Mel Bell, and I'm a former council member, and I appreciate the opportunity to speak to you all. I don't have anything substantive related to anything you're dealing with right now, as far as amendments or anything, but I first wanted to thank you for last night, for the recognition that you afforded me. That meant more to me than you will realize, and so thank you very much. That was a big thing for both Patsy and I. You know, you work for forty years at something, and your spouse is there putting up with that for forty years, and she put up with thirty years in the Navy, and she got recognized there too, but I do appreciate that, and thank you so much.

Let me just offer you some encouragement. You know, as you guys know, fisheries management is not an easy thing. It's difficult, and it is complex, and it's extremely important, in that, you know, we're given the privilege of helping to take care of public trust resources of this nation, and so it's a tremendous amount of responsibility, and I really appreciate you guys sticking with it.

I appreciate all the hard work. Having been on the other side of the table there, I mean, I know what all it involves, the sacrifice, but I would encourage you, as the issues continue to get more and more challenging, and the world around us seems to get a little crazier, to stick together, okay? Fisheries management is a team effort, and you guys are a tremendous team. Every team is composed of different folks, with different skillsets, things that they bring to the table to get the job done, you know, and so you're quite a diverse group, and I would encourage you to continue to work with each other.

I'm always amazed at this council, the ability for you guys to disagree about things, but, you know, remain agreeable, and still work together, and so I would encourage you to keep that up. It's only going to get more and more challenging, I think, and so that can be done through respect, and I see a lot of mutual respect in this group, and that's great.

Also, respect for the public, which is -- Again, this is public trust resources that we're managing here, and so I encourage you to just maintain that attitude of respect. Listen to the public, and help, as best you can, to make things make sense for them, and I know a lot of things don't make sense, and I've been on that end of trying to explain things to folks, but they really have to -- You know, you've heard some of it today, a little bit, about things going on, and pick your issue, but, somehow, the public has to be -- To maintain public confidence, and public trust, you've got to communicate well with them as well, and respect them and their participation, and that's part of this team, too.

The team is not just everybody at this table, or the staff involved, and the team is actually, you know, the APs, the SSC, everyone, and the team is actually the public as well, and I will say that the biggest successes that I've seen at state-level management in South Carolina, in my time there, were things that we could get the public to basically take it and run with it, and sometimes that takes multiple generations to get you there, and so it can be frustrating at times, and I'm not telling you anything that you don't know, but stick with it. Again, just, you know, bring them along, and it's, again, so essential for the long-term continuation of the resource, but, again, the public's access to these resources.

I'm just trying to encourage you today. You've had a pretty good meeting, I guess, and you're moving right along, and you're pretty efficient now, and, since I'm not here, you'll probably finish early, but that's all I really wanted to say. I wanted to thank you. It's been a privilege serving with all of you all, and I would just encourage you, again, that respect, and communication, and that's another thing, is communicate. Every team has to communicate internally. Keep it up, and, you know, you guys are -- You guys can do hard things. Hard things are a challenge, but, you know, you're up to the challenge, and I'm real proud of you, and so thank you.

(Whereupon, the public comment session was adjourned.)

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Flowers

Foss

First Name

Bailey

Dustin

Max

Peter

Katline

Alan

Jesse

Christopher

Nell

Myra

Matthew

Julia

Bridget

Haley

Haley

Heather

Jack

Tiffanie

Scott

Judd

Kiley

Tanya

Rick

Angela

Amy

Meaghan

Jared

Kristin

Gentner	BRAD
Gentry	Lauren
Glazier	Edward
Glazier	Edward
Goode	Savannah
Gore	Karla
Gravitz	Michael
Gray	Alisha
Grundy	Benjamin
Guyas	Martha
Gwin	Earl
Hadley	John
Harrison	Alana
Harvey	Claire
Hayden	Andrew
Helies	Frank
Helmey	Judy
Horton	Christopher
Hull	Jimmy
Ives	Nora
Joyner	Woody
KLASNICK	KELLY
Keppler	Blaik
Klibansky	Lara
Knowlton	Kathy
Larkin	Michael
Lazarre	Dominique
Lee	Max
Lorenzen	Kai
M Borland	Gary
Malinowski	Richard
Marhefka	00Kerry
Mason	Gina
Matter	Vivian
McGill	Maria
McGovern	Jack
Mehta	Nikhil
Mendez Ferrer	Natasha
Murphey	Trish
Neer	Julie
Newman	Thomas
Oliver	Ashley
Package-Ward	Christina
Patterson	Nicholas

Phillips	Charlie
Potter	Caroline
Puglise	Kimberly
Ramsay	Chloe
Records	David
Reed	John
Rojas	Pearl
Roller	00Tom
Rule	Erica
SCHLICK	CJ
Salmon	Brandi
Sedberry	George
Seward	McLean
Shervanick	Kara
Silvas	Rachael
Sinkus	Wiley
Smit-Brunello	Monica
Stemle	Adam
Stephen	Jessica
Stephens	Haley
Sweetman	CJ
Thompson	Laurilee
Thompson	00Laurilee
Travis	Michael
Voss	Joshua
Waldo	Jennifer
Walsh	Jason
Walsh	Mick
Wesner	Taylor
Wheeler	Kevin
White	Geoff
Whitten	Meredith
Wiegand	Christina
Wilber	Pace
Williams	Erik
Williams	John
Withers	Meg
Wolfe	Jordan
Zales	Bob
broussard	billy
carmichael	01 john
colby	barrett
collier	chip
eldredge	laura

gloeckner	david
griner	tim
iverson	Kim
I	i
marinko	Jeff
moss	david
oden	jeff
sandorf	scott
thomas	suz
vara	mary
Adisa	Sylvia
Alger	Brett
Berry	Chip
Brown	Sydney
Caraballo	Leysha
Cardenas	Roberto
Cheshire	Rob
Christmas-Svajdlenka	Anna-Mai
Cimo	Laura
Clarke	Lora
Degan	Jacqui
Delrosario	Leeanne
DiJohnson	Alex
Doolittle	Cedric
Finch	Margaret
Franco	Crystal
Franke	Emilie
Gooding	Elizabeth
Green	Matthew
Grist	Joseph
Hogan	LeAnn
Hollensead	Lisa
Iverson	Kim
Kerns	Toni
Kittle	Christine
M	Charlotte
M	Charlotte
M	Charlotte
Masi	Michelle
Moore	Jeff
Ostroff	Jenny
Ott	Emily
Pease	Thomas
Perry	Simona

Porch
Reilly
Reinhardt
Scott
Smart
Sramek
Stewart
Walia
Walsh
Walter
Wamer III
Willis
carvalho
vecchio

Clay
Greg
James
Rebecca
Tracey
Mark
Mark
Matt
Jason
John
David
Michelle
avelino
Julie