

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPER ADVISORY PANEL

**Crowne Plaza
Charleston, SC**

April 24-26, 2019

SUMMARY MINUTES

Snapper Grouper Advisory Panel Members

James Hull, Jr., Vice Chair
James Freeman
David Snyder
Randy McKinley
Robert Freeman
Robert Lorenz
Andy Piland
Jim Moring
Cameron Sebastian

Vincent Bonura
Rusty Hudson
Jim Atack
Jack Cox, Jr.
Dr. Todd Kellison
Fentress “Red” Munden
Gary Manigault, Sr.
Lawton Howard

Council Members

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Observers and participants attached.

The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council convened in the Crowne Plaza, Charleston, South Carolina, April 24, 2019, and was called to order by Vice-Chairman Jimmy Hull.

MR. HULL: This is the spring 2019 Snapper Grouper Advisory Panel meeting. I will be the chairman of this meeting, and I'm asking every advisory panel member for full participation through questions and comments or concerns throughout the meeting. We have all given up a lot to be here, and we all represent different sectors and gears and stakeholders, and your input is needed badly, and so let's have eyes open, wide open, and let's begin.

The first item of business is going to be approval of the minutes. The minutes of the last meeting, you have all had an opportunity to read, and is there anyone that would like to change the minutes from the last meeting? No changes? Then we will accept those minutes and move on.

Usually, at the beginning of these meetings, we have time for public comment, and so, at this time, I think that we should invite anyone in the audience that would like to submit public comment to come forward and give that comment. I know we have one, I believe.

MR. SURRENCY: First of all, my name is Ron Surrency, and I would just like to thank all of you all of you all for giving me the opportunity to drive here today and give you my public comment about my fishery and give you an explanation of who I am and what I do. My name is Ron Surrency, and I have a couple of boats. I've got a bandit/dive boat out of Jacksonville, Florida, Mayport, and our main fishery is spearfishing. We bandit fish, and I have been in and out of the shark research fishery and the golden tile fishery, but, when all else fails, I go back to spearfishing, because that's where I started, and I have seen and learned the best at.

I know you all have had some concerns, and we put some topics towards the spearfishing group, and so I wrote a comment, and I would just like to read my comment. After I read it though, I am going to probably stick around all day, or I will definitely stick around all day, and I will probably spend the night and be here tomorrow, and so, if anybody has any kind of questions that I could clear up or give you my opinion on, I would be more than happy to talk to any of you all, and so here it is.

Spear and powerhead divers are the smallest user group in the South Atlantic, and they have the lowest bycatch and dead discards, and no discards. We already have commercial trip limits in place for basically every species that are managed in the South Atlantic. The recreational spear fishermen are limited to the same as hook-and-line and charter fishermen. How they choose to catch their grouper or their limit of fish is really their right, and so they're already under the same limit.

The landings, according to Myra's report, of all snapper grouper species from 2007 to 2017 was about 7.5 million pounds each year, and, out of that 7.5 million pounds, 280,000 pounds, or just under 4 percent, was actually caught by spear. That was back in the heyday, and I'm just going to go off topic just real quick, but that was back in my heyday, and my people -- The people that I looked up to, it was back in their heyday. There was a lot more dive boats out of Florida, especially north Florida, and that was like the biggest area.

On the commercial side, that has drastically changed, and I'm basically the only commercial dive boat left in the Mayport area, and I don't do it full-time. I am not getting any younger, and so I don't get in the water nothing like -- Come hunting season, I stop, and I haven't been in the water for going on six months now, and so, the recreational sector, yes, it's getting a little bit bigger, but, overall, there is so many more people in the water fishing, period, compared to 2019 and what it was back in 2007, that it ain't like this giant increase of divers versus the overall people that's out there in general.

If we did away with the vertical line fishing, we would have a lot more fish to harvest across-the-board, because the numbers that are driving the stock assessment are uncertainty with dead discards and release mortality, and so it would take all of that out of the equation, which would probably give us a whole lot more fish to harvest.

Divers cannot efficiently fish as deep as other user groups. A large part of the grouper habitat is hook-and-line only. Most of the large male gags can be found below 160 foot and beyond. Barotrauma is much worse outside of twenty-seven fathoms, and release mortality is high. Inside of 150 foot, where I dive, over 90 percent, and it's more like 99.9, of the gags harvested are fifteen to twenty-pound female fish. When I do harvest the male, it's like a trophy. In that depth or range, I don't see that many of them.

A diver can carefully select the sex and size of each fish harvested. With rigid trip limits firmly established for both the commercial and the recreational sector, the focus of management should be on reducing dead discards and release mortality. Spearfishing and powerhead use are the only gear type that can claim to approach no dead discards and zero release mortality versus huge barotrauma issues on hook-and-line, as well as the major predation problems.

Spearfishing is a far cleaner method of harvest, which fits nicely with National Standard 5, conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources, and it's said that no such measure shall have economic allocation as its sole purpose. I don't know what I just read, but Jason made me write that.

The presentation shows that there is no statistical or scientific leg to stand on and any reason to slow or further limit through new management or stop commercial spearfishing. Spearfishing is landing well under the ACL, and it makes up a tiny fraction of the overall commercial harvest of just under 4 percent.

Spear fishermen have no representation on the AP panel, and, because our fishery is so clean, it hasn't really been an issue until the AP panel wants to start sending recommendations to the council based on jealousy, discrimination, and prejudice instead of best available science, and so, due to the lack of representation on the panel, the anti-spearfishing motion should be viewed as biased and taken with a grain of salt. Management should be based on the best available science and not the preference of individuals or the jealousy of a hook-and-line fisherman.

If we need to reduce the catch rate to protect a certain species, we don't need to be attacking the smallest user group in the fishery. Instead, look at the harvest as well as accidentally killing the most, due to high release mortality and dead discards.

Then, last, but not least, while we're all busy hating on divers, there is a new species in town that eats everything and reproduces constantly and is taking over habitat, displacing traditional species like black sea bass and everything else. I say good luck on that in North Carolina, because they really love your habitat up here, and so, to add to that, in my last couple of years of being really active in the lionfish fishery, and the people in the Gulf, the divers in the Gulf, and down through the Keys are crying that they're not seeing the biomass of that species like they were, and I am thinking that the whole biomass has shifted to the Carolinas, and so that's all I've got to say about that, and thank you, all, for your time.

MR. HULL: Thank you, Ron. We appreciate that comment and the information that you've given us on your sector and your gear type. I think the next order of business would be to approve the agenda that's before us. Unless anybody has any concerns about this agenda, I will approve it. Okay. Seeing none, we will move forward.

David Moss could not attend this meeting, and so, therefore, I, as the co-chair, am here chairing the meeting on his behalf. We would like to move forward now to welcome our new members. The first new member is Cameron Sebastian. You will get a chance to re-introduce yourself when we go around the room. We also have Lawton Howard. You will get a chance to tell us where you're from when we go around the room. We are going to go around and introduce ourselves, and then we're going to have a communication with the Executive Director, Gregg Waugh, and so I think we'll start over on this side and go counter-clockwise, just for something different.

MR. PILAND: Andy Piland, charter boat, North Carolina, Hatteras.

DR. KELLISON: Todd Kellison, NOAA Fisheries, Southeast Fisheries Science Center. I'm at the lab up at Beaufort, North Carolina. Just a reminder that I'm a non-voting member of the panel.

MR. R. FREEMAN: Robert Freeman, charter boat, Atlantic Beach, North Carolina.

MR. MCKINLEY: Randy McKinley, snapper grouper permit holder and federal dealer, North Carolina.

MR. MORING: Jim Moring, Charleston, South Carolina, restaurant owner.

MR. MUNDEN: Red Munden, and I live in Morehead City, North Carolina, and I'm a retired marine biologist from the North Carolina Division of Marine Fisheries.

MR. SNYDER: Dave Snyder, restaurant owner and part-time charter captain from St. Simons Island, Georgia.

MR. COX: Jack Cox, Morehead City, North Carolina, commercial.

MR. MANIGAULT: Gary Manigault, charter boat captain, Charleston, South Carolina.

MR. SEBASTIAN: Cameron Sebastian, operations manager of Little River Fishing Fleet, Hurricane Fleet, Coastal Scuba, and I operate charter boats and shrimp boats and commercial fishing vessels and spearfishing.

MR. HULL: Jimmy Hull, commercial sector, Ponce Inlet, Florida.

MR. J. FREEMAN: Jim Freeman, commercial sector, Daytona Beach, Florida.

MS. JEFFCOAT: Deidra Jeffcoat, charter boat, Savannah, Georgia.

MR. HOWARD: Lawton Howard, St. Simons Island, avid recreational fisherman.

MR. LORENZ: Bob Lorenz, recreational fisherman and private boat owner, Wilmington, North Carolina.

MR. BONURA: Good afternoon. I'm Vincent Bonura, a commercial fisherman, representing Going Off Enterprises, Inc., out of Florida.

MR. ATACK: Jim Atack, Oak Island, North Carolina, charter/for-hire and commercial spearfishing.

MR. HUDSON: Rusty Hudson, Directed Sustainable Fisheries, a consulting company, and I'm a sixth-generation fisherman, private and for-hire and commercial.

MR. HULL: Okay. Thank you, and just to note that David Moss and others that aren't here will be listening in on the webinar and participating as best they can from a distance, and so, I guess at this time, Executive Director Gregg Waugh would like to have the mic.

MR. WAUGH: Thank you, Mr. Chair, and good afternoon. I know most of you and have worked with most of you for quite a number of years. The council asked me to talk with you all about how you can be more effective in getting your input to the council and having them hear what you have to say, and I know there has been some frustration, going back and forth, over the past couple of meetings. Sometimes you all feel like the things that you suggest aren't -- That the council isn't implementing them, and that can be very frustrating.

I just wanted to reiterate that the advisory panel provides recommendations to the council, and the council is now giving you a list of topics that they want input on, and they can't get through everything you all suggest at each meeting, and so it may take a couple of meetings for them to hit on all your topics, and so don't be frustrated if, at the first meeting, you don't get all of your topics addressed.

I think the best way I can present this to you all is the way that I sort of think about it when I interact with the committees and particularly the council. I figure that I've got a certain number of chips to play, a certain number of times to get up to the table and say something. Otherwise, you start getting the hairy eyeball that you're speaking too much, and so you don't want to overdo it, and I think it would be helpful for you all to focus in on the questions that the council is asking you to address and comment on those items first. Certainly, when you get to Other Business, you are free to talk about other things, but try and keep them to things that are relevant within the council process that the council can take action on.

I think a good example of this is you all have commented about the council make-up. Well, that's nothing that the council can do anything about. You all certainly, in your private roles, can affect

that, but, as a Snapper Grouper AP, there is really no role for you to provide recommendations, because your recommendations would go to the council, and there is nothing the council can do. That is a decision that is up to the governors in each state to put those lists together.

I think, if you all -- I understand your frustration about things like that, but I think if you can focus your recommendations on things that the council can take action on and can actually do, if, in association with a meeting, you all want to get together after the meeting and come up with a strategy to deal with some of these other topics that are sort of outside of the council process, you're free to do that, but there's just no real way that the council can take action on those items.

Another area that I know has been frustrating with you all is there are some topics that you all have brought up before, and the council has considered them, and the council has decided not to go forward, and a good example is limited entry in the for-hire sector. On topics like that, that you all certainly have strong feelings about, and the council has strong feelings about, you all make a recommendation, and the council considers it, and they take their action. If it's not what you want to see, I would say keep kicking that hornet's nest. You have to weigh the benefit that you get from doing that versus just focusing in on the other topics that you have a better chance of them listening to without feeling like, well, we already considered the AP's input, and, just because we didn't do it, now they're coming back at us again.

Those are just some suggestions for how you all can be more effective in providing your input to the council and have a better chance of seeing them address your topics, and I would be glad, Mr. Chairman, to answer any questions that there might be.

MR. HULL: This is a good opportunity, if you have some questions for Gregg Waugh, to bring them forward. Does anybody have any questions concerning our relationship to the council and some of the decisions that we come up with and how they go to the council and how they're dispersed in the council process and paying attention to the items that the council is asking us to address and get input on? They are specifically asking us for our input on specific items, and we should definitely concentrate on that, so that they can hear us on the items that they're working on. Does anybody have any questions on that?

MR. WAUGH: Okay. Great. I will be here the rest of today and for a little while in the morning, if anybody wants to talk with me one-on-one. I would be glad to. Thanks, Mr. Chairman.

MR. HULL: Thank you, Gregg. We will move on to the next order of business, which should be Item Number 1, which would be the Status of Amendments Under Development or Under Review. This is going to be Attachment 1 in your briefing book, and Myra is going to go forward with this presentation.

MS. BROUWER: Thank you, Jimmy. As usual, the first thing I would like to do is remind everybody of what the council has been up to, as far as snapper grouper amendments, and so I have a little update, and I will just go through one-by-one, and feel free to stop me if you have questions or need clarification, and so this is, as Jimmy said, Attachment 1 in your briefing book.

First off, there were two vision blueprint amendments that we worked on for a couple of years. I am happy to say that they have both been submitted to NMFS, and I wanted to remind you of what ended up being proposed. For the recreational amendment, recall that one had six actions, and

three of them, the ones pertaining to the deepwater aggregate, the deepwater season for the recreational, and changes to the aggregate, those did not go forward, or the council chose to take no action at this time, and they talked about it at their December meeting in Kitty Hawk, and that's when they approved this amendment for submission to the Secretary.

The three remaining actions are to remove the minimum size limit for the three deepwater snappers, reduce the minimum size limit for gray triggerfish off of east Florida only, and make a change so that, within the twenty-fish aggregate, only ten fish are allowed to be of any one species, and so those are the three actions that have been moved forward for review by the Secretary.

The other amendment, you all worked on this one really hard last year, and it was submitted to NMFS back in January, and so we're going to get a status of where that is in the review process, and this is the one that deals with the commercial management measures, and so I'm not going to go through all the actions, but all of these were approved, and the council had several preferences where we're establishing split seasons for several species, a trip limit change for blueline tilefish, changes to the size limit for almaco jack was put in place, a trip limit for the other jacks complex, again a reduction to the commercial minimum size limit for gray triggerfish, and all of those have been submitted to the Secretary. Are there any questions on either of those amendments?

The next one that I wanted to remind you of is Abbreviated Framework 2, and this is the one that put in changes to the catch levels for vermilion snapper and black sea bass based on the latest stock assessments for those two species, and this is getting ready to go online on May 9, and so, up on the screen, you can see the new ACLs for vermilion, and this is in pounds whole weight, and so, for vermilion, there's going to be a bump-up of the ACL, and so, currently, the total ACL is at about 1.2 million pounds. In 2020, you're going to get a bump to 1.4, and so you can see, over here on the table, the commercial ACL and the recreational ACLs and what those are going to be moving forward through 2023, unless the council modifies it.

For black sea bass, we're looking at a reduction in harvest for that species, and so, currently, the total ACL is 1.7 million pounds for 2019, and that would go down to 760,000 pounds, which then is divided up between the commercial and the recreational sectors. As I said, that comes online on May 9. Any questions?

MR. LORENZ: Just a quick question, so I understand a little more. With vermilion snapper, I guess it was determined to be -- It's not overfished, and overfishing is not occurring, and you thereby can increase the ACL, and what was the purpose or logic in -- The bump-ups the first year and then it fades back, and what's the purpose of the fade-back?

MS. BROUWER: It's not a fade-back, but it's one of those situations, and I just looked back at John Carmichael over there, because he's really good at explaining this, but my understanding is that you have a certain amount of biomass, and so you are going to be fishing it down over time, and here comes John.

MR. CARMICHAEL: Myra, you're exactly right. Vermilion snapper, in the terminal year, was like 1.5 times BMSY, and so we want to be at BMSY, and we're above it, and so, from fishing at the allowable fishing mortality rates, the council can take advantage of that extra yield, that surplus that is available in the fishery right now, but what they're doing over time is they are lowering the biomass each year by taking more than we think really the stock is going to produce, on average.

The available harvest is going to go down each year, as that stock makes its way back toward BMSY, and, at some point, it will level out at whatever yield is associated with the P^* and fishing mortality rate the council is going to fish at over the long term, and so it's really a matter of you've got a really abundant stock right now, and the council wants the fishery to take advantage of that by taking a higher yield, but it means that, over time, you're going to see lower yields as that stock declines, but, overall, you're getting much more than we would expect you would over the long term, on average.

MR. MANIGAULT: I've got a question in regard to the black sea bass. I see that there was a decrease in both sectors, and, once again, always the commercial guys get the most. Can we define which particular sector affected decreased the most, and was it because of the fact that the commercial guys are harvesting at eleven and the recreational guys are harvesting at thirteen? My question basically is who affected it the most?

MR. CARMICHAEL: By affected it, you mean who is responsible for the current condition of the stock? I don't think that we have looked at it in that regard. The council hasn't looked at the mortality rates, say commercial versus recreational, to attempt to establish something like that. That's not something that they could, but, in terms of when we look at it and when we make the scientific recommendations, we don't really get into that aspect of it.

MR. MANIGAULT: So then why, once again, we have one particular species, the commercial and the recreational sector, are fishing it at different lengths. The commercial guys can harvest it at eleven, and I know I'm going to hear from Jimmy, and the recreational guys have to pick this up at thirteen inches, and it's not fair. It's not fair.

MR. HULL: Thank you, John, for answering that. Gary, there is some other people that want to speak up to this topic, and Jim was first and then Jack.

MR. ATACK: Your explanation on why we have a larger ACL and then it drops, I guess that's because we're not going after the MSY, and, I mean, if we pick something in between, we wouldn't be fishing the stock down so much. Therefore, you would have a higher sustainable yield over time, right? I question why the council made that choice, or you all made that choice, versus going for the MSY.

MR. CARMICHAEL: That's something the council could have done, yes. They could have left that yield, that surplus, in the water, so to say, and just managed it at whatever we think is the level of the long-term average yield, and so say the OY over time, which would be something below the MSY, but, in that case, if they were to do that, then they would be potentially leaving those fish out in the water and not allowing the fishermen to capture them.

Because there is so many situations where the council is forced to lower yields in response to lower biomass and dealing with overfishing situations, they really felt like, in this case, it was in the best interest of everybody to take advantage of this surplus for however long it lasts and let the fishermen go ahead and harvest them, but, yes, they could have harvested at a lower level and just left those fish out there, and they could contribute to more population growth, or they could end up dying faster of natural causes and other things, and so you kind of don't know what's going to happen, but the council thought the best move here for the fishery was to go ahead and take

advantage of the surplus that's now available, but, yes, there is other ways they could choose to deal with situations where biomass is greater than BMSY, and I think that would be a kind of topic that the AP could take up in general terms when we're looking at situations like this.

MR. ATTACK: Yes, and I agree with increasing the ACL, but, when you see that you increase it so much that you know that you've got to decrease it, it sounds like we're overfishing and not doing the MSY, and so I agree with increasing it by a certain amount, but is it really the right amount? If we know that we're going to have to decrease it the year after, the year after, the year after, I just question that maybe we shouldn't have taken it up so much that first year and then made that more consistent over time, and the fishermen would have a more consistent ACL.

MR. COX: John, is it not true that the recreational discards were at such a rate that we had to be more conservative in the way that we approach that stock? The assessment was showing that the recreational discards were high and that we had to lower the ACL, and is that correct?

MR. CARMICHAEL: Did you shift over to sea bass? I mean, there is no doubt that the recreational discards are high, yes, and that's certainly one of the issues that the fishery is facing, and most of those discards are smaller fish, because the recreational fishery has not been catching its ACL, in terms of landed fish, and I think that's the point that Gary is kind of getting at with that, right? I mean, that's the bottom line of that point, yes.

MR. MANIGAULT: That's my point. I mean, we are catching them. We aren't at eleven, and so we're throwing them back, and that's affecting it.

MR. HULL: Anyone else on this topic?

MR. HOWARD: From a recreational perspective, because I think I'm the only one here that I heard is recreational, talking about vermilion in particular, will this impact in any way our limit per trip, because, otherwise, it's almost useless, unless you've got unlimited time and unlimited money, and, in Georgia in particular, we have to run about forty or forty-five miles each way to get into them, and so I'm not really sure what good this would do us, truthfully. On an overall basis, I understand it, and the entire fishery, but can this translate into an increase in the per-trip limit for the rec guy?

MS. BROUWER: The council can certainly decide that it's time to change management measures. For sea bass, they have not had those discussions yet, and they are aware of the issue that we have with the discrepancy in the minimum size limit for commercial and recreational, and we talked about the discard levels, and so the council would have to give us direction to get started on what they want to do, and that's where advisory panels can provide input and say, hey, council, we would like you to consider some changes in management of Species X, but, until those discussions happen at the council level -- That's how the whole thing happens, and I go into that in much detail because I know you're a new AP member.

MR. HOWARD: I was really talking about the vermilions, because we're limited to five, and, to be honest, that's a long run, and we do it anyway, but I'm just asking for us, and my point is that this new limit is great, but will it really benefit us in the long run?

MR. HULL: That is points well taken.

MR. PILAND: First, a question for my benefit. Does the vermilion snapper recreational part normally close during the year?

MR. CARMICHAEL: I don't think their AM would close, right, because they are not overfished and not overfishing. It's funny, but I was just asking Myra the same thing, to see if she knew how close they had been coming to their ACL in recent years, and I'm not sure, off the top of my head, but that's certainly something that is probably worth looking into.

One thing we would think, theoretically, is there is more fish out there, and so trips should overall be more successful. Whether or not that is enough to make sure that you're coming close to your ACL or not, I don't know, but I think that's a good point that the council could look at, is what has the ACLs been and how likely are you to catch that ACL under the five-fish bag limit, and is it something that maybe needs to be raised, but I don't know the answer to that right now.

MR. PILAND: My memory is not the best, by no means, but I do not remember the recreational sector having a closure in recent years.

MR. CARMICHAEL: Chip has probably called it up while we were talking. It's a great team that we have around here. Ask, and you shall receive. Vermilion caught 74 percent of their ACL in 2018.

MR. PILAND: I would echo Mr. Lawton's question as to how the recreational sector would be able to access the change in the limit without a creel limit addition or adjustment. Thank you.

MR. SEBASTIAN: When I look at the black sea bass in particular, that's an exceedingly scary number to me, to see over a million pounds being taken out, and, when I think back to I think 2010 or 2011, something like that, when the black sea bass got closed down totally, it was absolutely devastating for the inshore charter/headboat businesses, because what do you tell somebody? Well, we can take you fishing, but you can't keep a damn thing on the short trips?

If these are the numbers going forward, then I feel that we've got to have some mechanisms in there that we will be able to keep the fishery open at all cost for charter and headboat and recreational, no matter what we length we have to go to, because that is an absolute devastating business killer, if you have to tell your people that you cannot retain fish.

As of right now, we try to sell entertainment on the half-day trips. We'll say, hey, you're going to catch a bunch, and you might keep one or two, and that's truthful, but they still have the -- I don't want to say illusion, but they do have the illusion that they can still go catch stuff and bring stuff back, but, when it hits the bottom line of 366,000 pounds, and we hit that limit, and then, all of a sudden, we're shut down, and my banker is going to be looking at me like, no, you still owe us a couple million, and that's going to be tough.

MR. ATACK: That's a point well mentioned. I mean, we're talking a 60 percent reduction in the ACL, and, a few years ago, we changed the creel limit on black sea bass from five to seven, even though we weren't getting the creel limits at that time, which made no sense to me why we did that, but now that you've got a 60 percent reduction in your ACL, and we're going to do that -- If we don't change the creel limits on the black sea bass, we're going to be right where Sebastian is

talking about, is we're going to be closing recreational fishing for black sea bass come November or December.

MR. CARMICHAEL: It's sort of hard to know how it's going to go. In recent years, the landings of sea bass have been 330,000, or 380,000, and they've been -- They were 400,000 in 2014 and 2015, but they have been mid-threes since that time, and so we don't think that this is likely to lead to a closure, but, again, you never know the combinations of availability and effort and how things come together, and so we're not expecting this to lead to a closure in sea bass.

MR. MCKINLEY: Recreational may not, but I am very concerned about it in commercial. I mean, we don't even catch bass, but, when we start targeting inshore gags in November and December, I already know this is going to affect us. It's going to close, and it makes just no sense. I mean, it's stepping back into a lot more discards and stuff, and so we're not happy with this.

MR. COX: Just one quick question. When is our next assessment due for black sea bass?

MR. CARMICHAEL: I think it's about two to three years out. It kind of depends. We're still picking up from the shutdown and dealing with this MRIP data, and so it might be closer to three years out at this point. We just did one, and we looked at it I think last fall, and so it hasn't been that long, and so it's a couple years out at this point, and so we'll know more then, and we'll be able to bring in better all of this new MRIP estimated data at that point too, but it's probably a couple of years out.

MR. HULL: Okay. Any further questions or comments or concerns on this subject? You know, we have done fishery performance reports on vermilion, and I believe we did one recently on bass, and so some of the questions on the recreational side of how successful have you been at catching your limits would be in there for information purposes for the council, to see if they need to make some type of adjustments up with the increase.

Also, on the black sea bass, the council members are here, and they're hearing us, and so how important is it to have the bass fishery open for everybody, basically, but for inshore charter trips? It's vital to have those fish available, and so maybe the council needs to think about implementing something on trip limits to try to make it last longer. I mean, the fishery is basically -- In my view, it's a discard fishery, recreationally. I mean, off of our inlet, they're lucky to keep one out of twelve or fifteen or something. It's pretty bad, but at least that gives them some action. If there is no further questions, we'll move on. Thank you, Mr. Carmichael.

MS. BROUWER: Okay, and so, moving on, another amendment that you may have been hearing about, and it's kind of been on the back-burner for a little while, is on blueline tilefish, and so we had put Amendment 38 sort of as a placeholder to address catch levels of blueline tilefish that came out of the SEDAR 50 assessment for that species, and so just a little bit of background.

SEDAR 50 was reviewed by the Scientific and Statistical Committee, and there was then -- The Mid-Atlantic Council wanted to have their own management for blueline tilefish in their area of jurisdiction, and so there was this issue of how are we going to deal with the fact that some of the projections from the assessment only went to Cape Hatteras, which is not along the border between the Mid-Atlantic and the South Atlantic Councils, and so we had this conundrum of how are we going to figure out an appropriate catch level that covers the area between the North

Carolina/Virginia border and Cape Hatteras, in order to make sure that those fish are put in the South Atlantic ABC.

All of that has been sort of happening in the background, and the Scientific and Statistical Committee met a couple of weeks ago here in Charleston, and they talked about blueline tilefish. The council is going to discuss this amendment a little bit in June, and there isn't actually an amendment right now. As I said, it's sort of been a placeholder for whenever the council receives the recommendation from its SSC, and so that one is going to be coming up this coming year, and so you guys will be talking about blueline tilefish I would say maybe in the fall, when you reconvene in the fall.

Another amendment that we submitted, I believe this morning, is Amendment 42. This is the one that deals with requirements for sea turtle release gear, and you guys talked about this, I believe last time you met, and it may have been last spring, and so that amendment just went in for approval this morning.

One that also been in the background, sort of just sitting there, is Snapper Grouper Amendment 46. This is an amendment that deals with recreational permitting and reporting. The council moved some things around. Initially, this was part of the whole visioning thing. Remember there was an amendment that had a whole bunch of actions, including this one, and they split it out, and it ended up in Snapper Grouper Amendment 46, and the council has been busy with other priorities, but they haven't forgotten about it, and so it's still there, and it's likely that we will continue to work on that amendment this year, and you will be able to see what's going forward in that one.

Regulatory Amendment 30, this one addresses red grouper, and so red grouper had a stock assessment recently, and it is overfishing, it is undergoing overfishing, and it is overfished. The council took action to address the overfishing when they implemented new catch levels through Abbreviated Framework 1, and that was effective last year. They still have to adjust the rebuilding schedule, which is a requirement when you have an overfished condition, and so they're doing that through Regulatory Amendment 30.

Recall that we also had actions in the blueprint amendments that dealt with potentially lengthening the spawning season closure for red grouper off the Carolinas, and so those actions ended up in this amendment as well as what you all had recommended, which was a commercial trip limit for red grouper. You had a lot of discussion about making sure that there wasn't going to be a targeted fishery, because it's in such bad shape, and you all recommended a bycatch allowance or a trip limit, and so the council is moving forward with that action in this amendment. They are going to be approving it for formal review in June.

MR. COX: Can I interrupt you on Amendment 30 for just a second? When a stock is in such shape as this, and it's overfished like it is, and we've seen the decline of the ACL over the years like we have, why wouldn't it be an option that the council would take to close this and do it the same way we did red snapper, to rebuild it, and was there any discussion on that?

MS. BROUWER: There was not, and I am not going to venture to tell you why that wasn't discussed. I suspect it's a very contentious and complicated issue, but, yes, red grouper is not doing well. The previous rebuilding schedule, the one that we're currently under, didn't -- Things weren't going to improve in 2020, and, even at a very low fishing rate, it's going to take some time

to rebuild, and so that's the one action that looks at rebuilding, and this amendment looks at how long it's going to take for the population to have a 50 percent probability of rebuilding. I can't quite remember which -- I think it's a five-year or a ten-year timeframe, and I'm looking, but John Hadley is not here.

Moving on to Regulatory Amendment 32, we had some discussion on yellowtail last time we met, and we did a fishery performance report for yellowtail, and remember, at the time, the council was looking at changing the accountability measures to remove the in-season closures for that fishery. When we got back together with the council in December, and we presented to them the analysis and the input from the advisory panel, they chose to stop work on that amendment, and so that one never went forward, and so nothing is happening there.

Then we have Regulatory Amendment 33, and this one is one that we just started working on, and the council gave us guidance to begin work on this in March, and so this came up, and we talked about the recreational season for red snapper that NMFS briefed the council on how long it would be, when it would start, and the council talked about they would really like to have more flexibility, because, when a bad weather event happens, and it blows out two days, then that really impacts those very short openings for red snapper, and so they've directed us to start looking at options that would change the start dates for both recreational and commercial.

The guidance they gave us actually is right here, and I put the motion in there, so that you all could see exactly their guidance, and so it's to look at different start dates and also look at maybe removing the provision that would prevent a season from happening if the projections showed that it would be three days or less, and they also would like to maybe change -- How did they word it? Revise the days of the week that the recreational harvest would be allowed during an open season, and so, right now, it has to happen Friday, Saturday, Sunday, together, and so some council members said, well, if we only get five days, can't we spread it out and have it maybe the next three Saturdays, or whatever, and so that's the kind of stuff that we're going to be looking at in this amendment, and the council is going to be talking about options for that in June and potentially approve it to go to public hearings sometime this summer. Any questions on that one?

MR. ATACK: I guess we'll be able to make comments and suggestions on that later at this meeting?

MS. BROUWER: Well, like I said, it's very early on, and so we don't really have any actions and alternatives fleshed out. We're going to show the council what we've thought about since March in June, and so you would have a chance to comment on it. It depends. If they want it to go really quickly, it would potentially get approved in September, if they decide to go through with any changes, and so, as far as having AP input, it wouldn't be at a meeting, and so, if you would like to talk about it some more, it's up to the chairman.

MR. HULL: I think that let's let Myra finish her review of the amendments, and then I will ask for questions or comments or concerns on those amendments, and so just hold off.

MS. BROUWER: The next one is Regulatory Amendment 34. Again, this is another one that just came up. North Carolina requested that the council consider designating I believe it's thirty areas off their coast as special management zones, and so these are permitted areas that are artificial reefs, and so they would become SMZs, and so there would be some restrictions for the types of

gear that you can utilize in those areas. South Carolina also would like to extend SMZ status to an additional four artificial reefs off their coast, and so we're going to be working on this amendment this year and bring that back to the council when they tell us that they're ready for it.

Then I think this is the last one, the for-hire electronic reporting amendment. This one, you have heard about plenty in the last year, or maybe two, and it's been submitted, and we are awaiting publication of the final rule. We have not yet heard, and my understanding is that the agency is trying to coordinate with the Gulf, so that their amendment and our amendment might be implemented close to about the same time, and so that's sort of been the hold-up, not to mention the shutdown earlier this year, and that kind of threw a whole bunch of things off-track. Any questions on any of the amendments that I have mentioned?

MR. ATACK: It sounds like, if we want to make comments on any of these things, now is the time to do it, versus later in the meeting, today or tomorrow or the next day.

MR. HULL: Well, except that, as she noted, on the red snapper, it sounds like Amendment 33 that you want to comment on in particular, or others?

MR. ATACK: Yes, and can you bring that back up with the comments that the council made? I guess a lot of feedback that I've got from the different participants in this fishery is that, the way it's set up now, it really promotes derby fishing, and people make poor choices with fishing versus weather, and, really, if the whole purpose and intent of this is to allow more red snapper to come home, without bycatch mortality, I think we should try to, when we do the amendment, look at removing the derby incentives for this fishery, but still allowing the same amount of fish to come home, and so I think the council should really look at that.

One option is to, instead of having a derby fishery, where we have three days, and everybody gets one fish, is to cut the boat limit to maybe one per person or something, and allow it really to be a bycatch fishery, where the fishermen keep the fish they catch, versus going out there and targeting for X number of time. The rest of the year, you're still got all the bycatch mortality, and so what have we really done for the fishery? Then we really shouldn't be opening these mini-seasons in July during the spawning season of red snapper, and so a different time of year, after they have spawned. If we're going to still do a two or three or four fish per boat deal, it should be outside of the spawning period.

MR. HULL: Jim, those are points well taken, in my opinion, and, of course, red snapper is a subject that we could talk about for a long, long time, but, I mean, you are free to -- If you would like to make a motion for discussion, or for further discussion, make a motion, and we could discuss it, or, if you want to -- Again, it's something that we could make some recommendations. The AP could make some recommendations on the red snapper management of this amendment, I suppose, and so what do you want to do?

MR. ATACK: One other comment is I guess the commercial season really has had a hard time meeting their limit, and so it has stayed open for a long period of time, but I still don't see a problem with moving that to right past the spawning season. **My recommendation, I guess, or motion would be to make -- It's, whatever fishery season we do for red snapper, push it outside, either before or after the spawning season.**

MR. HULL: Would you like to make a motion to that effect?

MR. ATACK: **Yes, and that's what I said, that I would like to make a motion to push the season either before or after the spawning season of red snapper.**

MR. HULL: Okay. Myra is going to go ahead and put that up there. Let's let her type it, and then you can make sure that the wording is right, and then we'll see if you can get a second, and we'll have some discussion. Jim, I guess I will go ahead and read this to you. The motion is recommend that the council consider not allowing harvest of red snapper during their spawning season. Does that capture what you want to say?

MR. ATACK: Yes, or the other way to word it is that, whatever mini-season they have, to have it probably after the spawning season, because earlier in the year is probably not a good time for fishing, but that's the gist of it.

MR. HULL: Yes, I think that would get the gist of it right there, because we're talking about, in the recreational sector currently, five days, and I know, on the commercial side, we can catch them year-round, at any time. Is there a second to this motion? I saw Andy's hand first, and so Andy seconds. How about some discussion? I'm sure we've got some discussion.

MR. HUDSON: The main concern I have is that summer season, because, down in Florida, we're the heart of where the red snapper spawn, and that can vary between April and September, and that's spring and summer. That's also the height of the tourist season and wanting to go fishing out there, and so, that part, we need to sort of flesh out a little bit, because sometimes that can be delayed by cold water effects and stuff of that nature, as you know, and so we could have a late spawn versus an early spawn in our region.

MR. LORENZ: I am with this motion, basically, and, as Jim has said, and I talked to a number of fishermen, and these are private boats, where they stated that it's again what it was last year, and so there would be an interest in moving the season to not always be the same each year at the height of the hot summer, and it just so happens that it corresponds with a spawning season, and move that around a little.

One consideration to have, and, actually, I would like the charter folks to talk about this, because one thing this would do, probably inadvertently -- With a guy like me, when that season comes in in that very tight window, I am likely not to get there, and so that's a conservation by default. If you start spreading it out, just keep in mind that if it's spread over say three weekends, that gives a lot of us a lot more time to plan and get out there and harvest, and so you won't get that automatic conservation you do when you compress it together, no matter when you move it.

MR. MCKINLEY: I would be all for moving it to May. That's when our guys commercially are moving back onto the ledges catching grouper and the red snapper are more aggressive, and that's when we encounter them the most, is in May, and I would definitely like to see the commercial either May and June and then maybe save half of it or like November or December.

MR. SEBASTIAN: With the snapper for the charter/headboat season, it's a little bit different. We're tapped out in pretty much the summer months. In June, July, and August, we're sold out. In reference to spreading it out for the recreational, it makes more sense for charter/headboats

actually in the fall of the season, because, in our May, grouper opens, and everybody is coming down for grouper anyway on the weekends, and so we're sold out on the weekends. For charter/headboat and stuff like that, fall, for us, would be an optimal timeframe, even if it's spread out.

MR. MANIGAULT: Are we taking weather into consideration in this whole entire deal here?

MR. HULL: Well, I think that was the reason why it was opened in the middle of the summer anyway, so that the recreational sector has better access with good weather.

MR. COX: I like what Randy said. For the commercial guys, he's exactly right. When we're gag fishing, we interact with a lot of the red snappers, and I think it would be a split season for the commercial guys and allow some -- I don't really know what the timing is for the spawning of red snapper, but it makes a lot of sense to have a split season, because we were discarding a lot of those red snapper before the season opened, and so I would almost say to amend the motion for the commercial guys to include a split season -- For the council to consider a split season for the commercial sector to allow harvest in I think he said May and June.

MR. MCKINLEY: Definitely May.

MR. COX: Yes, May and June, and then allow some -- Maybe take July off and then have some fall fishing, when we do interact with them again, because, when the season opened, one of the reasons we didn't catch a lot of fish is because we had already -- A lot of those fish were biting before the season opened, and then the guys didn't have a lot of interaction where we are in Morehead during that time that the season was open. I will try to amend the motion, if I could, for the commercial sector.

MR. HULL: Are you good with that, and the seconder? Okay. Hold on one second and let me see where we're at. We also have a comment online from somebody that is on the webinar that we may need to get to first, before they disappear, and so David Moss would like to comment.

MR. MOSS: I wanted to say I think that the main reason for it being in July was a couple of things, but not the least of which being that it was the biggest guarantee, if you will, of decent weather across the region, because, I know, when they first did the mini-season, it was in November, I believe, a few years ago, and, even in south Florida, which is my territory, it's real shoddy as far as whether or not you're going to be able to make it out, and, of course, there were a lot of people who were very upset about that, but July, in mid-summer, it gives you the best chance of everybody being able to get out there. It's simply when we have the best weather across the region, if you will.

MR. HULL: Okay. Thank you, David. I agree that the weather was, I believe, the council's main reason for that. Vincent, you had a question for Jack before we possibly amend this motion?

MR. BONURA: Yes, a question for Jack and/or Randy about the split season idea. If you had a split season coming into the fall, what happens with any rollover if we don't catch all the fish in time?

MR. COX: I don't know what it would look like, and I can't exactly remember how much we had left last year on our commercial ACL, and we didn't have any, right?

MR. HULL: Nothing.

MR. COX: Okay, and so I guess what we're saying is it would be helpful if we knew what the spawning months were. We're saying summer months, and, if we knew exactly what that looked like, but I can only tell you from what I have heard from the guys in our area in Morehead, is that there was a lot of interaction in the spring of the year, which is May and maybe the end of June. If there was a way to carve out -- If it is the summer months, I would say that would be July and August, and take some time off. Then, when we interact with those fish again in the fall, to be able to access them when some other stuff is closed.

MR. HULL: Thank you, Jack. Dr. Kellison, I saw your hand raised. Do you have some comment here, sir?

DR. KELLISON: I was just going to comment on the spawning months. Wally, weigh-in if you think I'm off base here, but, looking at data from recent years, and this is true from Florida up through Raleigh Bay, up close to Hatteras, the peak of -- Rusty is dead-on. They spawn over sort of a longer period of months, but the peak months tend to be July and August, when the greatest proportion of fish are spawning.

MR. HULL: Randy, did you have something else?

MR. MCKINLEY: I just wanted to add that that's what is happening, is we're encountering them when we're gag fishing. In the summer months, with b-liners and triggers open, we're offshore doing that, and we'll come back and encounter them in maybe October, November, and December, when we come back in to gag fish, and that's when we would want it.

MR. HULL: Okay, and so I just wanted to say that it depends on where you're at. Off of my region, off of northeast Florida, we encounter them no matter what we're doing, and none of us, commercial or recreational, like killing fish that are roed up, and so, I mean, we're all for moving it out of the spawning time, the peak of the spawning time. Obviously, they spawn in a long-range timeframe, but July is the peak. I mean, it couldn't be any more peak for us, and so everybody I talk to says this is ridiculous and why are we killing these fish full of roe, and so that is something that the council is probably hearing, and maybe they want to address that. That's our recommendation. Jack, you didn't want to try to amend this in any further way, and you think this gets the gist of what we want to say?

MR. COX: I think it does, but I think it would be nice to kind of tighten it up just a little bit and say -- I can't speak for the recreational guys, but certainly, from commercial guys that I hear from in my area, we would like to see some fish in May and June, and, if July and August would be the spawning months, then maybe take July and August off, and, when we interact again in the fall with them, to ramp back up, or at least one month of the prime spawning off, if that would be July or August, whichever one that may be. I certainly don't want to see us end the season with fish on the table, but I don't know when we met our ACL last year. Rusty, can you recall that, when that quota got met? That would be helpful.

MR. ATACK: It was met November 17, and they had to open it back up, because 2 percent was left on the table, for two days in December, but, if you do a May/June, I'm sure, and close it for July and August, and you get back in September, you will meet that quota before the end of the year.

MR. HULL: I think that you're right on-target with that too, and I think the wording -- Myra could probably put up here what would capture both sectors, because I think both sectors would like to not have harvest during the peak of spawning season and maybe split it up in some way, so that we can avoid spawning, but still have access to the fishery. Your recommendation of opening it up earlier and eliminating the peak spawning months, that made good sense to me also, and so let's see if we can come up with something.

MR. HUDSON: By doing that elimination, like we said, in that peak period, when they are fully roed up, the ponies and sows in our area, we cannot get away from them. They are that thick, and so that, leading into the increase of the roe, and then let the commercial. Then, after they roe out, then let the commercial -- That would be a split, and that would eliminate a lot of the complaints about the peak, personally.

MR. HULL: Okay. Let's try to get -- Go ahead, Vincent.

MR. BONURA: I was just going to say, if it's going to open in May for commercial, May and June, and be closed in July and August, why does it say, "split season", if it's more of a spawning closure than a split season?

MR. HULL: All right. Myra is trying to get this written up here so that we can make sense of it. I'm going to read it one more time, and then we need to adjust it as I go along. **The first part of the motion is recommend that the council consider not allowing harvest of red snapper during their spawning season, and we put "summer months", because, as indicated, that seems to be the peak up and down.**

How would we do that? Would we just have, as you just recommended, a spawning closure, and you could say to consider spawning closures or seasons, just to put it simply? I mean, the council is going to get what we're saying here and go with it, and I think we're capturing it with that. What do you all think?

MR. LORENZ: One other way that -- If you look at the way they always do these things at the council meetings, they always have the options, or the actions, and we could actually list it as that way, as Option 1 is season May and June and Option 2 is season in September and October and Option 3 is a split season between the other two options.

MR. HULL: Let me just say something, because I don't think that we're going to be able to implement this plan right here on this motion. I think that we just need to bring this forward to the council, and then the council will take it up, and they will get into the details of how they're going to manage it doing this, if they want to do it, and so I think we just need to capture that, but I don't want to put words in your mouth, but I'm just trying to get it done. Jack, did you have something else, before we go back to Jim?

MR. COX: I was just trying to finish the motion, so we could be done with that anyway, and I agree with you to try to keep it simple and let the council take it to the next level and decide, if they were to consider this, how they would look at it differently, but consider the commercial harvest in the spring, in May and June, and then have that second season September through December. I would certainly put in there -- Well, we've got spawning in there, and so it pretty much covers why we're doing what we're doing, but that's the input that I've had from my area that would be really nice.

MR. ATACK: Just to clarify, where it says for summer months, I would just say July and August. That way, they know we've all talked about July and August as really the peak spawn, versus spawning.

MR. HULL: Okay. Let me read this one more time and make sure that the -- Jim Moring, go ahead.

MR. MORING: I would call that prime spawning season, which is July and August.

MR. HULL: Okay. As noted. All right. If there's nothing else, I'm going to go ahead and read this, and let's make sure that the seconder agrees, and then we can -- Hopefully there will be no more discussion and we can vote on it. **The motion reads to recommend that the council consider not allowing harvest of red snapper during their peak spawning season of July and August. Consider commercial harvest in the spring, May through June, and another season in September through December.** Are you good with that, Andy? Okay. Is there any further discussion? I guess we should have a vote on this now. **All of those in favor of this motion, please raise your hand; all those opposed. The motion passes.** Moving on to the next business at hand -- Jim, go ahead.

MR. ATACK: That was the first thing. The second thing was we talked about black sea bass. **I would like to make a motion that the council look at size limits and creel limits on the black sea bass.** What I mean by size limits is aligning the commercial to the recreational, whether that be a twelve-inch or thirteen-inch size for the black sea bass. We have a lower ACL, and I think there is some management measures that need to be changed to make it fair for the commercial and the recreational and also to keep from exceeding the ACL.

MR. HULL: All right. We're trying to form this motion up, and, so far, it says recommend that the council consider modifying minimum size limits and bag limits for black sea bass.

MR. ATACK: Then it's commercial and recreational, and so I think, whatever size we come up with, it should be the same size for the commercial and recreational minimum size limits.

MR. HULL: Okay, and recommend that the minimum size for both commercial and recreational be the same. I am going to go ahead and read it, and then we'll see if we get a second, and we'll have some discussion.

MR. ATACK: For clarification, on the creel limits, I mean, they used to be five fish per person, and now we're at seven. With the lower ACLs, I think that we should have -- The point is to consider going back to five.

MR. HULL: Okay. I'm going to read this, and then we'll adjust it as necessary. Recommend that the council consider modifying the minimum size limit and bag limits for black sea bass. Recommend that the minimum size limits be the same for both the commercial and recreational sectors. Now, you're saying that you want to go ahead and get into advising what you think the minimum bag limit should be recreationally?

MR. ATACK: Maybe we can just leave that open, like it is, and then they can look at it and run the numbers on it and see whether they want to go to five or six or --

MR. HULL: I think that makes good sense. Do we have a second for this? It's seconded by Robert. Okay. How about further discussion?

MR. LORENZ: I will just kick it off, but we're going to go right back to where we were a couple of years ago, and so we're going to go in a circular motion for a while, where we do have -- In the recreational sector, we severely, on a per-person basis, underfish the current creel limit anyway, and so going to five won't mean much.

It might be an interesting thought to those who run a headboat or a charter, that, if they get a lucky day, not to be able to keep the extra fish, but I have seen the ACL dropped, but, as they mentioned, they're only about 7 percent of the fishermen that we show do catch a limit on any day, at the current size limit, and so, once you reduce the size limit, then, obviously, the catch will go up that will affect the ACL, and so there's that matrix that we're going to be arguing about again.

MR. ATACK: Robert, we went through this back in 2010, and what happened was the fishery will rebuild, and the fish will be abundant, and we'll shut the season down, because the creel limit will be too high, and so, as this fishery rebuilds -- The reason we're not catching the limit now is the fish are not there, and so, if we don't change -- Be proactive and change the bag limit from seven to five, as soon as the fishery rebuilds, we're going to be shutting down the recreational fishery in November, or October or whatever, like we did in 2010, and it won't open until April 1, and so that is the concern if we do not adjust the creel limits.

MR. HULL: I would just like to make one comment. On the commercial side, which I'm in, and also I'm a pot fisherman, but, recreationally, with the size limits that are in place, it's a discard fishery. I mean, that's what it is, and I disagree with that. Commercially, it's not a discard fishery, the way we fish with pots, and so I would -- This is to come down the road, but further comment on our different fisheries and our different regions and all those things, and so I'm not going to get into that here, and I think it's wise that we don't.

I think that, for me, they need to look at the size limits, especially on the recreational side, when you are discarding ninety-some-odd percent of the fish, and the reason they did that, as I recall, was because they wanted to allow for more mature males in the fishery, but the discard mortality just keeps rising, and the level of dead discards -- The percentage is increasing, with new studies all the time, and so I don't like discarding fish that die, but I think they do need to look at the size limits. Any further discussion on this?

MR. MANIGAULT: How am I going to approach this? This particular species of fish is near and dear to my heart, being a charter captain, along with redfish, and, since I've been on the board, panel, I've been saying the same thing in regard to this particular species of fish, but, since I've

been on this particular panel, looking at the ACLs over the last couple of years, and I've only been around for two years, the recreational guys have never met the ACL, and the reason being is you've got to take into consideration that they work, and they've got a family, and they've got a small craft, and they've got to go too far, and gas is high, and they've got a limit of fish that they can catch.

That's why we upset them by doing what we did and having that big gap between eleven and thirteen inches, and that's where there is so many discards, and they don't -- They don't fish like commercial fishermen. It's a job for the commercial fishermen, but it's an adventure for the recreational fishermen on the weekends, if and when they can get out there, and so there is no doubt in my mind where the overfishing is coming from, yes, and the discards comes from our side, and so the adjustment really needs to be made in regard to the size limit. The creel limit, I will go along with that, from seven to five. I don't have a problem with that. That still gives them some room, and so that's all I have to say.

MR. HULL: Gary, would you like to make a motion to that effect, to have the council reduce the size recreationally of black sea bass down to the same as the commercial, eleven inches? I know we've been down this road, but this is the time to do it, and so, if you want to make that motion, now is the time to do it.

MR. MANIGUALT: Okay. I would like to so move/make a recommendation that the council would --

MR. ATTACK: We need to finish the motion that we've got on the board here. Unless we modify the motion, we need to finish this before we do the next motion.

MR. HULL: You're right. Thank you. **The motion that is before us is to recommend that the council consider modifying minimum size limits and bag limits for black sea bass. Recommend that the minimum size limits be the same for both the commercial and recreational sectors.** That kind of entails what you want to do anyway, and so that's good. Let's go ahead and vote on this. Are you all ready to vote on this? Okay. **All those in favor of this motion, please raise your hand; all those opposed. The motion passes.** I see lots of hands raised. Cameron, go ahead.

MR. SEBASTIAN: The reason that I opposed it was simply that it doesn't specify are we trying to take the limit up or are we trying to take the size limit down. If you're going from eleven to thirteen, that makes sense to me, because we're not going to reach the limits, because everything is at thirteen, but, if we're talking about going down, then it becomes that we're going to hit the limits, because we're going to be keeping a lot more fish, and then we're going to run out of the ACL.

MR. LORENZ: I would like to comment on that, because that was just my thought. I would like to recommend, and maybe save some time, that we actually go no further and keep this motion clean the way it is, because what the council will end up doing is requiring the scientific staff to look at the ACLs and give the various options of the size and creel limits anyway, and so we would just be guessing. They will come through with those options. The statement that's made might be more a fairness limit of let's equal it, let's make it the same, let's stop the discards, and let's let the scientific people suggest what that matrix is of size and creel limit.

MR. ATACK: That was going to be my comment, because, when we go through with this, they will come back with projected landings, when the seasons might close, if we go to this size or that size, and how it affects the biomass rebuilding and the MSY and the --

MR. HUDSON: Two things. One, shouldn't we have abstain up there, the number of people that abstained? The other is that we can't be going back to that big size commercially, and so we already know that's going to be a dig-in-the-heels thing, particularly for the traps.

AP MEMBER: We don't know that.

MR. HUDSON: Well, let's put it like this. Mike Errigo did a great analysis, and it showed a discard rate. It's not just the landings, but it says discards and the new numbers of dead discards that is associated with that since the last stock assessment, and so I'm not real ambitious to see lots more discards.

MR. HULL: Point well taken. I am new at this, and so we do need to go back to the abstained. The first motion was unanimous, and it wasn't a problem, and so how many did we have for abstained on that last motion? One. Okay. Good. Let's move along. The next item is Item 2, is it not, Myra, Regulatory Amendment 29, best fishing practices. There has been a request for -- We're going to have a five to seven-minute break, and then we're coming back, and so get on back here.

(Whereupon, a recess was taken.)

MR. HULL: Okay. We're going to go ahead and go to the next item, which is Regulatory Amendment 29, and this is recommendations and an overview of best fishing practices, and it's Attachment 2. This is a very important amendment, and we need to give a lot of thought and discussion to this after the presentation. Christina is going to present the overview.

MS. WIEGAND: I am just going to very briefly go over the background of this amendment. You guys saw this and talked about this back in October, and so I know you're very familiar with what this amendment is addressing, but, just as a quick refresher, this was spawned out of the visioning process, and the council received a lot of comments about fishermen who were frustrated by released fish who weren't going to survive as well as discrepancies in diving regulations for powerheads.

You've got three actions in this amendment, and the first two address best fishing practices by specifying requirements for the use of descending devices or venting devices. Action 2 looks at modifying the requirements for the use of non-stainless-steel circle hooks, and then Action 3 addresses the powerhead prohibitions in the South Atlantic region.

Here is where we are for timing for this amendment. At the last meeting, the council reviewed the amendment and selected their preferred alternatives, and I will update you on those. They approved it for public hearings, and we're going to be having public hearings for this amendment on April 30 and May 1, and that's next Tuesday and Wednesday, at 6:00 p.m. Then this will go to the council again in June, and they're going to review comments from you guys as well as comments from the public and the Law Enforcement Advisory Panel.

They will make any necessary adjustments and approve all of the actions and alternatives, and staff will go back and beef up the amendment, and they will be looking to take final action on this in September of this year.

Jumping right into the first action, this is where we're going to spend a lot of our time today. This one looks at specifying requirements for the use of descending devices and/or venting devices when fishing for or possessing species in the snapper grouper fishery management unit. You've got your no action alternative, where descending devices and venting devices are not required.

Then you've got the council's current Preferred Alternative 2. This would require, within six months of implementation of Snapper Grouper Regulatory Amendment 29, it would require descending devices to be onboard a vessel fishing for or possessing species in the Snapper Grouper Fishery Management Unit. Currently, the council's preferred is for all sectors to be a part of this requirement. Then you've got Alternative 3, which is not currently preferred, and this is, again, within six months of implementation of this amendment, it would require a venting device be onboard a fishing vessel.

So, what's new here is you will see that within six months of implementation. That wasn't included in the alternative last time you guys saw this, and the council added that six-month delay between the final rule and the effectiveness of this regulation to allow fishermen to become educated on descending devices and to purchase the necessary devices.

Here are the definitions, and I'm going to go over those in a bit more detail in a second, but I did want to note two other things that the council has done recently. You guys, as well as the public, has expressed a lot of interest in making sure that any -- That there is some sort of research or monitoring plan for this requirement, and so the council requested that staff do two things. The first is work with our counterparts at NMFS to develop a research and monitoring plan for this action for descending devices as well as consult with the SSC on how descending device requirements may be used in stock assessments in the future, and so that's something that staff is currently working on.

In addition, this amendment is going to be going to the Law Enforcement AP. This AP, as well as the public, has discussed quite a bit about enforceability, and so we're going to talk specifically to law enforcement professionals about how this regulation can be enforced. To that point, the council would like to get you guys' input on the definition of descending device, and so I'm going to go ahead and read it here, so that everyone knows what we're currently working with for the definition.

For the purpose of this requirement, descending device means an instrument that will release fish at a depth sufficient for the fish to be able to recover from the effects of barotrauma, generally thirty-three feet, twice the atmospheric pressure at the surface, or greater. The device can be, but is not limited to, a weighted hook, lip clamp, or box that will hold the fish while it is lowered to depth. The device should be capable of releasing the fish automatically, releasing the fish by actions of the operator of the device, or by allowing the fish to escape on its own. Since minimizing surface time is critical to increasing survival, descending devices shall be rigged and ready for use while fishing is occurring.

Right here is the input that the council has requested from you all. First, does the definition allow fishermen the flexibility to create innovative devices while still ensuring that the homemade devices are effective? Now, you guys are going to be out there using the devices every day, and the council wants to make sure that you have the ability to innovate and create devices that work for you while still ensuring that they are effective, and so how specific should the definition be? Is it fine as is? Should there be a minimum weight, a minimum amount of line that's rigged up to perform the release? What specific requirements are necessary?

Finally, is the definition enforceable? I want you to think from the perspective of experiencing a law enforcement boarding and having to defend your choice of descending device and having to show that that device is rigged and ready. This AP has talked a lot about how important it is that the device be rigged and ready, and so what we would like from you are some examples of descending devices that you guys are using and that people you know are using and what rigged and ready looks like for those devices, so that we can include examples in the amendment of what rigged and ready is going to look like.

MR. HULL: Thank you. I think that this would be a good time to talk about the definition and make sure that it's adequate for everybody on the AP. Reading it, to me, it seems very adequate. It covers a lot of the possibilities of a descending device that someone may have, or create, and it's not limited to, and there is good language in this.

It's a weighted hook, it's a lip clamp, or a box, and it's lowered to depth, either automatically or through the actions of the operator. It's allowing a fish to swim on its own, and minimizing the surface time is critical, and so speed, how quickly can this device be implemented, and, I mean, if the fish is laying on the deck, and it takes a couple of minutes to get the device just ready to go, I don't think that that's a good descending device. I think speed is very, very important, and you have that here. It's critical. Do we have anybody on the AP with some comments or discussion about the definition of a descending device?

MR. LORENZ: I agree entirely with what the chairman just said.

MR. COX: I have thought about this for a while, and my thoughts go back to when we started talking about venting tools and how to vent fish many years ago, and it took a long time for fishermen, including myself, to understand what venting meant and why we did it and how to do it.

All this starts with education, and it's one of the things that we lack when we enforce a regulation on fishermen. If fishermen think you're doing this and it's something that they've got to do because they're regulated, a lot of the commercial guys are going to rebuke it, and what I mean by that is they're like, well, you know, we've got all these regulations, and you want us to do circle hooks and all these things, but, if you explain to them how things are done and why they are done, just like a venting tool and how to vent a fish -- A fish that's not vented with a stomach extruded through the mouth, but a fish that is vented under the fin, and you show them a proper way to do it and why they're doing it, and it will boost their catch down the road, then you get a buy-in into why we're doing what we're doing. I know that's kind of off-topic a little bit, but I just kind of wanted to include my suggestions on what we're doing.

MR. HULL: Jack, we can respond to that.

MS. WIEGAND: The council has done some education and outreach. They have partnered with the South Carolina Wildlife Federation to put together a best practices tutorial on how to use descending devices, as well as the MyFishCount app also includes information on best fishing practices, from descending devices to circle hooks and things like that, and, of course, we always do outreach as an amendment goes through the process, through public hearings and things like that that also include information on barotrauma and descending devices.

MR. HULL: Thank you. Jack, to that?

MR. COX: I understand, and I hear you, and I'm glad that we're moving down that road, and maybe we're learning from some past mistakes, but a definition of a descending device -- I don't know what one calls it, and I know there are some professional devices out there and some of these things that you can set for different depths, depending on how deep you're fishing, and it seems like they're about in the fifty-dollar range.

To me, it seems that, if you had something that was very clear, it was very clear to fishermen what a descending device is, and we had something that was a certified descending device, rather than a homemade device and something that has been tested and tried, and will definitely let the fish release at depth -- Because, if you're fishing in fifteen or twenty fathoms, versus fishing in forty or fifty fathoms, you want a piece of equipment that will release the fish at optimum depth to get the bang for the benefit here, but I certainly see it as something that would -- If you had a simple device, like we have, and I've seen them. They are little small things that clip onto the line and you put a weight on it, but it would make a whole lot more sense, rather than having a lot of different homemade devices that may or may not work and they're not as practical at certain depths that you're trying to release fish at.

Anything is better than nothing, and I don't know what that cost would be, but that is just how I feel about it. I feel like one or two simple devices would be a whole lot better than trying to go in your garage and put something together and put it on the boat, but just one more point that I would like to make.

I put a descending device on my boat several years ago, on a commercial boat, and the guys never used it, and it was very frustrating, but, if you do have something that is rigged and ready to use, the crew told me they would use it, and so I definitely think that, if we go down this road of doing this, that the council should definitely require something to be on the boat rigged and ready, and then I think it will be used, more than something that they can just stick in the drawer and show a marine patrol officer.

MR. HULL: Thank you, Jack.

DR. COLLIER: After the meeting tonight, if some of you guys want to stick around, I will be going through two of the, I guess, products that we've developed for best fishing practices. There is one that is being developed through Yamaha, with state partner representation as well as the South Atlantic Council, and then, after that, I will go through the South Carolina Wildlife tutorial, which has a lot of the information that you were talking about, Jack, different types of devices that have been used by different people. There is videos on how to make them, and so there's a lot of

information that we can show you tonight, and I will provide that to you guys, if you guys want to stick around after the meeting.

MR. HULL: Thank you. Before I take any more comments here, I just want to show you one thing that I brought real quickly. That is a descending device. We use this on our commercial vessel, and we use it, and it works fast, and it works great. It sits in a five-gallon bucket, and that poly line doesn't get tangled. I just wanted to throw that out there as a quick example of the type of things that, before the regulation is in place, that a lot of people are already using. We are using them, and they work, and my crews are using them, and so that's a good thing. I'm going to go over here to Jim.

MR. ATTACK: The only thing I think we might need to clarify is what "fishing" means, because, if we're requiring anybody that's fishing to have this -- I mean, I know of some boats that go out with no fishing poles, and they do nothing but spearfishing, and so they might be charter or recreational, but all they do -- They don't really worry about hook-and-line, and so are those people required to have a rigged-and-ready descending device if all they're doing is spearfishing?

MR. HULL: That's a good point. I will work around this way. Go ahead, Robert.

MR. LORENZ: I thought I read in this, or somewhere very recently, that one of the language would be that -- It also would be if you are actively fishing for the species, but certainly, if have the species in possession on your boat, you would have to have this on the boat, and so that was one item.

I talked to a number of our recreational fishermen on this, which included a couple of charter captains, and there is, of course, widespread support on doing something to affect barotrauma. What was interesting to me, out of about sixteen people that I talked to so far, was, when I talked about the descending devices, the commercial types, that was new, and one of the comments that came up was, wow, that's going to cut into our fishing time, and somebody is going to spend full time using the descending device.

The other comment that also came up, and you're going to probably get a lot of this, was, well, we've carried the venting kit for years, and that's all we ever use, and so I think you're going to find a lot of people mentioning the use of a venting tool to also be allowed in addition to the various other types of descending devices. The descending device was new to them, except for like the inverted crate, which is something that I have used, and Jimmy has, and we use it for like sea bass, and they use it for rock bass out in California, but you're going to definitely receive the comments about why can't we also just use our venting tool.

MS. WIEGAND: Just to respond to that, the preferred alternative to carry a descending device onboard does not preclude you from using a venting tool, if that's what you have onboard. You have to have the descending device onboard, and the council is certainly encouraging the use of descending devices, knowing that venting, especially if not done correctly, can often do more harm than good to the fish, while also being cognizant of, for example, for-hire vessels, where these guys are trained and they know how to vent properly. That is still an option. They do just have to have the descending device onboard.

MR. R. FREEMAN: I will give you the benefit of an experience that I had with a descending device. I did six charters for the Mid-Atlantic Fishery as a tilefish study, and one of the trip requirements was that we fish over 800 feet deep. Well, I think it was like 838 feet. The first couple of fish that came up were thirty-plus-pound grouper. They brought out the descending device, and it wasn't heavy enough to make the fish go down. We normally fish with two or two-and-a-half-pound sinkers, and we put a couple of those on there, and that still wouldn't work, and so it's encouraging to see that Jimmy's homemade device has been successful for them, and so I would be very careful before I go to Amazon and try to buy a descending device and think you've got something that will really work.

MR. HULL: Yes, and, to that comment, to that point, we have extra sash weights onboard too, and so, if we catch a goliath, which we do, it takes a lot of weight to get it -- You can't vent a goliath. You have to send them down.

MR. R. FREEMAN: There is no simple answer for it. It's just that simple, that it's not simple.

MR. HULL: Jack, did you have something else?

MR. COX: I did. I was going to say that is a nice-looking example. I can tell you that, on my boat, sometimes they run short of weights, and so they would just use that for their fishing weight, which would be fine as long as they left the hook on it so they could still use it for a descending device, but, no, if there were some examples of some pictures of some things that were approved, something as simple as that, which would certainly work, because that's something they have on the boat anyway, but I think you have to have a realm of devices that have been tried and in something that they can say this is a picture and this is what it is, rather than just kind of leaving it wide open.

MS. WIEGAND: We could include, in the amendment certainly, examples of devices on the market that fishermen could purchase that would meet this requirement. The council has had some discussions about this idea of sort of saying these five devices are what you can use, and it's these five devices, and the concern is, one, that requires some sort of certification process, and it's not necessarily under the council's purview to say, yes, this device is effective.

It's possible to get into situations where there are now new devices on the market that fishermen would like to use, but they can't, because they haven't been included in the regulations, and so we get into sort of a similar situation that we're in with sea turtles, where we have to update constantly to make sure that devices are included, and the council also wanted to allow fishermen to be innovative in creating these devices and figuring out what's going to work on their vessels, so long as the device is effective at descending the fish, which is where we do get into some challenges.

MR. LORENZ: The one thing to state is, for the guidance, is it comes under good fishing practices, but I think, from my understanding, you're not going to really effectively address barotrauma unless you can descend the fish to a minimum of one-third of the depth upon which it was caught, and so Captain Freeman was talking about that. One requirement would be, if you have your homemade device, be it Jimmy's or an inverted crate with dive weights on it or whatever, it would be that you have sufficient rope to get it down there, and so that will limit you to how homemade you can get. If you're in 300 feet, you need 100 feet of rope plus enough weight to bring it down, and so that would be the guidance that has to be in there.

Interesting though, from enforcement from the regulations, I can speak, as a recreational fisherman, that my entire life -- I am not the youngest man anymore, but I had never seen the Coast Guard ever once do an inspection for fish, let alone out where we catch fish that end up with barotrauma, which can be eighteen miles and further out, and so, if you're fishing in 400 feet of water, how do they know you did that, except maybe by the species. If you're in possession, they know you might have had to have this, and so I think enforcement is going to get a little tough, and, particularly to have it effective, it's got to be at least, I think, a third of the depth of the water the fish was caught in.

MR. HULL: Okay. I think that we're being asked to comment and recommend the definition of descending devices, as we have it before us, and so I'm going to read it one more time, and then, if we could get some specifics, if you think that this is sufficient or if there's a little more language that we need to put in there, but, I mean, it's hard to -- Everybody has a lot of good thoughts and ideas they're saying here, but it would be hard to put that into a sentence on this to improve it.

Descending devices means an instrument that will release fish at a depth sufficient for the fish to be able to recover from the effects of barotrauma, generally thirty-three feet, twice the atmospheric pressure at the surface or greater. The device can be, but is not limited to, a weighted hook, lip clamp, or box that will hold the fish while it is lowered to depth. The device should be capable of releasing the fish automatically or releasing the fish by actions of the operator of the device or by allowing the fish to escape on its own. Since minimizing surface time is critical to increased survival, descending devices shall be rigged and ready for use while fishing is occurring.

I think that -- Can we add anything to that simply, or is there something there that you don't like, or you have more concerns about? I think that, from my perspective, it pretty well captures what I think should be in there. The other thing is speed is very important, as I said. For me, if you had a store-bought device that you hook on to your line that you've been fishing with, you're going to have to have that ready to take with a snap and take off your hooks and hook that device on, which is going to take a couple of extra seconds, but, as far as the definition of the device, is there something, Andy, that you would like to add to this or that you think needs to be said here?

MR. PILAND: I was just going to comment on your statement. When we have snowy grouper interactions while tile fishing, we just snap the Seaqualizer unit to our snap swivel and send the grouper back on the baited rig that we're still trying to catch tile with. You get halfway down, and the grouper is -- He's coming back alive. He releases, and then we go back to catching tiles.

MR. HULL: That's a really good comment, and so you're accomplishing two things at once, and that one fish getting released might attract some more too, and so that's good.

MR. R. FREEMAN: I just wonder how likely though, in the grouper and tile fishery, and especially the incident of that 800-foot depth -- The eyeballs are totally blown out, and they look like golf balls. Now, you did the right thing by trying to send that fish back down, but what's the likelihood that he really survived? I mean, how can he not be blind? It's an exercise in futility, I think, to be releasing fish at a depth like that.

MR. HULL: I think Dr. Collier may have a response for you, or Dr. Todd.

DR. KELLISON: I know there have been studies of rockfish on the west coast, deeper than 800 feet, where they use telemetry, and so like acoustic tags, to document survival over extended periods, and so maybe you can really surprise the researchers, but definitely in some cases, and I'm not aware of research in the South Atlantic that goes that deep, but Brendan Runde and Jeff Buckel have been tagging mostly snowy grouper, and I don't know the depths, but up around the Snowy Wreck, I think, and they've been finding -- Fish are capable of surviving at pretty deep depths if you get them back down pretty quickly.

DR. COLLIER: In one of those tutorials, they actually have a red grouper with its eyes bulging out, and they show it going back down and the descending device, and you can see everything go back into the fish, the eyes, and the stomach is no longer distended, and the gills aren't flared out anymore, and it really does show you how well these things do, and then you can see the fish swimming around, and it's not showing any impact from it.

MR. MCKINLEY: I would just like to say -- I mean, getting back on the definition, I think that first sentence covers everything, because that's going to give you the weight, and that's going to give you the length, and it's everything necessary, and I think that sentence is enough.

MR. PILAND: I would like to question the thirty-three feet part. Thirty-three feet ain't going to get it for a snowy grouper. I mean, it will for a sea bass caught in a hundred feet, but I think -- I don't know, but something about this thirty-three feet bothers me.

MR. LORENZ: I am with Andy. That's where I was going from, where unless it's at least -- My understanding is at least a third of the depth the fish was caught at, it might not be very effective.

MR. HULL: In deep water, we generally have current, and so there's a lot of difficulty in getting a bigger animal down to great depth with all that current without a lot of weight and a lot of line, and so, I mean, you make a valid point. Generally, thirty-three feet, twice the atmosphere, is that a statement of fact that has been in a paper of research, that they have to reach a third of the depth that they were harvested from for relief of barotrauma to be effective?

MS. WIEGAND: My assumption is that it's going to vary quite a bit between species.

DR. COLLIER: It varies by species, and it varies by whether or not there is a thermocline, and, like you mentioned, the current, and so there's a lot of different things that will go into this, and that was just an easy thing for enforcement to be able to quantify, that they can get to thirty-three feet, and that was one atmosphere, and that's a significant part of getting the fish back down. Then there was also considerations when you're off of Florida. They can be fishing on a steep area, and so they could catch a fish in 100 foot and then drift into 300 feet and then try to release it again, and so at what depth was that person fishing? We figured just providing a single depth was going to be the best option, and we'll just education to tell them to get them down beyond a third, ideally back to the depth that they were caught.

MR. HULL: That may be ideally back to the depth that they were caught, or within reason of the depth that they were caught, and maybe that's something that maybe the AP would like to see in there, Andy, in regard to your concerns and Roberts.

MR. HOWARD: Going back to the device itself, we have used a couple of them, and I'm a private boat, but I think there has got to be some kind of uniformity and some kind of design. With my background, I can tell you that, from a law enforcement perspective, this thing is very open-ended as to what the definition of a descending device is. I mean, it's got some generalities up there, but I can see it now that DNR writes a ticket and goes in front of a judge and the guy says, hey, I think it works, and there is no other proof that it doesn't, and I don't have any guideline from anybody, and a judge is going to say, DNR, you're out of here.

They have to work on facts, and they have to work on specifics in a court of law, and, if we don't have enough teeth in this for our law enforcement people to be able to enforce it, it's going to, sooner or later, almost become a joke, and somebody will put a tin can with a rope on there and say this works, and I want to see it work.

I am passionate about -- I am a big red snapper person, and I am passionate about it working, and I'm passionate about it -- I have seen too many discards, and I think there needs to be -- I don't have an answer for you, and I've got a question, but it's going to have to be fairly specific, an approved design. It doesn't even have to be a certified something. It can be a design that's approved by whatever governing board it comes from, but, if it's not enforceable, it's almost useless, to tell you the truth.

MR. HULL: Thank you for that. I concur with a lot of what you said. I think that an approved design -- Also, to go back to law enforcement and what you said, people are either going to do this of their own volition and make the effort to do this in their daily fishing practice or they're not, and it's going to be pretty hard for law enforcement to enforce this, and so we're going to get into the rigged and ready part, which it looks like that's where law enforcement is looking for guidance on that, because that's when they actually board a vessel.

That's where that comes from, but, as far as an approved design, that is something that probably we could talk about, and maybe you want to put that in here. We just tried to discuss Andy's comment that thirty-three feet isn't going to get it, but, overall, if we start getting into the variabilities of depth and the variabilities of species, this thing is going to get pretty complex. Then, as far as the approved design, I think that's something that -- A weighted hook, or, like you said, a tin can and a -- I mean, could somebody use that and get away with it? They might be able to, but how many people though are going to do that? I mean, in reality, if it's a requirement, do you think a lot of people would just be that downright dishonest? Maybe we need to put something in there about the approved design part of it. It has to be approved by who? By the council or by a committee of the council or by someone that is going to approve these designs?

MR. HOWARD: I would like to hear from DNR at some point in time, or that's what we call them in Georgia, but I would like to hear from them really what they need, but my dad was a prosecutor for twenty-six years, and so I've seen all of this, and I really -- We need to have something that we can help promote what we're trying to accomplish, or all of us are wasting our time.

MR. HULL: Okay. I think Myra wants to get in here. Go ahead.

MS. BROUWER: I just wanted to -- The Law Enforcement Advisory Panel is going to be reviewing this same definition, and the Law Enforcement AP members have already had some

input in some of it, and so I just wanted to make sure that you knew that, that those folks also are involved in helping the council do this.

MR. ATTACK: Just two short comments. One is the thing about not getting boarded and checked. I know, off of North Carolina, this March, the Coast Guard was thirty-some miles offshore doing boarding checks on recreational fishermen and commercial, and so that does take place. Occasionally it does. I've had it happen to me, and so, anyway, the other thing is, when we write these laws, I guess part of the issue with compliance with them is people knowing what the laws are.

It's amazing the number of people that go snapper grouper fishing from a recreational side and have no idea what the laws are or what the rules are, and so, when we make changes like this, how do we plan to communicate that to all of the stakeholders? An issue with that now is like we keep pushing it on the table and down the road and down the road about the permits for recreational reporting. If we had that in place, it would be very easy to communicate to them the new changes and laws and what to expect, so that they can become compliant. Most people will be compliant if they know what the rules are. There is the 10 percent factor that may not, but 90 percent of the people want to do what's right, but, if they don't know what's right, they can't do it.

MR. COX: I will tell you what I think will work, and it's certainly not putting another regulation on the fishermen and saying you've got to do this. I will tell you what will work for the commercial guys, and that is that -- When we had the circle hook regulation in place, and it was a law, I don't know if there was a violation ever written on one, because there is so many different ideas of what circle hooks are, but, Andy, I think you were saying something a while ago.

Time is money to a commercial fisherman. He's out there, and he is operating his business, and, if he's got a piece of gear that is going to be in the way, he's going to store it somewhere and pull it out when he goes by the Coast Guard or whatever, but, if you can incorporate something like what you were saying, that is in a rig that he's already using, or something like Jimmy just showed us, where these guys are already going down to catch a fish, and can release a fish at the same time, that is something that these guys will do, no doubt about it, and I don't even think that you have to enforce it. Just show them something that they can attach to a piece of gear that they have, and I think it will be used.

MR. PILAND: I mean, I am not going to say that we do it every day, but, three times a week, when tilefish is open, we do this, and it works. The Seaqualizer works. Clipping it to the rig works. The system that I described works, and it doesn't get in your way. I mean, you've seen them, and it's five inches long, and it comes with a longline clip attached, and you clip it on your snap swivel and send it back down, and the same thing would work if you're b-liner fishing and you catch a red snapper, the same deal. Clip it on there and send him back home, and you're still fishing. I mean, it looks like the stuff that you've got would do the same thing. He could attach it to your sash weight, and, if you need to send a fish back down, it's about this long. In North Carolina, the guys doing the dockside surveys offered these to our fishermen last year for free.

MR. HULL: Those are good comments, and this obviously is an approved device, so to speak, and so I think that we need to -- Excuse me. Go ahead, Gary.

MR. MANIGAULT: Would it be possible, with what you have already, to be utilized as an example of some form of approval to be used, since you've already tested it, and you know it works, along with an alternative, like the Seaqualizer, because we've got some stuff to -- Then, two, to get the message out, and I was speaking to the council member back here, and I can't remember his name, but we have seminars at West Marine.

I have had an electronic seminar, and I've had a mahi seminar, and that's an area that we can tap into to get that information out, and so what I did myself is -- I made a note to ask -- We do raffles, and so, at our next seminar, I am planning on raffling off some Seaqualizers, or some of the venting tools, if it's approved, because we get about thirty people to these seminars, and so, if you tell the right group of people, the word will come out, and they will say, hey, Jimmy has got it, or West Marine has it, and that's just an example.

MS. WIEGAND: In terms of what we're going to include in the amendment, I want to stay away from the word "approving". We're not going to be approving certain devices, but what we will include in the amendment is examples of devices, like the Seaqualizer and how a milkcrate descending device can be built and set up. We'll include examples, but they just won't be approved formally.

MR. HULL: Okay. Well, since you can't say "approved", and that was something that they were kind of wanting to get in here, I don't know how we can -- I mean, there is only so many options, really, when you're talking about this right now, and there may be future options. The Law Enforcement AP and law enforcement is going to be involved in this, and so has anybody else got any ideas to change this definition, or are we good with the definition, or -- I mean, we can't say "approved". They are trying to avoid saying "approved device", and, again, I agree with what was said. It's pretty wide open.

However, we're dealing with something that has a weight on it, and it has a means of getting the fish, either by the lip with a hook or with a clamp, and we're bringing it down to depth, and it's being released. I mean, obviously, I think there is only so many things, and they're going to become known, and you're going to provide examples, and so the examples are going to be there, and you're going to have a picture of these devices, and you're going to say these devices are proven to work, and maybe see what law enforcement has to say after that on it.

MR. LORENZ: Just to add that the only thing you could possibly put in there, and, if you get the ball rolling to thinking, is appropriate when considering the depth upon which you're fishing. It doesn't give any specifics, but it starts to open the thinking to if, down the line, to improve this, certain kinds of devices may have to be pushed aside and not allowed, because they are found to be not as effective at the depths that people are fishing at, and so you get to like the Seaqualizer, and that can release fish at fifty or a hundred, the smallest one, and at 150 feet, and so, when you set it at 150, from what I've been told scientifically, that's good for a fish that was caught at 400 feet, and so appropriate for the depth upon which the fish was caught.

MR. MOSS: Just two quick things, real quick. Number one, I think it's important that we don't get mired in the legalese of this. As somebody had said, and, Jimmy, you were one of them, but, if we make this a regulation and we move forward with this, you're going to have, or it might have been Jim that said it, you're going to have the 90 percent that follow it, which is fantastic, and

you're always going to have your 10 percent that don't, and I think we can't, I guess, get mired in the legalese, like I said, worrying about that 10 percent, number one.

Number two, what Bob Lorenz just said. If you label it as "appropriate", I think that's fine, as long as we're requiring it. Like I said, 90 percent of the people are going to use it, and it's fantastic, and these things are going to work, and we're saving fish, which is the important thing, and you're always going to have your guys that are resistant to it, and there's not much you can do about it.

MR. HULL: Thank you, David. Where do you want to go with this from here? Do you want us to give you some type of approval of this as an AP as a motion that we agree to this, or we think it's good, or we have no further recommendation, or it needs further discussion, or where are we at?

MS. WIEGAND: We'll take your input to the council, especially related to the generally thirty-three feet and is there a different way to word that that would sort of encompass the variety of fish species that you're likely to encounter when snapper grouper fishing. If you guys had any more examples, perhaps, of what these devices would look like rigged and ready, and you talked about the Seaqualizer and the devices that you use, Jimmy, and, in terms of rigged and ready, what does that mean to you when you're fishing out on your vessel? What makes the device you're using rigged and ready to go, in terms of this definition, so that we can include examples like that?

MR. HULL: Thank you, and so that's the next question, is shall be rigged and ready for use while fishing is occurring. I have talked about this a little bit, about my device, and it was pointed out that, well, Jimmy, that device is great, but, if it's not back there on the deck, where fish are being hauled into the boat and being released, it's not ready. It's rigged, but it's not really ready, and so I think that probably rigged and ready is something that maybe we can put -- I mean, for me, it's pretty simple. It needs to be within close proximity of the angler that is going to use that device, and so maybe that's something that has to be -- Just the words "very close proximity to where the fishing is occurring", but this is up for discussion.

MR. SEBASTIAN: I would agree. For the wording on that, I don't think we need to get too technically involved with it. It just has to be easily accessible and available. If it's stored or stowed somewhere, and it takes multiple steps to get it out, then it's not going to be effective or efficient. From law enforcement's standpoint, if it's on the general deck area, then it's easily accessible, and it can be utilized.

MR. MANIGAULT: Once we get this pinned down and/or approved, is it possible for the community to be able to access some examples on the council website, because I know somebody is going to go to YouTube and try to put some stuff up there, and so is it possible that we could have it on the council's website and/or sometimes the council stuff transferred over to YouTube so they could actually see what some of the examples are, because a picture, we all know, is worth a thousand words, and it's easier for people to see, as long as it has the proper examples. That's just a suggestion of what I would like to see.

MR. HULL: Okay. That's good, as far as the definition of the device, but, on the rigged and ready, we have just talked about having it in the cockpit or close to where the angler is prosecuting angling, and so is there any other recommendations for rigged and ready from this advisory panel?

I guess it's those two is what we're coming up with, in the cockpit or in close proximity to the angler.

MS. WIEGAND: All right. Well, thank you, guys, for that input. We appreciate it. Just a note on sort of the examples of descending devices is they will be included in this amendment, and I'm looking over at Cameron, but we do have some examples included on our website as well, do we not, and so there is already information available on the council's website.

If there is nothing else on this action, I did just want to update you guys on the other two actions that are in this amendment, just so you know what action the council took at the last meeting. Action 2 looks at modifying the requirement for the use of non-stainless-steel circle hooks when fishing for or possessing snapper grouper species with hook-and-line gear. The council removed two alternatives from this action. They removed the alternative that would have extended the current circle hook requirement throughout the South Atlantic, and they also removed the alternative that would have removed the circle hook requirement entirely.

Then they selected two preferred alternatives. The first preferred alternative is Alternative 2, which would require the use of non-offset, non-stainless-steel circle hooks, specifically, and so the only change there from the current regulation is that the hooks need to be non-offset, and their preferred sub-alternative would have that requirement north of 28 degrees North latitude, which is where the current circle hook boundary is.

Additionally, they selected Preferred Alternative 4, which would require the use of non-stainless-steel hooks when fishing for or possessing species in the Snapper Grouper Fishery Management Unit, and so this just requires non-stainless-steel hooks across the board.

MR. HULL: Are there questions or comments or concerns on Action 2, the Preferred Alternative 2, the non-offset, stainless-steel circle hook requirement north of 28 degrees latitude, or also to require the use of non-stainless-steel circle hooks, the other Alternative 4, in the snapper grouper fishery in the Exclusive Economic Zone? That would be -- It could be offset, but it could be non-stainless in that one.

MS. WIEGAND: Right, and so I know, with all the different lines, this can get a little confusing, and so the current preferred alternatives that the council has is going to require non-offset, non-stainless-steel circle hooks north of 28 degrees North latitude. Then Alternative 4 is going to require the use of non-stainless-steel hooks everywhere. Any kind of hook, it just needs to be non-stainless steel, and so it's not extending the circle hook requirement south of that line, but we're just talking generally non-stainless-steel hooks.

MR. HULL: Okay. Thanks for that clarification on that, and so it's north of 28 degrees for the Alternative 2, and the Preferred Alternative 4 is for the entire region. I see questions and hands raised. Rusty first and then Robert.

MR. HUDSON: Just a clarification, Christina. Where you have Key West, Florida, as your jurisdiction, isn't it the south side of the Tortugas or something like that, another seventy miles to the west?

MS. WIEGAND: I believe it's Key West, but I will double-check the CFR and make sure the language is correct.

MR. LORENZ: Just for clarification, because I don't remember the specific reason for exempting south of latitude 28 degrees, and was that because of triggerfish?

MS. WIEGAND: Because of the commercial yellowtail snapper fishery was the concern.

MR. HULL: Any others?

MS. WIEGAND: All right. Then, last, but not least, is the powerhead action. Currently, powerheads are prohibited in federal waters off of South Carolina, and the council would like to make those regulations consistent, and so their current preferred alternative would allow the use of powerheads to harvest snapper grouper species in federal waters off of South Carolina, which will make regulations consistent throughout the South Atlantic.

MR. HULL: Are there questions or comments or concerns from the AP?

MR. HUDSON: Did the council have some comments at the March meeting on this powerhead and take a vote?

MS. WIEGAND: They did vote to select this as a preferred alternative. The intent has always been to create consistent regulations, because I believe South Carolina DNR has received a lot of comments from individuals about the inconsistency and regulations, and so they just discussed making South Carolina consistent with the rest of the South Atlantic.

MR. SEBASTIAN: If I recall, the powerheads in South Carolina was set up in the 1980s, and is that roughly -- If I am not mistaken, it was primarily set up because the amberjack population was getting pretty much hammered by power-headers, which I do. I have to say that, when I go down and I powerhead species, it's the most effective, lethal method possible, and it's phenomenally good, and it is, and so, as a spear fisherman, I am sort of torn on this one, because, literally, for spear fishermen, it's just like hunting buffalo. If you are good at it, you're going to be able to go down and you're going to be able to do some significant damage to some species.

As a guy who makes money doing it, it's great. I can go down and pop stuff left and right if it's legal off of South Carolina, and I don't have to go into North Carolina and come into a North Carolina port and then jump back over the line and go back into North Carolina again. I can come in and out of the port, and so, for me, it's just sort of a catch-22, but, if I'm not mistaken, that's sort of why it was brought in in the 1980s, was because of the -- Am I right, Mel?

MR. BELL: Yes, that's right. Basically, it all started with the concern over heavy amberjack harvest on artificial reefs, and that's where the whole special management zone concept came in. Well, actually, it came in before that, but that was the concern. It was particularly on artificial reefs, and, at that time, there were no ACLs, and so it was basically all the fish in the ocean, and so a lot of things have changed since then, and so the same concerns that originally got that going really don't exist anymore, because you still can't do it on the artificial reefs.

MR. HULL: Thank you, Mel.

MR. LORENZ: I just have a question, and I'm always interested, because of the limited resources and the way we have to parcel them out so much, of hoping that fishermen get the maximum ex-vessel price on the fish that they bring in, and so what I don't know, and we don't have -- I would love to have Kerry here, but, these species in our snapper grouper complex that are power-headed, and does that do anything to reduce the price per pound that that fish is going to be sold for? I presume there is a more perfect -- Getting the fish in a perfect way to the consumer is going to bring the max price, and so what effect does that have versus not doing the powerheads for speared fish?

MR. BONURA: From what I have heard, and I'm not a spear fisherman, but I have heard it's the combustion that actually kills the fish and not the actual piece of lead or bullet.

MR. HULL: I don't know that we have an answer to that here right now, but maybe somebody will come up with it in a minute.

MR. SEBASTIAN: What I've found in my spearfishing career is it's actually a more valuable fish when they're shot, because you have no fight, and so then that drops the species immediately, and it doesn't release toxins and things like that, and we get paid more for a fish that's been speared than a fish that's been caught on a hook-and-line, and it's actually -- You're right that the percussion is what actually does the damage. We don't really shoot lead. We just shoot a dummy head, and the percussion is what takes it out instantly.

MR. HULL: Okay. We're getting close to wrapping it up, but go ahead, Jim.

MR. ATTACK: Most people use actually bullets when they use their powerheads, and you can shoot one fish, and the fish next to it will roll over from the concussion. The fish next to it will actually recover and swim away, if you don't grab him quick enough, and I have seen that from personal experience.

The other thing, like what was brought up before, is you go down and you dive some of these wrecks, and all you see is a bunch of brass casings on the wreck, and then you know that some commercial fishers came in and took all the amberjacks off of that wreck, and so that was one of the things we didn't like about the power-heading.

The other thing that can happen with the power-heading is you can take some bigger fish, and so some of the bigger breeder fish, if you're talking grouper -- I know, these last couple of years, where they have gone out in deeper water, 130 or 140 or 160 feet of water, and they're taking 100 or 150-pound gags or black grouper, 150-pound black grouper, and that's your breeders, and so that's the side of it that I don't like to see. If they weren't power-heading, then those fish would probably be around to still breed, and so there's two sides to it. Yes, it is more efficient, and the ex-value is more valuable. If it's a good shot on the fish, the lactic acid is not in the meat, and the fish will be limber, even when you bring it to the fish market, versus rigor mortis setting in, and so it is more valuable.

MR. HULL: All right. Well, I appreciate those comments from everybody. I think that, for the purposes of this action, I think we are going to close it up. We are going to have a -- We are going

to be talking about spearfishing, and there's a presentation coming, and so I think we could further our comments after that presentation. Go ahead, Jack.

MR. COX: Just one last thing, and I am a spear fisherman as well, and I've been doing it a long time, and I will tell you something. If you know how many sharks are down there now, compared to what there used to be, because there is so many regulations on it, and I know we're going to talk about sharks, but I've just got to say that I am not going to go down there anymore and spearfish without a powerhead, and so, from a safety standpoint, I think every spear fisherman should have one.

MS. WIEGAND: This regulation certainly doesn't say that you can't have a powerhead on you for protection. Just don't harvest snapper grouper with it, but you can have it in your possession, but it's just that you can't have a mutilated snapper grouper in your possession as well, because that's considered evidence that you harvested that fish with the powerhead.

MR. HULL: Okay. With all of that discussion, it's kind of confusing now what the action was, but the preferred alternative is to allow the use of powerheads for harvest in the species of the South Atlantic Snapper Grouper Fishery Management Unit in the Exclusive Economic Zone off of South Carolina, which would make it consistent with the rest of the region. The next order of business, Item 3, is the ABC control rule, and it's Attachment 3, and Mr. Carmichael is going to present the overview.

MR. CARMICHAEL: All right, and so you have the amendment document, but we thought it might be a little bit easier to go through this by using the story map, so we can get right to some of the things that we need to talk about here today and to sort of fill you in on what this does. This is the ABC control rule amendment, and the councils are required to have an ABC control rule, and what that does is it specifies how the council and the SSC together address risk of overfishing and the uncertainty associated in stock assessments and fishery information in general, so that they know how you apply the buffer between the MSY fishing harvest level and the ABC fishing harvest level, and so the overfishing limit is the level at which overfishing happens, and that's based on MSY, and so that's essentially the amount of fish that could be taken from the population if you fished it at the FMSY level. That is the max. You can't do that, essentially, and that would be overfishing.

What the council is obligated to do then is to back down from that by some amount to account for the assessment uncertainty and having the SSC recommend to them an acceptable biological catch, and so this is just a level of harvest that's lower than the MSY harvest in any given year, and it accounts for the level of uncertainty within the stock assessment, but it also needs to deal with stocks that aren't assessed, and so it's going to have to account for the uncertainty in situations where we have a data-limited assessment, and maybe we're using landings or some other level, but the point is we have this level at which overfishing occurs, and you have to come down from that.

To keep this from just being an arbitrary and capricious-type situation, the control rule guides how you establish the difference between these two levels right here. Then the ABC is recommended by the SSC, and the council can't go over that. That's why the two groups are working together to navigate this difference, essentially right here.

The council can then set an annual catch limit and an annual catch target, but the council has freedom in how it decides to approach those and how those are divided up against the different fishery sectors and how they fit into the management program overall, and what we're going to focus on here, and what this amendment focuses on, is the ABC control rule that sets this difference.

We have had a rule for quite a while. The SSC has raised some concerns about the existing rule, because they feel like it mixes the roles of the council and the SSC. The SSC is supposed to focus on the uncertainty, and the council is supposed to focus on the risk. If you review the documents, you will notice some of the justification for doing this is that the existing rule uses a series of metrics and parameters that are evaluated, and it's a combination of things that relate to risk as well as uncertainty, and some of those parameters are actually incorporated in the stock assessment itself.

Another concern is that the existing rule potentially could be considered as applying double penalties, in some cases, depending on the stock assessment information and the situation, and so, for example, if the stock is considered to be overfished under the existing rule, there is an additional buffer that's added, and the thought now is, well, that's not really right, because you're already in an overfished situation, and you're going to have a big buffer, and so the gist of what we're doing here, what we're trying to do, is mainly to clarify the role of the council and the SSC and keep the SSC focused on uncertainty and data and have the council set a clear risk policy. A lot of what we're going to talk about today with you guys to try to get feedback on is going to relate to that idea of the risk policy of the council.

That brings me up to the actions, and, as you will note here in this, we have each action listed, and so Action 1 is the ABC control rule, and so this is the one that actually makes the specific changes in the control rule. There is three alternatives, Alternative 1 being not taking any action and leaving it as we have. Alternative 2, which is the one that we're going to focus on in the later slides most intently, makes the biggest changes to the ABC control rule, and it implements this system as separating out the council and the SSC roles, in terms of risk and uncertainty.

Alternative 3 is really more of a hybrid. It takes the general framework that we have now, but it divides it up into roles that will be taken by the council and roles that will be taken by the SSC. That really only solves part of our problem, the way it's being viewed now, because we still have the potential that there are factors in that existing rule that may be double jeopardy in terms of stock assessment outcomes and things that are already in there, and so we want to avoid that.

Then there are some other actions, which we'll talk about a bit less, but one is the probability of rebuilding, and this is Action 3, and this one is relatively straightforward, and it shows the ABC and the P^* that you're thinking about, and those often refer to the probability of overfishing, but, if a stock is in a rebuilding situation, the council also has to decide, well, with what certainty does it want to have this stock rebuilt by the end of its rebuilding time, and the way the SSC has approached this in the past has been to say that the council should pick a rebuilding probability that is consistent with the rebuilding plan it chooses, and so the time and the approach that it chooses for rebuilding within the limits of the Magnuson Act are going to lead to some probability, and, as long as it's greater than 50 percent, under the law, then that should be okay.

That is what we're really trying to quantify in this, to just put in place what we've been doing, in terms of rebuilding, and we have some options in there for making it clear that, given a particular risk level, that we can recommend different probability levels for the council of rebuilding, and the SSC would be able to make recommendations on those, and so that one is pretty straightforward, too.

Phase-in is where we would take actions that allow you to make changes over time, and so, as it is now, the council has faced a situation where the ABC that they're getting is lower than what the landings are, maybe because the stock is worse off than it was when the last assessment was done or something. The council, under the current rules, is obligated to make the change to that ABC immediately, and so, if it were a 50 percent cut, the council, when it put in a change, it would have to take that full 50 percent cut immediately, all in one big bite, and that may be -- It may be the case that just ending overfishing would only require a 25 percent change.

What this does is it allows the council to take advantage of those situations and maybe spread out the cuts, as necessary, and it may actually -- It also could be used to spread out increases, if they want to better see how the fishery responds, but one restriction on this, of course, is they always have to be under that overfishing level, and so they would be in a situation where the first action the council would take could be to get below the overfishing level, and then they would have two to three more years in which they could get to that ABC level, and so it's a way of allowing the fishery to adapt and offsetting some of the social and economic impacts that can happen when you have to have a major fishery reduction.

That's what the phase-in is about, and this is something that is now being allowed under the Magnuson Act, but the council has to come up with, like everything we do, some series of rules and requirements that specify how we're doing it, so the agency can be satisfied that we're not resulting in overfishing.

Then there is the carryover, and this is another bit of Magnuson Act flexibility that's going to allow the council to make use of unharvested catch, and so what this refers to is say you have a situation where the ABC -- Maybe the commercial fishery is closed when it's projected to meet its harvest, and you've got an annual catch limit of 100,000 pounds, and they project that you're going to reach that before year's end, and so they close it on -- They close it at some point in the year. Maybe they close it on December 15, and they do the numbers at the end of the year and find out that you only landed 90,000 pounds, and so, essentially, in that case, you would have left 10,000 pounds behind the following year, and that's unharvested catch.

What this would do would allow the council to take that 10,000 pounds and allow you to catch it in the following year, and so, if your quotas weren't changing and your ACL wasn't changing, and you were at 100,000 pounds that next year, we would take that 10,000 pounds from last year and apply it to the next year, and you would be able to catch 110,000 pounds in that year.

It would only go over one year, and so, if you came under 90,000 the next year again, you wouldn't get to carry over 20,000. You would just carry over based on whatever your original was, and we would also have to stay under whatever the overfishing level is, and so, if you came 20,000 pounds under, but we only had 10,000 pounds to work with before we exceeded that overfishing level, then you would only get to carry over that 10,000 pounds, and that's just a common thread through all of this. We can't allow overfishing to occur, no matter how much we would like to in some

cases or for a year or what have you to deal with some of these flexibility things. We're always bound by preventing overfishing from occurring, and that's important. That is the biggest restriction on how much flexibility the council can give you.

This 4 and 5 are kind of complicated, when you read them, and it's just necessary to get the language in there that can lead to the proper rules that allow the council to take this kind of flexibility, and so the one that I really want to focus on here more is the approaches for setting the overfishing and dealing with the risk and uncertainty, and the SSC has been talking about this for quite a while, and the council has as well, and it really helps to think some about what exactly we're talking about here in terms of risk and uncertainty, because we have found, just ourselves talking about it with the IPTs and around the office and with the SSC at times, that it can get kind of complicated to think about risk versus risk tolerance and how different factors affect risk and what's high and what's low and what does it all mean, and it gets really complicated, and so don't be surprised if you're a little confused. We have all tripped up on this stuff at times, too.

What we've come up with, and I really have to give a shout-out here to Chip Collier for putting this story map together and working with us on this concept and Mike Errigo, who is responsible for a lot of the numbers and figures and stuff that you've seen in here, especially when we get to the results. This wouldn't have been possible without them. It's really been a team effort around the office to deal with this complicated concept, and so those guys have just been great. Chip putting together this graphic, we're hoping to illustrate how risk and uncertainty works.

One thing to think about is there's a cliff ahead of you, and let's say it's dark, and you can't really see very well, and you know there is a cliff up there. Well, how close do you want to walk towards that cliff? How risky do you want to be? Are you just going to plod on ahead and not really worry about it potentially until you start to feel yourself start to stumble and step back, or are you a more cautious type and you're just going to -- It's like, well, I can feel it's out there somewhere, and I'm not going to risk getting close to it, because I can't see. That is the risk. How close to the cliff do you want to go?

One of the factors within that, and one of the things that probably affects most people, would be, well, how steep is that cliff? Am I talking about the edge of the Grand Canyon, or am I talking about the last step when I'm walking down the stairs in the dark in the middle of the night? How close I'm going to get to that depends on how steep is that thing and how far am I going to fall.

In a way, that equates to what is going on with the fishery. What are the consequences of overfishing for a given stock? If it's a long-lived, slow-growing stock, and it's going to take twenty-five or thirty years to rebuild, then the consequences are very big, and the council may wish to be less risky.

If it's a short-lived, relatively volatile stock, and it has uncertain recruitment, and you get a couple of good year classes, you might be rebuilt like that, and then the council might say, okay, that's a relatively short cliff, and maybe I can be a little more risky on that. The other factor to consider when you get into the socioeconomic aspects, and this has been -- Christina has been a great help in this, and our Socioeconomic Panel, and it's, well, what is the importance of that fishery?

We often think that, if a lot of people catch a fish and it's a big part of the fishery, we may want to give the fishermen as much as we can, because it's really important, and that's true over the short

term, but consider the longer term. If a fish is a foundation of our snapper grouper fishery, then there is pretty big consequences if it becomes overfished and it experiences overfishing, because the long-term economic cost of that, the social costs of that, while it's in rebuilding could really be extreme.

If it's a really important fish, and it's important to commercial and recreational, and it's important overall, and it's important in trips, then maybe we deserve to be a bit more cautious, because the consequences of overfishing that stock are so great, and the important thing to remember with overfishing is -- When you decide that a stock is overfished, you are a good ways below. You could be as far down as half of the biomass at MSY levels.

Let's say that you get down there, and you get to a very low biomass level, and it's not okay, and that is what we call the minimum stock size threshold, and that's a good bit below the BMSY levels, and so, when a stock is in that point and it's below that MSST, it's not good enough to just get back to MSST. You have to get all the way back to BMSY, and so what that means is let's say I have a stock that has been crunching along, and it's at half of the BMSY level, and that's my overfished level, 0.5 of BMSY, but, when it goes to 0.45 of BMSY, I am overfished. I have got to get it back, but it's not enough to get back to 0.5 of BMSY. I have got to go all the way to BMSY, and so there's severe consequences that the council has to manage when a stock is overfished.

If you take, for example, black sea bass, it's kind of been heading in that direction, and it's pretty close. If it drops below that MSST, we don't have to just get it above MSST. We've got to get it, a lot of times, a significantly higher amount of biomass to get it all the way to BMSY, to where it is no longer overfished. In fact, we're experiencing that in red snapper right now. The stock is still in rebuilding, because the biomass hasn't reached BMSY levels. The biomass is above what would be considered overfished and declared to be overfished, but, under the rules of the Magnuson Act, the council is obligated to rebuild all the way to BMSY, and so there is pretty severe consequences for a stock that becomes overfished.

That's where this idea of the cliff comes in, because you might just take a little dip and get below MSST and think, oh, that's not so bad, and I will get that back next year. It ain't good enough to get it back next year. You've got to get all the way back up to the top of that cliff, and that's a really important factor, and so that's why we've put so much thought into this risk and tried to express what is going on with it.

You can see the cliff's short impact, and maybe you get a little closer to this, and this would be a stock that you think, well, I could get back to that BMSY level really quick, but what if it's a stock where it's going to take me a long time to get back to that BMSY level, and that's a pretty tall cliff, and so that means the consequences of that are big, and so that's where this long-term stuff comes in.

If you're going to be in a ten or fifteen or twenty-year rebuilding, if that was a really important fish to the fishery, that's a long time that you're going to be under a rebuilding scenario, and so that's a pretty severe social and economic consequence. Hopefully that sort of sets the stage a little bit for what we're doing here and where we're trying to go, and now I'll talk some about the factors that are being retained.

We started with a list of maybe twenty different factors, and so it's been narrowed down to a number of things that really focus in on what we think relates to the height of that cliff and how close you want to get to it, starting on the biological side. We have biological attributes, human attributes, and then environmental attributes. Collectively, these will lead to our risk rating that we are working up to.

Natural mortality is just how fast fish die from natural causes, and the general rule-of-thumb is that, if you don't live very long, and you die fast from natural causes, you have a high natural mortality rate, and you're probably a pretty volatile population, and you're probably going to recover yourself pretty quick. You have to, because your life strategy isn't based on living a long time and reproducing a long time.

Contrast that with something like a red snapper, and it lives a very long time, and it has a lower natural mortality rate, and you're obviously waiting for a longer period of time to get that successful recruitment or what have you that's going to reproduce in the population, and so this really gets at productivity and just the inherent nature of a population and how volatile it is, and then we have the age at maturity, and we're also factoring this, and so this is when 50 percent of the population are mature, is what we're using, and so, if a stock matures at a pretty young age, then it's going to be able to begin giving you dividends from rebuilding a lot faster, and you start to get that exponential fish that you saved last year, and, maybe in a couple of years, it will start to give you more recruits. Again, this is one where perhaps you can get a little closer to the cliff on, if you have a low age at maturity.

The human dimension attributes are going to perhaps get a little more complicated, but we have a couple of things that are straightforward, certainly, like the ability to regulate the fishery. This gets at the council's risk tolerance in the way of how well can they constrain this fishery within the annual catch limit, and so, if the council repeatedly keeps the fishery below the annual catch limit, and they are managing it very successfully, you might say, well, it's okay to get closer to that cliff, because my track record is that I haven't fallen off of it.

If it's a fishery that year after year they can't regulate it, and it goes over the catch limit, then you say, okay, my tendency is to overshoot my goal, and so, if I know I'm overshooting, I don't want to get that close to the edge of the cliff.

The other attribute we're looking at is potential for discard losses. This, in a way, kind of is correlated with that other one, because discard losses can be the kind of things that lead you to overshoot your actual harvest level, and so, if there are a lot of discards, then there's a lot of harvest, and there's a lot of removals from -- I shouldn't say harvest, but there's a lot of removals from that population that I am not necessarily directly controlling or accounting for, and so that means the potential that I think I haven't gone over the cliff, but I really have, is great. If there's a lot of discard losses, then I need to consider that within my risk, and it puts the stock at high risk of being overfished.

Annual commercial value is something we're hoping to get some feedback from you guys on, because we have two ways of looking at it, and the idea here is that, as I was mentioning in this long-term and socioeconomic view, a fish that is really important in the fishery probably needs to be approached a little more conservatively, because the consequences of overfishing are so much greater.

We have two ways of looking at what makes an important fish. One is we can look at the overall commercial revenue across the year, and so we can just look at all the species in the snapper grouper complex and do a table of them, what stocks were the top ten, what is the revenue of these different fish, and so high would be 10 percent of the total revenue, 1 percent and 10 percent for moderate, and 1 percent of the total revenue for low. That would just be looking at fish that are ranked within the overall landings within a year.

Another way of looking at it though would be to look at the rank of species within all the trips that caught that species. For example, you could have a fish that you really direct on, and something like wreckfish is probably a good example. There is a small number of trips, small number of fishermen participating in that, and, when they catch wreckfish, they pretty much just catch wreckfish, and so, in those trips, that is the dominant species, but, in terms of the snapper grouper fishery overall, it may not be as big of a player, because it's just got less landings than other things, and so this really gets at what do you guys think is the sign of an important fish.

Is it something that overall is very important to the snapper grouper fishery and the entire South Atlantic, or is that stock of that species that maybe you only catch a few months of the year, but, when you catch it, it is a large portion of your trip. Maybe it's 40 percent or more is what we're putting for high. A species that is 40 percent or more of your trip when you catch it obviously is an important species to those trips, even if, maybe over the course of the year, it's only 10 or 15 percent of what you catch overall, but, during a certain portion of the year, it could be critically important.

The trips could work out also within areas or maybe the areas where fish is really important, and so I guess I want to pause here on that and just, Jimmy, maybe have some discussion of how people consider what's important within the fishery across these species.

MR. HULL: Very good. That's a lot of information. You're asking for input on what we value - - How we value the importance of the fishery specifically to us in our fishery or in our region, and so we need to get some comment going here and some discussion.

MR. LORENZ: Mine is more going to be a question of trying to think and handle this. How did you take -- You started this a while ago, and so where does the Modernizing Recreational Fisheries Act fit in this, because, when you show me the cliffs -- There is a part of what we do here that looks like a lot of actions to stay a little back from that cliff. I mean, I'm a recreational fisherman, and, in all honesty, I see this act kind of asked for you to go closer to the edge of the cliff to take a look, and so could you comment on that?

MR. CARMICHAEL: I mean, I don't think that that necessarily changes any of the basic language in the act affecting the ABC control rules, which is what we're working on. I think the idea of perhaps allowing carryover and allowing phase-in gets at the greater flexibility, which is consistent with the act.

I think some of the concepts here, where we're providing the council, and I haven't got to them yet, but providing the council more ability to directly specify risk levels, and that definitely gets at the concepts of the act of giving more flexibility, and so what we'll do with this, kind of the big-

picture view, since you raised that, is, once we go through all of these, we get a risk rating for the stocks, and then the SSC will review them and see if they think they're appropriate.

If not, they could say, well, this one came out as low, but we think it should be moderate. This one came out as moderate, and we think it should be low, and you guys get a chance to do the same thing, and that goes to the council, and, ultimately, they're the ones that are going to say, okay, this is the risk at which, the level at which, we want to monitor each stock and manage each stock.

To me, that is consistent with the concept of the Modern Fish Act of providing greater flexibility to the council, and that's quite a bit different than where we are now in our existing rule, and it's pretty cut-and-dried and very rigid. The council has -- There is nothing in the rule, as we've written it currently, that really allows the council or the SSC to say, well, I see that rating, but we don't think it should be that, and we think it should be this over here, for these reasons. Their hands are really tied, and so, in that regard, I think we're in the spirit of that.

MR. HUDSON: Thank you, John. Earlier, you showed a small gap between what the ABC was set at and the OFL, and I believe golden tile had a big gap in between those, and how we got there, to have such a big gap like that, and that's a big buffer, in our minds, and we haven't gotten to any P* stuff on this yet?

MR. CARMICHAEL: No, we haven't gotten to P*, and that's just an illustrative picture, and it's not to scale. You can't assume anything about the relative buffer between ABC and OFL off of that picture, but what Rusty says is correct. Tilefish has the highest poundage buffer of any of our species, and it's something that we have definitely worked on in the past, and, in fact, the council has been interested in having more flexibility in setting the risk level on tilefish, and that's what led us to include language in this plan that gives the council that latitude to more directly set risk tolerance levels.

MR. HULL: I would just like to add that trying to determine how important a fishery is to a particular community or fisherman is variable, highly variable, because I know people that would just as soon go attack the ACL and catch all of it as quick as you can in one species and then move on to something else that is open, or the other people would say, well, I want to stretch it out and have multiple trips year-round on this, because it's a small part of every trip or something like that, and so it's pretty tough to nail that down to one explanation of how valuable a certain species is for the whole region and for the fishermen, but that is something to be discussed.

Obviously, fishermen need to be kept fishing, regardless of whatever species we're after, and so we have to have something to fish for one way or the other, and so how you dice it up and how you catch it I think is what you're asking for. Is it more important to have this scaled back, and they apply more buffers to it, so that the season actually -- So that there's no chance of overfishing and it lasts longer and next year you don't have to pay back and things like that, but, again, I think it's hard for all of us to value -- I can tell you that, for me, the black sea bass pot fishery, for instance, which we have a greatly reduced ACL coming, in my region, which is going to be -- I am at the very southern end of the fishery, and I would rather try to catch what I can catch when the fish are there, when the water is cold, because that's when they pot up for me, and then, in North Carolina, it may be something that they want more of a year-round fishery, and so it's going

to be tough, on that one, I think, to -- I mean, they're all valuable. Every one of them is so valuable, and it's what we do, and so we need fish to catch.

MR. COX: John, I might put you on the spot a little bit, but I'm going to look for an exact -- Well, I can't help but continue to talk about this thing a little bit, and so, from a scientific standpoint of view, and the way that we use the ABC control rule, how did we let red grouper, that we observed overfishing occur over the last ten years, get into the shape it's in today, and how long have we been implementing the ABC rule, and what can we do, moving forward, to change -- I understand that we're trying to implement some flexibility in it, but how do we fix this problem?

MR. CARMICHAEL: Red grouper got where it is because of poor recruitment, and that's the bottom line. The stock did not give the number of recruits that we expected that it would get in the last assessment, and we're not sure why. The SSC debated this quite a bit, and they're not sure why it's giving bad recruitment. Is there something going on with shallow-water groupers in general?

It's also a potential scaling factor, because, when we do things like MSY, we're talking about what is the average productivity of the stock over really the assessment period, when we estimate it, which could be thirty or forty years' worth of data, and so what's the average recruitment over thirty or forty years? Well, what's your stock market yield over thirty or forty years? What do you think your retirement account is going to make, your IRA, whatever you have, your 401K, is going to make over time? What do you think the yield on your investments and your business and everything is going to be over time? It's anyone's guess. We know rules-of-thumb, that the stock market is going to make a certain amount over decadal scales.

Well, in some cases, these stocks are like that. This red grouper is going to produce a certain amount of recruits, we believe, over a thirty or forty-year type of average. Well, right now, it's in a period of low recruits, and it's not producing that. It's like the stock market is down, but it could turn around.

Red snapper produced poor recruitment for a number of years, and then a really low spawning stock produced the best year class we had ever seen, and we don't know when those types of things are going to happen, but certainly those types of scales are critically important to where we judge where a stock is and where it's going on and how well it's doing relative to our MSY estimates and what we hope it will achieve, and that's been one of the things that the SSC talked about a lot on red grouper, was saying, well, we've had four or five years here now of bad recruitment, but does that mean that we're in a low-recruitment regime and we should downplay our productivity measures for this stock, or do we think that a couple of good year classes could come along and suddenly that long-term average recruitment that we've gotten over the last thirty years actually is still valid, and you factor in things like that.

It's like, well, is climate change affecting the growth of some of these fish, and that's happening on a scale that is really hard to factor into year-to-year changes in abundance, and so recruitment is the reason we got there. What it means for the future of the stock, we don't know yet, but the next assessment may shed some light on it.

As far as how do we get in a situation like that when we have these protections and these ACLs and we've had all these conservative measures, it's just to say that, if you have the ACLs and you

have the science that went into it, if you're not updating that rapidly enough, and there is things happening in the fishery, and you're not aware of them, then you can be led astray by even these best-laid plans of ACLs.

The trouble when you have an ACL and you don't have the science to back it up is you could be in the red grouper situation. You are under your catch limit. You could think, on paper, that everything is fine. Then you do the assessment and you find out that everything is not fine, and, for those of you guys that were around to remember when we had black sea bass at the end of its rebuilding plan, it had a great year class, and it was going over its catch limit.

We had to close the black sea bass fishery, and it was like, well, how can you do that, and the fishery is great. We were like, well, yes, and it's because we know the fishery is doing better, but we just don't know how much better. We did an assessment, I think a year later, that showed that we had a great year class, and the stock was no longer overfished, and we were able to remove that closure and not have that, because, again, we had a situation where the stock had changed, based on where we assumed it would be, and we just hadn't had our science catch up to it, and so red grouper had that working against it, too. The stock was changing.

We don't have good metrics that tell us how many fish are out there for most of our species in sort of a real-time, within a few months type of basis, and it was the perfect storm, in the case of red grouper, really, that got us there.

MR. MCKINLEY: I just wanted to comment on the value. It is pretty tough to tell, and, obviously, like in May, when we go after the grouper and stuff, the value of the fish is so much higher, and that's what we say, but then you come in on these trips and you've mostly got triggerfish, and so that's the valuable fish, and these closures hurt, especially from now until July. The same in the winter, when you go after the b-liners and triggers. The black bass is so important, because, if the weather is bad or the current is running or something like that, you have to come in, and you can get your 350 pounds.

That is very valuable, and, again, it's the closures on the black bass, and so, I mean, it's hard to value these fish. You always sort of say, well, you target the ones that are the most valuable money-wise, but, in reality, it's the dollar value of what you bring in of the species, and so that's all that I wanted to say.

MR. LORENZ: John, let's call it a rule that we can use, and I want to bring an example. Captain Gary over there, on something like the sea bass, where you had stated to you that this is a bread-and-butter and I need this fish, and we're not sure about it, on this -- Because I mix this stuff up with some of the stuff in the Modern Fish Act.

This is going to allow the council the flexibility to listen to a man like that and say that we're going to manage this fish a little more aggressively towards the take, towards allowing more fish to be taken, and so, for sea bass, we're going to go close to that cliff and allow more of a chance of going over our ACL, and then are you saying, when you enroll the fishermen into asking what's valuable, if a bunch of recreational fishermen -- If they come to the conclusion of, well, I would rather -- To get red grouper back, why don't you close the season completely for a year or two and let it happen that way, because not as many people are going for that, and is that the kind of thing that can occur? I am trying to put this in a more simple manner. Is that a kind of an option?

MR. CARMICHAEL: Something like that could occur, but that's several steps removed from this control rule, in terms of how the council ultimately responds to it and if they decide to just close something down in that regard. Yes, that is -- I mean, anything like that is possible, and we've seen all kind of scenarios happen in the past, and so, yes, but, in terms of this, whether something is high or low could influence how close they get to that and then how long it takes that it is closed.

I think the commercial values is -- The reason we have these two options is because we have struggled with what really reflects what is important commercially. Is it what is provides more than 10 percent of the total annual revenue in the snapper grouper fishery, or is it things that are really important on some trips, or is it maybe a combination of both?

From what I am hearing, there might be somewhat a combination of both, because they could be equally important, depending on the situation and the time of year. You are just as concerned about those things that are the bulk of your income at the end of the year as well as those things that were really important to your income at certain parts of the year. Is that pretty fair, Jimmy? I certainly see Randy shaking his head, and so I think, Mike and Chip, we may have to find some way of sort of folding these two in there together.

MR. ATACK: I guess concerns I have when I look at this and watch this is it depends on how we apply these rules to the different fisheries. Examples might be nice. Like, with red grouper, we know what happened. It's the chicken-or-the-egg. I mean, yes, we had poor recruitment, but was that because we overharvested a couple of years before and then got below critical mass? Why is the red grouper where it is?

If we're going to do this carryover rule, are we going to apply that to red grouper? If we're hitting 30 percent of the ACL, are we going to carry 70 percent over towards the next year, or are we going to use -- What values affect our decisions on this? Everybody is saying that we want red grouper, because it's really important, and are we going to carry over the whole 70 percent, or the whole 85 percent, of the unused ACL, or are we going to say, well, no, we've been below, at 15 or 20 percent of the ACL for years, and that we don't want to carry anything over? How will we use these rules based on examples of what has happened? Black sea bass, we've seen that cycle, and so will this help us with that cycle and help us make better decisions? We have seen how red grouper has not, and will that help us with those decisions? I guess that's the questions that I have.

MR. CARMICHAEL: Those are a little bit easier than some of these that we've been talking about. The carryover will be limited by not exceeding the overfishing level, and so, essentially, think of it as -- If we go back to the first graphic, basically, the council is going to have an ACL, and that is going to be you didn't catch the ACL, and so you have some that you can carry over to the next year.

You couldn't carry over any more than the OFL, and so you're going to be limited by whatever this level is in here, and so, immediately, you're going to be -- Well, if I was 70 percent under, it's extremely unlikely that I'm going to be able to carry that much before I would be over the overfishing limit, and so that's an immediate bound on how much you can carry over.

If a stock is overfished or overfishing, carryover is not going to be allowed, because you would be exacerbating ongoing problems. If a stock is in a rebuilding plan, in general, we probably don't

want to allow carryover, but, because you can have that stock that's really close to MSY, and almost rebuilt, maybe they do want to allow some carryover, and I'm hesitant to make that a hard-and-fast rule, but certainly, in the early years, you don't want to do that, and so there will be limits on when you can do that.

Another thought in carryover is that it should really only apply in the case when there was a closure, and so, if you're repetitively below your limit, then you're not having any types of closures, and so you potentially wouldn't allow carryover, because there's really no need for it. Carryover is really seen as a way of sort of paying back for a time when maybe you closed too soon and caused a problem, and so there's a number of -- If you look in the document, and you look at -- That's why there is so many sub-alternatives in there that deal with different criteria, and the council can choose several of those to put bounds on that, so that we make sure that we don't overfish and we don't just push our problems down the road.

MR. ATACK: On that note then, some of the fisheries, the ACL is met annually commercially, and so there's no carryover, but, on the recreational side, due to either lack of sampling or enough intercepts, or for whatever reason, if the recreational is under by 30 percent, is that going to be carried over for both sectors next year, or is it just for the recreational sector, or how would that all play out?

MR. CARMICHAEL: Carryover is just within a sector, and so it's accounting within each sector, and so it wouldn't carry over to both. If one went over and one went under, it would be managed within each individual sector.

MR. HULL: John, I would like to -- Can you give an example of a species that we could currently possibly reduce the buffers and get closer to the cliff on?

MR. CARMICHAEL: I think tilefish is one. Certainly, based on the discussion, it seems like the buffer is surprisingly high, given the information in that fishery and how that fishery operates and the things that normally contribute to great uncertainty. Like a high recreational catch, it doesn't have it. A small harvest spread out over a wide area that is hard to sample, it doesn't have it. I think that is one where probably we would get closer, and we'll get to some examples, and we can show sort of how stocks may change, in terms of their risk levels.

MR. HULL: That was golden tile or gray tile?

MR. CARMICHAEL: Golden tile is, I think, one that definitely comes to mind that would probably be able to be changed.

MR. HULL: Then the other thing was, for me, it seems that the determination of overfishing of a stock comes after the stock assessment. They are going to determine when it's overfished, and so, by adjusting these things ahead of time, you are really kind of behind the eight-ball, because then, all of a sudden, the stock -- Things change, like you said on red grouper, and you did certain things, but then the stock assessment says, well, we've determined this to be overfished now, and so everything you did there was -- It just didn't work, based on the way -- The ocean is in control, and we aren't. That's all I wanted to say, and is there more conversation and questions?

MR. CARMICHAEL: You're right, Jimmy, that a lot of times the ocean is in control, and our best efforts still end up with stocks being in trouble. There are a few more human dimensions, and we talked about the commercial, and the recreational is going to focus on trips reporting targeting of the species, and so, the more people report that that was their target species, the more important it's going to be considered to be, which that one is pretty straightforward.

Social concerns, this one I will tell you is extremely complicated. Our Socioeconomic Panel had a great presentation on this, and some documentation on there, and what has been done is an analysis of the social importance of fish, looking at communities and how important individual fish are within different communities and coming up with a scoring approach that can establish -- It's a pretty involved analysis.

It's been done for a few stocks, and we can probably do it for more stocks, I think. Christina has been spearheading this, and we can do it for more stocks. I have an idea that doing it for what we've been calling our key stocks, which is that fifteen or so that we're assessing pretty regular, and this just gets at the idea of how important is a fish along the whole coast. If something shows up at the top of the rankings in communities and landings, if a species shows up quite often, if it's very high communities, if it's moderately high in a lot of communities, all of these things could say, you know, this is an important species to our fishery as a whole.

This species falling off the cliff and becoming overfished could be bad for our community as a whole, and that's something that we would wish to avoid, and so this is something that gives us another set of concerns, and we can -- If it's a really important fish, we can calculate that and provide that to the council and consider that in their rankings, and so what we have here then is seven kind of basic things that are being scored. All of these, collectively, are contributing to the final risk.

The environmental attributes is like an on/off thing. If you think that a stock is important in the ecosystem, then that gives it kind of an uptick, in terms of its risk. If it's going to be affected by climate change, then that's another one, and these are like on/off switches. If this gets applied, then that's going to contribute to their risk rating and expand it out some more, and so that is how all of this is done.

Let me click over here to real meat, which I know everybody likes to look at, which is, well, what does this actually end up doing. I think, if you're following along, you can probably see this a little better than I'm seeing it on this screen here, but this is really the bottom line of what happens.

We have some stocks here, and you can see blueline tilefish, gag, and black sea bass, and these are just color-coded, and so factors that contribute to high risk are red, moderate risk is yellow, and low risk are green. We went through all of those different attributes and scored it for each of these categories, and, at the end, you get the final risk rating, and so blueline tilefish got a high for natural mortality, moderate for age at maturity, high for regulation, low for potential discard, moderate commercial, low for recreational desirability. Social concerns is unknown, because it hasn't had the analysis done yet. It doesn't trigger on ecosystem importance, but it does trigger on climate change.

The end result is that each of these has a numerical score, and that's just averaged across each of these categories, and you end up with a final risk rating, and so what this says is blueline tilefish

would rank in the council range as a high-risk species. That would mean they would want to be more conservative, in terms of how they manage it.

Gag scored as a moderate, and you can see it's very moderate in a lot of the management things. Black sea bass was pretty low, in terms of a lot of the biological things. It has some highs in the human dimensions, based on discard losses and recreational desirability, because there's been a lot of discard losses in black sea bass, and it's a very important recreational fishery, but, overall, it ends up ranking as low, and so black sea bass would be one that the council would go a little bit closer to the edge of that cliff.

MR. ATACK: Under environmental, I see you've got the climate change and ecosystem importance, and what about like invasive species? Would that also go into that category as a risk for certain species?

MR. CARMICHAEL: In what way? Like if the species is particularly impacted?

MR. ATACK: Yes, and like lionfish could be affecting recruiting of red grouper or some other species. I mean, I know a lot of divers are harvesting them. Down south, they've seen less last year, and we've seen less after our cold winter in 2018, but, still, it's got to have an impact, and I don't know what other invasive species would be, but, when you're looking at risks and rebuilding plans, I think, if we had any kind of data on that, that could also be in that risk category.

MR. CARMICHAEL: Just from a mathematical, it sort of works out like the potential for discard losses. There is a potential loss of that fish that you're not able to maybe effectively control or you can monitor as well as you would like to. That is something that could be considered, if we could find some information on stocks, if we knew like the lionfish keyed in on a particular species as prey, or are they just eating whatever is there, and so that's the kind of stuff we would need to have, but it's certainly something worth considering.

MR. HULL: John, on the black sea bass, where you end up with a risk category of low, the council would then apply that risk category to the ABC rule and potentially could get closer to the cliff, basically? As you said, they could minimize some of the buffers and get closer to the cliff, because the risk of cataclysmic overfishing in that species is -- It's short-lived, and it's highly productive, blah, blah, blah, and the things on that, and so I think we pretty much get that.

MR. CARMICHAEL: Yes, and so, these stocks, they are assessed, and so what that would mean is -- There is a table in the amendment that shows you, given this risk rating and the stock biomass level, it would specify what the P^* is, and so, as it is now -- Jimmy, you mentioned earlier about the assessment coming and determining the status. The current control rule considers stock status in the buffer that's used to adjust P^* , and so you don't know what that is until the assessment is done.

With this approach we're laying out here, it doesn't rely upon anything estimated in the stock assessment to determine the risk rating going upfront. All that you would need coming out of the stock assessment would be the biomass level, which will then determine the specific P^* s. The table shows you a matrix, and it gives you different biomass levels and different risk ratings, and so we would know that -- Like black sea bass, depending on what the biomass level is that comes out of the assessment, we will know the P^* that the council would want to be managing that stock

at, and so it's a lot more straightforward, in terms of understanding the P*s and how a particular species is going to operate.

It also means that the SSC knows going in and doesn't have to worry about status, because the agency determines status, and sometimes they don't always agree with the SSC. The SSC is actually now more effectively able to recommend the appropriate P*, because they're going to know the biomass level from the assessment, and they're going to know this rating.

MR. HULL: Okay, and that was helpful, and that helps in understanding the whole purpose of this, which was to have the SSC worry about the biological rating and the PSE and the uncertainties there, and the council worry about the management parts of it and their approach to it, and I think that's what you said, that they were trying to separate this, to where the council didn't have to get involved with that, nor the SSC get involved with the council's responsibility on how much risk they want to tolerate. I think it's sinking in a little bit better.

MR. CARMICHAEL: That's right, and we've been working on this with the SSC for a number of years, and it does take a while to sink in, but I think we are heading in the right direction, in terms of what we're doing and make it clearer and simpler than where we've been. In the amendment document, on page 18, you can see the table. It's probably worth going to that, because that's actually pretty important, I think, given what Jimmy had brought up.

For the assessed stocks, this is what is going to be important, and so we mentioned black sea bass. Black sea bass would come across as a low risk-rating stock, and so that would put it here, in the top row of this table, and this table gives you what the P* values are, based on the risk rating and whatever the biomass is, and so, if the stock were to be at low biomass, and so it's below the midpoint between BMSY and MSST, and it's on its way to becoming overfished, then the P* would be 0.4. The maximum P* the council can use is 0.5, and so that's actually not a very big buffer, in terms of overfishing probabilities.

If the biomass is above the midpoint, and so it's between BMSY and MSST, then it would be at 0.45, and so we would fish it a little bit harder, essentially. We would only have a 45 percent chance. If it's a high biomass, we're saying, where the biomass is greater than BMSY, or perhaps even 110 percent of BMSY, we would fish it at the highest level. Now, for the low-risk stocks -- The high and moderate are the same. At one point, we considered making this level here high biomass and low risk at 0.5, but that's considered pretty risky, because we're not really making much of an adjustment for uncertainty, and so we have maxed out at 0.45. Then you see now the differences are really the greatest, and the P*s, in terms of the high-risk stocks.

If you're at a high biomass, the best you're going to get is 0.4. If you're at moderate biomass, you're going to be at 0.3, and, if you're at low biomass, you're going to be fishing at 0.2, and the idea here is that, if I'm at low biomass, I'm at greater risk of becoming overfished and having those higher consequences, and I need to be more precautionary, in terms of how I exploit this stock. This would tell us going in with the biomass levels, and we'll know the risk ratings prior to the assessments even being done.

One of the things we will do is we will evaluate, during the SSC's review of the assessments, all of those criteria that led those initial risk ratings, and we're going to go through all of these for this amendment, and so, when this amendment is done, we're going to have preliminary risk ratings

for all the stocks, so that we can put this into play, and then, when we assess a stock, we will look at the ratings that we had and make sure that say natural mortality didn't change, or age at maturity didn't change, and so we'll make sure that none of the parameters that led to us getting these ratings are changed. Then, if we get new information along the way, we can always update these as well, and so it won't always be fixed in time.

MR. SEBASTIAN: You may have clarified that, and sorry if I missed it, but what is the process for doing the risk ratings? Like who does that? Is it a consensus process?

MR. CARMICHAEL: It's an iterative consensus process. Ultimately, it's the council's responsibility to set a risk policy and assign the risk ratings, and so this essentially becomes the risk policy, and it's being done with feedback from the SSC and feedback from the APs, and then what we will do, procedurally, is provide rankings for all the scores, as I just showed in that colorful table.

The SSC will review those and see if they think they are appropriate and look if there is any that they think should be changed, and they will make their recommendations, and you guys will do the same thing. Other APs involved in this FMP will do the same thing for their stocks, and then it will come to the council, and let's say they have red hind that is ranked moderate, and the SSC says we really think that should be high risk, and maybe you guys hear the SSC and you say, yes, we think the SSC is probably right. Then the council would be able to change that to high risk.

Yes, it will be sort of an iterative process with everybody contributing to it, but, ultimately, the buck stops with the council, and that's per the Magnuson Act. They are supposed to be the ones to decide how risky do they want to be with each one of these stocks, and that's really a big shift in how we're doing it, but it's consistent with the Magnuson Act and what their role is supposed to be. That was a good question, and thanks for letting me clarify that.

MR. MANIGAULT: I want to roll back to the ACLs and get some clarity on it. I'm sure there's an exception to the rule, just in case, and I'm going to keep it simple like that. You said when a stock doesn't meet its ACL that it carries over, and does that apply to all species?

MR. CARMICHAEL: Yes, it would apply to all species as long as it's not hitting any of the triggers that say you don't allow carryover, such as it's overfished or overfishing.

MR. HULL: I just wanted to add one point. As soon as you went to page 18 and you got to this table, I started to get really, really messed up, and so maybe I'm the only one, and I don't know, but this is strictly for the council default risk tolerance, and this isn't a scale of that, and, obviously, the P* values are included in the process in the stock assessment as far as data, and, I mean, there is P*s for everything, correct? This is the uncertainty levels -- The P* is the uncertainty level.

MR. CARMICHAEL: No, the P* specifies essentially how close the council wants to manage the stock relative to the MSY level. It's the probability of overfishing level. They have got to be below a 50 percent probability of overfishing. If they set the P* at 0.4, they're going to go with a 40 percent chance of overfishing. If they set it at 0.2, they're going to go to a 20 percent chance of overfishing, and so, the lower the P*, the lower the probability of overfishing, which means then the lower the level of harvest.

MR. HULL: That helped me a lot right there.

MR. CARMICHAEL: The P^* comes in in the projections that the SSC does, and so, if you look at the stock assessments, there is usually a projection at MSY, or that's the $0.5 P^*$. Then there's a projection at these other P^* levels. Those are the ones that give you the ABC, and so the OFL is going to essentially be a projection at 0.5, and so 50 percent chance of overfishing, and that's our OFL, and then, if it's a 40 percent stock, then they're going to do another projection at a 0.4 chance of overfishing occurring, and that's your ABC. They come in at the projections, and they directly determine what your ABC is going to be. They're really just changing the fishing mortality rate, and they're getting you to a lower fishing mortality rate than what you would be otherwise.

MR. HULL: Thank you. That was helpful.

MR. MANIGAULT: The P^* rating for red snapper is --

MR. CARMICHAEL: 30 maybe, and I see Mike over there scratching his head, and he'll figure it out in a second. We'll look it up and see exactly what it is.

MR. R. FREEMAN: Back to the slide with the boxes. How does the tilefish have a high impact from environmental change and the gag is less and the sea bass is low? They're all swimming in the same ocean, and, basically, the water temperature is pretty much the same for each of them in our particular area, and so how do those rankings get applied to this chart?

DR. KELLISON: I am just guessing that there is just more evidence of changes in the distribution of that stock that might be attributed to changes in water temperature, and so catches in the last decade or so of blueline tilefish increased greatly in the Mid-Atlantic, but we haven't seen those kind of changes with gag or black sea bass.

MR. CARMICHAEL: Yes, that's it, and so it's in the environmental climate change trigger, and it is related to changes in distribution that seem to be going on with blueline tilefish.

MR. R. FREEMAN: The regulations, for the last five or ten years, have been such that it has forced a reduced pressure to fish those fish. Some years ago, we had no limits on gag or tilefish or either one, and we have gradually increased those limits to where they are now, and I asked you earlier what the limit is, and you didn't know, and I'm not clear either, but it's like one fish per boat and one fish per person. Well, naturally, the catch rates are going to go down, and so I don't know what we're compiling for data that creates a chart like that.

MR. CARMICHAEL: Well, it's not about catch rates. In fact, there aren't catch rates in here at all. This is about attributes of the fishery and the population. This is looking at how the fishery's distribution is actually shifting, and some stocks are considered to be more susceptible to climate change impacts than others, and that's what this would be getting at. For a lot of stocks, we don't have a lot of information, and so a lot of these are going to end up being in the N/A category. Mike, did you have the P^* for red snapper?

DR. ERRIGO: (Dr. Errigo's comment is not audible on the recording.)

MR. CARMICHAEL: Okay, and so red snapper has been under a rebuilding plan for a long time, I think pre-dating the control rule and stuff, and so we haven't done a formal P* recommendation on it.

MR. HULL: If a stock is under rebuilding, there won't be a P* developed?

MR. CARMICHAEL: Right. There will be a probability of rebuilding, which was the Action 2 stuff.

MR. HUDSON: John, with the P*, and this is going back to SEDAR 38 with the king mackerel, we had neither overfished nor overfishing, yet we got a reduction through the P* in some fashion, and is that what I always attributed to John Boreman's statement of the insanity rule, and the Mid-Atlantic got rid of some type of approach like that, and are we able to get rid of that approach when we have a huge stock like that and it's not overfished and overfishing is not occurring and we don't get buffered down so more?

I mean, it's keeping us -- Like with our trip limits, for instance, it's keeping us from catching stuff, because they're thinking about this older stock that was hit by driftnets in the 1980s and stuff like that, and so I was just wondering how -- I don't know what snapper groupers might fall under some of that. I always felt like golden tile and a few other things had some what-ifs there, but is it really a type of thing that we need to have that reduction on stocks that are supposedly that healthy?

MR. CARMICHAEL: Well, you have to have some reduction on everything, obviously, based under the Magnuson Act. How much really ends up being a function of whatever the P* is, in the case of an assessed stock, and how that uncertainty gets promulgated through the model. One thing that this does is it does give the council more direct control over those risk ratings, and so at least, if it has a stock that it doesn't feel like the conditions of the stock at this time justify say a moderate, then the council could say, well, let's fish that at low. Then, as you see, with the changes in the biomass levels, the P* for a lot of stocks will probably be higher than what they are now, actually, quite honestly, and so I think the net result of a lot of this would be the council getting a little closer to the cliff on a lot of stocks.

MR. MORING: Have the scientists assessed what the impact of lionfish on some of these stocks are?

MR. CARMICHAEL: Probably not to the extent that they would believe it's good evidence of what the impact is. I think there's still a lot of work being done on that to understand their impacts.

MR. MANIGAULT: I don't know whether I should ask this question, and I don't want to get in trouble, but I'm going to ask it anyway. Back to red snapper. Since we don't have a P* rating, because of the fact of rebuilding, that means, when we don't reach the ACL, on either the commercial or the recreational side, that means that that doesn't carry it over, right?

MR. CARMICHAEL: Red snapper would not carry over because it's in a rebuilding plan.

MR. MANIGAULT: Right. Okay. I just wanted to be sure.

MR. ATACK: One question on the lionfish. Are they doing any kind of a catch per unit effort or any kind of landings tracking, the SSC, because, if we see that catch per unit effort going up, and the amount of landings going up, then we're probably going to have more impact to the fisheries. If we see the CPUE going way down, and less landings, meaning the stock is decreasing, and things are getting better, then that should also affect the fisheries, right?

MR. CARMICHAEL: For lionfish?

MR. ATACK: Yes.

MR. CARMICHAEL: I don't think anybody is monitoring much of anything about lionfish. It's not a managed stock. It's an invasive, and we probably want to encourage people to go catch them. I mean, I know Todd and them are doing quite a bit of research on them, and their landings are probably often reported, certainly to a lot of the states they are probably reported, but, right now, it's not a managed stock that we're going after, and I can't imagine that we would devote CPUE resources to lionfish when we've got so many managed stocks that we could use good CPUE information on.

MR. ATACK: I'm not saying should we manage the stock, but I'm just saying that there is data there that could affect how you rank your risks on the different rebuilding and the different plans.

DR. KELLISON: I will just note that -- I think we see them sufficiently frequently in our trap video survey, on the videos, that we could develop an index of abundance, like we would for a species that is undergoing a stock assessment, and so I think we have the information. We essentially would be able to track their abundance over time, within the broader region, down through a little bit south of Canaveral. Thanks.

MR. CARMICHAEL: It's probably one that we don't want to see their abundance increasing, unlike most things that we do. The last part of this then is to show you some examples of how all those different categories work out looking at large groups of stocks. This next section -- If you clicked through this, you saw the three different ways the values are presented. We're looking at three options for how we put together all of those scores for all these things here in this table.

You notice that here I have an unknown, and what do I do with an unknown? Do I just skip it and don't include it in the average for human dimensions? Do I put in some placeholder? Do I say to just call it moderate, if it's unknown, or do I have some way where I make sure that I account for that in the risk and maybe bump the risk level up a little bit? Those are really what this is getting at, the three options.

We have unknown attributes that are removed in the first category, and so, if the category is blank -- By categories, I'm talking about, if the entire biological is blank, then I would just say it's moderate. The other one is I just fill in all the blanks, and so, here, this unknown, that would just be filled in with a moderate, and I would calculate an average, and then, finally, there's one where we weight it, and so, if that is an unknown, I would give that a little more influence, because there is some people that philosophically think, and there is plenty of literature to suggest, that we should be more conservative when you are facing unknowns.

That is what we're balancing, in terms of looking at these approaches, but what you probably really want to see is what does this mean in terms of the ranking of the stock, and so removed is -- As I was saying, we're just not counting it if it's unknown. Moderate, I am filling in the blank with a moderate risk rating, and, with weighted, I am giving a little bit more influence to the unknowns, and so I raise my risk level.

First is the assessed stocks, and you will notice that none of these choices matter, and that's because these are assessed stocks, and I don't have unknowns that I'm doing, and so the first thing is assessed stocks aren't really going to be affected by what I do with dealing with unknown information, and one thing to look at is -- So then just look at these stocks and think of, just in your own mind philosophically, high risk, low risk, moderate risk, and recall the cliffs. Which ones do you feel like you could get close to the cliff, versus stay farther back from the cliff?

We're saying that sea bass and porgy, based on where we stand now, you could get right up to the edge of that cliff. With black grouper and blueline tilefish and red grouper and snowy grouper, you had better stay pretty far back from the cliff, and then the rest of them are all moderate, sort of the middle of the road. Looking at those stocks, are there any that you think absolutely not and that stock is not being ranked right by this process and I think it should be a different risk category? Then just tell me why you think that.

MR. COX: I would certainly put gag in there in the red.

MR. CARMICHAEL: Do you have some sense why?

MR. COX: Because I've been fishing on it before we had permits, and I know where the fishery has been headed, and it's not good, and we're seeing a lot smaller fish, and we're seeing a lot more recreational stress on the fish than we have ever seen, in terms of free diving and hook-and-line fishing, and the advancement of electronics has made it much easier to go after them.

MR. PILAND: I may be missing everything, but I don't understand why blueline is high. I was part of the SEDAR for it, and there were not -- If I remember right, they were not overfished or overfishing, and they spawn year-round, and a ten-inch fish is spawning, and they live a long time in deep water, and not everybody is fishing for them. Every meeting I have ever been to, it was expressed that they were important. The way I saw your blocks, it was the opposite of that, but, again, I may be misunderstanding.

MR. CARMICHAEL: Blueline is one that we can actually look at, and so it came up high for natural mortality and moderate for the age. It was high on the ability to regulate the fishery, because the council has not been staying within the limits, and so the council has some overages, and so it ends up being a high risk, in terms of managing the fishery.

MR. PILAND: Overages in annual catch?

MR. CARMICHAEL: Yes. It's low on the discard losses, which is good, and it's moderate on the commercial value and low on the recreational value, but then it got a rank of high for climate change, and that is probably influencing it too, and so it's got three reds, and this one has one red, and this one has two reds. This is sort of the result, but I think, again, looking at some of these

factors, are there some of them that you think, well, maybe that isn't ranked properly? Like are we perhaps misrepresenting the council's ability to regulate this fishery?

MR. PILAND: I mean, it's hard. Knowing what I know about MRIP -- It's hard for me to complain about it, because I know you're doing the best you can with what you've got to work with, but it's just poor, but, when you factor in the fact that four intercepts in Florida overfished the ACL before the season started, it's just -- I just don't think that -- I think that MRIP is part of the problem for your ability to regulate, and I think that's the way you're looking at it.

MR. CARMICHAEL: Mike, I will put you on the spot. Was blueline on the border, or was it pretty solidly in the high?

DR. ERRIGO: (Dr. Errigo's comment is not audible on the recording.)

MR. CARMICHAEL: So it's a pretty solid high across the scoring, but we could look at the impact of that ability to regulate and see if that were to change it much.

MR. PILAND: Was that because of unknowns?

MR. CARMICHAEL: No, it just had the one unknown, and how we treated the unknown didn't change the scoring, which, as Mike said, that's usually a sign that it's pretty solidly within the high-risk category. That unknown isn't having much weight.

MR. PILAND: Like I said, it may be my misunderstanding.

MR. CARMICHAEL: No, your point was very good, and it was on the mark, and so I think you do understand.

DR. ERRIGO: The one thing about the assessment is that it was kind of an oddball, because they had to assess the stock in pieces, and they were able to get a status for one piece, but not for the other, and so the SSC determined that they don't know what the status is of blueline, and so we don't know if it's overfished or undergoing overfishing, the whole stock. The portion that was south of Hatteras, they think it might be in good shape, but, the rest of it, they don't know, and so that was a weird assessment.

MR. PILAND: I agree with his comment, but aren't we in charge of both sides of Hatteras?

MR. CARMICHAEL: From Hatteras to Virginia.

MR. PILAND: Right, which is sixty miles. I don't know the -- That's just my take on it.

MR. CARMICHAEL: Yes, and so what would happen this is we could take a recommendation like that and run it through the council and see if they believe the arguments are compelling, in terms of changing the risk levels, and it would be within their purview to decide that, okay, here is a reason why we think this stock should actually be managed at the moderate level, or here's why the council is comfortable with managing this stock at the moderate level, and so being able to provide them definitive reasons means that they can build a record that allows the legal counsel to be satisfied that we've met the standards of the act and can actually affect these changes.

MR. ATACK: A couple of questions. The first one is the hogfish, and that's just the Florida hogfish, and that's a moderate and not a high? I mean, that stock was really overfished, right, and why is that a moderate and not a high, is my first question.

MR. CARMICHAEL: Because status like that doesn't matter, and that was an outcome. I mean, black sea bass was pretty severely overfished, and it's a low. If you remember the criteria and the attributes we're looking at, stock status is not an attribute we're considering anymore, and stock status is an outcome, and we're trying to get away from the idea that, just because a stock was overfished at one point in its history, it shouldn't necessarily affect the council's risk rating for how it approaches management of that stock. It was felt that, by using that in the existing rule, that was one of those real important double-jeopardy situations where we were punishing stocks unfairly.

MR. ATACK: What you're saying here is you've got to remove the moderate and weight it as high risk in all three categories for that stock?

MR. CARMICHAEL: No, these are the different ways of accounting for the missing information, and I'm saying, for the assessed stocks, that doesn't matter. That is not going to be an issue. If I were to look at one of these that is unassessed, you are going to see things change, and so, if I take a stock that has not been assessed, I don't have as much information about what we have called ORCS in that amendment for snapper grouper species. I only have reliable catch stocks. I don't have stock assessments, and I don't have all my other analysis, and so now you can see that the unknowns suddenly start to have some impact.

When I just leave them out, I am probably more towards the low-moderate side. When I fill everything in with moderate, when I don't know it, then, obviously, I become more moderate, but then, when I use the approach where I get a penalty for not knowing something, then I see some of these things actually cross over into the high-risk categories, and so the net result of how I handle uncertainty and unknown information is going to influence what risk I go with, and so this is kind of important.

How I treat the unknown information is important, and it's a philosophical thing, and the SSC's recommendation is, well, when you don't know something, you probably should be more conservative, and there is some support for that in the language of the act, with the concept that, as I gain information on a stock, I should be able to reduce my risk levels.

MR. ATACK: Okay. Then you have scamp here as a low, low, low, and why wouldn't it be the same as like with gag, which is high, high, high, and red grouper.

MR. CARMICHAEL: Without looking at the ratings of everything individually, I'm not sure. It probably is not coming out as important in some of the human dimensions, perhaps, because its landings are relatively low, and they have been for a while. That's just a guess, and it could be wrong, but we would have to look at the scoring for every one, and so you think scamp is one that should be more of a moderate or a high?

MR. ATACK: What do you think, Jack?

MR. COX: I think all the shallow-water groupers are -- The recruitment is low on them, and I think we're showing a slow rebuild, where the ex-vessel price is somewhere in the mid-sixes, and so that puts a lot of pressure on them, and so I would agree with you.

DR. COLLIER: Jack, do you mean all shallow-water grouper, or are you talking gag, black grouper, and scamp?

MR. COX: I'm sorry. I mean the three there that you just mentioned.

DR. COLLIER: So scamp, red grouper, and gag?

MR. COX: Yes. While I'm on the subject, I think the last update we had on gag was in 2014, and so that's been a long time, and, when we had that update, if I recall, there was 92 percent of the assessors that agreed that that stock was being overfished.

MR. ATACK: Yes, and, I think, when we have a stock like that that is assessed, like the scamp, and you have several years in a row where you're really low, way below the ACL, like with red grouper and scamp, that there is something amiss.

MR. CARMICHAEL: If you think of some of the criteria, like looking at the value, or looking at recreational desirability, if we're looking at relatively recent data, and even the last ten years is relatively recent, in terms of this fishery, this is where your experience comes in, to say something of, well, maybe a stock has been low and people haven't targeted on it or listed it as a preferred species recreationally, because they're just that common, and it's not on their radar screen, but it used to be really big, and I think that may be something that's going on with these shallow-water groupers.

Maybe twenty years ago, they would have been much more a top-targeted species, and maybe they would have been more important to the commercial value, and so that's where getting your insight into these scores is very important, because you're able to sort of see beyond the immediate data that is on the table and that has led to these scorings, and so I think the point about the shallow-water grouper is -- Jack mentioned the increasing effort and the concerns of that stock over a long time, and electronics is going to change catchability, in fisheries science language, and so I think that makes a pretty good case for that group overall and changing their risk ratings.

MR. MCKINLEY: I would just like to comment on scamp. Scamp are lot harder to catch, and so that's going to affect that. They are much harder to catch on hook-and-line, but I still agree with putting them, along with Jack, with the gag and the red.

MR. BONURA: I was just going to add to what Andy was saying about the gray tile and blueline tile. In the Florida Keys, there is plenty of fish down there, and, commercially, I don't think there's a good amount of guys catching them commercially, but there is a lot of recreational pressure on them, I believe, but I think they're probably more in the moderate than high on the list up there, I believe.

DR. ERRIGO: (Dr. Errigo's comment is not audible on the recording.)

MR. CARMICHAEL: What Mike was saying is, in the blueline, it looks like the environmental factor being high carried a lot of weight, and so it's pushing it up to high.

MR. HULL: My comment would be the biomass is determined from the stock assessment, and it would be maximum sustainable yield, and so there's really nothing you can do there. Any anecdotal information from us saying that, okay, the last stock assessment on gags was in 2014 or 2016, and the biomass was set then, and there hasn't been any change in that since the stock assessment numbers, and so us giving you -- It's like the red snapper numbers and, anecdotally, I can tell you that -- I mean, the population is ridiculously high, and so it may be a lot higher than what this high biomass is -- Whatever it's set for snappers, and so you have a moderate, according to the numbers.

I mean, I think we get it. We may not agree with it, but we have got to have a good justification for not agreeing with it, but I think a lot of that is going to be anecdotal information on behalf of us as fishermen, rather than -- Because these numbers of biomass, which really are giving you these levels here, and then, with the other tool that you're using, and then the unknowns, as you say, make a huge difference. I mean, I get it.

MR. CARMICHAEL: This won't be the last chance you get to look at this, and so the plan is we will go to the council and talk about this in September, and we'll have the SSC try to finalize some of these things, like the commercial rating and what we do with these missing values, and we'll need council feedback on those, because, ultimately, the SSC is making recommendations to the council too, and the council is going to decide, say for this, when we come to unknowns, do we remove the moderate or use the weighted approaches, and so our idea is to be able to have all of this so that we can come back to you guys in the fall with these things a little more toward final and let you then go through this again and look at these stocks and see where they stand.

We will run up the chain your comments on like the gag and the shallow-water groupers and the bluelines and start trying to pull that in, and so our goal is to come up with, in this amendment, a set of rankings, and so you will see them in the fall. Final approval will be sometime next year, and so, probably a year from now, we'll be looking at tables like this in the amendment with what we think is the bottom line, and it will be the last chance.

What I'm saying is you have a chance to sort of mull this over, and you've had like a firehouse coming at you from me here today on these concepts, but this story map is always going to be there. You can look at it and think about it, and, if you get some thoughts about a stock, email us or call us or whatever, but put the things out there, because we really want this to be a very iterative thing between you guys and the SSC and the council to get to initial rankings that everybody is pretty comfortable with and that you guys can say that, okay, I believe that's an appropriate risk level for that stock. That's really the bottom line.

You know, we want this buy-in and support, and we want something that gives results that make sense. You guys are like the first-level sniff test. If it doesn't make sense, and you're pointing out a couple that don't, and so we'll go back to the drawing board on a couple of those and figure some of that stuff out, and know that it's coming again, and so don't feel like, oh man, I really wish -- If you're driving home, and you think about something on a stock, and you think, why didn't I tell him that one should have been moderate and not high, you will have a chance for that, and don't worry.

This is the last group of stocks, and these are the decision trees, and so these are the ones that we don't even have reliable catch on, based on the SSC's recommendations, and so you can see that these tend to be more toward the high, and you see a lot more reds popping in, because they have a lot more missing information, and so what we do with this decision right here is going to have a pretty big impact on where we go with the risk levels. I think that's the end of the story map.

MR. HULL: John, thank you. That was a lot. Vincent, was your hand up?

MR. BONURA: Yes, and I wondering if yellowedge is up there, by chance, or is there any info on that?

MR. CARMICHAEL: Yellowedge comes out as a moderate. Then, with the weighted with the penalties for unknowns, it ends up being a high.

MR. BONURA: All right. That would be about good, I think. That's about right.

MR. CARMICHAEL: That's what we like to hear, that we did something good.

MR. HULL: We thank you very much for that and your expert explanation of things. You always do a great job of answering our questions and explaining it to us. It helps out a lot. Thank you.

MR. CARMICHAEL: Thank you, Jimmy, and I appreciate your patience of getting through this at the end of the day. I know it is a lot, and call me when you get confused.

MR. HULL: I think we've had a good afternoon session here. We want to adjourn now and be back here tomorrow morning at 8:30 a.m., and so we'll see you all then. Have a good night.

(Whereupon, the meeting recessed on April 24, 2019.)

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APRIL 25, 2019

THURSDAY MORNING SESSION

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The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council reconvened in the Crowne Plaza, Charleston, South Carolina, April 25, 2019, and was called to order by Vice-Chairman Jimmy Hull.

MR. HULL: I hope everybody had a nice rest, and we're going to dig right in this morning, and the first item of business is Number 4, and Dr. Brian Cheuvront is going to make a presentation on the recreational accountability measures amendment, and it's Attachment 4.

DR. CHEUVRONT: Good morning. Actually, you can -- If you want to look at Attachment 4, that's fine, and we were going to be doing more today than it turns out that we're going to do, and

this amendment was delayed because of the federal government shutdown, and we have been working on it, but we have got parts of it that aren't really ready for primetime, and, earlier this week, we had a meeting on it, everybody from the interdisciplinary planning team, talking about it.

We came to the realization that a couple of the actions really are more confusing than they are helpful at this point, and so what we have decided that probably is going to happen, and I've spoken with Council Chairman Jessica McCawley, is that we're going to let the council work on this a bit more and bring it back to you in October, and hopefully we'll have some of the confusion worked out, but what I do want to do is to take a minute to let you all know what is happening with this amendment.

As you all are probably aware, accountability measures are what happens when a sector exceeds its ACL, and there are different mechanisms and things that are involved with these accountability measures. First off, there is two different kinds of accountability measures. There are what we call in-season accountability measures, and those are what happens when the ACL is exceeded or is expected to be exceeded during the season, and so we refer to those as in-season accountability measures.

Then there is the other kind of accountability measure, which are post-season accountability measures, and what happens when it's been determined that, during a season that has already finished, if a sector has exceeded its ACL, what is going to happen to correct that situation for the future.

Now, one of the council's main goals is try to simplify and clarify this process, as much as possible, and make it as consistent as possible across species. Primarily, the in-season accountability measures that are in place, and they're not in place for every species at this point, are either -- In-season is that you either don't have a closure, and you just let it go, or you do have a closure, if possible. Now, this amendment has gone out for scoping, and the Socioeconomic Panel of the SSC has discussed this as well, and they have brought up some issues that need to be addressed.

Right now, the options that are available to the council in their actions on in-season accountability measures are either to keep the in-season accountability measures or to remove them. The comments that are in favor of removing them have to do largely with consistency and confusion, and one of the things that happens when we have in-season closures, especially in the recreational sector, is a lot of the folks in the recreational sector aren't always aware that these things are happening, and so the idea is -- All the comments that we've received is that's probably a good idea to get rid of in-season recreational accountability measures, where possible. That is one action.

Now, this amendment is applying to just the Snapper Grouper and the Dolphin Wahoo FMPs. The only other FMP that this would be potentially applicable to would be the Coastal Migratory Pelagics, but the council has chosen not to apply to there, because that one is a bit different, and they are typically not reaching their recreational ACLs.

The second action that is in the amendment is the post-season accountability measures, and this is where the majority of the confusion lies right now. There is a huge variety of things that happen across species here. Primarily, there is two kinds of things that are typically applied in recreational

post-season accountability measures. It's either you shorten the season, the next season, you reduce the recreational ACL in the next season, and, in some cases, you do both, and that gets to be a bit confusing, and so the council is going to be looking at can they somehow make these consistent across species.

The third action that's in there is having National Marine Fisheries Service state, at the beginning of a fishing season, what is going to be the end date of a fishing season, and so, if they get rid of in-season accountability measures for the recreational sector, they should be able to know when the season is going to close, as well as when it's going to open, and so that would tell recreational fishermen that this is when you get to fish.

Now, you have to understand that, under the Magnuson-Stevens Act, the council is required to have an accountability measure of some sort for every species, and so, if they decide that they want to stop in-season closures as an accountability measure for the recreational sector, then they must have post-season accountability measures, and so that's the part that they're going to have to figure out and work through, because they have to account for overages, should they occur, and it may be in the following season, and there are some logistical things that have to be worked out, like how long is it going to take before the data are going to be available, is it going to apply to the very next season, what do you do if you have a fishery that's short and it begins at the beginning of the calendar year, but you don't get your landings until April or May, and how are you going to be able to adjust that season? There is those sorts of things that have to be worked through, but that's where the council is with this.

Now, there are only five actions in there, but I described three in there, and there are three actions that apply to snapper grouper, the three that I just described. In dolphin wahoo, there are no in-season closures now as accountability measures for either dolphin or wahoo, and so there is no action to address that issue in the amendment, but they do have post-season accountability measures, and they do have an action in there for dolphin and wahoo, to look at stating the length, in terms of the season, when it begins for the entire season.

In a nutshell, that's sort of what we're talking about here. It's that real prickly problem with the post-season accountability measures that needs some significant work, because, right now, it's kind of circular, and some of the alternatives in there -- If you do this one, then you have to choose one of these other alternatives, and we've got to work through all of that. It's very, very confusing, still.

The council did a lot of work on this amendment at their March meeting, and they greatly simplified the amendment. It had nine actions going into that March meeting, and it's now down to five, and we have moved some alternatives around between actions, and sometimes you just can't get a real feel when you're sitting in a meeting, like they were doing there, to look at how it all works together until you put the new pieces together, and that's where we are, and so the council will get back looking at it in the next couple of meetings.

I am expecting that, in October, you will have a much more ready-for-primetime version of this to look at, but those are the concepts that the council is considering at this point for recreational accountability measures, and so, if there is any philosophical or overarching things that the AP would like to say at this point, now would probably be the time to do it, but let's not get into the

details of the actions and alternatives, because what you're going to see in October may be quite different from what you're seeing in that document now.

MR. HULL: Thank you, Brian. Any questions or comments?

MR. COX: If your recreational sector was federally permitted, like the commercial sector, you wouldn't have a problem getting the information out for your in-season closure. That's just a comment.

MR. HULL: Thank you for that. I have one to add to that. I, of course, agree with that, but it makes sense that you can't have an in-season closure, for that reason. Also, you're behind the eight-ball constantly on the data, and so the timeliness -- The other problem though is, with no in-season closure, and if they're overfishing, they're going to continue to overfish for the rest of that season, and, so, the next year, they might not have a season at all, and that's a real risky situation economically for people in the for-hire industry, because it goes over so bad, because you couldn't stop it, but I can see why you can't stop it, because you don't have the data, and so you're behind the eight-ball, big time, and I can see that. We're going to see this again, but go ahead, Robert.

MR. LORENZ: I had commented on this before, I guess on the webinar, but I personally -- Most of the folks that I know, we would really like to not have in-season closures, even if -- I mean, I realize that you could get into this situation where there was quite a bit of overfishing the year before, which may make for a pretty drastic change to what we could catch in the next season, probably with respect to the season, and all I would ask is that, when this goes out for public comment, maybe tease that point out, so it's not just a few of us and the NGOs that are commenting, but try to get the mass of fishermen that, hey, if you've got a choice -- There can be severe restrictions, and so would you rather that we shut it down in the season, so you get a chance to restart the next year more with a longer season than possibly be shut down for a long time, and that's all I would -- Like I said, to know where the greater majority of fishermen feel on that. Once it's presented to them that way, their minds may change a little bit.

MR. HUDSON: Brian, are we going to be getting rid of the two-month waves and the forty-five-day delays and the fact that we can't QA/QC until six months after the fishing year is over?

DR. CHEUVRONT: No.

MR. HUDSON: Therein lays a rub of a problem, because, originally, Bonnie, and this is going back several years, wanted to go to one-month waves, which makes that a lot easier than two-month waves, because we've had different seasons that have tried to cross over between waves. Is there any chance that they're going to go to the one-month wave, or are they just totally caught up in the MRIP recalibration?

DR. CHEUVRONT: I haven't heard anything about going to a one-month wave, and so I don't think that that is being considered at this point.

MR. HULL: Okay. Last chance. We're going to see this again, and it's a work in progress. Thank you. Moving on to the next item, it's going to be your fishery performance report that we're all going to participate in. There is an email that was sent to you all, and so if you got a chance to look at it last night. This could take a lot of time if we let it, but I think that we need to go over

every question, and there is going to be -- Our answers are going to be recorded, and then there will be a fishery performance report created.

These reports are important. They are used by the council and used by the SSC, in fact. If they are rebuilding a fishery, and there is different aspects they look at -- They want to know what the trends are in the catch levels and what we're seeing, and this will be one of the factors that the SSC uses. They will look at this, and so it's important that we do it and we give our best to it. I think that -- Myra, should I just go ahead and read these questions out, and, if someone wants to -- I mean, for me, and I will just say this, and then I will let you all talk, but, for me, I haven't caught a blueline tilefish in years, only because I am not fishing where they live off of my area, and it's not something that I can comment on recently, but there's some people in here that are, and so those are the guys that really need to be -- If you're interacting with this species, we need to hear from you.

MS. BROUWER: What I would like to do, before we get into everybody sharing what they have to say, is kind of just quickly go over what we have so far, in terms of landings for both sectors and economic information and some life history stuff, and so I will just quickly walk you through this.

This was a link that was included in your agenda and your overview, and so you can click on that link, and it pulls up this interactive application. This contains, right now, all the information that we're going to use today for blueline, but, if you look in these little tabs up top, you can see data for past species that we have generated, that you all have generated, fishery performance reports for, and so it's all now included in this app, and so you can toggle back and look at all the species that we've already talked about and other APs have talked about, and there's been a few put together for the mackerel species, and so this is all included in here.

Then there is also links to the actual fishery performance report documents that have been the result of your discussions and other AP discussions on different species, and so, when you get a chance, just look through this. It has a lot of information, and so today we're going to just take a quick look at blueline, and so, over here, you have the number of the time series for the data that is included.

You can toggle, and you can just move this little bar if you want to see a smaller range of years, and then the life history information that's displayed is what is included in the latest stock assessment, and so this is the life history information that you have here. It's your age, your length at age curve, and your length-weight relationship over here, whatever information we can get out of the stock assessments that give us reproductive parameters, female maturity at age and at length, in this case.

Then, if there is index of abundance data for blueline, and we have just these three indices, the commercial handline index, the commercial longline, and the headboat, and these only go through the early 2000s, and so the time series there is -- Just because that's the data that were available, and my understanding is there was some issues with some of these surveys back then, and so these are also found in the SEDAR 50 assessment for blueline tilefish.

Then you come to the yearly landings, and then we can select commercial or recreational down here, and so these are the commercial landings for blueline tilefish from 2000 through the most

recent year of data that we have, which is 2017, and so the landings are in black, and then this little squiggly line over here is the ACL. Recall that the ACL was adjusted, and it kind of fluctuated there for a couple of years around 2014, after SEDAR 32 was put in place, and then there was an adjustment made to the ACL then.

This is where we are, and you can see where the landings are compared to the ACL, and so, if you go back, here is 2011, and this is when the council put in the deepwater species closure, which clearly affected landings of blueline tilefish, and that got taken away, and the landings took off subsequently, and so just take a look at some of these trends, and what we would like from our APs is for them to tell us that our recollection is this, or anything that would help inform some of this information that we have in front of us, in addition to just what we get from indices or whatnot.

Here is broken down by state, and so Georgia and Florida are in the orange, and North Carolina and South Carolina are in this teal color by year, and so you can see the distribution there, where most of the blueline is being landed commercially. Then down here is the number of released fish in the commercial fishery, and, again, this is from the most recent stock assessment document. This is in numbers of fish.

Going back over here, I am going to show you the landings first, and then John Hadley can say something about the economic information. We have monthly landings for the commercial landings as well, and so you can see sort of seasonality trends for the fishery, and then, going back over here, this is the recreational landings. It's interesting that you see a spike kind of opposite what you saw for the commercial landings right over here in 2011 and 2012, and then it's broken down by state. Again, it's the same color scheme.

If people can fill in the missing information of why do we see spikes like this, and is this a real thing? What do you think was causing it? What did you observe on the water during that time in that area? That's the kind of information that we're hoping to be able to pull together, and here is the number of recreationally-released blueline tilefish, again from the latest SEDAR assessment, and is something going on here? Like I said, there's some economic information as well, and I am going to get maybe John to tell you a little bit more about that.

MR. HADLEY: Switching over to the economic data, we have some information on commercial landings, and so we have information on the ex-vessel value from 2000 through 2017, and you can see that closely follows the landings, and there's no surprise there. Below that is the ex-vessel price, and this is inflation adjusted, and you can see there's been a pretty good increase in the price for blueline tilefish over the time series, which is pretty interesting, and it seems like it's becoming a more desirable fish, potentially.

Then, moving over to the economic impacts, the economic impacts -- Mind you, there is a different time series here. This is only a five-year time series, and that's why it looks a little bit different, and, there again, it largely tracks the landings, but, looking at some of the business sales impacts, you're looking at approximately -- It's just under \$7 million, and, in recent years, it has dropped down to around the \$2 million range.

Looking at some of the estimated income impacts from that, we're looking at going from about \$2.5 million and dropping down to about the \$500,000 range, and then looking at the estimated

jobs, and so, there again, this is kind of an output of the economic model, and so some of the jobs supported from those sales, going from -- It was around eighty-five jobs to around thirty or so.

Moving over to the recreational side, again, these are the economic impacts. There again, it's the same time series, a five-year time series, and you can see it started in 2013 at around \$5 million in business sales, and it dropped down, and then it climbed back up in 2016 and 2017 to just over \$6 million, and I looked at the data here, and one of the things that is really driving this is the output of the model is really largely driven, in this case, by the estimated for-hire trips, and so you saw a spike in the number of for-hire trips later in the time series, and so that's what is driving that increase in economic impacts, or the estimated economic impacts, later in the time series.

Looking at income, it's a similar trend there. It's going from approximately \$1.5 million down to \$500,000 and then back up to just over \$2 million. Then, looking at the estimated jobs supported from the fishing activity, for-hire and private recreational fishing activity, it's going from just over thirty jobs, and then dropping down to around ten, and then it's just over forty at the end of the time series. That's all I have there. Are there any questions on the economic data?

MR. ATTACK: You're only going back to 2013. I guess, on the commercial, you had it further back in time, and is there no data available back for the same time period as the commercial?

MR. HADLEY: For the economic impacts, it's the same time series. For the commercial, we had the ex-vessel value and price. The reason there is a shorter time series there for impacts is that model really -- You don't want to apply too far back in time. It's really meant for more recent data, and so you really wouldn't want to use the same model and go back in time, just because you're going to have different multipliers. If you were using say -- What was the time series for commercial? I think it went back to 2000. If you went back to say 2005, they really didn't have an economic impact model for recreational, and I believe for commercial fisheries back then, as far as the NMFS model, and so it's more proper application of the model, if that makes sense, and that's why it's the more recent time series.

MR. ATTACK: I'm just curious, because we're looking at a four-year window, and it takes four years to do an amendment, almost, two or three, and so it's not a very big window, when you're looking and trying to see trends, and that's all.

MR. HULL: Rusty, did you have your hand up earlier?

MR. HUDSON: I did, but it has to do with that inflated recreational number, and I didn't know if we were able to talk about this at this moment, or if you could bring it up. In 2013 -- Now, if you remember 2017, we had a closed season in January and on and on, and there was two intercepts, supposedly, in state waters off of Miami that inflated it to larger than the entire allocation for the recreational, and that's what I am seeing with this 2013 spike.

These are unbelievable numbers, and it just doesn't fit. Commercial, you can manage, and, just think. In 2011, we're closed down outside of 240 foot offshore, but blue line tile will exist in 220 to 240, but, to catch more commercially and recreationally than is being allocated, it's just unbelievable, because that little tight edge is a lot different from where the rest of the blue line tile spread off. It's just like Jimmy said. Getting out there and fighting the currents and doing whatever you have got to do is not easy. I can't believe some of these numbers, particularly with the

recreational, when it's inflated to such magnitude and it does that, because it's called a rare-event animal.

MR. HADLEY: To that point, were you talking about the landings for blueline?

MR. HUDSON: Yes. The intercepts off of Miami in 2017, in January, were actually -- It was January and February, and it was actually one boat had one fish and one boat had twenty-one fish, and it expanded to some unbelievable number.

MR. HADLEY: Right. I'm just looking at that, and some of the expanded numbers in 2017 and 2013, and you had some pretty high recreational numbers. As you said, it was kind of an expansion factor and an artifact of the MRIP data.

MR. HUDSON: We usually have to work that out at the data workshops, when we do a full benchmark, because, once we get into those kind of wild numbers, it has a tendency to take on a life of its own.

MR. LORENZ: John, just a quick one, out of interest, and you may not have it off the top of your head, but, for the recreational value, it's obviously, for economic data, it's trips times costs. Out of interest, what was the estimated cost per charter? That's a pretty big boat and a pretty big trip.

MR. HADLEY: I can tell you right now. I have the multiplier here, and so the sales impact for a charter is \$1,044, approximately, per trip, and, there again, as those charter numbers change, that really drives the kind of output of the model, in this case.

MR. HULL: Any more? Okay. Thank you, John.

MS. BROUWER: Are there any parts of this that you would like to look at or discuss before we get into the questions that we have for you all? Okay. Up on your screen, and I emailed this to everybody last night, and so, if you happened to look at your email, you could be thinking about your experience with blueline tilefish and be able to participate in the discussion and contribute to these questions, and so these are the same -- It's pretty much the same set of questions that we use to generate fishery performance reports.

Number one is we want to know more about the catch levels in recent years. When and where are the fish available, and do you think or do you suppose that has changed in the last five years? Then a little bit about the size. Do you think the size of the fish that you're seeing out there has changed? Have there been any effort shifts to or from blueline tilefish? If that's the case, then we would like you to describe that? Do you see, in terms of discards in the commercial sector and in the recreational sector -- Are you seeing more discards or less discards? That sort of thing, and so let's get started with those.

MR. HULL: Yes, I think that's a good way to start, and we'll take each item one at a time and go around the panel. With the first question, catch levels over the past five years and those bullet points, let's start over here with you, Rusty.

MR. HUDSON: Historically and currently, the availability of blueline tile offshore of the east coast of Florida is the same. It's the same places, and it's coexisting at a ten snowy, or nine snowy,

to one blueline tile, as far as the landings for the commercial historically, and it would be still the same way. Remember that they are a small-mouthed animal, like little triggerfish or bait eaters, and so usually we geared ourselves to catch snowy.

We wouldn't go out off of the Steeples or the hard bottom, or the kind of bottom where the snowy aren't found normally, but the blueline tile was never a focus for us to make that a target species like they do up to the northeast, off of Virginia and North Carolina for those couple of years that caused all the concern. I believe that the stock assessment allocation is way too low for current efforts, because it doesn't depict the population correctly. It is a very extensive population up and down the coast, and that's the same that was true then and now.

MR. HULL: Thank you, Rusty. That's good information.

MR. PILAND: Off of Hatteras, I only know about the last twenty years, and the fish are at the same place with the same abundance that they have been for twenty years. In talking to the older captains that are there, they are going to the same place that I am going to, and, in the summertime, when the dolphinfish are not available to us, there will be ten charter boats fishing inside of each other, and everybody is catching the limit and going back to looking for dolphin, and we don't have a problem with abundance. They are in the same areas.

Where the fish are available, and I talked to my charters that are bottom fishermen from up north, and they have been interacting with tilefish for over ten years up off of Maryland and New Jersey and that area, off of Virginia, around Norfolk Canyon.

The popularity of the fish has increased, and so has the effort to find them over the past years. When the North Carolina commercial guys had to travel north because of the closures, it became obvious to everybody that was fishing that there was an abundance of fish out there, and that caused an effort switch. If the commercial guys are loading the boat in a couple of days, you and I can go out there with hand-held tackle and do the same thing, and that's what has happened, as far as my perception and my experience.

MR. HULL: Thank you, Andy. That's very good information. That's from both ends of our range, Rusty from the south end and you from the north end. I agree with all of that. On the effort part of it, I think you described, in your area, that effort has increased, and I think -- I don't know that we have anybody from south Florida here. There you go. Are you seeing an effort increase, Vincent, or decrease from -- I know you're up in the Fort Lauderdale area, too. It would seem to me like those guys are deep-dropping though, aren't they?

MR. BONURA: In the Florida Keys, I don't think there's been much of an effort increase, but there is plenty of fish available down there. Up off of Palm Beach through Miami, I think the effort has definitely increased recreationally, and these fish can be caught inside of three miles there.

MR. HULL: Kayak fishing, right?

MR. COX: In the Morehead area, we're just about a hundred miles south of where they have the bigger catches north of us, but, commercially, we have not changed our gear, and we have not changed a whole lot in the way we fish for them. Mostly, it's a bycatch in our snowy grouper

fishery. We don't really target the tilefish, and I am speaking for commercial, but what we have seen is a tremendous increase in the recreational sector fishing the deeper water around us, and I think that is, again, because of the advancement of electronics and fishing tackle.

Daiwa now makes that -- They've got a \$400 fishing reel, which is very inexpensive, and they go out there and fish in 600 or 700 feet of water, and so that's the change that we've seen, but, as far as the size of the fish and the abundance, we have noticed that we're catching quite a few more of the tilefish in the thirty-fathom stuff than we used to. It used to be more of a forty or fifty-fathom fish.

MR. HULL: Anybody else on Item 1? I would just follow-up with effort is -- You know, fishermen need to fish. They need to have something to catch, and so, if tilefish are available, we're going to figure out a way to target them, no matter what sector it is.

MR. HUDSON: A question for Jack. You just mentioned thirty fathoms, 180 foot. For us down our way, that's real close to the top of the big ledge. Do you have the big ledge up there also?

MR. COX: Yes, and it kind of rolls up in certain places up to that -- We get up a little bit -- Between off of Ocracoke is where we notice that roll that we see a lot more of those fish than we used to in the shallower water.

MR. HUDSON: I am asking that because blueline, gray tile, whatever you want to call them, typically form burrows to live in, and do you see much snowy or anything in that same region, at 180?

MR. COX: Not really.

MR. HUDSON: The reason I'm saying that is because we have the rolldown halfway between St. Augustine and Ponce Inlet, and that's a fifteen or twenty mile area, and we gave Todd and all of them the numbers to try to check it out, when they can eventually get out there, but where those blueline tile -- They are all the ranges of size, usually from medium to adult, and the snowy are all small in there, and so that's a problem, in the sense that, if you're targeting snowy, you really need to be on the offshore side, the 240 to 300 plus, on out to 400. Off of South Carolina, you get the big snowy, the decent-sized snowy, and the blueline tile co-existing in that stuff. The hard bottom is not a good spot for blueline tile, unless they have burrowing abilities. The rolldown attracts both snowy that like the hard bottom and the blueline that can make a burrow, and that needs to be investigated sometime, whenever it gets a chance.

MR. PILAND: I failed to comment on the discards. We have extremely few discards in the recreational, in our recreational, fishery. The only way that we would have a discard on my boat is if we're approaching our limit and we need one more and we catch two, but, otherwise, we don't have a discard.

MR. BONURA: I was going to say that, on the commercial side, we don't have any discards at all, zero discards, on the blueline tile that is.

MR. HULL: All right. Thank you for that. That's really good information on that. Now, if we can do that good on all of them, we're doing great. Rusty, did you have one more thing? Go ahead.

MR. HUDSON: On the size of the fish, the one thing we're missing in blueline tile is the little guys. We need to find them.

MR. PILAND: It's been my experience, in our area, that the little ones, like Rusty is speaking of, co-exist with the other fish. It's just you have to have a small, small hook to catch a small small-mouthed fish. On my boat, when we're after the tilefish, we're using a 7/0 circle hook, and you're not going to catch the babies with a 7/0. If we drop down to a small hook like we use for triggers, then we catch the small fish.

MR. HULL: That's great information. Anybody else? Okay. We're going to move on to Number 2, the social and economic influences. The bullet points for the commercial sector is how has price and demand for blueline tilefish changed? How has demand for the charter/headboat trips targeting blueline tilefish changed? What communities are dependent on the blueline tilefish fishery? Have changes in infrastructure, docks, marinas, and fish houses, affected fishing opportunities for blueline tilefish? How have fishermen and communities adapted to changes in the blueline tilefish fishery? Anybody want to dig in first?

MR. SNYDER: Guests more and more recognize tilefish, and they like it. When I put it up against grouper or snapper on the menu, for any given night, it sells just as well as grouper and snapper, and so it's loved more and more.

MR. MORING: We have the same at our restaurant. We had a problem for a while that people weren't aware of what it was, and we started putting pictures out, and people started it buying it more, because they thought it was pretty.

MR. PILAND: As far as demand, people, when they're calling for a charter, it's when does the deepwater fish open, and that's 50 percent of the questions, is when can we catch tilefish and snowy. In our area, it is -- Everybody knows what it is, and they want to take it home. As I said before, in the summer, when the dolphin are not available, it's your B plan. It's part of our sale. If we can't catch the dolphin, if the dolphin are not available, we can get you a limit of tilefish.

Like Jack said, with the advancement of technology, it makes it a lot easier for you and I to be successful with it. The Daiwa reel is an excellent piece of equipment, and it's affordable. The GPS will take you right to your favorite spot in short order, and there's no searching around. I mean, it's not a problem at all. Everybody in our area wants it, and the charter fleet depends on our ability to utilize the fish.

MR. HULL: In your situation, the for-hire in North Carolina, it's a very important fishery for you.

MR. PILAND: Yes, it is. I'm most familiar with it in the Hatteras and Oregon Inlet fleet, and both fleets are in the same situation. If those guys can't find the tunas and the dolphin, they know that they can go to Piggly Wiggly and get a limit of tiles.

MS. MARHEFKA: From a dealer perspective, it's its own category, versus golden tilefish. I can't move it in the same way that I can move golden tilefish. My chefs don't like it as much, and my customers don't like it as much. Mark catches it, and it does move, but it's not interchangeable or as important as -- Because I am hearing for some other people that it might be interchangeable. For us here, it's not. It's definitely in its own category and less desirable.

MR. R. FREEMAN: I will ramble a little bit. Over the years, the tilefish that we would fish in say forty fathoms a little bit south of east of Ocracoke, we would actually catch juvenile golden tilefish in some places that big triggerfish are in that forty-fathom stuff, and the blueline have seemingly been the same places, except the one hump north of Big Rock, for some reason, and we used to go there, twenty or twenty-five years ago, and it was all snowy grouper, and you go there now and it's all three or four-pound gray tilefish, and I don't know why they moved or what, but I hear that the tilefish burrow, but I've had no experience of that and no way to go down and look and all that kind of stuff, but the majority of our places that we fish, usually deeper than sixty fathoms, you can drop a hook down, or drop two hooks down on a bottom rig, and you can come up with a snowy and a tilefish with the same rod and reel. I don't know whether they are burrowing or not, but we find them in the same spots.

There is a significant drop-off where forty fathoms -- I'm sure Jack has probably fished those, and the b-liners up in the 700 or 750, and there is big b-liners, and a lot of scamps in there occasionally can be caught, and it's hard, rough bottom. If you're not anchoring, you're going to need a lot of gear trying to fish there, and so that's some of the experience that we've seen over time, but the parties come wanting to catch, more and more often now, the tilefish.

Quite a few of the parties are oriental, and they bring their own gear, and they are after those deepwater fish, but it doesn't make sense, with the limits that are on those fish recently, and I don't know how you take the data that we see in these charts, and, when you look at, okay, at one time, you couldn't have any, and you couldn't have but one and all that, and so I don't know how that affects the charts that you're showing catch ratios. If you're not allowed to have them, there is no point in driving forty-six miles offshore to fish these things when you can't have but one to the whole boat and things of that nature, and so it's killing the incentive for the parties to come, and it's probably impacting how much illegal fishing is actually going on with these parties.

MR. HULL: Thank you for that, Robert. I think that we've answered most of those. I would say that, obviously, it's important to have access to this fishery for both sectors. As far as the communities, all the coastal communities, are dependent on all of these species, and, Kerry, as you said, it's part of your menu of items that you sell, and, when it's available, you're able to sell it. We saw where the price has increased dramatically, as most species have, and so it's just a question of being able to access this stock when it's open and the proper science on it and management measures.

MR. BONURA: I was just going to add that I agree with what Kerry was saying there about the golden versus the gray tile, or blueline tile. The prices in the Keys to the boat is probably near \$1.50 to maybe \$2.00, and so, if we were looking at it there at \$3.50, I'm not quite sure if that's accurate, in my opinion.

MR. MCKINLEY: I know, for us in North Carolina, it's pretty much a \$4.00 fish. It's been that for fifteen years, probably, but it's such a small portion. It's a bycatch, and, if you get it, they're

going to give you \$4.00. That's just consistent, but I know it's definitely not as desirable as the golden.

MS. MARHEFKA: If I recall correctly -- Again, we're not selling a ton, and so we're probably - It's about \$4.00 off from what we sell golden tile for, and so we're probably selling it to the restaurants for about \$5.50, or maybe \$5.00, and so it's definitely not at the same level as golden tilefish or grouper. It definitely gets a couple dollar lower premium.

MR. HULL: It sounds like it's more valuable up here in North Carolina than south Florida, for sure.

MR. BONURA: Yes, that would make sense. I mean, the restaurant price where you're at is about accurate, but I'm talking about the boat price and not the restaurant price.

MS. MARHEFKA: I think our boat price is like \$3.00 or \$3.50.

MR. HULL: Okay. Anything else on Item 2? Okay. Let's move to Item 3, management measures. Are there new management measures that the council should consider, or are there existing management measures that should be changed? The next bullet point is are the current ACLs appropriate for each sector?

MR. HUDSON: I will answer the second one first. No, they're too small, and that's a result of the science, and so the science has to be updated and corrected for whatever is flawing it, and it could be driven by the pre-1986 numbers with golden tile. I think they had to smooth some of that down and trying to figure that out, but, again, for us, gray tile off of Florida is always a bycatch, and so new management measures would be appropriate, but we can't change the science until the science is redone, and that's always the hindrance here.

MR. HULL: Again, are there new management measures that the council should consider, or are there existing management measures that should be changed? Are the current ACLs appropriate for each sector?

MR. PILAND: It was my understanding from the most recent stock assessment that the fishery was in good condition. I was a little confused yesterday with what Mike was saying, but I feel like the fish are abundant, and it's one of the fish that I depend on, and so I don't want the stock to be decimated, by no means, but I don't see, from my personal experience, how the limits couldn't be increased, at least a little bit. Based on the science and based on what I see as a fisherman on a daily basis, it seems like the fish are in good shape and that we could be allowed a little bit more.

MR. HULL: Good comment. I think that's everybody's -- That's probably what they're thinking here at the table too, and that would go back to the ABC control rule discussion we had and how, with the existing science that they have to work with, how they can have a little more flexibility in applying the catch limits.

MR. PILAND: I am not just speaking about my career as an older person, but my daughter is a licensed captain, and I'm looking out for her, too. She is just twenty-something, and I want her to have access to these fish, so that she can have a productive career as well, and I just can't see how we wouldn't be allowed a little bit more, based on the science, again, and my personal experience.

MR. HULL: Anybody else?

MR. R. FREEMAN: I agree that the ACL is lower than it should be. I don't know how the numbers were crunched initially that resulted in closure of the blueline or one fish per vessel and that sort of thing, but that is totally not realistic from the number of fish that have been out there. I have fished out there -- Gosh, it's thirty-five years now, and what I see doesn't justify what has occurred into what the anglers are allowed to keep.

I had heard, years ago, that the number of red grouper that were in the basically Onslow Bay area, the numbers that we used to justify some of the management actions, I never saw it, and I've been fishing out there since 1971, and we take the anglers out of the equation there with data that we can't buy into from what we see when we're able to go fishing.

The fish are there, but it's just a matter of whether the current lets you fish for them, whether you go to the right places, and, when we were discussing with Michelle Duval about some of the spots that needed to be sampled, I gave them 140 or so locations where we have been capable of catching significant numbers of the deepwater as well as the areas where the sea bass would be, and I don't know whether any action has been taken to explore those places or not, but my point is, hey, here's the number, and don't go sampling a spot where a fish doesn't exist. If you want to prove they're there, you have got to go where they live to do a population study of some kind to find out. To me, it's putting hooks down and bringing fish up and determining what's there and let the angler go catch those fish that they so much desire. Thank you.

MR. HULL: Excellent comments. Thank you. I think the recreational limit -- Andy, is it three per person per day during May through August?

MR. PILAND: On the fish app, it doesn't say when the season opens, but that's what it has been, May through August. Today it shows the three per person, but it shows it being closed, and it doesn't say when the opening is, but it has been May through August.

MR. HULL: Thank you for that. Obviously, the science is driving the numbers initially, and I would ask Dr. Kellison a question. On the sampling, the fisheries-independent sampling, the MARMAP sampling, they're not catching these fish in chevron traps. Is there any hook-and-line sampling or any longline sampling of this animal for stock assessments that you're aware of?

DR. KELLISON: Thanks, Jimmy. We do catch them in our trap and video survey, but that survey only overlaps with the shallow end of the blueline tilefish range, and so I think that survey doesn't do a good job of tracking their abundance, and so MARMAP, for a long time, has done a short bottom longline survey that captures blueline tilefish. It's more off of -- It's focused off of South Carolina and North Carolina, and it's in more high-relief habitat, and so, to Rusty's point, I think blueline tilefish -- They are reported to be burrowing species, and, off of the northern part of North Carolina, there is just a focal longline survey, and I think they fish unstructured bottom, and so I think it's pretty clear that these fish exist sort of across a range of habitats, or from unstructured bottom to mixed habitats, and we don't have a -- They range from off of New York and New Jersey down to the Keys and into the Gulf, and so we don't have a regional scale or cross-regional scale survey that tracks their abundance.

We had talked a lot about it in 2015, and we had a workshop that was supported through Cooperative Research funding, NMFS funding, that had industry come in, commercial and recreational, and talk about if we could survey effectively, if we had resources, survey this sort of deepwater species complex, which would include blueline tilefish in our region, and we do have a report from that, and we made recommendations. It was a longline survey, a regional scale longline survey, but, right now, we don't have the resources to put that into place. I think we know what we would like to do, so that we could track the abundance of blueline tilefish, and maybe a suite of other deepwater demersal fish species, but, right now, we don't have that survey in place.

MR. HULL: Thank you for that, Todd.

MR. ATTACK: Could we bring back up the fishery management thing for the blueline tile? Could you bring up the combined yearly landings? Our ACL for the combined I think is like 175,000 pounds, right? It would be nice to show what the ACLs were on here for the combined, because, if it is -- I think it was 87,000 commercial and 87,000 recreational. The commercial met their ACL on August 22 in 2018, and the recreational hit 132 percent of their ACL for the year, and they had a four-month season. It's closed September through April 30, but, if the combined ACL for both groups is less than 200,000, and you look at these combined landings for years, it's a pretty small percentage of what's been going on, and so it appears, from that data, that we should be able to have somewhat of a higher ACL without impacting the stock.

MR. HULL: Okay. Thank you. I think Wally had something to add.

MR. BUBLEY: Just on top of what Todd was talking about, we did get funding for a one-year cooperative research project to look at deeper-water fishing, or surveys for some of these species, mainly blueline and golden tilefish, and so that's still in the works right now, and that sampling is planned on happening later this year, but it's essentially in the very early stages, kind of like a pilot project, to see the feasibility of doing this and potentially apply for more funding further on.

MR. HULL: Is that fisheries-independent with the bottom longline vessels?

MR. BUBLEY: It's kind of a hybrid, and so we're going to be using commercial vessels, but using standardized gear that is similar to what the commercial fishery is using, but not completely. It's just so we can have a standardized means, but, as I said, it's kind of in the initial stages, and we're building off of the study from -- There is a NOAA cooperative study from a couple of years ago as well as the longline workshop that Todd was talking about, and we're incorporating that information into this project.

MR. HULL: That's great news that you have that study cooperatively with industry working, and that's good.

MR. ATTACK: The other thing that might help explain the data here is I believe there are some management measures that were taking place over the last few years where we had -- We kept blowing through the ACLs on the recreational, and so we changed seasons, or changed bag limits or something, but it would be nice to note on here when certain changes were made, to where we're down close to what the ACL is now in our landings, versus where we kept blowing through by five-times or six-times the ACL.

MS. BROUWER: Just to clarify, the reason that we are not displaying the current recreational ACL on top of the recreational landings is because these landings are the adjusted landings as a result of the changes to the survey methodology in the MRIP survey, and so you can't really compare the two, and, as I updated you all yesterday, the council is going to be considering adjusting the catch levels for blueline tilefish at some point this year to adopt what came out of SEDAR 50, and so what is currently in place is not what came out of SEDAR 50.

The council has not yet acted on that, and so that is going to bring about an adjustment to your catch levels, and I don't know if the council is going to want to consider changes to management measures, and that's why we are asking you all what you think in terms of should the council consider anything like that, but I think I clarified your question, Jim.

MR. HUDSON: Could you click to commercial only for those same landings, please? The ACL, as you can see, except for that one year, just about, or two or three years, way back in 2004 and 2005 and 2007, those are within the realm of that ACL for commercial landings, but everything else, including the 2011 closure for the whole year, is way above, and they could have only been fishing that twenty-foot strata, and, when you look at the poundage, it just doesn't seem right.

Then, when you look at the recreational expansions that Jim had you take a look at without an ACL representation, even that number is -- Then you superimpose that on the situations of restrictions and a recreational three-month season versus all-year-round before, and there's a lot more we can do to improve the ACLs and the allocations, and I am supportive of that.

MR. HULL: Thank you, Rusty. Okay. Anything else on this item? We've got some good information. Okay. Then on to Item 4, environmental, ecological, and habitat. Have you noticed any unique effects of environmental conditions on blueline tilefish? What are your observations on the timing and length of the blueline tilefish spawning season in your area? Do you perceive that abundance of blueline tilefish has changed over the past five years? What do you see now in terms of recruitment? Where are the small fish? Has there been any shift in catch, annually or seasonally, inshore or offshore, north or south? How have sea conditions, monthly or seasonally, affected your fishable days? Have you observed changes in catch depth or apparent bottom type fished on?

There is a lot of bullet points there, and some of this we've talked about a little bit already. If we just started with the first few bullet points. Have you noticed any unique effects of environmental conditions? That is climate change, in particular, that is hot on the -- It's the hot topic. What are your observations on the timing and length of the blueline tilefish spawning season? Do you perceive that abundance of blueline tilefish has changed over the past five years? Of course, the recruitment and where are the small fish and the shift north or south, and that goes back to the environmental conditions maybe shifting, and so think about all of those bullet points and see if we can get some input on that.

MR. HUDSON: Down our way, of course, and under the sea conditions, I would have to speak about the cold water effects. We called it lockjaw current for decades, and, a lot of times, people that can't catch inshore will move out there into those depths, just to the west edge of the Gulf Stream, where it warms stuff up, and they can actually make a day, whether it's charter or commercial or whatever. Sea conditions are changing, and it's a cyclical thing on some levels. For some of us, all of this ice water is coming up because of Greenland and Iceland and all that

billions of gallons just getting under the Gulf Stream and going all around the whole gyre, and so that's one big situation.

Down underneath that, have you observed changes in catch depth or apparent bottom type fished on, one of the things down south that the rock shrimp guys see is this algae that's coming up and forming and finding itself laying all around that big ledge and offshore areas that historically just wasn't a problem, but that could become a problem as an environmental thing for all stocks in those regions, and, last, we had the Oculina closures, or if you want to call them expansions, that restricted people, and so no anchoring and stuff like that, not counting the Gulf Stream, and that got spread further north, all the way into five miles of our twenty-mile rolldown area.

For some of us, we had to put like a valve anchor or some heavy weight on the end of our anchor, and we would slowly drag through that depth to catch these blueline and snowy and tiles in that rolldown region, and, of course, those rules are going to change things, because we would be environmentally impacting the Oculina coral that we're trying to protect, and so there's been a lot of shifts that's going to make a difference.

MR. HULL: Okay. Thanks for that. One of the bullet points is where are the small fish and what do you see in terms of recruitment, and, also, we talked about abundance. Those of you that have interacted in the past with this species and still do, and Andy kind of answered some of that, and do you want to expound a little bit again on abundance and possibly where the recruits are in your region?

MR. PILAND: Sure. The little baby fish, the ones under twelve inches, are, in my area, are in the same sport as the medium-sized fish, with the three-pounders. I have not tried to catch the babies with the big fish, which are a little bit deeper. If I'm going to target the biggest of the fishes, I'm going to fish 110 fathoms, but the eighty to hundred fathoms, the babies are with the medium-sized fish, or more of a mixed population. They are there year-round, as long as I'm allowed to fish for them, and the mix is about the same, but I have only tried that on the bottom off of Hatteras, and I haven't fished up off of Oregon Inlet to prove the total mix is available, but that's what I see in my area, is that.

MR. HULL: Thanks for that. That's helpful.

MR. HUDSON: The Gulf Stream vectors off of Cape Canaveral and comes back in at Cape Hatteras before running back offshore. There is a really neat bottom portion between Georgia and South Carolina up to where you're at at Hatteras that carries them out to a deeper range. For our range, off the rolldown and Florida's east coast, we have a rock shrimp fleet that fishes and is legal in that region, and somebody should be examining their bycatch. If they catch some small blueline and some small snowy, it may show up there, because, one time in 165 foot, I caught a snowy this big, and so I know they get up on top of the ledge, but that's the way it is. It's the smaller and mediums, and it's the same deal with our rolldowns.

Those medium blueline that we catch, they just happen to have a big enough mouth to get the same hook that we're fishing the small to medium and large snowy, because those snowy are all mixed there, and they're mostly females, and, until you get to the offshore edge of that, then you get the bigger males, because they change sex, and what we call our snowy wrecks were always hard

structures somewhere offshore between 360 and 700-plus feet, and it would be nothing but thirty-five to fifty-pound snowy, males, predominantly on there.

MR. COX: I just had a couple of things that I wanted to add to it. I don't know, and some of you older guys that have been doing it for as long as I have, back in the 1980s and stuff, and I don't know if you're noticing it, but it's rough as hell out there now. I mean, it's not like it used to be. There is a lot more rougher days, and the current runs a lot more.

As far as environmental factors, there are definitely some things going on different in the ocean, and so, when we do get a chance to get out there and fish -- Thank god our ACL, about three years ago, increased on the snowy, and it increased drastically for us commercial guys, and so we get to spend more time fishing, and so we're going to interact more with the tilefish, and so we may see a spike over time in our charts that we're looking at, because of the time we're spending on the snowy in our area, but it just seems like it's gotten a lot rougher. I don't know if I'm just getting older and can't take it, but it's a lot rougher than it used to be.

MR. J. FREEMAN: Todd, can the SSC reach out to the commercial sector and ask -- I don't want to see what happened to the golden tilefish, as far as recruitment goes. They always said we're just catching large fish, but we're not targeting the small fish. Can they reach out to the commercial sector and ask them to produce the smaller recruitment fish? Like they said, you're not going to fish a 2/0 or a 3/0 hook to catch those babies. They're going to try to catch the medium to large bluelines, and so is there a way that could reach out to them to provide some of that recruitment information?

DR. KELLISON: I don't have a direct affiliation with the SSC, but I can certainly reach out to them, but would you mind maybe just restating what -- You're asking if they could request that industry provide certain information?

MR. J. FREEMAN: Yes, and the industry is -- I mean, we're already there fishing. They could go ahead, and, if they wanted to bring in the smaller fish or whatnot for them, so they could do the studies on them or whatnot, showing that the recruitment of fish are there, and could we reach out and just do that?

DR. KELLISON: To me, that seems like not an SSC project, but a Southeast Fisheries Science Center project. That might be something that we could pursue under like a Cooperative Research Funding, and I think like the SSC's input might be saying here is the information that we would need, and then the Science Center could work with industry to try address that need, and so how about, when we have a break, Jim, I will follow-up with you, and we can talk about that a little further.

MR. J. FREEMAN: Also, as far as the environmental impact, Ben Hartig might be a little bit better informed with it, but is anything being done as far as when the locks open up down in Okeechobee and dumps all that out there? Is anybody researching that or looking into it, because, as soon as it's done, the fish shut off. I don't care if it's shallow or all the way out to a thousand foot, but they don't bite.

MR. HULL: Yes, I think we can all agree to that in Florida. I think that's -- Todd, it's like, if you look at the last stock assessment, and you look at the report that says here is the things that we

need, if they needed information, like we don't know anything about recruitment, and we're not getting a signal about recruitment, and so we need information, and maybe there's a way that we could develop a cooperative program and fund it somehow and get the commercial fleet to set small gear inshore and try to target and show that there is recruitment, because, currently, there is really not fisheries-independent sampling happening, and the only thing I can -- Then Rusty's comment about on the rock shrimp fleet, and maybe there is some observer data. Maybe there is some observer data on bycatch in the rock shrimp fishery, and I don't know if they have looked for that. Those kind of things -- Sometimes, if you don't have anything, something means a lot, and so I agree with all of that. Anything else on all of these bullet points here on environmental, ecological, and habitat?

MR. PILAND: To the question of spawning season, it appears to me that, in my area, that the fish are spawning year-round, and that's what I heard at the stock assessment, that fish spawn every -- I am working on memory again, but I think it's fourteen days. I mean, it's almost a constant spawn, if I understood it correctly, and the fish appear -- Not being a biologist, but, when you clean the fish, they appear to be in the same state of roe throughout the fishing season.

MR. BONURA: I was just going to add that, down in the Keys and south Florida, there seems to be plenty of little fish mixed in with all the big fish, and they're just harder to catch, because of the hooks we're fishing, and we have put on tinier hooks, 2/0 and 3/0 hooks, to catch pink porgy, and we have caught plenty of little tilefish mixed in with them.

MR. HULL: When you unload those at the fish house, they are grading them, obviously. Do they grade those out as -- What size are those smallest tilefish being graded? Are they mixed? Obviously, they're grading them.

MR. BONURA: I'm a wholesaler dealer, and so I kind of move them all myself. I don't have a grade for them, necessarily.

MR. HULL: I was just thinking of a way to derive some more size information somewhere.

MR. HUDSON: The MARMAP, or that cooperative thing that I think Jimmy and others were involved with, I'm not sure what the hook choices were for some of that deep water, but the longline thing -- Two things. The short longline that the MARMAP uses, I don't know if -- Marcel always described it as draping over hard structure and trying to get whatever there with the twenty, the short set, with a small amount of hooks, but, with this thing that you're having coming up with that longline thing for the deepwater complex, I take it that's offshore of the ledge and wherever it takes you. Are you going to have some differences in sizes of those hooks and stuff like that, just trying to target that?

MR. BUBLEY: Yes, that's the plan all along. I'm not sure if we're going to get the hook sizes small enough to get the really small ones, but we're definitely planning on using multiple hook sizes, probably two, just because, once you get more than that, it starts to get a little more complicated, and we're trying to avoid that as much as possible, at least initially, and so it looks like about two hook sizes that we're looking at right now.

MR. HUDSON: On that part, the ecosystem, the ecological effect, I've seen plenty of footage of one of the main predators that make a prey out of tilefish, and it doesn't matter if it's a blueline or

a golden in the burrows, is those hammerheads. As we're rebuilding those populations, they're going to make sure that they're going to be getting their dinner.

MR. HULL: Okay. I'm looking around. Anything else? That's good information.

MR. J. FREEMAN: As far as going back to the grading, as dealers or whatnot, we grade the fish out, especially the goldens, and it goes into the -- In Florida, it goes into our dealer report, and it has the breakdown on that, but, when it goes into the logbooks, it's just grouped as tilefish together, and I asked Marcel about that a couple of years ago, and I was like, well, why couldn't you just break these down showing the different sizes. He said that they have a formula for that, I guess, and I don't know.

MR. HULL: I have one question. Does anybody know when the last stock assessment was done on blueline, when it was completed? Okay, and so it's pretty recent. Was there any fishermen on this panel that were involved in that stock assessment? Rusty, you were? Andy, you were? Okay. So you pretty much know what the research needs were at the end of it and the data shortages that they had to really come up with a stock assessment that you guys think represented reality on the water?

MR. HUDSON: The results did not, but the reality is that they are data poor for Hatteras north, and they are having to figure out, the Mid-Atlantic Council in cooperation with the South Atlantic, how to allocate for that region. We're a lot better shape down our way, but, again, the results didn't indicate an ACL that is close to reality.

MR. HULL: Okay. I think we're moving through this. We've got Number 5. What else is important to the council to know about blueline tilefish? Are there current monitoring efforts, the trap index and the catch estimates, sufficiently monitoring the stock? Well, I think we've already dabbled into those quite a bit, but let's add to it a little bit, and I think we've got it.

MR. HUDSON: I would, knowing what MARMAP and SEFIS does, it predominates the South Carolina and North Carolina regions, and that pocket, because of the Gulf Stream being further offshore, somehow possibly makes it a little easier to put the chevrons into a little deeper strata, but, when you get down our way, St. Augustine south, and they're trolling from the surface with the Gulf Stream with the chevrons, and it's real hard to put it down there, and so you need to develop a better way to gather that information down around the bordering Gulf Stream.

MR. PILAND: The blueline tilefish in the north part of North Carolina are a very important fish for the charter/headboat group. As I stated before, if we're not catching dolphin today, we use the blueline as our back-up to satisfy our customers and keep them coming back. Moving to the next point, I know, because of participation in the stock assessment, that the small fish data is poor, as well as -- Well, more so than the rest of them, and, if you're going to catch a six or an eight-inch fish, you can't do it on a longline. You just can't use a small enough hook to capture that little baby fish. It's going to have to be with a vertical line, with care being taken to not rip him off the hook coming up. It's a difficult fish to catch for your size, but they are there. They are certainly there.

DR. KELLISON: Just a quick question, Captain Andy. You couldn't -- If you wanted just to do a study to try to target those juveniles, you couldn't put hooks small enough on a longline? You think you would have to do it on vertical hook-and-line?

MR. PILAND: That's my belief, as far as practicality, yes. I mean, the hook that you're going to need is going to be the size of your pointer finger nail, the gap, and the hole in the hook isn't big enough to put a longline leader through the hole. You've got to pay attention to get eighty-pound mono through that tiny hook, because they are not made to be used for that type of gear, and you've got to be careful with a baby. They are tender. You can't just rip them up from the bottom with a longline, the way I see people pulling longlines. You may be able to do it, but a typical commercial guy pulling a longline, the hook is going to straighten out, or the hook is going to pull out of the fish's mouth. Again, a baby is tender, whether it be a baby human or a baby deer or a baby fish. They are tender, and you've got to use capture the capture that creature for a study.

MR. J. FREEMAN: Once again, the mono that you're going to have to use is so light that you'll never be able to get it back. You're going to break it off. Even if you get a fish on, it's going to break off on the way up. It's just the way -- It's the nature of the beast as it's coming up.

MR. HULL: So your point of having to use vertical gear, as opposed to setting bottom longline, and that's the point you're making, that it needs to be able to use hook-and-line gear or vertical gear like that, rod-and-reel type of gear.

MR. PILAND: That's my opinion. I know how commercial gear works, and it just -- When you're hauling gear, you're hauling gear, and you're not being delicate to try to catch a tiny fish.

MR. HULL: Very good. Okay. There is a couple more.

MR. HUDSON: I agree with what Andy is saying, and I don't even think a bandit could -- It would just be blasting it up. With Elec-Tra-Mates, you might have to take it easy a little bit and use multiple hooks. What I used to do when I bandit fished for the big snappers and kitty mitchells and black bellies and stuff in that region is not only would I have the big circle hook rig there in the early 1980s and late 1980s, but I would then take the mono and I would feed it back, and I would put the smallest circle hook on there.

Just like what he was just sort of implying, once that little fish gets on there, it attracts a bigger fish, which is automatically going to eat it, and so you almost have to be feeling the line. Once you've got the buzz going, get it on up, and then you might get some samples, but the mesh size on the rock shrimp stuff is small enough to be able to get those six-inch fish.

MR. LORENZ: Just a thought, and I want to make sure, for the record, that we capture something for fisheries management that Captain Andy brought up. With this species, and it's the first time heard by me, he is stating that -- He has stated that he believes they are spawning, possibly, all year, or have multiple spawns.

That is also something, if you're going to say current monitoring efforts, let's catch that, because species that can spawn multiple times a year, or all year, like dolphin and speckled trout and blueline tilefish, that's a great management tool to have in your pocket, because it makes the fish a lot easier to recover at some point, because you know you have those multiple chances to bring

it back, and so I think that's important. Whether you've got money for that or not, I think that's a critical observation to get our arms around.

MR. J. FREEMAN: This goes more towards enforcement. As deep-drops are becoming more and more -- They're happening more and more often with the recreational sector, and is enforcement going to do anything about getting out there and putting an eyeball to it and seeing what all they are catching and bringing in? We only allow one, and they're putting three and six-hook rigs down, and is anything being done?

MR. HULL: I think the current recreational limits are three per person from May through August within the aggregate, and so it's three per person on blueline. Snowy. Yes, okay. On deep-drop, I guess we would have to have someone from law enforcement answer that question. It's a good question. I think we ought to take a break. It's ten o'clock, and so how about 10:15? We'll take a fifteen-minute break, and we'll see everybody back here then.

(Whereupon, a recess was taken.)

MR. HULL: Everybody is back, and we're going to go to Item 6 on the agenda, which is the results of the recreational workshops and a presentation by the American Sportfishing Association and Kellie Ralston, but Myra is going to go ahead and give us a preamble into this.

MS. BROWER: Thank you, Jimmy. First, I'm going to make sure that Kellie is able to hear us. Kellie, I have unmuted you. Can you hear us? While we're establishing the connection with Kellie Ralston, I will just say that this presentation was given to the Snapper Grouper Committee in March, and it's a result of a series of workshops that were held in partnership with the American Sportfishing Association, Yamaha Marine, and the council, and they were to basically get input from the recreational community on potential changes to how the snapper grouper recreational fishery is managed.

ASA sponsored a series of workshops, and Kari Buck, who used to work with the council, and many of you probably remember her, facilitated those workshops, and then they synthesized all of those results and put together this presentation and compiled a report, which is also in your briefing book, and then this presentation was delivered at the council. The council subsequently requested that it be brought to you all, and that's why we're here. Kellie, can you hear us?

MS. RALSTON: I can. Can you hear me?

MS. BROUWER: Yes. Perfect. I am going to -- You tell me when to switch slides, and I will just do the switching, and you do the talking. Good?

MS. RALSTON: That sounds great. Thank you. According to the first slide, just so you know, I am not Kari Buck, and this is not March, but this is the presentation that she put together summarizing our report to the council, and so I am Kellie Ralston with the American Sportfishing Association, and I really appreciate the opportunity to present the results of this workshop series that we put together on some new ideas and perhaps some different approaches to recreational management.

Just as a brief introduction, we sponsored this project along with Yamaha Marine Group and the Coastal Conservation Association, in cooperation with the council, and we really wanted to look at some new options for private recreational management, specifically in the snapper grouper fishery. Kari did a great job facilitating, and we started this project way back in September, with the council, and your Chair as well, to brainstorm some general concepts that the council would like to get more input on from anglers and industry throughout the South Atlantic, and so we had that initial workshop and then followed up with some regional meetings and summarized it in this report.

Before we get to kind of the presentation part, I wanted to thank specifically our steering committee, which included Martin Peters from Yamaha, Ted Venker and Dick Brame from CCA, as well as Gregg Waugh and Spud Woodward from the council, in addition to Ken Haddad, Mike Leonard, and myself from ASA. I also wanted to thank our hosts, who were so generous with meeting venues. They were very gracious in providing space for us, and I also wanted to thank all of the participants who came out for these meetings. They were not short. They typically lasted at least two to three hours, and the conversation was actually really thoughtful and productive, and so thanks again to you guys for the opportunity to come and present this and for the council and the AP's interest and support for this project.

With that, the final report is Attachment 5a in your briefing book, and it provides lots of details and discussion questions and the key points from each individual meeting. The appendix actually gives a breakdown of kind of regional concerns, depending on where the meetings were held, and then this presentation is 5b, and so you have a copy of that as well.

As an overview, kind of how I'm going to work this presentation, we'll start with the council workshop and the regional meetings, and then we'll go through each of the different discussion topics to kind of give you snapshots from the meeting summaries and then final recommendations from ASA and our partners based on input from the workshop with the council members as well as the recreational meetings.

This is kind of an overview of the project, and you can see the sponsors, and you can see the workshop, and you can see kind of the timeline of the project itself, and we presented those final recommendations to the council at the March meeting.

Back in September, we went over a variety of topics with the council in a workshop prior to the actual council meeting, and we had council members, and we had advisory panel and SSC members, as well as recreational representatives, and we went through a series of options to take out to these regional workshops as well as including the vision blueprint goals that were identified by the council previously, just to make sure that everybody kind of remembered how some of the things we were discussing could align with some of the approaches in the South Atlantic.

This was the final list of topics that we took out for conversation in the regional workshops, and you can see harvest rate management, harvest tags, seasonal management, regional differences, regional variation, electronic reporting, recreational registration, as well as release mortality reduction or barotrauma reduction.

We got feedback from the council members, and then we took those out, and we went out and had a series of different meetings, and we had two in Florida, one in the northern part of the state and

one in the southern part of the state, as well as the other three South Atlantic locations, and we typically had between ten to twenty participants at each of these meetings that were well versed not only recreational anglers, but some were industry representatives as well, and we just wanted to get their feedback on those approaches to bring back to the council.

The first kind of discussion topic for these meetings had to do with angler preferences and regional variation, and that was kind of the subject that came up at the council discussion, was what do anglers value, what makes a good fishing trip, and the general response that we got at the regional meetings was that a good trip was one where you got to catch a lot of fish and keep a few, or at least enough to make the trip worthwhile for the money, as well as the planning and the time that you put into it. What enough fish meant varied depending on the person, and it could be a trophy fish for the boat or, for anglers who didn't go out very often, it could be that they want to max out on their bag limits.

For those who do go more often, they want to take home some fish, but one of the big themes that came up at the meetings was that a good trip is one that you get to take when you want to take it, meaning when is it a good time for you and your money and there is good weather that supports a fishing trip. This was kind of a general theme that we heard a lot, that anglers really wanted to be able to decide when it was best to go out for them, and that affected whether it was a good trip to them or not.

The most important species that came up at most of the meetings, not surprisingly, was red snapper. This was kind of another overarching theme, specifically regarding trip satisfaction, and management satisfaction overall, and it wasn't just because anglers typically couldn't keep red snapper, but it was also because they were having to release so many of them, and that affected trip satisfaction. Anglers would have to move around in an area to avoid certain spots that were known for red snapper, and that bothered some people and affected whether or not it was a good trip for them.

Other important species that anglers mentioned were gag, vermilion, black sea bass, and gray triggerfish, and another thing that made a good fishing trip for folks was access to a variety of fish, and that's not specific just to snapper grouper species, but some of the coastal migratory pelagics, state species and billfish. People liked being able to switch species when they wanted to, so that there was something else available to them, because, if something was closed that they weren't allowed to keep, having that variety and other options let them at least be able to catch enough fish to make the trip worthwhile by switching species.

We also talked about seasonality and regional variation, and this was kind of another big thing that come up. In all of the meetings, participants said that snapper grouper fishing occurs all year, and there is some variation in the peak periods, depending on where you are located in the South Atlantic, with the exception of south Florida, where fishing is pretty much year-round, mainly because of weather as well as access to multiple species throughout the year.

We talked about the economic benefits to local businesses and fishing-associated businesses, and it was common for meeting participants to bring up recreational red snapper seasons to illustrate those benefits. For example, when there is an open red snapper season, local businesses and hotels and for-hire businesses and restaurants and bait and tackle shops, and even gas stations, but everybody gets a bump. They felt like this really illustrated the economic benefits that can come

from having access to very popular species. In fact, ASA just finished up an economic study of the 2018 recreational red snapper season which indicated a \$19 million economic impact from that brief six-day season.

There were also long-term effects on boat manufacturers and gear and tackle shops due to less participation and interest in the offshore and deepwater snapper grouper fishery. For example, they have adjusted their inventory and aren't stocking gear for more offshore type activities, because people are focusing on other things or inshore species, and it's also true for boat manufacturers as well, who aren't holding as much inventory of larger offshore boats.

At each meeting, we asked what makes your area different from everywhere else, and folks typically felt that their area was unique from the rest of the region, mainly due to distance to fishing grounds, weather dependency, some dependency on preferred species, as well as the number of fishable days, but it really highlighted -- The conversation really highlighted that every area is different, and, if folks want to have those great trips, where they get to take what they want when they want, the council may need to consider some regional flexibility in its regulations.

The first kind of approach topic, if you will, that we discussed was harvest rate management. This is an approach that is used by the Atlantic States Marine Fisheries Commission, primarily with striped bass, and it's very similar to what you would think of in state management. We have a target that we're trying to reach, and we're going to adjust your bag limit, et cetera, to get there. The difference, or the applicability, I guess, to the council would be the information that is required to go into such an approach, and it would be a more frequent understanding of what is going on in the fishery itself, and so you would have a lot more alignment between the conditions that anglers are seeing on the water versus what the actual regulations are that they are under.

A lot of folks who came to the meetings were familiar with ASMFC's approach, and so, really, we focused our discussion on what species folks maybe felt would benefit from a more frequent review, species that might need a different approach or would benefit from a different approach of how they are monitored, and then what species did it seem like science and management don't quite align with what you're seeing on the water, and, once again, not surprisingly, the main answer was red snapper. What was a little surprising was that most meeting participants felt that, outside of red snapper, that current management was appropriate for other snapper grouper species, and so that was kind of an interesting result.

In general, anglers were very supportive of exploring a different kind of approach, especially one that allowed them more predictability, more management flexibility, as well as they could buy into because it was what they were seeing on the water, and so, while harvest rate management may not be a priority approach for most species, I think people would support exploring a new approach particularly for red snapper and also further exploration of this as a potential tool for other species.

There was a conversation that happened at the council meeting talking specifically about do we have the information that we need to put into this approach, and I believe John Carmichael -- He is there, and he can correct me if I'm wrong, but he mentioned that we probably do have a lot of the information, particularly for red snapper, that might help us implement such an approach, and the council was very interested in exploring this in the initial workshops back in September as well.

The next kind of approach topic was harvest tags, and we specifically focused on the use of harvest tags for either deepwater species or species with a low ACL, and we covered kind of the general concept of what harvest tags were, that you would have tags for each fish that would be harvested, and that it could be -- The approach could be used either for data collection and/or effort control as well. In addition, we talked about the challenges of how to distribute the tags amongst anglers and get them to the people who really wanted to participate in these fisheries.

The specific species that we talked about in the workshops were snowy grouper, blueline tilefish, golden tilefish, and wreckfish. In general, meeting participants were really supportive of looking at a pilot program to explore whether using harvest tags might get us better information, not only about the species, but about participants in the fisheries.

They felt that tags should be available to anyone who wants one, but, because your typical angler isn't really going out targeting these deepwater species, most likely it would be a self-limiting pool of applicants, and so you wouldn't have a lot of people wanting the tags to begin with, and that makes distribution a little less problematic. They did feel like there was some need for a small effort on the part of the angler to actually get the tag, to make sure that it was only limited to people who really wanted to participate, and that could have been a small fee, having to make a phone call, as opposed to just checking a box online, and also that reporting should be required by tag recipients.

Participants didn't feel like it would be a burden for anybody who does enjoy fishing for those species. In fact, they felt that people who participate in the fishery would actually want to be able to help improve data collection and information, given some of our management challenges with these species. When we talked about harvest tags, I will say that red snapper came up again, and it's always the topic of the day, and a couple of people thought that maybe it was something the council could explore, but many others did not support looking at this, mainly because there was a question about how you would allocate tags for a fish that is so easily accessible with such a relatively low ACL and that fairly distributing the tags would be a concern.

We also talked about recreational registration or a stamp as a way to capture how many anglers are targeting snapper grouper in the South Atlantic, and this is something that the council is considering as well. We had a conversation about how this information could be used and why it would be important, and we asked participants what did they think about having folks register if they are targeting snapper grouper and what the challenges might be.

We also talked about recreational reporting, particularly electronic reporting, and what the council is also currently considering as far as those requirements, and we also talked about the existing electronic platform, the MyFishCount app for that, and we asked participants about obstacles to getting people onboard with recreational reporting, not only just to start it, but how do you keep people interested and continuing to provide information on what they are harvesting.

In general, meeting participants were supportive of registration or a stamp that says, yes, I fish for snapper grouper, mainly to help get an idea of the number of people targeting snapper grouper as well as a way to get information out to those folks, and they were also generally supportive of recreational reporting being an electronic platform.

There was some concern about creating an additional burden for anglers, that folks don't want to come back from a trip and be tired and then have to get online and report everything that they caught, but, overall, people were supportive of being able to provide data, particularly if it improves management decisions or if it was an improvement over existing MRIP data.

While participants felt that any kind of registration should be simple, we kind of got back to that same conversation about not just being able to check a box. As we've seen in some surveys, if all you have to do is check a box, you get an oversubscription issue, which then causes some issues with your data itself, and so, again, a little bit of effort would probably be necessary or recommended to address those issues, and the groups also suggested that implementing such a program through state recreational licenses or some sort of state program would be the easiest way to put it in place, and trying to have consistency between states, so that we're having kind of the same information being funneled into the council process.

When it came to actual reporting, participants stressed that it was going to be really important for folks to understand how the data would be used, and they felt that the biggest challenge would be that people would feel like the data might be used in additional restrictions, or it wouldn't be used at all, but, overall, they felt like they would be most willing to comply for popular species at first, like maybe pick your top five that you really want information on, and then phase-in additional snapper grouper requirements for reporting on additional snapper grouper species once folks kind of got into the groove and got used to the idea. Their thoughts were that you didn't want it to be complicated or take too much time, because then people are just not going to finish, or they're going to give you inaccurate information, which, obviously, is not what we want.

Meeting participants felt like it might take some time, but that people would get used to electronic reporting and then understand how important that data is and that it would just then become the norm and everybody would be okay with it, and so there would kind of be a learning curve of the hump to get over, if you will, and then folks would kind of go along with it.

We also talked about release mortality reduction and barotrauma reduction. We reviewed what the council is considering for descending devices and venting tools as well as best fishing practices to reduce release mortality, and we talked about why they're doing it and then what are the obstacles for folks participating on a regular basis.

Once again, I felt like -- Everything we said, they were very supportive of, which was great news, but they were very supportive of using these methods and tools to reduce barotrauma. Participants felt like most people are probably not using venting tools or descending devices right now, but they have seen increases in folks doing that, and so they feel like there is some progress in that regard. The groups typically felt like venting tools are probably more commonly used, because they are easier to use and easier to get ahold of. However, there was some concern that folks may not be using them properly.

Manufactured descending devices -- Particularly, they felt that some people might say that I don't want to be required to have one of those, because that's just more money that I have to pay, and that was also kind of followed by a conversation about how to allow maybe homemade descending devices or kind of what that definition would look like and that it would be better to have a little bit broader definition that would go beyond just store-bought descending devices.

Some folks felt that a regulatory requirement could be beneficial, as far as encouraging the use, but they felt the most important factor was for anglers to understand, and that would be through really significant outreach and education on how to use the tools and then the benefits to the fish themselves and also to the anglers' future fishing opportunities. The group felt like, if that happened, folks would totally get onboard and that this would also become standard practice, much like electronic reporting. They felt that it would take time, but that everybody would be onboard eventually.

One other thing that the participants said is that, because this is going to take some time for folks to get used to, they recommended getting this started as soon as possible, to really kind of see those long-term benefits.

All right, and so the final recommendations, and this kind of summarizes everything that we talked about, and there are more details on the specific recommendations in the report, and so this is just kind of -- There's a lot of text on this slide as it is, and so I tried to make it simple, but, first, the council should consider regional regulations for appropriate species, and this is to allow more flexibility for anglers to select the best days for them to go fishing, and it's usually based on where they live and the weather and the number of fishable days.

The council should continue to explore harvest rate management for high-value snapper grouper species, and specifically for red snapper, and the council should consider an exempted fishing permit for a pilot program that would test harvest tag management, particularly for certain deepwater species that we talked about earlier, those with low ACLs or naturally low abundance, and the council should work with state partners to establish a registration for anglers targeting snapper grouper species with consistent platforms across all states.

The council should continue development of Snapper Grouper Amendment 46 to implement required or selected reporting for recreational anglers and continue outreach on the benefits of providing data, also with consistency across the states or throughout the region. Finally, the council should continue development of Snapper Grouper Regulatory Amendment 29 to require the use of descending devices and venting tools, along with other best fishing practices to reduce release mortality.

With that, I will conclude, and I want to thank our hosts again, and I want to thank the council again and all of our participants. I felt like it was a really good conversation across-the-board, and I look forward to any questions that you might have, either to me or to council staff, and I appreciate your time this morning. Thank you.

MR. HULL: Kellie, thank you very much for that. There's a lot of information there and a lot of really good ideas, and I know that we probably do have some questions for you, and I see some hands raised, and so, if you can hear us, I'm going to start with Rusty Hudson.

MR. HUDSON: Hi, Kellie. What is your description of a trophy fish? Could that be a large red snapper and then some smaller ones to take home, or just to take a picture of the large red snapper, or how would you describe a trophy fish?

MS. RALSTON: I wasn't at all of the meetings, and Kari was, but, the ones that I did attend, it really is a good fish for the picture, right, and that's what a trophy fish means to most folks. I

would say your characterization is probably very accurate, to have one really nice one that you could either keep or have a good photo with, and then really focusing more on some smaller ones to take home.

MR. HUDSON: I appreciate that, because the reason I bring it up is, like with our sailfish and stuff like that, if your intention is not to keep it, you cannot take it out of the water, by regulation, and I believe that there's a perception that some of the bigger animals, older snapper groupers and stuff like that, that there may be a need to release it in the water, take the picture in the water, and not bring it aboard the boat, and I know people are monitoring that stuff federally.

MS. RALSTON: Yes, and I think that might be an opportunity too to bring in some of those best fishing practices, maybe in kind of coordination with that. What are the best handling techniques, and I'm in Florida, and so I'm pretty familiar with what FWC does, as far as how you should handle certain species, in particular, and those may be some things that we could promote along with that as well.

MR. COX: I'm a commercial fisherman, and we've been, of course, submitting data for many, many years now, and it goes quite extensive into trip values and the value of the fish and the depth we fish, and we pick it up pretty quick. I mean, we were mandated by law that if we didn't follow this procedure that we would not be allowed to go fishing and engage in commercial fishing, and so we are -- We have done a good job rebuilding our fisheries, and we're seeing our ACLs increase, and I just want to say that this is a great thing that you guys are doing, and I think that you want to see your fishing levels stay sustainable. I would just encourage to continue the good work. The sooner, the better. Thank you.

MS. RALSTON: Thanks, Jack.

MR. LORENZ: Also, I basically agree and like everything that's in here, and it's things that a lot of us have been talking about for years, and I just have two comments, and I put them on the record more for consideration by the council, and that will be with respect to when you get to tags. It was mentioned about red snapper, and I don't know if that's an appropriate species to go with with tags. We all know there are a lot of fishermen, a lot of recreational fishermen, going for them. We know there is recreational fishermen that are not accounted for, and, for that, I would just put a license, and we know that you're capable of -- There would be capability to monitor red snapper catches, particularly with these very limited seasons.

Now, with enough money, time, and personnel to do a nice MRIP study, but my suggestion is I think the tags are a great idea, but save them for the species that you talk about here that are a little more contentious between commercial and recreational and a little more unknown. You know, we've had the talk on blueline tilefish and the deepwater groupers and some of the things that Jim Freeman talks about from time to time of, gosh, there's a growing recreational group that's out there deepwater fishing with gear with seven hooks on it.

Maybe tags for those kind of people, and that would be a smaller program, and there would be a better way to qualify them. You might ask a few questions on are they capable of even doing this, versus everybody in most states is capable of fishing for red snapper, and so that would be one recommendation to the council. Save those tags for those contentious issues that you don't know

and there is arguments about who is doing what with the species and you have no idea what the recreational anglers are doing.

Then the only thing is the cost of a descending device, and I don't think we all should worry too much about that. They're not really that expensive. They are \$40 to \$80 to get these things, if you implement them, and, as all of us that know, I mean, north of the 28th parallel when you're fishing for snapper grouper, many of us private boat recreational anglers -- We can spend \$300 to \$900 a day on fuel and supplies to go fishing and catch absolutely nothing. A one-time expense for \$40 to \$80 is not a valid argument against not having it.

MS. RALSTON: Thanks, Bob, and I would echo your comment particularly about the tags and red snapper. We did a similar -- It wasn't exactly the same, but a similar exercise in the Gulf, and, while we haven't done the same analysis for the South Atlantic, what we found is that -- I think there was an expectation that folks would just be able to go get a red snapper tag and then be able to go fish whenever they wanted, but what we found was, when you actually looked at the number of anglers that were participating in the fishery versus the number of fish, or pounds of fish, that most people weren't even going to get a tag, and so that was kind of a really limiting factor for anglers, because I think most anglers that I have talked to really just want the opportunity to go fish.

A lot of it is kind of the excitement of getting out on the water, and I was out on the South Atlantic red snapper season last August, and it was -- Everybody was excited. There were so many folks out there participating, and I think, if you were ever to consider doing something broader than kind of these low ACL deepwater species, that we were recommending that you would really need to take into account how many folks would be impacted and would they actually have the ability to even go out on the water, and so good point.

MR. HULL: Okay. Anybody else?

MR. HOWARD: I was one of the ones who participated in one of these seminars, and I went to the one in Brunswick, or meetings, and there was a lot of things that came up, and so a lot of it is going through my mind, but I will try to make it concise. I was one of the ones that proposed a tag, but in the sense of a pilot program, so that we could make have an economical way of getting better data, because what I hear is we're in a vicious circle. The data doesn't support certain changes, like bigger limits and longer seasons, but, at the same time, there seems to be an admission that we need better data, and there is no money for it, and there's all kinds of things, and Spud I know is -- Of course, he's incredibly knowledgeable, and I love sitting and talking with him, but he and I batted some of this stuff around, that there are maybe opportunities for pilot programs.

I am one of the ones who happens to say that I will pay for a tag, and I know that that can be burdensome for other people, but Georgia is unique, because we have to go so far. You're already going to have a huge investment in it from the get-go, whether you own your boat or you're going with a for-hire or whatever, and you're going to have hundreds of dollars in your trip for one fish.

For me, it's the sport, not to mention the fact that I love to eat them, but I would like to see an encouragement by the council to really investigate a pilot program, whether it's tags, whether it's electronic reporting. The lady asked me, and she said, as a recreational angler, would you do the

electronic, and I said absolutely, because, if we don't help ourselves, nothing is going to change, and we're pretty much at the recreational anglers are going to have to help ourselves, and then that will spill over into the commercial sector, too.

I personally don't see an issue with the tag and a pilot program that would be used on a temporary basis to get some -- Whether we would pay for them or not, but, somewhere along the line, we've just got to get some better information for the biologists and the council to make better decisions.

MR. HULL: Thank you, Lawton. I see some more hands. Jim and then Vincent.

MR. ATACK: Thank you, Mr. Chairman. We as the advisory panel, should we be -- If you want to back it up one more slide, to the previous slide, for final recommendations, are they asking us to weigh-in on their bullet points, like a motion that we endorse these or not endorse these?

MS. BROUWER: Yes, Jim, and thank you for bringing that up. What the council requested that you all comment on was specifically the practicability of some of these approaches that have been suggested, and so do you think some of these are more feasible than others and that sort of thing?

MR. HULL: Yes, that's helpful.

MR. BONURA: I just have a question about -- Instead of the fishing tags for each fish, have you guys considered a federal permit, similar to the HMS species permits? That way, you can count the number of vessels that are participating.

MS. RALSTON: No, we didn't specifically talk about that in our meetings. I know, in listening to some of the council conversations about kind of the recreational stamp approach, there were some concerns, first off about how the council would administer it and how it would be funded. If there was a fee collected from the council at the federal level, there's kind of an odd mechanism, and, Mara, help me out if I'm getting this wrong, but it feeds back into kind of the general fund at NOAA, and so those fees wouldn't necessarily be available for the council to administer a program, and so it was a little more complicated than I think what HMS is doing, because it would be just a regional council type permit at this point. I suppose you could push it to be some sort of a nationwide federal permit program, but that's going to be a lot heavier lift, I think, from an administrative perspective.

MR. R. FREEMAN: Just a couple of questions. What is a state permit? Is that a permit for the state the angler resides in or the state they're going to be fishing in? Another question is what is regional in the description of what is being proposed? The harvest tag, is that like the boat has the tags or each angler has the tag, because, back when I was running lots of charters some years back, we would have as many as 300 different anglers in a year, and so how are we going to implement the tracking of who has got to have a tag and who has got to have a permit and all this?

MS. RALSTON: I will start with your last question first. I don't know, specifically, and that would really be kind of up to the council to decide how to implement a pilot program. I guess, if I was thinking about how to set something like that up, it would be -- It would basically be an electronic tag that you had on your phone, which would then set it up to be angler specific, but the council can certainly do whatever it wants and figure out if there's a better way to approach it, and that's kind of my simplistic view of it.

Then, as far as what a state tag means, for example, in Florida, on the Gulf side, they have a Gulf Reef Fish Survey that you -- All you have to do is check a box, and so it kind of gets at that concern that some of the folks had in our conversations about it being too easy to get, but the idea is that, when you get your state license, you say, yes, I am going to fish for reef fish species in the Gulf, and then you get this extra endorsement, if you will, on your state license that sets you up to be part of kind of the smaller pool of folks that are targeting reef fish.

That allows the state to survey you in a much more accurate way to find out whether, first off, you did go out and fish for reef fish, and, if you did, what did you catch. In Florida, they are looking at expanding that same idea state-wide, and so we would also have that same information on the Atlantic coast, and I think that could potentially serve as a model for other states to follow suit, just because it is -- Well, first off, it's been certified by NOAA as a legitimate data stream, and so that helps, and then, also, because it's already been set up, and there's kind of a model already to follow.

As far as regional regulations, I think that would really kind of depend on exactly what you were looking to set up, and so it could be -- I think there is definite agreement that, for example, south Florida is very different from the rest of the South Atlantic, and I think you could maybe look at North Carolina and South Carolina and potentially having some more regional consistent regulations between those two, and maybe there is a break with Georgia and Florida, and so I think it depends first on the weather and the actual species that you're looking at, and then you could even look at angler preferences within the region, if you really want to get complicated, and so there are several options there.

I think, really, the conversation centered around the recognition that North Carolina is really different from south Florida, and then there's kind of this gradient in between, and so maybe there is a way to better categorize regulations that are more specific to the area that you're operating in, and so I hope that answers it. If you have something else, throw it at me.

MR. MANIGAULT: I need a little bit of clarity or some direction on the red snapper situation, and I'm going to ask the first question, and the ACL for the red snappers, the recreational and the charter captains, the charter boat fleet, they're all tied in together?

MS. RALSTON: Yes, I believe so.

MR. MANIGAULT: If we go with the reef permit, red snapper permit, or permit period, how is this going to affect us? Is the boat going to have to purchase tags, or is the customer itself going to have to purchase the tags in order to fish for these red snappers?

MS. RALSTON: I don't think there was ever an expectation that there would be a tag system for red snapper. It would be up to the council to decide whether reporting would be mandatory or not, and I think there's a couple of ways that you can come at reporting. One is to make it mandatory for everyone. However, we have seen, in some situations, where that is the case, that your compliance is still really low, and so there may be a better way to come at it that would request reporting, but it would also allow validation of the information that's coming in that would get you the same quality of information as if it was mandatory.

I don't know -- We haven't gotten to the point of whether it would be charter captains reporting. A lot of times, you all do report for the boat, and so I think that's what we're moving towards, right, and so that would probably be the approach for this, if you were taking folks out, but it wouldn't be a tag that you purchased. It would just be I am reporting for my boat what we harvested.

MR. MANIGAULT: Is there going to be any form of a penalty involving this whole entire situation involving the red snapper, in the event that you all decide to go with a permit, a license, or whatever the case may be, in the event that the person does not report what they caught?

MS. RALSTON: That would be a council decision as to how to approach that. I know that there have been conversations, a lot of conversations, about what to do about folks that don't report. I know, at the state level, there is a penalty, and I can't remember exactly what it is, but I know that law enforcement has taken the, quote, educational approach, typically, unless they're getting somebody who has multiple citations on it, and so, ultimately, that would be a council decision on how to approach that. I mean, you could look at maybe a gradual increase in penalties, either by infraction by an individual, or even just over time, say for the first year, we're going to require X, and then, during year-two, we're going to bump the penalty up to this, and that would be something for the council to work out with the legal team, as to kind of what they thought the best approach was. It wasn't something that we talked about specifically in these workshops.

MR. MANIGAULT: I guess my main concern is how are we going to -- What type of information or how are we going to track the actual tag, permit, or fish? I mean, name, address, telephone number, email, tag number, boat number, and that's going to be my concern in regard to if we decide to just have the captain responsible or the person responsible, and what type of information are we going to gather in the event that boat has to pay or the individual who is on that charter is going to have to pay, or, if the boat has, for lack of a better term, tags, where they've got X amount of people on the boat, and the person that is catching the fish and carrying the fish home is the person that will be responsible for providing information to the captain, so they can say, yes, I caught this fish with Black Tag Charters or with Skip's Fishing, and that's my main concern. Who is going to bear the responsibility, because I know, in the commercial sector, I believe, and I might need some help from my colleagues, that even when the captain gets a citation, the owner of the boat pays for it, or how does all that work?

MS. RALSTON: I think those are all points to bring up to the council. I think these recommendations that we're talking about were specifically geared toward private anglers, but I certainly think that a conversation regarding the implications to charter is relevant.

MR. HULL: Any other hands?

MR. ATACK: I support these recommendations, and the council should work with state partners, I think, and I would prefer them to do all the states in parallel, versus in series, because, if you wait for Florida to do their thing, then maybe in ten years we'll get around to North Carolina. I mean, North Carolina could easily have a box on their saltwater fishing license that you check that I like to gig or I do crabs or I like to go reef fishing, so they can -- Like she explained, you can narrow down the number of people that you need to survey to find out who is participating in the reef fish, and I support the council continuing Amendment 46 and Amendment 29.

MR. HULL: Good comments. I am looking around. Are there more private recreational anglers here or for-hire captains?

MR. R. FREEMAN: In North Carolina, I can't think of anywhere that you're going to be catching reef fish in state waters, and so where are you drawing the line? Is it not a state situation or federal or whatever, assuming that the state waters run three miles and you're not catching anything maybe other than a sea bass at the port terminal.

MR. ATTACK: True, but, for saltwater fishing, you have to have that recreational license, and, yes, the state stops three miles out, but they could easily have a check-box on there that you intend to go snapper grouper fishing, to help with the survey data, because, without that license, you can't.

MR. MANIGAULT: Kellie, I want to support everything that you guys have written, but my thing is this right here. I want to hold people accountable for these fish, I really and truly do, because, that way, we get the data that we need to possibly look at that down the road and show these people not only do we care about this fish, but possibly -- With their reporting, it's going to help us possibly being able to increase the number of fish that they can possess, and that's my concern, and that's why I was talking about data in regard to a person's name and all that type of stuff.

Yes, we do have to report through VESL here in South Carolina, which is a great program, but my thing is accountability, and how can do that, to pin these people down, to make sure that they report that this fish is being caught and how much they caught, but also to show them -- Like I said, the reason why we need this information, and, if they don't report, they need to be penalized, because we go through a lot trying to get them the days that they need to catch this fish, but they've got to cooperate also too by complying, and so, to me, it's all about accountability and the actual science that we need from them, if you understand what I am saying.

MS. RALSTON: I do, and I certainly get that. I think that, at least for the purposes of these workshops, the general sense was you can make it mandatory, but, in reality, the education of the average angler is what is going to really put you over the edge, and so, when they understand why they need to do it -- Just making it a regulation -- I mean, you all were having conversations earlier about anglers not even knowing the seasons were closed, because you don't really have a way to get that information out to them, and I think this is kind of a similar situation, where it really is -- Education and outreach is the key to a lot of this, and certainly having a regulatory component helps put a little teeth in that, and I don't know what the appropriate penalties are, but I think that you can certainly include that in your comments to the council as part of their consideration of these recommendations. You know, this is something you need to really kind of weigh heavily and maybe get some more input on what the most effective way to get compliance is.

MR. MUNDEN: A couple of general comments relative to the first bullet on the screen, that the council should consider regional regulations for appropriate species. I would like to say that I really feel like the South Atlantic Council could implement regional regulations, if they desired to do so, but one major difference between the states from North Carolina through New England and the South Atlantic Council is that the Mid-Atlantic and New England states have complementary fishery management plans for a number of species developed by the Atlantic States Marine Fisheries Commission.

These are stand-alone fishery management plans that often almost exactly mirror the council plan, but, in my time with the North Carolina Division of Marine Fisheries, representing North Carolina on the Mid-Atlantic Council, it was pretty much a situation where the councils worked with National Marine Fisheries Service and the Atlantic States Marine Fisheries Commission to establish quotas or harvest limits or ACLs or whatever the term was that they used back in the old days happened to be.

Once the harvest limits had been agreed to by the Atlantic States Marine Fisheries Commission and the councils and approved by, of course, National Marine Fisheries Service, the ball was turned over to the Atlantic States Marine Fisheries Commission and the states to make the allocations. A good example is they would say, okay, you can harvest X number of pounds of black sea bass, and the states would figure out which state gets what share, and the states would oftentimes go back and look at historical landings and determine what would be an agreeable allocation.

Then, once the states got their share of the quota, then they could establish their own seasons, and they could split it up in the states between the commercial and the recreational, and one beauty of that is that it allows the states to transfer quotas, and the one species that comes to mind that basically ASMFC managed, all the way from New England through Florida, is bluefish, and, historically, Florida had high catches of bluefish, and so they got a large percentage of the bluefish quota, because that quota was established when they had an inshore fishery for bluefish, and so Florida always sat on a big pile of quota that they never harvested, and so North Carolina would oftentimes contact the state representatives in Florida and say, would you be willing to transfer a million pounds of bluefish, and, if they agreed to do that, then ASMFC would just make the paper chain, and then we had no obligation to return that quota to a state once the year was over, but, the following year, the tables may be reversed.

An original allocation is great, but it would take a different mindset of the South Atlantic Council relative to how they wanted to work with the state partners more so than saying, okay, this is what the council recommends and NMFS approves it and that's the end of the discussion. Thank you, Mr. Chairman.

MR. HULL: That's really good, Red. I am familiar with that form of management, and it does provide a way to regionally manage between the states in a sufficient way, and so that's a great comment.

MR. PILAND: As a charterboat captain, I would support these recommendations. It seems practical that the states could partner, and, like Jim said, pretty simply, relatively speaking, to find out who is doing the bottom fishing. The Amendment 46 reporting for all three of the groups is crucial for the council to get good numbers to make good decisions.

The commercial group is doing it now, and doing a good job of it, and the for-hire group will have it very soon, and it's going to be just a matter of time, and the recreational group is the only one missing, and obviously they should report, too. I mean, whether you don't catch any fish or you catch a bunch of fish, that group has to get their head around helping the council to make good laws, so that we all can fish, and Amendment 29 -- Everybody in here knows that I support the descending devices strongly and all best fishing practices. I just think this is a good group of recommendations for the council to see.

MR. HULL: Thank you, Andy, and I just wanted to ask you a question. Most of this is in reference to the private recreational fleet, and, you being in the for-hire industry, you're tied together, and so I'm sure that -- I think that some of Gary's concerns were how is that going to affect the for-hire if we're addressing private recreational things, but you don't see any problem with these final recommendations as affecting you adversely in the for-hire fleet?

MR. PILAND: Well, it's a step in the right direction. I have the same concerns that Gary does, but we have to move ahead, and just having selective reporting for recreational anglers is not -- I mean, they don't have selective reporting for the commercial group, and there is not going to be selective reporting for the for-hire group, but, as a recommendation, it seems like a step ahead.

MR. HULL: Thank you, Andy.

MR. SEBASTIAN: I agree with the recommendations that you guys have put forth, and it gives me a nice window into the recreational anglers' mindset that can help me with my decisions on our vessels on what we can also focus on in specific areas, the descending devices and getting the public involved and being onboard with releasing fish and the mortality of the fish that are released back into the water.

For our charter/headboats, we report pretty much everything, and it's really not that -- If we're doing it for hundreds of people a day, and six or seven boats, one guy on one boat, it shouldn't be too difficult for an individual who probably spends hours a day on their cellphone anyway to click over to an app and report what they've caught. I mean, the reality is that everybody lives on their phone, and all information through all areas can be transported through that in a matter of seconds or minutes, and all it takes is just a slight amount of effort, and so I support all of your recommendations, and thank you for taking the time and putting that information together.

MS. RALSTON: Thanks, Cameron.

MR. COX: I will say again that we've been doing this for a very long time, way before technology, over twenty-five years, and we learned how to do it, and a lot of our fishermen hardly had a high school education when they were doing it, and we were successful at it. I just think the time has come that we figure it out, but what I would support -- I certainly support starting with the states on the recreational accountability and reporting, and I would certainly support North Carolina and South Carolina working together and Florida and Georgia, being that there is such a regional difference in our fisheries.

I think it's great that these big companies -- They have a lot at stake, whether it be Cabela or Bass Pro or Yamaha, and this working with the recreational sector and the council to try to figure this out, and I think the work needs to continue, the way that they're starting now, and work with the fishermen and the council and getting the accountability measures in place that will protect their fishery and make sure that they have a future in it, because we all have a stake in this together, to make sure that we protect the resource enough that we all can take from it what we would like, and it's not going to be easy, but there is certainly technology out there now, and I think the MyFishCount app is a great platform and a place to start, but I certainly -- We don't have -- I know how North Carolina manages their fisheries and what Red Munden was talking about and how we trade fish from one state to the other, and I think there's possibility in that.

Unfortunately, our ACLs in snapper grouper are not very high. If there were anything that we could change, it would be to certainly have more fish to be able to work with, but, anyway, I just support all of this, and I think starting with the states is the place to go. I know, during our visioning conversations, we talked about a recreational stamp, to get the big picture and figure out who is participating, and that's how I would start this program.

MR. MANIGAULT: Like my colleagues have stated, accountability. The nice folks from the South Carolina Department Natural Resources, and I believe it was Amy Dukes, and they had a captains meeting, and they provided us with one tool that myself and my best friend took to another level. They gave us cards for each client that's on the boat to fill out and tally with a grease pencil or whatever as they go along and catch whatever they catch. That's for us to be able to know what they have.

We took it a little further and added different species on it and put a brass ring on it and a lanyard on it, and I believe that, once you get your people involved and explain to them what's going on, it makes a difference. When we have seminars at West Marine, I have incorporated talking to the people about that in my talk, along with a bag and things of that nature, and have stuff out, but I incorporate -- I tell everyone about MyFishCount and why we have to have it.

Getting back to the DNR part, we didn't have that much participation, but the bottom line is this right here. When captains or headboats or whatever don't take advantage of what the Department of Natural Resources and these panels provide for them, when you get stopped and you get a ticket, you can only blame yourself. You can only blame yourself, because of the fact that, when you think you are bigger than the law, sooner or later, you're going to have to pay the price, and so accountability starts with us that is in the industry, which we're doing our part, but, still, we have to educate the public in many forms, or as much forms as we can, and I don't care if it's the Boy Scouts or the Girl Scouts or in the barbershop, but we have to let them know why we're doing what we're doing, because a lot of them don't believe in it, and so we have to teach them about accountability and why it's so important for the future, and that's all that I have.

MS. JEFFCOAT: I think all of this looks really good, and, of course, better management needs better data, and the only way we're going to get that is to work with our states and the feds. In the State of Georgia, when we have our red snapper days, they show up at the docks, and they measure our fish, and they question all of the anglers about what we caught and what we released, and so I think working with the state is really the way to go. It's very important, and they're out there, and there's not enough feds to be everywhere, and it can't be selective. It has to be required reporting, and I just second really what everybody said.

MR. HOWARD: I echo what she said, and she was kind of saying what I was saying earlier, but I will say that I agree completely with Gary, and this is a little bit of where I was going with the descending device yesterday. There has got to be some kind of accountability. There's got to be some kind of teeth in it. Volunteer only goes so far, and people are busy, and people are tired, and a case in point is -- She said they show up and they measure the fish, but I have never seen that, and we go out of the largest marina in St. Simons.

What I did see last year, which was discouraging, is that they had the freezer there for us to put carcasses in and fill out the little tag, which we did, and I watched other anglers come up, and they said that I'm not messing with that, and they clean the fish and throw it over, and so that's why I

said earlier that a pilot program with a tag, and I don't care whether you pay for it or not, or a stamp or something, but I would just encourage the council to do something to promote better data, and I don't know if it's going to have to be mandatory, a law, with penalties or just what's going to happen, but, again, maybe they think there's a high enough percentage of us that will participate on a volunteer basis that they can get good data, and that's fine.

I am quite familiar with what the Gulf has done, and she has alluded to that several times, and they have got a great program, and it works great, but it's also heavily funded, and, in Georgia, we don't even have a saltwater license that we have to buy. Spud said, and I have to agree with him, that the largest majority of our fishermen are inshore saltwater fishermen, because, in Georgia, again, you've got to go so far, and it's very expensive, and it's self-regulating, almost.

Interestingly, people will come out of the woodwork to go red snapper fishing and get on boats and for-hire, and, if I invite somebody to go, boy, they're there in a second, and so I would just encourage the council, and us to encourage the council, to promote better data collection, regardless, because I do think there's a large contingency of people who will help, but, just like the people not filling out the card in the freezer, and it was not any further than from me to Myra from where they were standing, and it was crazy that they wouldn't participate, and I don't get it, and so I don't know how many people are like that, but they're out there.

MR. LORENZ: As a private recreational fisherman from North Carolina, I commend this work, and, with these recommendations and a lot of talk around this table about it would be wonderful to have states together and cooperating with the federal government to bring about these things that will bring better fisheries management, one thing still to consider there is one loose end that should be probably tied up, if you want that type of cooperation, is my state doesn't have a JEA, or a joint enforcement agreement.

So there is how do you monitor this, how do you check things, how do you do things with people, and I don't know. In my simple mind, it would be a lot simpler if we all were in the same boat, and North Carolina as a state wouldn't be the one rogue state that doesn't have a joint enforcement agreement, and so I think that's a loose end to be taken care of, and so I commend the various recreational fishing NGOs that worked so hard on this and did such a good job, but I think you've got one little thing you could do and help the rest of us, and that's going to be to get through to our legislature to pass the bill so that North Carolina can engage in a JEA with federal enforcement, and that's just something that will be in this toolbox to make all of this work a little better.

MR. COX: Lawton, to your point, I didn't realize that Georgia did not even have a saltwater fishing license, and so that's a problem when we talk about these things and working with the states, because, if you're looking at accountability and ways to get what you need, you've got to start somewhere, and so it seems to me that you guys would put pressure on your state to get at least that.

MR. HOWARD: Well, I am for it, personally, but I may be an anomaly, and what's been pointed out though is that, because the vast majority of our fishermen are inshore, and they're covered under the general fishing license, whether you're fishing in a farm pond or a river or the ocean, or something that feeds into the ocean, the saltwater, it's all covered under the general fishing license currently.

We do have the SIP, but that's voluntary, no charge, and that kind of thing, and I don't know how many people are honest about it, but, since there's no charge, probably a lot, but I don't disagree with you, but they say that, because we have such a huge contingency of folks who only fish inshore, that we're going to get enormous pushback to our legislators if they start that.

I don't know, and that's why I keep saying that, if we're going to do this, let's go with the people who are, and this is one of the arguments, who are actually targeting the fish, and I'm okay with that, but, again, I don't know. I may be in the minority in Georgia, and I just don't know. I just know enough to know that we've got to do something, and we've just got to get some better information and start somewhere.

Now, whether it's a tag or whether it's a boat permit or a per-person permit, and we really can't restrict it, and that's one of the problems with tags, and I'm familiar with that, and they looked at that in the Gulf, and a lot of people couldn't get a tag, because the tags were based on the amount of fish available versus the amount of people who said they wanted to fish and there wasn't enough tags to go around, and so we don't want to get into that and restrict people. Then other people have said, well, if you do tags, then you're going to have your brother -- I've got two brothers that could care less about saltwater fishing, but you could get them to buy a tag for you, and so I don't know. It's not an easy answer, but I'm just trying to encourage that let's do something.

MR. COX: I just wanted to give you a clearer picture on the commercial accountability and what happens with us, and think about this in your line of work. Our commercial guys were getting over \$4 a pound this past week for king mackerel, because of Lent. Last week, one of our vessels was out fishing, and it took him all week, and he found a big school of king mackerel, trying to get those fish onboard and get them to the market before Lent was over, Easter.

The Coast Guard came to him, and they said -- They tried to explain to the Coast Guard that we're on a really good bite of fish here, and we don't want to stop fishing, commercial fishing, because we're doing really well, and they said, I'm sorry, but we're going to board you anyway, and so they ceased operations and came onboard the vessel and inspected all the safety gear and inspected the permits and inspected the fish, and that cost them an hour-and-a-half of their fishing time.

That is accountability on the commercial side, and then they looked at the permit, and they said, you do realize that your permit expires in three weeks, and don't come back out here until you have renewed it. If not, you get a heavy violation, plus all the fish are confiscated, and so that's how we deal with accountability.

MR. HOWARD: I don't disagree with what he's saying, but bear in mind that I'm just talking about the recreational people, and I want accountability. I am in agreement with that, and that's my whole point, is that I don't care how we do it, but it's got to be done, or we're not going to get any good data, I think.

MR. HULL: Is there any more specific questions for Kellie? She's online here, and do we have someone that would like to address a question to Kellie? Okay. Kellie, thank you so much, and we can continue our conversations. It was a great report, and obviously you have a lot of support for these items for accountability, and that seems to be the major endgame here of the sector, so that we can have better data collection and reporting and better stock assessments, and so thank you very much.

MS. RALSTON: It's my pleasure. I really appreciate you all's time and your thoughts and your input, and I look forward to moving some of this stuff forward with the council, and so thanks.

MR. HULL: Thank you. I mean, this advisory panel has recommended to the council exactly many of the things that we were talking about here in the past, and we have recognized that we need recreational accountability, and we need to know the universe of anglers that are heading offshore and addressing the snapper grouper fishery, and we have put that forth in recommendations since my first day on this AP, and so we're not there, but there's a lot more talk about it, and it seems like everybody is starting to go -- They kind of agree that we've got to do something, and the private rec can't keep going the way it is.

You can't keep doing this the way it's going, and so we've got to have something. We need better information. We need access to the stock, and we need better -- That means better science, and that means better data collection, and that's what all of this is about. The science, we get our number from the science, and the only way we can do that is benefit. There is lots of shortages of funding for better science and data collection and methods that they need, and so how can we -- We're already there, and, I mean, the industry and the private rec, we're all fishing anyway, and they need to utilize us.

They need to massage this to where they get the information from us and then, the private recreational situation, we've got to have some type of a form of identification or accountability, whatever you want to call it and how you want to do it. Are there more discussions? We can keep on going if you want. Anybody else?

MR. HOWARD: You just mentioned about funding, and has anybody proposed though how to get funding, short of through Congress? The reason I say that is what we were just talking about, no licenses in Georgia. In Louisiana, from what I understand, what they did was -- They already had a saltwater fishing license in place, and they raised the price, and I think it was like \$10 or \$11, and they had over a million people who purchased them already, and so do the math. \$10 or \$11 times over a million people, they had some pretty good funding coming in, is my understanding, and how can we -- Has anybody said anything about how that can be accomplished here, because I haven't heard it, and that's the reason I keep saying let's come up with something.

MR. HULL: That's the big question, and we have talked about that on the AP. In fact, at one of our last meetings, we were -- That was the topic at the end of the meeting, is how do we -- We need money from the agency, and the agency needs money in the budget to do these things, and how do we get it? Well, it's a political issue, and the staff can't lobby for money. They can't do those kinds of things, and so it's kind of up to us politically to try to force that.

The other thing is a recommendation you just made was, well, amongst ourselves, within industry, is there some way that we could surtax ourselves on the commercial side that a certain amount of money per pound of fish, a penny or whatever it is, where you would build up these funds that would be directed, and not just thrown into the general budget, but directed to what we need, which is this data collection, and it's the same thing on the private, and I think that's what you're talking, is a fee or a tax on landings or something like that, and so I think that's -- I don't know who controls that or how you get that started, but the conversation could be started.

MR. HOWARD: Well, that's why I was trying to encourage the council or whoever, and, if they need a sub-committee or anything like that to start investigating that and find out. One of the points that was made in the meeting that I went to in Brunswick though is that -- I think it's NOAA, but whichever group has made it very clear that, if they get money, he said it's just going to go towards administrative costs, and that's not what we need.

We need somebody that is -- They have got to get more creel counts. I don't know, but, like I just said, I have never been approached to report in person, and that's the reason that I think we've got to go to electronics and utilize the technology that's out there, and I'm sure that Myra and all of them have looked into everything under the sun, and so we need a recommendation on what somebody thinks is the best and then go for it. I know it's expensive to have some boots on the ground to come up to me and say how often do you fish and what do you catch and can we measure your fish and all of that, and I know that's expensive, but it's interesting that we have never been approached one time at the biggest marina.

MR. HULL: Well, Lawton, I think that's getting ready to change. I think that there's a lot of -- Just as you said, everybody's personal device is the way it's going, and it's just going to get greater and greater, and they're going to get better and better at it, and so that's where a lot of the citizen science projects that we're going to hear about coming up -- We've already got the MyFishCount app, and those things should already be -- Now it's just an outreach of getting anglers to use it, right?

The thing is I think we've got the technology to do what we need to do, and now we need to get it either through mandated reporting through some type of licensing, and this is the fishery that I'm addressing and now I do have to report electronically, and it's mandated that you have to do it, and so it's -- We've got the technology now, and we've got the apps, and we've got some pilot projects going, and we've got this, and so we're getting close. I remember when MyFishCount was presented to us, and it was just starting, and it was like everybody stood up and clapped, and it was like, yes, finally we're starting to address the problem with the private rec accountability and being able to measure that fishery.

MR. HOWARD: I know that in the meeting that one of the things, and you all have already touched on it once, and so everybody but me seemed to think that the anglers would maybe not tell the truth, whether it's mandatory or not, because they were afraid the information would be used against them and would actually shorten the seasons, which I don't know -- We focus primarily on red snapper, because that's what was right on the tip of our tongues there, and I think they talked about some other fish, but, for the most part, it was snapper.

If you fish for snapper, you know how many snapper are out there. You know that we probably could take a few more, and so I can't imagine that an informed angler would be hesitant to tell the truth and hesitant to participate, but I don't know. Maybe I'm wrong, but I just think that the bulk of them -- Last year, we had a big-boat guy, and it was like a quarter-million-dollar boat, or a \$300,000 boat, and the guy was out there, and he had eighteen federal violations charged against him, and this is -- So it's not just somebody that's in a boat that you have practically got to -- You know, that's held together with rubber-bands and stuff. These are sophisticated people, and they still are like that, and so I think that to have it mandatory is somehow, with what Gary was saying, with some kind of teeth in it is where we need to go, eventually. Maybe not to start, but eventually.

MR. HULL: What I tell people that say that they're worried about reporting and that it's going to maybe limit them is, in the case of red snapper, you have nothing to lose and everything to gain, and that goes for many of our species. I mean, you're losing every year, as we keep going forward like this, and so do we have some more comments or any more input on this? It doesn't look like it, Myra.

We're going to go ahead and break for lunch, and we're going to have an hour-and-a-half for lunch. I wouldn't give you that long, but Myra said that it has to be that way, and so we're looking at 1:15 to return. We will see you at 1:15.

(Whereupon, a recess was taken.)

MR. HULL: I hope everybody had a good lunch. Let's dig back in. The next item on the agenda is Item Number 7, and it's the Southeastern Regional Permits Office presentation, and Kevin McIntosh is here to give us his presentation that we asked for at the last AP, or the one previous to that, and we all had a lot of questions that we wanted to ask about the process of permitting, and so here comes a lot of answers for us and a lot of education, and, of course, we're looking for some feedback after this, and we'll probably hear about maybe some difficulties we may have had, but we're looking for feedback on what maybe in your mind they could do different that would be helpful that they could consider, and so, Kevin, take it away.

MR. MCINTOSH: Thank you, Mr. Chairman, and thank you, everyone, for having me here. I look forward to answering some of these questions that you guys have brought up from previous meetings and any additional questions that you have today and just kind of give you an overview of the Permits Office and kind of our processes and procedures, to hopefully clarify what we do in the office and why we do these things.

Before I get into the questions, just a brief background. I've been with NOAA since 2001, and I worked for ten years at the Northeast Fisheries Science Center, in Woods Hole, participating on fishery-independent surveys aboard the research vessels. In 2012, I transferred down to the Southeast Region, into the IT branch, where I was the primary developer on our internal permits system, the one we use to track the applications and the processes. Also, I was part of the development of the online system back in 2015, and I supported the permits branch pretty much the entire time, because that's the system that they use to issue permits, and so I'm pretty familiar with the online system, and I was excited when it was launched in 2015.

Question 1 provide an overview of the permit program and when it was established and how many permits are being managed, and so the Permits Office was established in the early 1990s, and we currently manage over 19,000 permits in the Gulf of Mexico, the Atlantic, which consists of Maine through Texas, and the Caribbean.

This slide is basically an overview of our application process. Starting in the upper-left-hand corner, this is specific to renewals, first off, and so you're going to receive a letter from the Permits Office within sixty days of your permits expiring. At that point, you've got three options, as far as submitting a renewal application. You can walk it up. If you're in the vicinity of St. Pete, we've got a walk-up window, and you can mail it into us, or you can submit it online, and I will talk more about the online system later on.

After we receive that application, whether it's a vessel or a dealer or an operator card, wreckfish, high seas, and aquaculture live rock, we have someone that checks that application in. They receive that application, and that's logged into our permit information management system. Once it's logged in with the vessel number and the application ID, it's put on the shelf over here on the right.

If you ever call us and ask for your application status, and we say that we have received it, but we haven't yet worked on it yet, that's what it means. We have received it, and it's sitting on the shelf, and it's waiting to be processed. No one has looked at it yet besides the person checking it in.

This picture, by the way, was before the shutdown, when we were two days out and had sixty applications on the shelf. After the shutdown, we were twenty-eight days out, with about 570 applications on the shelf, and so this is about sixty right here. Currently, and I didn't get a picture before I came here, but we're -- We've got one full shelf and about three-quarters of that second shelf, and we were processing April 12, and so we're about thirteen days out, and we're trending down, in the right way.

Once it's on the shelf, we've got five full-time processors and some others that will process and do other tasks within the office. We'll go up to the shelf, and they will grab that next application in line, and we use the first-in-first-out, and these are all based on days, and so we work through the 12th of April, and we won't go to the 13th until the 12th is completely done. They will go back to their desk, and they will review that application from start to finish, all the information that is required. If that application is complete, including the required documents and payment and everything, we will issue those permits and mail them out that day.

If it's not complete, if it's missing something, some part of the application or a required document, we will identify those deficiencies within the PIMS system, and we'll send out a letter. At that point, you do have thirty days to clear it up or contact us and just keep in touch with us saying, hey, I realize that I'm missing something, and it's taking time, and we get a lot of that with the Coast Guard documentation. They are behind right now, and say I'm just giving you a call. That's great. We need to know that information, because, per the regulations, we can actually abandon the application with no movement after thirty days.

We don't like to do that, and typically we don't, but sometimes we'll have applications sitting on our shelf for six or seven or eight months, and they can get a lot, and so, if you stay in touch, if you just let us know you're working on things, you typically will get at least two deficiency letters as a reminder before anything is done and it's determined that we will abandon the application.

Also, if there's permits on there are terminated, and if we abandon the application, that means you're going to lose the permits, and then they elevate that to me, and I will typically try to reach out to that individual, to make sure that those permits don't get terminated if we abandon that application.

MR. ATTACK: When you send out the deficiency letter, is there also a way to send out a deficiency email, so that the permit holder gets an earlier knowledge that he's missing something?

MR. MCINTOSH: Yes, and so my theme of this presentation is really going to tout the online system. The online system does send automatic emails every Thursday morning if you submitted an application online, as a reminder. If it's paper, the system currently isn't set up to do that. What I mean is, if it's a paper application, it's not set up to generate that email and send it out that way, and so, again, a perk of the online system, which we'll talk about later on, is you do get that email reminder every week that there is a deficiency with the application. Once again, if the application deficiencies are cleared up, then we go ahead and we issue the permits.

This is another question about what is done to track individuals who attempt to obtain or renew a permit when there has been a violation on a previous permit, and so, the way it goes down now is the Permits Office is informed by General Counsel that a violation has resulted in either a notice of permit sanction or a notice of intent to deny the permit relative to the vessel and entity, and, when I talk about an entity, I mean an individual or business.

A permit sanction means a suspension, revocation, or modification of a permit, and so we get those alerts, and we get that information from GC, and we put that into the system. Again, an alert is created in the permit processing system, or PIMS, for that vessel and/or the entity, and it could be based on the FEIN number or Social Security number or the vessel number, and so, if an application is received for that vessel or from that entity, meaning individual or business, the alert will appear with the necessary guidance. Most of the time, it's contact GC before you do anything. Only active alerts appear in the system, and so, if a violation has been resolved, then the alert is ended, and it will no longer appear in the system as an active alert.

If a permit were to be tied to an individual rather than a vessel, would this help in tracking violations? Alerts for violations can already be associated with an individual or an entity. It could be tied to a business or an individual and not just a vessel, and, again, therefore, any permits or vessel the entity is associated with, whether individually owned or if they're part of a corporation that owns a business, and they're one of the shareholders, that alert will come up in the system as a flag, and we'll read the alert and follow the instructions on what it says.

Could a permit be issued on a multiyear basis? If it ever was, it would need to be consistent for all permits across-the-board, Gulf, South Atlantic, Caribbean, dealer. However, it would limit the logbook compliance enforcement, and so, historically, withholding the permit renewal is the best logbook compliance tool that we currently have, and we don't issue permits that are not logbook compliant. It decreases the incentives to submit logbooks timely, and it would decrease the accuracy of the logbooks, because it's now every two years.

MR. PILAND: That wouldn't be a one-for-one on the open access permits though, and is that correct, such as the charter boat group permits that not tied to logbooks at this time?

MR. MCINTOSH: Correct. These are just for the ones that are tied to logbooks that have the reporting requirements.

MR. PILAND: So, for today, it would be easier to issue a multiyear charter boat permit package, and is that right?

MR. MCINTOSH: If it's just the current charter permits in the South Atlantic, yes, because there is no -- At least for the charters, there is no reporting requirements right now. The analysis based

on logbooks would be affected by the late, up to two years, submission, and then you reduce the ability to determine the latent or the non-fishing permits, the valid permits that are just not being used. For limited access, it increases the time before termination. Right now, the permits terminate one year after they expire, and so the potential unintended consequences when striving to reduce overcapacity would be affected, because you would have those permits for that much longer.

Would it reduce the reliability of information used in analysis? Contact information, often the address and phone changes, are only made when you submit that renewal application. Now, you can do it ahead of time, and we have a change of address form, and we welcome that. Any address change, you should contact us within thirty days, because we send a lot of correspondence out to the permit holder's address, and so, if we don't have that correct information, you may not get your renewal notice, or you may not get your deficiency notification, and so it reduces the socioeconomic analysis by putting it out to two years.

Then the inability to determine changes of ownership of corporations if it's every two years, the vessel port counts, the permit holder locations, small business information, and it's all required by the Regulatory Flexibility Act. For dealers, the wholesale licenses are annual, and they are needed for a dealer permit, and so you still would need to renew your state wholesale license on a yearly basis.

What would happen if a permit were revoked in a limited-access or an open-access fishery? As far as limited access, the total number of permits for that fishery is decreased. However, the entity may be able to purchase another permit from an existing permit holder, and I guess it all depends on why they lost their permit or why it was revoked in the first case. For open access, they can apply for another permit for \$25 for the first and \$10 for each additional permit, and so there's no effect on the total number of permits that can fish if they end up reapplying for an open-access permit.

How do renewal schedules affect the number of active permits? Right now, renewal schedules are based on three different dates. If the vessel is owned by an individual, it's based on the birth month of that individual. If the vessel is owned by a corporation, the expiration date is based on the month that that business was incorporated, and, finally, if the vessel is leased, it's based on the last month, full month, of the lease agreement, and so, if you have your lease going to 12/31/2019, you're going to have a December expiration date. Just remember that it's a full month, and so, if you do it to 12/15/2019 as your expiration date of your lease, you will actually get a November expiration date, and so it has to be a full month in order to get that.

The only exceptions are the golden crab, which they all expire at the end of year, on 12/31, and wreckfish, which all expire in the middle of January, on January 14, but, overall, because they are based on those three factors, the expiration dates across the board are pretty random.

You have one year after the permit expires to renew, except for golden crab, which you have six months, and then, on a monthly basis, the number of valid permits starts off lower in the beginning of month and increases to the last of the month, and I'll show you in the graph below what I mean. Just a reminder, the permit validity does not indicate active fishing. This is just related to is the permit valid, but not is it actively fishing, and this is what I mean as far as the number of permits each month.

At the end of each month, on January 1, and I will start over on the left-hand side, but this is December 31 right here. On January 1, all permits that have not been renewed in time, the system expires them, and so you're going to see a drop in the number of valid permits at the beginning of each month after that expiration happens, but, as you go through the month and as people start to renew -- As permit holders start to renew their permits, you're going to see the increase in the number of valid permits as they are renewing them every month, until you get to the first of the next month. Then that expiration task runs, and it expires all the permits again that haven't been renewed, and that just goes out through the entire year. At the beginning of the month, you have the lowest number of valid permits. At the end of the month, the last day of every month, you have the highest, and that's how that works.

To clarify how the renewal process differs for for-hire and commercial permits, the same application is used to renew commercial and for-hire. Depending on the permit, there might be some different sections of that application that you might need to provide or additional documents, but, overall, the process is fairly similar. As far as cost, the only additional fees between the permits are for the Gulf charter permits, and that covers extra decal fee costs, and it's \$10 per decal. Clarify the process of incorporating a business or permit, in particular the time it takes to complete this process, and so I wasn't really sure fully what this meant, and so I decided to kind of just give a --

MS. MARHEFKA: I can clarify, if you want. Someone asked a question on this, and so I believe this is in here because -- I'm in the situation, and I think other people are too, where our permit is, of course, issued to an individual. We need to incorporate, in order for tax reasons and for workman's comp issues and for liability reasons also, and the question, and I talked to someone in your office this week, and I think I got the answer, but it would help for here, was how long it takes just to do that simple -- It's a one-to-one transfer, because the permit is in my husband's name, and my husband is the only shareholder of the corporation, and so it's a one-for-one transfer, but we've been told in the past that the time it takes to actually get that done is significant for us and that it's at least a month of not being able to operate your business.

MR. MCINTOSH: Thank you for that clarification. As far as I think what you're talking about, if you're talking about going from an individual to a corporation, same owner, the permit holder was once your husband and now the permit holder is the corporation, and so it would be a transfer. You need to transfer it, and I think that's where the time it takes could potentially be longer. Number one, transfers require you to actually submit -- You need to provide us with that original permit, the one that was to your husband, and so, that alone, then you don't have that permit on your boat anymore, because you actually have to submit it with your application.

All in all, if everything in the application lines up, and all the supporting documents are there and the fees and everything is filled out, it shouldn't take that much longer than a normal renewal process. We don't -- If that is part of the next application on the shelf, then I'm not sure why it would take a month, except if there were problems with the applications, and a lot of them come up with forgetting the original permit or the logbooks. The logbooks need to be clear before we can make that transfer.

MS. MARHEFKA: This is a question for you, and I don't even know if this is answerable, but it's unfortunate that there isn't a way, and, again, I know you don't have control over this, that that isn't seen as some sort of bureaucratic thing and law enforcement would consider the fact that --

You photocopy it, and, I mean, I don't keep my original, or maybe it's the original and I have the photocopy at home, and I forget which it is, but you have a photocopy of the permit on the boat, and you send the original off to NMFS, and you are, in essence, really never fishing without that permit, yet you're having to sit on the hill, and even two weeks, in the right weather, can be very costly.

I wonder if there isn't some way that there could be guidance or direction, and I know it's a law enforcement issue, and I don't even know if it's something that could come up with the Law Enforcement AP or if it's the -- I don't think it's so strict in the Federal Register that it has to be that way, so that it really wouldn't have to cost you fishing time while the actual bureaucratic switchover was happening. I don't know if there is any way to do that.

MR. SEBASTIAN: I have encountered a similar situation with my commercial permit. I dropped an engine on a boat, and so then, even though I have three vessels inside the company that I can easily transfer it to, and then I'm done until I can get that technically back, unless you want to roll the dice and say, hey, if something happens, then I'm going to lawyer-up and fight it and yada-yada-yada. If that could be done, a streamlined way for a company to be able to maneuver a permit within its own vessels, because the days of fishing time are so critical, and it's exceedingly costly, and literally it comes down to literally bureaucratic paperwork that has to be done, but it could be done in a much more effective way, so that it might be one or two days instead of fifteen or twenty or thirty days out.

MR. J. FREEMAN: The way it was explained to me by FWC is if you can go to the site and pull up your permit application and show the status of it, and, as long as it shows that it's been received and that they're working on it, then there is no -- They have just kind of let everybody else go, especially during the -- Because people had their permits come up in January during the closure, and essentially theirs was expired, but FWC said that as long as you can show that it has been received and they're working on it, they let it go.

MR. MCINTOSH: I'm not sure about the Coast Guard or for how law enforcement -- I mean, we could follow-up with them, and I had a brief conversation with them a couple of weeks ago, and there is a couple of things to the transfer. Number one, these are vessel permits, and so, if you are transferring from one vessel to another, technically they're invalid once you have that -- Once you change the boat, because it is issued to this particular boat and to this particular person, and so, if you do want to put it to another boat, you need to make sure it's updated in the system with that boat information.

The same thing with an individual to a corporation. If the permit holder or the vessel information changes, then essentially the permit is invalid, because it's not related to the information and how the permit was issued originally, but I think there's a couple of things you can do, and this is kind of thinking out of the box, as far as -- Right now, we're twelve days out, and so, if you know that, and you can call us and ask us the days, and there actually is a website that I'm going to show you, too.

You know that we're not going to get to your application for a couple of weeks, and you can -- As long as everything lines up still with the boat, you can hold back those permits and then send them to us as you get closer, and, again, I will show you the website that shows the day that we're processing applications on, and it shows when we received your application, and so I tell people

sometimes that's something that -- Especially when we were three weeks out, three-and-a-half weeks out. Send the application in and get your spot in line, and give us a call back or look at the website, and it's updated nightly, and, as we get closer to the day we're going to process your application on, overnight us the permit, so that we have it and we can issue those permits to the new boat.

MR. HULL: Kevin, thank you for that. That sounds like, for now, a solution to our problem of being out of business for two weeks or something, where we can narrow it down to maybe just a couple of days, because, once you start really digging in on the application, if everything is lined up, it doesn't take you long then, but it's just getting it in front of you to go, if everything is there, and that's pretty good, and you can look on the site and see the next date that they're working on, and so you can see the date you were received, and you can see the dates that is coming next, and here's the next dates that we're going to be working on, and so you would definitely want to get your permit into them by highspeed pony express and to them quickly, because, otherwise, then you're deficient, and you're missing your permit, and it's going to get delayed, but, even then, if that happens, and you didn't have the original permit, but everything else lined up, and the person that is trying to do the transfer knew it, and they immediately sent it to you overnight and you received it the next day, right away, and that is still sitting on your agent's desk, maybe, and they say, okay, I've got this one sitting here waiting on this permit, and it just showed up, and so I can go back to that one at that time and get it done and get it out of the way.

MR. MCINTOSH: Correct, yes. That particular processor has -- When they log into the system, they have all of their application information right there, and, if they receive documents or a payment or the logbooks are clear, their home page shows the green light with the day that we received it, and they know that that's ready to go, and they can issue those permits, and so they get alerted. It's not an email or a ding or anything, but they are constantly looking on their homepage to find out what applications and what deficiencies for these applications have cleared up.

MR. HULL: Thanks. I think where you're showing the -- I think you were going to go to that next, or you're coming to that, to show the status, and that's important to know, if you were going to have to do that, what we were talking about, to know the status of the process and when is your permit getting ready to come up to be worked on, because that's when you want to make sure that your permit is in there. Otherwise, you're using it on the boat, and then this is all going to get delayed and your transfer is going to get delayed.

MR. MCINTOSH: Correct, and so this our website, and you can bring up a Google search and Google "NOAA Southeast Region application status", and it will bring you actually to -- Usually the first results are this page right here, where you can check your vessel application status or your dealer application status. If you click in here, and I have blown it up, and so it doesn't look very nice, but it tells you that we are currently processing applications received on this day, April 12. This is updated nightly, at around 8:00 p.m.

If you have an application into us, you can look it up either by the vessel, and I'm just going to guess here, and so it's based on the vessel, and it matches. This is the only vessel that it matches, and so this one is an old one, but it would say that we received it on whatever date and the status. If it still says "received", it means we received it, but we haven't started working on it yet, and it says it up here at the top. If it says, "in progress", that means your application has been picked from the shelf and checked into the system and we have started working it up. "Closed" means

one of two things happened. We either issued the permits or we didn't issue the permits and maybe denied them, for whatever reason. If you see "closed", more times than not, we issued the permits. I mean, most of the time, it means that, but you could certainly call. Again, if you had your application in to transfer, and you knew we received it on April 13, then you know that we're pretty close to getting to this, within the next day or so.

MS. MARHEFKA: My question is pertinent to incorporation in general. Would you rather me wait until the end of the presentation or ask it now?

MR. MCINTOSH: You can ask it now. This is the section on business and --

MS. MARHEFKA: Okay. I was also told the other day -- Jim has explained to me clearer, that I didn't need to do it this way, but, at the time, I was planning on incorporating the boat and the permit in the same corporation, for a various number of reasons, and one thing I didn't know, that maybe no one else here knew either, was that -- The guy in Permits explained to me that the people that are members of that corporation -- Obviously, as a one-to-one transfer, it can be husband, wife, brother, sister, father, mother, son, or daughter. They could all be part of that corporation, and it could still be a one-to-one.

What he told me is that after the -- Even if you put all those members in that corporation, after that next generation, and so say my son passes away, it is then no longer one-to-one transferable to my next generation, and so, in essence, if you put your permit in a corporation, you are limiting its inheritability to one generation, and that was surprising for me. I mean, now I know I just won't put my permit in a corporation, and I will just put the boat in a corporation and do it a different way, but, had that guy not told me that, I would have never thought of it that way, and I will also say that someday, when we get down in the mud of this thing again, that none of these were the intended consequences of the council's transfer.

We all know what the council wanted, and, of course, it's hard to think through every consequence of what the council asked for when we did this one-to-one and two-for-one process in snapper grouper, but certainly I know the council's intent was not to hamstring people's businesses and hamstring the family from being able to operate in the business, and so I don't know if anyone else knew that, but that, I thought, was interesting information, and so my grandchild would not be able to inherit. If I incorporate that permit, my grandchild would not be able to -- Because it doesn't exist yet, but I think, even if it does exist, that's a generation beyond what you can do.

MR. MCINTOSH: Yes, and there's a whole -- I will get to it, but there is a whole big section down at the bottom talking specifically -- When you were talking transfers before, I was thinking just in general, but you were talking about SG 1 and SG 2. Well, you can't transfer SG 2, but SG 1 has even got greater specifications, and we'll talk about it later on.

MR. J. FREEMAN: You said there was a walk-up window. Is it processed that day, if you walk up?

MR. MCINTOSH: No. However, if we will put it in the front of the line, if you're the first application for that day, and it gets in line, versus, if you're local and you mail it, it might be a day or two before it gets to us, which on some Mondays we might get a hundred applications, and so you could have a hundred applications in front of you.

MR. J. FREEMAN: Also, roughly how many permits are processed a day? You said there is five people working on them, and how many do they, average, get through?

MR. MCINTOSH: The full-time processors are required, in their performance plans, to do anywhere from eight to ten applications a day, on average. Sometimes they might do one or two, and then the next day they might do twelve or thirteen, depending on what it is, and so we can do -- We average somewhere between thirty and fifty applications a day.

Now, we've been doing some things to clear it out it on Tuesday mornings. If you have called us, and you haven't gotten us, I apologize, but that's a day that we focus exclusively on pulling new applications from the shelf, in the morning, from 8:00 to 12:00, and we can clear out about 100 to 120 in that morning, and so you won't be able to get ahold of us, and it's temporary until we get caught up, and then we'll have the phones open, but, besides the new applications the processors have, the other applications, they could have 200 applications pending, and so they're also keeping up with those, and they could receive any documentation at any time, and the logbooks could clear anytime during the day, and then we want to make sure that we get those permits out, and so it's not just the new applications they're processing, but it's also the existing ones that are pending that they're trying to clear up, too.

MR. J. FREEMAN: Also, one other thing. For the first time in the last twenty years, and I was transferring permits, and I actually received a phone call from Wendy, and there was one paper that was not in there where it should have been, and she called me, and I emailed it right back to her, and it was done within five minutes, and it was shipped out that day. Is that something that you guys are going to start looking to do, is possibly phone calling, because, I mean, if I'm not on the water, 90 percent of the time, we can have that answer while that permit is still being worked and have that reply back to you so that you can close it out, and is that something that is possibly going to be feasible to be done?

MR. MCINTOSH: I think it all depends. We are required to report the deficiencies of the application, and I would have to look at the actual regulations to see if it's specific to paper or if it could be a phone call, and I think it also depends on what it is. If you're missing an entire section that needs to be filled out, then, most likely, you're going to get that paper application. If you're missing something that we may have in the system already, but we just need to verify, like if it's corporate owned and you've got two people and you're missing a percentage of ownership, and there's a lot of variables that play into it. Are we caught up? Are we busy that day? Do we have -- There's a lot of variables.

It really depends on that particular time, but I think most of the processors will send the paper, especially if there is multiple deficiencies. A few of them, if there's just one and that's the only thing holding it up, they might reach out and give you a call, if they know it's not a critical part of the application.

MR. HUDSON: The reference up there to the Florida state website, sunbiz, do all the states from Texas on up the coast have a similar publicly-accessible database like that?

MR. MCINTOSH: Yes, and the Secretary of State -- Some of them require you to create an account, and some -- This is great, because you can just go in there and log-in, but most of them -

- I want to say South Carolina might require an actual log-in to the account, and maybe even to pay.

MR. HUDSON: The other part of what I wanted to ask you is how many operator cards are there? We're currently doing Amendment 10 for dolphin wahoo, and how many, approximately?

MR. MCINTOSH: I can get back to you with that number, because they are also issued out of the Northeast, and so I don't know. You're talking about in general from Maine to Florida?

MR. HUDSON: I am talking about with dolphin wahoo, since we handle that through the South Atlantic, at least with the operator card requirement.

MR. MCINTOSH: They also issue them out of GARFO, the operator card, out of the Northeast, and so I don't know what they have, as far as their numbers.

MR. HUDSON: Okay, because it's \$50 and not \$25, like the regular permits and stuff, and I just didn't know if that was going to make the job a little easier if, by the end of 2021, if you do eliminate the operator card requirement.

MR. MCINTOSH: My understanding of that though is the rock shrimp would still require them. It's just for dolphin wahoo commercial and charter, and so it would make it slightly easier, and I will get back to you, Rusty, as far as how many we have related to that. I mean, I can tell you how many dolphin wahoo we have right now, and all that permit information is online, but it would make it slightly easier. I don't think there's as many rock shrimp permits as there are combined commercial and charter dolphin wahoo, but I will circle back with you.

MR. HUDSON: The operator card for the rock shrimp, is that for both the Florida limited access and whatever rock shrimp thing occurs off of South Carolina? Is that a requirement for both?

MR. MCINTOSH: Yes.

MR. MUNDEN: Do all of your processors have the same amount of expertise, or do you have some that are better for like corporate transfers and stuff like that?

MR. MCINTOSH: They vary. I mean, we've got some of them that have been there for fifteen years, and we've got some of them that have been there for less than two, and one that's been less than a year, and it's just turnover and attrition, and it does take a while. I mean, you've seen the application, and you guys have to renew it, and it takes a while to get someone up to speed, as far as every single thing they should be looking at, and so there are mistakes, especially with the new processors, and I apologize. We usually try to rectify them, and we try to approach that processor and explain what happened and why it shouldn't have been done that way, and it's all part of -- I look at it as a learning experience and gaining that knowledge.

MR. GRINER: Going back to that situation where you were going to transfer an SG 1 that was in an individual's name to a corporation, and so now that becomes a corporate SG 1, and, for the next generation, it's a one-for-one? Then it reverts back to a two-for-one? Is that correct?

MR. MCINTOSH: Let me explain. An SG 1 that you want to transfer to a family owned that is made up of, and I have the slide there, of mother, father, sister, when you convert it to that, number one, you can't convert it back. It's a one-time transfer. Number two, you can't sell that as a corporation like you can with a non-family-owned SG 1, and we mark it in the database that this was once an individual permit to a family-owned, and it's considered one permit. Let me retract. You can sell it, but it's for the two-for-one. You can't sell it as a corporate-owned SG 1 like you could the other ones.

MR. GRINER: To that point then, is there any way that someone who would be looking at the list of permits and see that it's listed as a corporation -- How would that person know that they're not trying to make a deal on a two-for-one or a one-for-one? Is there a process they can go to find out the status, the history, of that actual permit?

MR. MCINTOSH: Absolutely. Just give us a call. There's nothing online right now that designates that that particular SG 1 is a family-owned business and therefore cannot be sold as a corporate-owned, and so give us a call and let us know, or ask the question, and we can tell you that this is a family-owned SG 1 and this would be considered a two-for-one and if you need another permit in order to transfer this.

MR. GRINER: Thank you.

MR. HULL: Anybody else right now? Then carry on.

MR. MCINTOSH: All right. Just as far as -- I know this slide has been up for a little bit, but we don't actively check the validity of a corporation. If you send us an application in, we don't check to see if it's a valid corporation unless there is something that's a red flag. Let's say you submit an application to request these permits for McIntosh LLC, and it's got a certain FEIN number, and it's got a date of incorporation on the first application, and we put that into the system.

If, next year, we get something that it's something different, that's when we'll go ahead and we'll check, and we'll go onto sunbiz and say, well, McIntosh LLC we have in the system as being incorporated on April 15 of last year, and now we have it as May 1, and what's going on here, and we just go check. If it's active, it's great. If there's something wrong and it's inactive, then we'll request that they provide a document to prove that that company is active.

MR. SNYDER: If I apply and I get a permit for charter, and for some reason I'm not going to get renewed, and maybe I don't report, if I go ahead and change the name of my company from Smith Brothers to Jones Brothers and apply for a new permit, is there a way to backcheck and make sure that I'm just not changing my company?

MR. MCINTOSH: Not with the open access ones right now. The system goes out about eighteen months if you kept the same name on the same vessel for open access. If you change any of that, and if you keep the vessel, but change the name of the permit holder, then it's looked at as a new owner, and, no, there is no way to check right now.

Moving on, explain the process of the permit application renewal to identify areas that need improvement, I think this question was asked prior to adding more fisheries to the online system, and so we'll get into a little more of the online system. Prior to last year, there was five permits,

and they were all the charter permits in the Gulf and the Atlantic, and they were the only ones since 2015 that could be renewed online. There's a lot of reasons why additional permits weren't added, but, for about three years, it was just the charter permits that could be renewed.

Starting in May of last year, we started looking into adding additional fisheries to the online system, and one note is, if you had other permits besides the charters, it was all or nothing, and so, if you had the charters and then an ADW or a CDW, then you wouldn't be able to renew. It was all or nothing. You either just had charters and you could do it or you didn't, and so, when we started adding additional fisheries, that's when maybe some of the charter folks that had commercial permits realized that, wait a minute, I can now renew, and they could.

We added twenty-five fisheries last year, and we're looking to add dealers probably more in FY20, to be able to renew dealers. Renewals are, by far, our biggest applications. I think 66 percent of our applications are renewals, and so getting renewals online was a big thing. The online system already has your vessel information in it, your permit information, and your entity information is all pre-filled in. You can pay online with either a credit card or a bank account, and you can submit any required documents online.

Overall, we're starting to discuss updating the system, in the next two to four years, and we're looking to add the ability to submit an application to request new permits, dealer permits and vessel permits, and transfer limited-access permits, and we're looking at operator cards. Again, you will still them for rock shrimp, and so we're looking to get everything online, every request type online.

The advantage of the online system is it's got built-in validation, and so you can't submit wrong data. You can't miss something that, if you filled out the paper application and you missed it, it might hold up your application. Because it's already pre-filled, or let's say it's missing, it's going to alert you to say, hey, we need the crew size, and it won't allow you to go onto the next page without submitting that. Meanwhile, if you miss crew size on a paper application, it might be something that held up your application, and so definitely there are big advantages to renewing online. There are zero application deficiencies. Really, it's just the required documents that we're missing for online submissions.

MR. HULL: I have one question or comment on that. In the future, if I go into the system online and I enter my name, and so any permit that's associated to my name should hopefully pop up that I could look and say, okay, this is everything that is associated with me or the corporations that I own or my dealer permits, and all that could be right there associated at that one time? That's how it is with the State of Florida on their CLS system, and it's really good like that.

MR. MCINTOSH: Right now, the system -- If you are an individual that has multiple boats, you will see all the multiple boats on there. If you're a corporation that has multiple boats -- It's all based on vessels, and you will see multiple vessels that you can renew, but, yes, in the future, we would like to have a one-stop shopping, where you can log-in if you've got a dealer permit and a vessel permit, and it's going to both show them, and you can renew them online. That is the hope.

Explain how the changes could be made in terms of governance and how is the agency structured and where does the Permits Office fit. I'm not sure about how changes could be made in governance, but, at one point, we were under Sustainable Fisheries, and now we are under -- It's called OMI, and it's Operations Management Information Services, along with IT and a few other

branches. I don't know if there's anything more with that question, but, as far as where we're located, we are no longer under Sustainable Fisheries, and it's been that way for a while. We're under Operations and Management.

Explain how permit leasing works and how many permits are currently being leased. We don't -- There is no provision in the federal regulations to lease permits. Permit holders may lease a vessel and then obtain or attach the permits to that vessel as a lessee. Note that the vessel lessor and lessee can't independently hold permits on the same vessel at the same time, and so, if I'm the vessel owner and I have a federal permit, I can't lease my boat to somebody else who has federal permits. The lease would go through, but, as a vessel owner, my permits would no longer be valid on that boat, and so the lease would actually trump my permits, and so just keep that in mind, that you can't have two different permit holders on the same boat at the same time when you lease.

MR. HULL: I think that may need further explanation. If the owner of the vessel -- If there is some permits on the boat, and let's say that they're not snapper grouper permits, but they're other permits, and then you want to lease the vessel. Another entity is going to lease the vessel, or it could be the same owner that has to lease it, just because he has to go through that process to apply the permit to another vessel that he owns with another corporation, but the point -- What you just said was the existing permits on that vessel, once they are leased by the other entity, no longer are valid, and so that's why I guess they reissue all the open access at that time, but, for instance, say if you had a mackerel permit that was in the name of that vessel, they're going to lose that or would it just get transferred also at the same time?

MR. MCINTOSH: Not at the same time, but it would -- If I own the vessel and you're looking to lease my vessel, and I've got a king mackerel permit on there, and you've got an SG 1 or whatever you have, and you're looking to lease my vessel to put your permits on, and the permits -- You lease my vessel, and your permits would be associated with my vessel, and my king mackerel relationship would end to the vessel that I have. I can no longer use the king mackerel.

Now, it doesn't terminate the permit. I can go and transfer that king mackerel off somewhere else, or I can go sell it if I want to, but I can't use my king mackerel permit in my name when I'm leasing the boat to you, and so I would have to do something with my king mackerel permit after I start that lease with you. Whatever that is is up to me.

MR. HULL: Okay, and so you would transfer it somewhere else.

MR. MCINTOSH: Yes.

MR. HULL: You may have -- So, if I as the SG 1, wanting to lease your vessel that has a king mackerel permit, and I want the king mackerel permit to stay there, and so you're going to have to transfer -- That's going to be part of a transfer then back this way, and so that would be another transaction in the process to keep that associated with the vessel, and it's going to go out of your name. You're either going to go that way with it or you're coming over to me with it, but it's going somewhere, and it's not staying with -- I've got it.

MR. MCINTOSH: Yes, there only can be one permit holder name, and so, if I have the king mackerel in my name, and you have the SG 1 in your name, if you lease my vessel, I would then have to transfer that king mackerel into your name. Now, whatever happens behind the scenes, as

far as any deal that you transfer it back to me or something, that stays with you and the individuals involved, and we don't get involved in that, but we would be able to transfer the king mackerel and the SG 1 if it was in your name at the same time onto the vessel.

MR. HULL: Thank you.

MR. J. FREEMAN: So you transferred -- In good faith, you transferred your king mackerel permit to Jimmy and put it in his name. In good faith, Jimmy says, hey, thanks for the free permit. That's my understanding, right, that you just lost it. If he chose not to pay you for it, you lost it, and it's out of your name.

MR. MCINTOSH: Correct. I mean, as far as -- That would be between you guys setting up that agreement. We don't get involved in the fact of if you want to transfer the king mackerel from you to Jimmy, and we don't get involved in that. All we do is take the application, and, if everything looks good, and it's signed on the back, and we take the two permits and we transfer them into Jimmy's name. Now, if there's some agreement behind the scenes that you guys have, that's between you guys.

MS. MARHEFKA: Combining this with what I was talking about before, and I want to make sure that I understood you correctly before, Jim, but you could incorporate a vessel and lease your own permit to the vessel you own, such that, at that time, the permit didn't have to be part of that corporation. The permit was still individually owned, and that's kosher, right?

MR. MCINTOSH: Can you say that one more time?

MS. MARHEFKA: You put your boat in an LLC, just the boat, and you own the boat, and you're the member of the LLC, and you also own the permit. You then, as an individual, lease that permit to that LLC, and that can be done?

MR. MCINTOSH: The other way. The LLC would lease the boat to you as the permit holder individual. That's if you want to keep it in the individual's name, the permit. If you want to transfer the permit into the LLC's name, then you don't need to lease anything, but, if you want to maintain that, and I guess you're talking SG 1, in your own name, then yes. The LLC would lease the vessel to the SG 1 permit holder, if they're different.

MR. HULL: I think there's been a lot of confusion amongst all of us on the leasing aspect of it as to how we move -- If you're a multiple-vessel owner and have multiple permits and all these variables, but how you can move these things around, and it took a long time for me to -- I still get messed up, but you have to lease that vessel, or vice versa, and you have to lease back the other way.

MS. MARHEFKA: What's the best way in the future, because I'm sure there are other things that will come up, when you have these kind of issues, to get sort of legal advice on this, because, as everyone knows, your accountant is not going to understand any of this, and your regular lawyer knows nothing about this stuff, unless -- Maybe there is some in Alaska or New England that really focus on this, but what's the best way to get specific legal advice regarding your permit and transferability and things like that? Is it to call the Permits Office and then whoever I talk to is qualified to really give that advice, because it essentially is sort of legal business advice.

MR. MCINTOSH: I would say you could give us a call. I don't know if I would call us giving you legal advice, but we could certainly tell you the process and what things you need to look out for, like is the permit expired, and that's another big thing. You can't transfer expired permits unless it stays in the ownership of that permit. If your permit expires, and you want to transfer it to me, and I'm a different owner, then you have to renew that permit first, and so there's some things that we can tell you and help you out. I am hesitant to say legal advice, but we could tell you what you would need and what to look for and how to set it up. Just give us a call, definitely.

The Permits Office FAQ webpage, on the next slide, and I've got a picture of it, and I can show that to you too, has some good resources, as far as leases and what we require, including the lease agreement. There's a section of the application, usually Section 6, that is the lease section of the application, but you still need to provide us an actual lease between the individuals, and then there was a question about how many are being leased, and there are currently 681 vessels being leased right now, and that's in the entire Southeast.

Here is the section, and I will show you the webpage afterwards, as far as what does the Southeast Permits Office require for a vessel lease agreement, and here is all of the stuff we have. I just happened to check today, and the FWC has got a really good template for leases. This one happens to be broken, and so they must have moved their site, but, if you Google "Florida Fish and Wildlife Conservation lease agreement", it comes up, and it gives a good template of actually what you can submit as a lease. It's an entire FAQ page that we have off of our website, and there's a bunch of good information.

If you come down here, you've got permit transfer information, and then you've got leases, and these expand out, and so it's a good resource, and there's a lot of information and a good resource. This one and this other one, general permit information, is also very helpful. It lists all of our permits and links to the Federal Register and open access. It lists them all and a brief description, and so it's helpful.

MR. HUDSON: Kevin, NMFS has been changing their websites across the nation, and you all are now starting to go through that, and it's getting pretty rough to find stuff, and I don't care if I want to go into the laboratory libraries or whatever, and how much longer is this going to be going on?

MR. MCINTOSH: June 30 is when we're required to shut down our old site, and this is the new site. This is the fisheries-wide website that everything will be moved over to, or most things should be moved over to. There is probably going to be a time where we're working on things, but, overall, that old website -- I know that someone was taking the website down, and it's going to move at the end of June.

There probably will be some forwards, where, if you put the old URL in, it will forward for probably six months or so, but, ultimately, it's all going to under fisheries.noaa.gov, and, if you go under the regions, we're going to have the Southeast Region, which is going to have stuff specific for the Southeast, and there's a big one -- This is permits right here.

This is off the main page. You're going to have permits, and then you call look up by region, and so this is where all of the permit information that you currently see will go. Right now, these just link back to the old website, but these will go to new pages, and they will definitely be better pages.

They will provide some more information. They're going to be specific to each species and what permit do I need in order to fish for this species, and, when you click in there, it's going to have a lot of information based on the range that these permits are good for, are they transferable, do they require logbooks, all these things that we currently don't have in our system or on our website, and they will be there.

MR. HUDSON: I noticed that they -- I think Jack McGovern told me that they weren't able to duplicate like the landings page and all that stuff in the same way that it had been done, and so they have a way of sort of archiving that and then being able to re-present it, but, if you go to stuff, and the South Atlantic Council went through a lot of web changes too, and sometimes you get 404 errors. Otherwise, with NMFS now, you default to the national homepage, and then you have to work your way all the way back to the region.

MR. MCINTOSH: It's just that timeframe between the old sites still are up and people are looking for it that way versus moving everything over to the new site. June 30 is when they are shutting our old SERO site down, and so I ask that you guys be aware of that. If there's information that is missing, let us know. We're going to try to move over everything that we know of, but, if there is something missing -- The majority of the stuff will be there, but, if there's something that is missing that you know was there in the past, let us know.

MR. HUDSON: Yes, that's what I was told with the South Atlantic also, once I started hitting 404's or not getting to the pages that I needed and stuff like that, and so, yes, that's useful. Thank you.

MR. COX: Kevin, the affidavit on the income qualifier, is that a legal binding document?

MR. MCINTOSH: Good question. I know it's required for the commercial lobster. As far as if it's a legal binding document, I will get back to you on that.

MR. COX: Okay. My second question was, on the two-for-one process that we're going through, what happens if an individual buys one and they can't find a match for it and two years has gone by? Do they lose that opportunity?

MR. MCINTOSH: Yes. If that permit terminates, and they can't find that second permit within two years, then yes. We're actually going through a similar situation right now, where they bought an SG 1 a year-and-a-half ago, and, if they can't find within that two years, then they will essentially lose that permit.

MR. HULL: I suppose they could -- Whoever they bought it from, to keep it as a viable something, you could have to entice them to renew it. Even though they don't own it anymore, if they bought it -- I mean, if you bought it, that's something that you don't even know yet, because -- Anyway, that's a complicated deal there.

MR. MCINTOSH: Yes, it is. In this case, without saying too much, the person is no longer living, and so that's what makes it even more difficult, that they bought it from. All right, and so clarify the need for a unique invitation code for the online renewal, and so the invitation code, which is included in your renewal letter, sent out sixty days prior to your permits expiring, it's associated with the permit holder, and so it's unique in the fact that, when you redeem that invitation code,

the permit holder's name or corporation will show up in the account, and so you don't have to pre-fill that in.

Once the account has been redeemed, then you can create the online account. You don't have to do it again the next year, and so it's a one-time thing. You set your account up for that permit holder. Now, if you change corporation name or you do something different, then you have to create a different account, and so, if I own the permits and I set up an online account as myself, and then I go and change it to McIntosh LLC, that original account that I set in my name is no longer good, and I will have to set up a new one for McIntosh LLC.

Then the renewal letter you receive the next year will have the email address you used when creating the account, and so I've got an example of two of these renewal letters, and these are what is sent out to you guys sixty days prior to your permits expiring. On the left-hand side here, this is a renewal letter for someone that doesn't have an existing account, and so they get the information down here about renewing online, and then they get this code, and I grayed it out just because this a valid code, but you will get a code down here. In fact, I made it bigger about two months ago, because some people were losing this down here and not noticing it, and so I think I made it about five-times bigger.

The problem is it put it on the back, and these are double-sided, and so we get a lot of calls with, hey, I got up to Number 2 about entering the invitation code, but I don't see the invitation code, and so we ask them if they looked on the back, and there it is, and so I did put a note, a couple of months ago, that said something like there is more information on the back, and so just keep that in mind.

Then, the next year, once you set up your account, and this would be the following year, and now that you set the account up, it actually sends you the renewal letter, and it says here is your account, and it gives you your email address as a reminder. Most people, because it's on a yearly basis, will probably not remember their password, and you can reset your password through the online system.

Here is the home page, again. The online system launched in 2015, and you can now renew thirty out of the thirty-three vessel permits we offer in the Southeast. Golden crab and the two historical captain permits in the Gulf are the only ones that you cannot renew. The eligibility instructions are in the renewal letters, and we just saw it takes ten minutes to renew, as long as everything is the same, and, again, it pre-populates all your information within the system. It pulls compliance data, and it tells you if you're logbook compliant at that point, too. Then you can pay online.

You get your permit sooner, and that's for a number of different reasons. Number one, you submit your application at that moment, and so you don't mail it, and it doesn't take a couple of days to get to us. Number two, there are no application deficiencies, because the system won't allow you to submit an application that is incorrect, and so that won't hold it up. Now, you are still required to provide the supporting documents, and that may be like Coast Guard documentation or state registration, and that may hold up -- That's not any different than a paper application, but, as far as any application information missing, it doesn't happen with an online.

Then, as we talked about before, applications are emailed once a week and deficiencies. Every Thursday morning at 10:00 a.m., you will get an email if your online application is deficient in

something, and, again, we're looking to add all the request types that we have, transfers and new dealer and operator cards in the future.

MR. MUNDEN: Kevin, what were the three vessel permits that you cannot renew online?

MR. MCINTOSH: They were golden crab and then the two historical captain charter permits in the Gulf. They were additional pages that needed to be built into the system that we just didn't have time to do for those, and so that's the reason why, and I think, overall, there's not that many -- There is ten golden crab permit holders and sixty-four or sixty-five historical captain permits.

MR. PILAND: How do we submit our updated vessel documentation through the system?

MR. MCINTOSH: Once you go through the application process and you submit the application, you are brought to a page that says to pay or to upload supporting documents, and so, at that point, if you have a digital copy of your Coast Guard documentation, whether you can scan it or take a clear picture of it with your phone, but, as long as you can get it onto your computer, you can upload it into the system.

MR. HULL: That's a good question. I was going to ask that one also. You can actually take a photo and do that, too. That's big. Also, the online, to where you will know, like you said, and it's just eliminating all that delay that is a potential, because you don't even submit it unless everything is cleared, and you will know it quickly, and that's really a big improvement. How many people on this panel have used the online renewal? Three of you. I want to, but I haven't been brave enough yet.

MR. ATTACK: I did this year, and there was a problem with the two different vessels, where you had to have two different emails, because it wouldn't take the activation code when you went to do your second set of permits.

MR. MCINTOSH: Right, and so the system was originally set up that the email address was a unique identifier of the account, to know who was who, and so, in the cases where you have multiple corporations or multiple people that want to use the same email address, we currently can't handle it. We're aware of it. In the future, you will be able to. You will be able to create user IDs and then associate it all with one email address, but, right now, that is probably one of the biggest issues.

Now, if you've got a couple, one idea would be to create another email address and that that dummy email address forward to that main email address, and so any correspondence you get -- But we've had some people call in saying that they've got thirteen or fourteen or fifteen different LLCs, and it doesn't make sense for them to create fifteen different email addresses.

Here are the slides about the snapper grouper, and so there were some questions asked about how many there were. Right now, there are 531, and this was updated today, total permits, and that includes the expired ones. There are 505 valid ones, meaning those are -- They are valid and not expired. It looks like twenty-six are expired right now, which they can be renewed at any moment, but, overall 531 total permits.

Here is the SG 1 transfers. An owner of a vessel with a transferable permit may request that the RA transfer the permit to another vessel owned by the same entity, and so, for the SG 1, from boat to boat, owned by the same entity, that's fine. A transferable permit may be transferred upon a change of ownership of a permitted vessel with such permit from one to another of the following: husband, wife, son, daughter, brother, sister, mother, or father or from an individual to a corporation whose shares are all held by those same individuals. It's a one-time transfer from an individual to a corporation, and it doesn't go back the other way. If none of those apply, then you must obtain and exchange two such permits for one new one, and so the two-for-one.

Then there is this corporate business purchase, which you purchase a corporation or a business that owns an SG 1, and you don't need a two-for-one, because the ownership, McIntosh LLC, doesn't change with the SG 1, and it's actually not considered a transfer, because you're not transferring it from one entity to another.

However, as we talked about before, it can't be a family-owned business, one that was converted from an individual to a family-owned, and the FEIN number has to remain the same, and so we get some questions about I live in North Carolina, and I bought this SG 1, and the corporation is in Florida, and I want to consolidate, and I don't want to have to deal with it being in Florida anymore, but the FEIN number has to stay the same. If you go ahead and register this in North Carolina or South Carolina, it's going to change the FEIN number, and so that's why you have to keep it in the State of Florida.

MR. HULL: A question on that one, because I think you were telling me -- I had to buy a corporation in South Carolina to obtain -- It was just the same situation, that we bought the corporation to obtain the permit, which was the only asset of the corporation, and we were hoping to simplify and bring it to Florida, as a corporation, and I think -- Mr. Freeman, wasn't it you that told me that is something that is doable?

MR. J. FREEMAN: Yes, I did it with a North Carolina permit. I retained the same FEIN number, but it's a Florida corporation.

MR. MCINTOSH: Recently you did it?

MR. J. FREEMAN: Three years ago. I've already got it, and so you can't take it away from me.

MR. MCINTOSH: We're not looking to take permits away. Let's talk afterwards, because the FEIN number has to remain the same, and so you're saying you bought it in North Carolina and then registered it in Florida and it kept the same FEIN number?

MR. J. FREEMAN: Right. My CPA filed for a corporation in Florida to retain the same FEIN number.

MR. MCINTOSH: That's why. It's federal versus state, and my understanding was that the different states have different prefixes for the FEIN number, or different locations, and so it -- The last eight could be the same, but the prefix, the first two, changes from state to state, and so I'm not going to take your permit, but I would definitely like to talk about it. If you just give me that permit number, I'm just going to look into it.

MR. HULL: Forget we asked that. Kevin, I've got a question from a fisherman behind us here, and he wants to know -- I think this was kind of what Jack asked too, but a fisherman wants to know whether the income qualification is validated, and so that would be the one for income qualification for the lobster. Is it validated? I think Jack asked if it was a legal binding document.

MR. MCINTOSH: I'm going to look into the legal binding. As far as validated, meaning we check into it, is that what they mean by that question?

MR. HULL: Yes, to see if they're just lying, basically.

MR. MCINTOSH: No, we don't validate to see if they're lying. That section of the application just states that that person does earn 10 percent of their income through commercial fishing, and we associate it with the application, but we don't go ahead -- At least we don't, the Permits Office, doesn't go ahead and look into that any further.

Then the SG 2, total permits right now, including expired, is 106. The total valid permits, not including expired, is ninety-nine, and so there is currently seven expired, and then there are thirty-one vessels that currently have an SG 2 on them that are leased. You can transfer them to another vessel as long as it's owned by the same entity, and so none of the other things apply. However, there are twenty-three that are currently owned by corporations, believe it or not. That must have been the way they were set up way back when, and so they can continue to change, and they could potentially live forever, because they can keep on changing out officers of that corporation, and that's it.

MR. HULL: Okay. I'm sure we're going to have a lot more questions for you and comments.

MR. HUDSON: Kevin, could you go back to that hyperlink for the FWC vessel lease agreement template? It seems like it's not an active link on the presentation, but I did find it, finally, on the FWC site. It took a little hunting.

MR. MCINTOSH: Yes, and I had mentioned that, for whatever reason -- I just checked it before too, and it's not active, but, if you Google it, and I'm going to do it now, "FWC lease agreement", you should be able to bring it up. I just became aware that it's not an active link, but, if you Google "FWC lease agreement", you should be able to find it in here somewhere.

MR. HUDSON: That was the section, and then I wrote down the URL. That way, I can --

MR. MCINTOSH: They must have moved their -- There it is, the vessel lease agreement, and so, if you Google "FWC lease agreement", you've got an example here of an FWC lease agreement, and that's the one we get a lot of --

MR. PILAND: I really should already know this, but what's the difference between a 1 and a 2 permit?

MR. MCINTOSH: SG 1 are unlimited, and SG 2 are 225.

MR. MCKINLEY: Now it begs the question of maybe when are we ever going to start looking at the inactive permits and determining when we could go one-for-one on the SG 1?

MR. MCINTOSH: That's up to you guys. I mean, I don't think it's a Permits Office thing, as far as -- We can provide the information.

MR. MCKINLEY: The fleet is aging out, and so, I mean, to transfer one to the next generation is just -- It's just a handicap, this two-for-one. At some point, it's got to change.

MR. HULL: That's a council conversation. I am looking around. It was a great presentation, and I had a couple of questions that I was interested in. How many permits are revoked in a year? Is there a large number that are totally revoked in a year, I mean just off the top of your head?

MR. MCINTOSH: I am not sure, off the top of my head. I know it's not a common occurrence, but I don't know if -- I could pull the data, but, if Cindy is still on, and I know she was listening in, she might be able to -- She's from GC, Cynthia Fenyk, and so she could possibly comment more, or I can get back to you on it, but I don't think it happens a lot.

MR. HULL: That's good enough for me. Then what is the percentage of the applications that have deficiencies? Do you measure that?

MR. MCINTOSH: Currently, about 40 to 45 percent of our applications have deficiencies, and, when I say deficiency, it could be missing information on an application, missing a required document, missing a payment, logbooks, missing a lease agreement, and it's 40 percent, and so I would love to be able to get that number down, and I think the online system helps, because it reminds you -- It clears out all the application deficiencies, and it's better to remind -- The system actually will tell you what documents you need to complete this application. It will say you need a state registration or a lease agreement or something, and it will also tell you -- It tells you what documents we have on file that can be used, and so, if you have a documentation that doesn't expire yet, it will say we can use this documentation that you used the previous year for this application and you don't need to upload a new one.

MR. HULL: That's interesting. That's a large number, but, as you say, the online will bring that number down, or it should, drastically. I mean, it has to. Then one more, and that was what percentage of the permits are renewed late or after they have expired? I know you showed the one graph in the beginning, the beginning of the month, and those permits that -- In the beginning of the month, those were already expired, and was that permits that were up for renewal and they were already late and they were already expired and then they finally get them in there after the expiration date, and that's a large percentage of people wait until expiration before they renew?

MR. MCINTOSH: I would have to get back to you on that, as far as what percentage. It's good information, and it's good to know. Certainly there are some people that don't get their permits renewed by the expiration date. Off the top of my head, I'm not sure what that would be, but, if they don't, then that's when that system expires them, and they do have -- If it's a limited access, they have one year to renew it before they lose that permit for good.

MR. HULL: Thank you for that. Boy, that was great.

MR. SEBASTIAN: I noticed in an earlier slide that some of the renewals depended on dates or vessel numbers, and is there a mechanism in there for an individual who runs a business to request

that everything comes in at the same time, because, logistically, for us it's a nightmare, trying to keep up with eight different vessels at eight different times, and it really -- Sometimes things just slip through the cracks, and it's challenging. With more things coming online, is there potentially a mechanism in there where we could request that everything comes in at least in the same month or the same time? For logistics, we could have one person sit down in one shot and get everything straight.

MR. MCINTOSH: I get that question asked a lot. Right now, besides not knowing that information ahead of time, and, if you created a corporation, to try to do it in the same month, and I know the last thing you're thinking about is permit expirations when you're doing that, but the only other thing would be to have a larger corporation manage -- Have a business that owns a business type of thing, and you can get into some issues there too, and so, long answer short, no. These are how we base them right now, how the system bases them, and so we're kind of stuck with what we have right now.

MR. HULL: I can tell you, Kevin, that you have a large job, and it's complicated, and it's a very, very important job for everybody at this table and for the economy and for everything, and so we sure thank you for being such a professional and the job that you're doing for us and addressing our concerns and trying to make it better and better, and we really thank you very much, and all of your employees.

MR. MCINTOSH: You're welcome. Again, give us a call if you have any questions. Look at the website that I showed you before, if it's after hours, and there is some good information online, as far as when we're processing applications and how far out we are, but you can always give us a call too, and we would be happy to answer any questions.

MR. HULL: The next item we're going to go to is -- We're going to skip over Item 8 and go to that probably tomorrow morning, and we're going to go ahead and go to Item 9, if that's okay with everyone, and it's going to be Spearfishing in the Snapper Grouper Fishery, Attachments 8a and 8b, and Myra is going to present this, and so let's dig into Number 9.

MS. BROUWER: Thank you, Jimmy. This is the same presentation that I gave to the Snapper Grouper Committee in March, and this was something they requested, and I think it may have been back in October. There are two attachments here, and so this is the abbreviated version, and so I took what's in the white paper, which is what the council originally requested, and put it in a presentation, and so there is going to be a lot more detailed information in the document itself.

The background is, in March of last year, there was some discussion at the council table about concerns over the impact of spearfishing on snapper grouper populations, particularly in North Carolina, and there were some suggestions that the council could potentially eventually consider an endorsement for spearfishing or look into other ways to identify how that fishery is -- Just get more information on that user group, basically.

Recall that you guys had recommended that the council look into an endorsement for that particular gear, and you guys had talked about how there needed to be more information on that particular portion of the fishery, and there were some concerns voiced over user conflict between commercial divers and hook-and-line fishermen. Again, most of what we heard at the time was from folks in North Carolina, and so that's how that got started.

Here is some definitions, just to make sure that everybody understands what we're talking about. Spearfishing is defined as fishing for, attempting to fish for, catching, or attempting to catch fish in tidal waters by any person with a spear or a powerhead. A spear then is a sharp, pointed, or barbed instrument on a shaft, and then a powerhead is any device with an explosive charge, and so everybody here is familiar with that, but for the purposes of folks on the webinar or whatnot, just to make sure that everybody knows what we're talking about.

Also, there is a little information, more detailed information, in the document, as far as the history of management. Back in 1991, the council first prohibited the use of powerheads and bang sticks in all SMZs, special management zones, off of South Carolina and required -- That requirement of non-mutilated fish, and so landing snapper grouper species with heads and fins intact. The rationale there was, and we talked about some of this yesterday, was there was some concern over localized depletion and user conflicts at the time.

South Carolina requested that prohibition, and that was intended to aid enforcement. Later on, in 1994, the council prohibited the use of explosive charges, including powerheads, to harvest snapper grouper species in the EEZ off of South Carolina, and the rationale there was because there was difficulty in enforcing the prohibition on powerheads in state waters when it was allowed in federal waters, and so it just makes sense, again, to aid enforcement.

Then, more recently, in Amendment 23 in 2012, the council revisited all of this, and they limited the harvest and possession of snapper grouper species with the use of all non-prohibited fishing gear in the special management zones off of South Carolina to the recreational bag limit, and that was to prevent, again, overharvesting of some of these species.

The council already also asked us to look into potential biological and ecological effects of this type of fishing, and, basically, this is just stuff that's in the literature that has been documented in various parts of the world. It can potentially cause rapid decreases in abundance and the mean size of the species that are being targeted, and there can be depletion of large individuals in a population, as a result affecting the reproductive output. For species like some of our groupers that are protogynous, or they are first females and then they change sex into males, there can be an alteration of sex ratios and limit, again, the reproductive potential and disproportionate removal of some of the larger male individuals.

It's been established that there is lower bycatch of non-target species relative to other fishing gear with spear, and there can be shifts in the catch composition from large carnivorous species to other smaller omnivores, and so it can have effects at a community level as well, and so the data that we put together to present to the council back in March covered 2007 through 2017 for the commercial data, and we had to go much further back for recreational, and, as you can expect, and you will see shortly, the recreational data is very spotty for this sort of thing. There's not a lot of information on spearfishing recreationally.

For commercial data, we looked at the ACCSP, the Atlantic Coastal Cooperative Statistics Program, and the units for those are going to be pounds whole weight, unless it's otherwise specified on the slides, and then we also requested some biological sampling data from the states. Now, this was like right around the time of the government shutdown, and so some of the information was not available, because it's funneled through the Trip Interview Program.

North Carolina was able to provide some of their information, and so I'll be showing you some of that as well, and that is in numbers of fish, as opposed to pounds. For recreational, we used the MRIP database, and that includes the revised estimates for the new effort survey, and so the units there are going to be in numbers of fish, and we did not include any headboat data in this presentation. Again, this was during the government shutdown, and so we didn't have some of those resources available.

I will start with the commercial information. As was mentioned yesterday, I think during public comment, and you've seen online in the comments, the mean landings for the time period that we looked at were over seven-million pounds with all gear types, but then, looking at just spearfishing gear, the mean landings are only 4 percent of that, and so around 280,000 pounds for that ten-year period, and so it's a very small portion of the fishery.

Here is several graphs showing the relative percentage, and so the bars are going to indicate your pounds landed, and Florida is up on the left-hand corner, and this is -- The bars are with all gears, and the line is just spearfishing, and that is the percent during those years. Then you can look -- Pay attention to the axis over here, and so, on the left-hand side, the units are pounds, and it goes all the way to five-million pounds. The percentages here are zero to 10, and so by year, pounds landed, and then the percent of those landings that is attributed to spearfishing gear.

We have got Florida. Georgia, you're not going to see Georgia very much after this slide, because there's just not a whole lot of information. South Carolina, you can see the trends a little bit over time, and North Carolina is showing, since about 2009 or 2010, sort of increasing trend, but, again, the scale here is zero to three-and-a-half percent, and the pounds go to three-million pounds. Again, it's a very small percent is what we're talking about.

I apologize that it's hard to put all of this information in a graphic that is going to not have a very tiny little almost imperceptible line at the very bottom, and that's why I keep emphasizing that make sure you pay attention to the scales on both sides of the graphs, because that is very relevant.

Then we also looked, since there is particular species that folks were interested in that are targeted with this particular gear, we looked at them individually, and gag and black grouper were lumped together, because there's been some species ID issues, and so here's gag and black grouper for the three states for which there is enough information so that you can see the relative percentage. The scale here goes from zero to 60 percent, and so a fairly sizeable amount of gag and black grouper are being harvested commercially with spearfishing gear in Florida.

In South Carolina, the scale for spear goes from zero to 18 percent. Again, you sort of see a pretty flat top over here, except for a little dip in 2013. For North Carolina, you see a pretty apparent increase. Again, this is zero to 16 percent, as far as the scale goes. These are the data that came from North Carolina, and so, for these two graphs, at the very top, you have hook-and-line is represented by the orange line, and spear is the blue line at the bottom, and here is where we were able to get some length information.

At the X-axis, at the bottom, you've got fork length in centimeters, and we have indicated here the gray line is the current minimum size limit, and so we show this so that you can see not only the relative percentage of what's being landed with the two different gear types, but also to see if there

is any kind of size selectivity from each of the gear types, and so, for gag, you do see that spear is harvesting larger individuals than hook-and-line. Then, over here in these little boxes, you see the number of samples, and so, for the hook-and-line, North Carolina measured, during this time period, which is, again, the same, 2007 through 2017, and 1,700 fish were measured for hook-and-line, and, for spear, the sample size there was 121 individuals.

Red grouper is next, and, for Florida, again, the percent here goes from zero to 35, and red grouper are being harvested -- A good amount of them are being harvested by spear, but you do see this very apparent decrease in overall landings for this species over time. We see that throughout the South Atlantic. South Carolina, you do see that again, and spearfishing percent does increase, as high as 14 percent over here in 2016, and the same thing for North Carolina. We've seen a steady increase there, up to -- This is about 17 percent in 2017.

Looking at the information from North Carolina, again, the orange is hook-and-line, and the blue is spear, and the gray line is your current minimum size limit, and you do see that spearfishing gear is harvesting some larger individuals in red grouper. The numbers sampled are -- For spear, that's only forty-four individuals, and so you have to keep that in mind when you're interpreting these graphs as well. For hook-and-line, that was a sample of 813 individuals.

Hogfish is a species that is mostly harvested with spearfishing gear. The percentages over here in Florida is zero to 80 percent. There is a very slight increase in landings attributed to spearfishing gear for this species in Florida over the last ten years or so, and South Carolina is next, and landings sort of have decreased for that species since about 2011, and then here is North Carolina, and the percentages over here for spear, and this is zero, and it goes up to 90 percent, and so substantially more landings commercially for hogfish are attributed to spearfishing gear than hook-and-line, and that's very clear in this information as well. It's a little bit noisier.

I should say that, for hogfish, the minimum size limit was implemented recently, and so I believe that went into effect for Georgia and North Carolina in August of 2017, and so that's probably why you see some landings over here that are below the minimum size limit, and those were prior to implementation of that minimum size limit. Then, of course, you can see here the sample size for hook-and-line for hogfish is very small, and it's only twenty-four fish.

Moving on to recreational landings, this spearfishing for recreational purposes happens mainly in Florida. Landings for Georgia, South Carolina, and North Carolina have been combined, because we just didn't have very much to look at, and so, just so that you can get an idea of the comparison there, from 1981 through 2017, landings in Florida with spearfishing gear totaled about 600,000 fish, and, in the remaining states, it was 6,000 fish, and so that's the magnitude of the difference. As I mentioned earlier, the information that I am presenting to you here is based on the revised recreational estimates, as a result of the changes in the effort survey.

One thing we did is, for recreational, is just sort of look at the top-ten species that are landed with spear, and so you've got Florida on the left, and the top species is hogfish. Next to that is greater amberjack, and then it goes down from there. You've got gray snapper, gag, red grouper, cobia, and red snapper is included in the top-ten species. For Georgia and North Carolina, it's a little different. Atlantic spadefish ranks number one, and then gag and hogfish and triggerfish and some others, and so just to give you an idea of what is being targeted.

Here is what the landings for the recreational fishery look like, and so Georgia and North Carolina are combined, and that's represented with the orange line. You look at the scale that corresponds to that line, and it's from zero to 40,000 fish, whereas Florida, which is the blue line, the scale there, in terms of numbers of fish, goes from zero to three-million, and so it is a very different scale there between those two.

MR. HUDSON: The red grouper in this Florida dive catch, is that all predominantly in the Keys?

MS. BROUWER: I couldn't tell you off the top of my head. I would have to go back and look at the numbers, but I would say probably definitely south Florida. Then we attempted to show you the breakup of the recreational landings by species, but clearly there is just not a whole lot of information outside of Florida. You've got a little spot here and there, but this is how it all plays out, and so you can just see how noisy the data are, and hogfish certainly is going to be the predominant species there that's being harvested recreationally with spear.

In terms of seasonality, the council had wanted to potentially, maybe down the line, consider a season for this type of gear, and so they said let's pull information on how landings are distributed over time, and so we pulled information by month, and so this is for gag and black grouper, and these are commercial landings. Again, the data are from 2007 to 2017.

Florida is in the blue, and Georgia is in the orange, and Georgia landings are just -- Take them with a grain of salt, because they are just not jibing with the rest. South Carolina is in the gray, and North Carolina is in yellow, and so clearly you see that the grouper landings begin in May. For red grouper, here's what the landings look like, and so South Carolina is a little more dominant here in June. For hogfish, this is what it looks like, and these are percentages, and so you can compare them to each other more easily.

The recreational landings, since the data were not as -- We didn't have as much information, and we had to combine also Georgia through North Carolina, and so here is Florida is in the blue, and Georgia through North Carolina is in the orange, and you can see that the seasonality -- There is a little peak over here in the fall and winter months, and this is for all snapper grouper species.

Another thing we did is put together possible management approaches, not that this has been analyzed or thought through, but it was just like, okay, these are some things, if the council were interested in potentially discussing management, and so, on the left here, you've got the different potential approaches and then the pros and the cons, and so we looked at a season, and you've got -- The pros would be that there is predictability, and you could focus fishing pressure away from when these fish are spawning and that sort of thing, but then, of course, you've got the issues that we all know about with seasonality and potential effort shifts and that sort of thing.

Gear endorsement with and without reporting, pros and cons of that, and a slot limit, especially for species that have -- That their life history would lend themselves to that sort of thing, and that's something that could be considered. We have not done it for snapper grouper species in the South Atlantic at the federal level. Then modifying existing reporting requirements, which I believe the Snapper Grouper AP has suggested, just to have a box or something that you can check to start having more information on the universe of users for this particular gear.

The council also requested that we discuss how use of this gear relates to National Standard 5, and National Standard 5 reads that conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources, except that no such measure shall have economic allocation as its sole purpose. Basically, what it's saying is that it's encouraging efficient fisheries, so the optimum yield can be harvested at the lowest economic cost, and clearly spearfishing fits very well in that standard, and, of course, you've got potential biological consequences, which we already have talked about, that fishery managers are going to have to weigh with the economic efficiency.

That is what I had put together for the council, and I know that you guys had wanted to spend some time talking about this particular issue, and so I would be happy to try to answer any questions, and then you guys can talk all you want.

MR. HULL: Thank you, Myra. Does somebody want to start with any questions for Myra or questions or comments or concerns for Myra?

MR. LORENZ: Myra, I had one question, because, as I was thinking about this, just in attending the council meeting and discussing potential management measures, and maybe just for the good of the group, because I always like slot limits and things like that, and I was always, from the recreational fishing side, feeling that saving the biggest is the best to save a fishery, because of the amount of eggs that they produce, but on the side, they were kibitzing, but the rest of the council was able to listen, and it was Roy Crabtree and Clay, and they mentioned something that not necessarily saving the biggest fish is going to mean the most towards a recovered, healthy species, and they used a term, which I cannot remember, and I was just wondering, for the good of the group, is that term known and explained, because it was a little enlightening to me to kind of be more open in my thoughts of saving the biggest one may not always be the best, and what was that they were talking about?

MS. BROUWER: Robert, you expect me to remember that right now? I don't. I will have to get back to you on that.

MR. LORENZ: Todd, was there something in fisheries that -- They used a term about this middle level thing in a population, that the middle sizes and all produce a better, more vibrant fishery for many species.

DR. KELLISON: It's not ringing any bells, Bob, but I can check with Clay, and I will try to get some insight on it and follow back up.

MR. LORENZ: I could call him too, but I just thought --

MR. MUNDEN: Myra, in about your third slide, the history of management, it gives the various amendments, and my question is, yesterday, you said that one of the things that is under consideration by the council is Regulatory Amendment 34, which would establish SMZs off of North Carolina and South Carolina. If the council establishes these SMZs off of North Carolina, will they automatically include the prohibitions that are found in Amendments 4, 7, and 23?

MS. BROUWER: Yes, Red, and that's a good question. I do have, in my notes, that when North Carolina sent the council the letter with the request, they did include what they would like to see

in terms of gear regulations for those areas, and so what they have requested is that only hand-held gear, and so that's handline, rod-and-reel, and spear, would be allowed to fish for snapper grouper species, and only the recreational bag limit could be retained for species harvested with spear. That is a little bit different from what South Carolina has requested, but that's the way it works. The states can request specific gear restrictions for their SMZs.

MR. MUNDEN: I believe you said there were approximately thirty-two artificial reefs that this would apply to?

MS. BROUWER: North Carolina has requested SMZ designation to thirty sites.

MR. MUNDEN: Just a little history note is I had quite a role in establishment and getting permits for a number of those reefs, and we had reefs in both the EEZ, because, in many cases, we needed reef material in deep enough water that it wouldn't bother with the navigation in our inshore waters, and, also, we had reefs, still have reefs, in state waters, which would come under state jurisdiction, and they could prohibit the gear there if they so desired, just like they're asking for in the EEZ. Thank you.

MR. SEBASTIAN: Just a little history for me, since I'm new to the council, and so the whole powerhead/spearfishing issue was brought up as a legal enforcement -- Because South Carolina was not in line with the rest of the states, and is that correct?

MS. BROUWER: The most recent -- How do I put this? South Carolina, back in June of I believe 2017, requested that the council consider making South Carolina consistent, in terms of powerhead regulations, with the rest of the states, meaning allowing the use of powerheads. That was separate from the issue that came up more recently, where North Carolina said that we've been hearing from fishermen that there is some interest in potentially regulating spearfishing gear in our area, and we're hearing complaints, and we're seeing some user conflict going on, and we probably ought to take a look at that, and so those were the two things that started this whole thing kind of rolling.

MR. ATTACK: Can you go back to Slide 15? That's the slide with the hogfish number of fish versus percent size. Prior to the seventeen-inch minimum size, that's the gray line there, and I thank the council for finally taking action on this, to where all those small fish that really don't get a chance to grow up and breed much are now saved with the new regulations that were put into effect recently.

MR. HULL: Okay. Thank you.

MS. BROUWER: I do have one more thing to show you, if you will indulge me, and I had forgotten, but one of the things that came up, and this was actually a request that Jim Attack made, and he said that it would be interesting to look at how the average size of fish has changed over time, if it has, and can you summarize that information that way, and so we attempted to do that with the North Carolina data.

These are called violin plots, and so I'm looking to Chip, because he is the one that schooled me on how to do this, and so I'm here presenting it to you, but Chip is the mastermind behind it all. The way you interpret this is the height of these shapes, these violin shapes, tells you the range of

size for each fish, and so you've got year across the bottom, and you've got length along the X-axis, and then the width of the shape is the density, or the poundage.

Over time, you can see that, for red grouper, the average size really hasn't changed a whole lot until more recently, and so it seems to be going up, maybe starting in 2013, but clearly you see how the poundage has diminished over time, and so this is using the same dataset that I showed you where we broke hook-and-line and spear, but, to do this -- Of course, I couldn't do it by gear, and so this combines hook and line and spear, and so this is not just spearfishing. There's just not enough information to do this sort of thing, but at least it sort of illustrates how those species are doing, and so we did this same thing for --

MR. ATTACK: If you go back to that for a second, basically, I think what it's saying is you had a very wide distribution earlier, and now you have almost just like one size fish, almost. There is very little distribution, and the number of fish we catch are kind of like maybe that same age class, but there is no real variability around it. There is no smaller fish and bigger fish, but it's just that's the only sized fish we've got left now?

DR. COLLIER: If you're looking at 2007, you are seeing a pretty elongated oval, and what that's showing you is the most common size classes were between sixty and seventy centimeters, and so that's going to translate to something in inches, and so that's going to be the most common size distribution, is between sixty and seventy centimeters. Then they're becoming less common as you got the ends and those plots begin to thin out.

As you go over time, what you're seeing is you're seeing a decrease in the contribution of smaller fish, and so you're not seeing recruitment coming into the fishery. You're still seeing some of those larger distributions at the larger sizes. As fish grow older, they're going to get larger, and so you're probably seeing a lack of recruitment in this fishery, and that matches exactly what they were seeing in the stock assessment.

MR. HUDSON: With that said, and what we have been experiencing since the hurricanes and tagging a lot of these little red groupers, and the hurricanes also affected the east Gulf, and so that whole red grouper thing could be upside down for another couple of years, and then suddenly we might start seeing the benefits of the hurricanes again, just a couple more years down the road.

MS. BROUWER: The next species is gag, and, for this one, we were wondering if there is some issue, obviously, here in 2010 and in 2012. They are pretty skinny, but the average size hasn't changed much over time. You do see some decline over here in the poundage that's landed, and then we did the same thing, and here is scamp. That is one species that wasn't included in the overall presentation, and we just didn't include that one, and I don't know why. Then hogfish.

MR. HULL: Again, this is all gear types, and this is data from every fishery, and it's just North Carolina. Any other questions or comments or concerns?

MR. HOWARD: I have a question for you. I am trying to decide, because I am not a diver, but have you all correlated the degradation of any of these species that have been up here directly to spear fishermen and powerhead users or any of that?

MS. BROUWER: No. The council hasn't -- I don't know if there is independent research that's been done, but we haven't looked at that, no. I suspect there's not a whole lot of information that is to that resolution that would be able to tell you, but I don't know. We would have to look at the numbers.

MR. HOWARD: Then why are they requesting these restrictions?

MS. BROUWER: I don't know that anybody is requesting -- Are you talking about the restrictions in the artificial reefs?

MR. HOWARD: (Mr. Howard's comment is not audible on the recording.)

MS. BROUWER: One of the first things this council did when they established the fishery management plan for the snapper grouper fishery is to establish the process through which artificial reefs, permitted artificial reefs, could be designated as special management zones, and the intent there was to just manage them more closely for the intended purposes, and that was mainly for recreational enhanced fishing opportunities. For that reason, the states can request that specific regulations be placed in those areas to meet the original intent of those permitted sites, and does that make sense?

MR. HOWARD: But we don't know if those states have determined somehow that it is adversely affecting those special management zones?

MS. BROUWER: I am going to let Mel maybe address some of it, because he can tell you a little bit more about how it has played out in South Carolina.

MR. BELL: Do you want the history? I will give you a little brief history. This all started, as Myra mentioned, in the original snapper grouper management plan. There is language which basically says that the permit holders for the artificial reefs can petition the council for this SMZ status, and that was basically to ensure that the purpose of the reef is maintained in the management of that reef.

This goes back originally -- When I came onboard in 1983, we had an issue in South Carolina with the use of sea bass traps on our reefs, and it wasn't really commercial fishermen doing it. It was just fishermen putting -- They would fish out there, and sea bass was kind of our bread-and-butter fish on our reefs, and so they would put some traps out there, and then they would go do whatever else on the side and come back and basically take all of the sea bass off of these small -- Keep in mind the artificial reefs are very small compared to natural systems, but they could pretty much depopulate the reef with traps, and so it all started with traps.

Our original petition to the council was to restrict the use of these particular types of gear, one being traps, and then, as the council got into the process, they added some other types of gear, like bottom longline and trawls and other things, and so that's the way it was for a number of years, and it wasn't until 1991, when the council put the bang stick prohibition in place, and that had to do specifically, as someone mentioned yesterday, with amberjack.

What we were seeing on our artificial reefs in South Carolina was there was a lot of use of bang sticks on the artificial reefs, again very small structures, and we had good data, before and after

kind of data, that we presented to the council back in the late 1980s, about 1990, and that's where the bang stick prohibition came from, but, again, it was just the prohibition of these very efficient gear types on these very small areas, and, if you remove all the fish -- If a few people remove all the fish very quickly, it does away with the purpose of the reef, which was to benefit a lot of fishermen over the course of an entire year.

That is where this all came from originally, and it was all geared towards just the artificial reefs. The bang stick prohibition in other waters off of South Carolina came a little later, in 1994, I guess it was, where the state really wanted to do that to have common laws across the state and federal boundary, as well as there were just concerns about the use of bang sticks by some of the fishermen then, but we were the only state that has this prohibition in waters off of our state in the South Atlantic, and so all this amendment was about was to really just kind of make us on an even playing field, because we were petitioned, or I was, a number of times by the industry about why are we different.

Also, keep in mind that, back when this all started, there was no such thing as an ACL, and so, whether it was amberjack or any of the other species, you could just harvest and harvest and harvest, from the commercial perspective, or recreational, and you could harvest everything that you could get, but our original concern was these extremely efficient gear types on these very small areas, and that is still -- Even if we follow through on this action, that still holds in place. Our artificial reefs, our SMZs, would still have those restrictions on the gear types, and so the original concern is covered, and that's why we don't have a problem with the other waters other than the artificial reefs, having the bang sticks being an allowed gear type, and does that help, background-wise?

MR. HOWARD: Clearly, they are very efficient at removing any species, to the point that you all are concerned that it would be overfished.

MR. BELL: Well, I wouldn't use the term "overfished" necessarily, other than, if you have a very small structure, like a lot of these artificial reefs are, or a small area, you could -- A few people could go in for whatever purpose and remove a lot of fish really quickly, and then the reef doesn't really have the economic benefits and all that you wanted it to have and the social benefits for the fishermen, and so that's what it was really all about.

MR. MUNDEN: A little bit of history note here, also. When I was involved with the North Carolina artificial reef program in 1988, one of the first things I tried to do was to hire Mel Bell as our artificial reef coordinator. He was fat, dumb, and happy in South Carolina, and so he referred me to his technician, Steve Murphy, and I hired Steve Murphy as our artificial reef coordinator, and he is now the fisheries director of the State of North Carolina, but the point I wanted to make is that, when we first started increasing our artificial reef abundance in North Carolina, Dr. Hogarth and the staff and I decided that we would not recommend any restrictions against various types of gear used on the artificial reefs.

We had a problem, sometimes during the winter months, when they would go in and load the reefs with black sea bass pots and wipe them out of the sea bass, but the primary reason that the Division of Marine Fisheries made that decision was that our artificial reefs were constructed with public funds, and we had a state budget line item for artificial reef construction, and they said, well, you

know, this money is going to the general fund, and we shouldn't prohibit commercial gear or spearfishing or whatever on the reef.

Going back to the question that Lawton raised this morning about a state fishing license, things have changed in North Carolina, and I suspect that one of the reasons that the division has asked for a special management zone declaration for the artificial reefs is that we are now using a lot of the recreational fishing license funds for artificial reef construction in North Carolina, and I haven't talked with the staff about this, because I really wasn't aware until yesterday afternoon that Amendment 34 was going forward, and so that's a little history note, also.

MR. HULL: Thank you, Red.

MR. SEBASTIAN: Just for Lawton, for me, and I work with Mel and the guys at SC DNR for building reefs, and I guess one of the things is the trapping or the commercial use on a site that was originally created primarily in mind for recreational fishermen, and we still go out there in the wintertime, and we'll see guys dropping some traps around them and stuff like that, because they will take their flags off, and they will drop small buoys, and go out and drop them and come back in and pick them up, and so it still goes on, but, I guess, when you designate it, if they happen to get caught on that site, and they have trap gear in their possession, now they're talking about they're going to get in trouble for being on that site. I mean, it still goes on, but there is just an unfortunate risk versus reward.

MR. HULL: Thank you, Mel. My only other comment would be to just real quickly look at the possible management approaches that they gave us, and, if you have something that you wanted to say about that, now is the time to say it. It was the season, the gear endorsement with reporting, the gear endorsement without reporting, the slot limit, the modified existing reporting requirements, and the pros and the cons are there quickly, and so, obviously, you can comment on this later too, I'm sure, and you will get an opportunity.

MR. MCKINLEY: I didn't have a question for Myra or anything, but I do represent about probably at least twenty or better fishermen in North Carolina that have the permits, which that is a pretty good percentage of them, and they are concerned. I mean, that's all we talk about, is the divers coming, and I am not talking about Florida, and this is North Carolina specifically, on our inshore ledges and stuff, and I talked with Craig -- this morning, who is probably one of the most productive divers in our area, and he knows there's a problem. He knows it can't support a lot of diving for our inshore gags. He knows that, and so he's in favor of an endorsement.

Most of the guys are against it totally, and I don't like the idea of taking the gear away from somebody, because they did that with us with the traps, but an endorsement and maybe lower trip limits for the divers, and I think that these numbers are not accurate, the percentages, on the take on the gags and the red grouper and stuff in our area. I know that can be changed at the dealer level, and it can be marked wrong.

This guy comes in probably -- I mean, he comes in with his limit every time, with grouper, and he knows it can't support it, and he's seeing it, and he is seeing smaller hog snapper than what he did a few years ago, and our concern is more boats moving up from Florida or more people getting into the business. Right now, we've only got about three that are operating pretty heavily, and our fishermen notice it. If there was ten more, it would be devastating, and so I think there needs to

be something done, and the recreational is a whole other issue that needs to be better regulated, and that's extremely growing in popularity, and I think that something needs to be done with that too, and that's just -- I represent, like I said, quite a few of us inshore, I guess, dayboats in North Carolina.

MR. LORENZ: Again, I tried to think about the slot limits, and I always like those as kind of a management approach, and just the thing that did foul me up, and just to tell you that I'm not a total nutcase on this, but the term was "yield for recruitment", and it gave me the understanding that it may be better to harvest one large fish than two small, is what I boiled it down to in simple terms and was wondering, for clarification, and that was the term I believe they used, was "yield for recruitment", and it was just something for me to think about slot limits and how I think about that, and that was the term that I didn't understand.

MR. COX: Randy, I hear your concerns, and I tend to agree with you on most of them. A couple of things is that, when you take a couple of commercial fishing boats and they're engaged in commercial fishing, they are also chumming the water up, and so they're able to work together on a site and fish.

Drop a couple of divers down onto a site, and you kind of disrupt the ecosystem, and you're down there with bubbles and banging away at whatever you're doing, and it kind of -- You have a gear conflict, but I'm a diver as well, and so I don't want to certainly take something from those guys, but I hear the comments that you're hearing from the fishermen, and so I want to kind of see both sides of it, and I certainly don't want to take from one user group and give to another, but it's a highly effective way to go down and target bigger fish, and I have kind of -- As I have been in this since, as I said, the 1980s, I have noticed that our inshore bottom needs more protection than ever, because there is more people using it and all the things that we've talked about. It's easily accessible.

SMZs has always been something that I have said that is a good way to protect fish and try to enhance the ecosystem, and I think that -- I certainly think, in time, we're going to have to figure out a way to protect these groupers that are in the shallow water from being overfished, and there is a benefit in protecting the bigger fish, and so I think that's something that will benefit both groups.

As far as the artificial reefs becoming SMZs, it seems like it would be a lot better to just say no spearfishing at all on them, and it would be a hook-and-line fishery, because it leaves it kind of open-ended if you say, well, you can spearfish, but just take your recreational limit.

We've got an area that is off the knuckle that's in forty-five to fifty feet, and it's a good five-square-mile area where we get a lot of current off of Morehead City, and it's a highly -- I would say it's an abundant area of gags that I think are spawning in the spring of the year, and we would go in there and catch 600 or 700 or 800 pounds of fish in the spring of the year, and, unfortunately, what I have noticed happen is that area is very vulnerable to recreational and commercial take, where they're going down now, and free diving has become very popular, and people are going down and popping these fish, and, unfortunately, when I dive here, I see much less abundance of fish than I did when I first started, and I would certainly love to see an SMZ talked about in places like this. As I talk about this, I'm not going to take sides with one group or another, but it's just whatever we can do to enhance the system to where everybody can benefit down the road.

MR. ATACK: I have been a diver for a long time, over thirty years, and I have seen when it was back in the late 1980s to now, and I agree that we need to really find out what the effort level is, and some areas you go to and the areas are wiped out, and there's more than three boats spearfishing commercial. There is quite a few up in our area. Some run from South Carolina and some from North Carolina. Some of the boats come up from Florida and come up for the summer, and they will work the ledge system. They will go in, and they're not anchored up, and they will work their way down the ledge. If they take everything off that ledge, it takes a long time for that ledge to come back. It affects the whole ecocycle around the ledge.

Gear types, yes, there's all kinds of gear types, and you can take all the fish off a reef with black sea bass pots, and you can run longlines, and you can do all kinds of things, and so ACLs do help, because now we've got annual catch limits. Hogfish, what's been happening with that over the last few years, they come in and they kind of take an area out, and then they move deeper and further out and deeper and further out, and you can see what the landings did, and, at some point, it will implode, and we were concerned about that for eight or ten years now.

Finally, we got some changes in place there to help them protect the smaller ones, and you see the numbers, where they had a lot of twelve-inch and thirteen-inch and fifteen-inch hogs, and who is doing that? Of course, it's spear fishermen. We shouldn't be shooting fish that small, and it's not a sustainable fishery that way. I have concerns about the bang sticks. I mean, yes, they're efficient, and some of the commercial divers like to use them, but the down side of that is that it also gives the ability to go out for deeper and deeper water and take bigger and bigger fish, and so, from the sustainability of a fishery, I struggle with that.

I know there is two sides to it, and I can see both sides to it. From one standpoint, I'm concerned about sustainability of our fisheries, and look at the grouper. We've got gag is probably the one grouper that is in somewhat decent shape, and scamp and red grouper and look at the hogs. I mean, they've changed over the last few years, to where I have never seen a twelve-pound male hogfish until the last couple or three years ago, and they were all in the twenties or bigger.

When you see the males dropping in the hogfish to smaller and smaller, it tells you their stock has changed, and they're having to switch over at a younger age and they're getting stressed, and so I think a gear endorsement is good. I think it would be -- It's open access, and it would be a start. Then, when you see what the effort is and how many are in it, then you might decide that you need to change it, or you might leave it open access, but at least you have a better feel for what the effort is and what's being landed, what's being taken.

Then one other thing that we might want to consider for a management approach is a depth limit. If we introduce a dive depth limit of a certain footage, say 130 feet, and that's really what people are trained to, is 130 feet, would that help protect the larger breeder stocks, instead of these divers moving out to 140 or 160 or 180 feet and taking the bigger, larger breeding stocks, and that's just something to think about.

MR. HULL: Thank you, Jim.

MR. MANIGAULT: This might be a little bit -- Well, maybe not far-fetched, but have we taken a timeout to just address the -- Find out if there's anything in the Magnuson-Stevens Act in regard to this or that relates to this in any way, shape, form, or fashion?

MS. BROUWER: I guess I'm not understanding your question, Gary. Magnuson doesn't specify anything by gear, and is that what you are referring to or asking about?

MR. MANIGAULT: Any form of enforcement, and maybe I should have reviewed it a little bit more before I brought it up, but I'm just trying to find a resource that maybe could add to it or give a little more clarity as far as what we want to do or what we should be doing.

MS. BROUWER: Right, and so that's what the council is considering right now, and they have had discussions about should there be some consideration for regulating spearfishing gear or not, and that's where we are. If the council decides to continue those discussions and eventually decide on an approach to regulate that gear, then we'll talk specifics then, but, right now, they have not given us guidance to begin putting any kind of amendment together or anything like that, and so we're at the very beginning of sort of getting our feet wet and trying to figure out whether it merits continued discussion or not.

MR. SEBASTIAN: Of course, with my operation, we do pretty much everything, and I've been spearfishing since the mid-1980s, and we run a commercial bandit boat as well, and, from what I see in the industry as a whole, and let's just look at diving as an industry as a whole. Since the financial crash in 2008 and 2009, diving as a whole has considerably dropped, and I have seen zero growth in the numbers of divers coming up through the ranks, and the main reason for that is because all the kids these days would rather be on their cellphones and doing stuff like that instead of being outside.

From the diver standpoint, which would breed more spear fishermen and things of that nature, and I've got a sort of hard time trying to limit it, where it might be a self-limiting factor as time goes on. Then, the guys who have been doing it a while, and, I mean, I personally really don't do a whole lot of it, because I'm tired of getting chased by sharks, and I figure it's worth whatever few pounds of fish that I'm going to get and add to my boat is not worth losing a limb or being taken out or being left out to sea. I mean, to be honest with you, spearfishing off the coast of the Carolinas is dangerous work. Those who participate in it, they have to be willing to accept a pretty monumental risk, and I see those -- I could be wrong in this, but I see those numbers of the old-school guys dwindling.

There are some guys who come in recreationally, and they don't have the same -- I don't know how to say it. When we used to do it, we would hit an area, and we would write it down, and we would come back five years later and hit the same area. Some of the newer guys that I see coming in recreational, it's, hey, we've got a lot of them there, and let's go back the next time, and then they go back again, and then they go back again, and, after their tenth time, there are not that many fish there anymore. Well, yes, genius, because you just frigging killed them all.

I am torn between -- As this moves forward, and I know this is in the beginning stages, but, as it progresses and moves forward, I see both sides. I see guys coming back with boxes of speared fish, and they've only been out two days, and then I see guys coming in who have been bandit fishing for seven days and they've got the same amount of fish, and they're pissed because those

guys did so well in two days, and so it's going to be a very tricky topic as we move forward, and hopefully I can add some insight into what I know about it and what I've done in the industry in all the years that I've been in it.

MR. HULL: Those are great comments. Thank you, Cameron.

MR. J. FREEMAN: This is 4 percent, right?

MR. HULL: Of the overall snapper grouper fishery, spearfishing accounts for 4 percent over a ten-year period, I believe.

MR. J. FREEMAN: It's kind of let's this go. Your old-timers are -- It's one of the worst things you can do to your body, is diving, unless you want -- I mean, as you get older, you are going -- Whether you want to or not, you're going to stop. You have to, and you don't have that younger generation coming up. We don't have the younger generation coming up hook-and-line fishing, much less diving.

MR. MCKINLEY: I totally disagree with that 4 percent. I think that's wrong. I think, in the way that it's been reported, it's just not correct. In North Carolina, there is a lot of new generation of divers that are coming in, and maybe not full commercial, but they are definitely doing it recreational, and the method to doing it, the ones that are doing it, are so efficient now, and I guess some of them are using some Navy divers and stuff like that. When you start getting to that, they're efficient, and it's not just the old-school divers that I know from Florida and stuff that have historically done it. This is a new situation.

MR. ATTACK: It seems like we've had a couple of divers that died in the last year or two, and, when they go away, you've got new ones. We're not seeing any decrease in the commercial spear divers. We see young spear divers in their twenties, and they don't realize the risk. Yes, it is risky, and it is hazardous, and you really shouldn't be taking certain risks, and you see it happen, and they make bad choices sometimes.

The 4 percent thing, 90 percent of the hogs are spearfish, and over 50 percent of the gags, and your shallow-water grouper, your snapper grouper, yes, they are high percentages of what's being landed. They're not out there for b-liners and black sea bass and all the other fish, but, when you look at those snapper grouper, which take a long time to reproduce and grow, it's a high percentage.

MR. R. FREEMAN: A clarification. Is the 4 percent -- That's a commercial take? Because my concern is the number of twenty to twenty-five-foot boats that you're running out, and we used to call it the Grady White Fleet or the Raleigh Fleet or whatever that's going out to Big-Ten Fathom, and you will see them, and, hey, there's nobody on the boat. Well, they're in the water shooting grouper, and they just go in there time after time and wipe these fish out, and so it's definitely a concern, so far as the fish population.

MR. PILAND: How long has the commercial group been surveying to identify spearfish take?

MS. BROUWER: I am not sure how long that particular gear type has been reported on. I mean, probably since logbook requirements, but I would have to go back and look at it. As far as when

exactly we started collecting data on spearfishing itself is what you're asking? I will have to look that up.

MR. PILAND: Yes, that's what I was asking, but, without a gear endorsement, there is no driver to identify that, and is that correct?

MS. BROUWER: No, there is a way to identify it now. Otherwise, we wouldn't be able to pull out landings attributed to spear, and so, for commercial, there is a way to do that, and the problem with recreational is that MRIP does not adequately sample spearfishing in certain areas, and probably off of Florida, where it's an activity that is apparently more prevalent than in the rest of the south Atlantic, the sampling for the recreational fleet and spearfishing landings is going to be more reliable than anywhere else.

MR. HULL: To answer your question, on the logbook, the commercial logbook, we have the gear type that is listed with the poundage of how it was harvested, and so that is probably, obviously, where they got that information, where it was listed as spear, the gear.

MR. ATTACK: Yes, but it's one box per species, and so, if you're out landing hogfish, and if you do hook-and-line and spear, they have the option of writing down hook-and-line or spear. If all the gag were by spear, they could put spear. If the b-liners were by hook-and-line, they can put hook-and-line, but there's not a -- You can't do both, and so, if you are doing a mixed type of gear, then your weights are either getting counted -- Some of your weight is in the wrong category when you add up the landings.

MR. HULL: You can do the gear specifically to each species.

MR. ATTACK: I said that, but say half of your landing on gag is hook-and-line and half of it is spear. What are you going to put down? Then your landings are wrong for one of them by how much was caught with the other gear type, is what I'm saying. As far as recreational, I think there was thirty-seven hogfish landed last year in North Carolina, according to MRIP. There are no intercepts, and so, even though we had 987 of the recreational limit, I think we landed thirty-seven, and so there's a lot more recreational spear fishermen out there, between scuba and free diving, but there is no intercepts, and there's no data, and so that's why we're asking. Let's get some type of endorsement, so we know who to count and who to survey.

MR. BELL: I was just going to say, talking to Amy about this, I know in South Carolina, since 2004, the landings data is by species by gear type, and spear is one of the gear types, and so, for us, since 2004, we've got all that broken down for the commercial. Then, prior to that -- Some states started before us. It was 1993 in North Carolina, and so, I mean, the data are there, in terms of the gear type and the species, in the landings data.

MR. ATTACK: Right. Provided you're only using one gear type for that species. If it's not, then it fudges the data. You can't have multiple gear on the same species.

MR. HULL: On the logbook, it will say gag grouper, and then it will say gear, and I think what Jim is saying is there is only -- You would have to make out another log to go, okay, on the same trip -- You're not going to do that with the different gear, and you're mixing the hook-and-line with the spear, and which one do you put, and that's what you're saying.

MS. MARHEFKA: I am just going to clarify what Amy said, since she's not on the record. For those of you who don't know, Amy Dukes is the -- I don't know your exact title, but she does the stats for South Carolina DNR. I call her Amazing Woman. She just clarified -- She's really familiar with this, and she just clarified that, on the paper logbook, she all the time gets people who may, in the actual typed-in spot where say gag is, they will record it there under hook-and-line, and then, on those extra spaces we have at the bottom, they will put in the amount that they catch with a different gear, and so it is possible to do it, and she has seen it done.

MR. J. FREEMAN: This is to Randy and Jack. I mean, obviously, there is commercial divers up that way, but is the majority of what you're seeing -- Is it the commercial or is it more the recreational that is putting the impacts in on what you're seeing commercially up there?

MR. COX: With the diving with the scuba, it's commercial. Some of them are coming from out of state, and so we've got some vulnerable areas off of North Carolina that are highly productive, some of them being around the tower off of Frying Pan. Then there's that knuckle area off of Cape Lookout. Then, as far as free diving, it's recreational, and so it's a mix of both. We have free diving classes now in our area, where people were going down and holding their breath and can go down sixty or seventy feet and targeting the groupers in these places, and so these places that are vulnerable -- To me, it seems like they would be a perfect place to build an SMZ site and to protect, like I said, the resource, so everybody can benefit, the places that are highly vulnerable to both sectors. I hope that answers your question.

MR. MCKINLEY: I would like to further that. I mean, it's our inshore ledges with the gags and stuff. There is not that many of those ledges, and it's where the fish seem to move in and offshore. When those divers hit those, it just disrupts everything, and some of your commercial divers say they stay out of there, and I don't know, but, you know, they know that, and they stay out of that, but the recreational aren't. They are tearing up that inshore stuff free diving and stuff and really, really putting a hurting on it, I think.

MR. ATTACK: My experience has been it's been a bigger issue with the commercial. They will usually do three or four or five days, and they come out there, and, if I'm coming out and I see them, I will find out if you're moving southwest or northeast, because I certainly don't want to be southwest of them if they're moving northeast, because they will just work that ledge and keep working the whole length of the ledge. The recreational guys will come out there, and they might hit an area and bounce over and hit another area, but they don't pick up here and mow the grass along the length of the ledge, which is what they tend to do.

MR. SEBASTIAN: It looks like the biggest thing that everybody wants, from what I'm hearing, is we want to figure out how much impact and how many guys are out there doing it, and that seems to be -- Even for me as a scuba shop owner, how many guys are actually out there spearfishing, whether it's free diving or whether it's with gear and things of that nature.

The commercial, they have reports, but there is really zero of what the effect is for the recreational diver, and what I have seen is the industry has actually had a big increase in the free diving, because it's a lot less expensive to get into, and it's a lot less time consuming, and then, of course, they're seeing all these spearfishing shows on TV, and they are trying to mimic that, and that's actually driving some of the free diving bumps that I think you guys are seeing up in North Carolina,

because you have the shallow areas on the shoals and other areas that in South Carolina we just don't have, and so we have zero free diving for our guys at all, because, at sixty feet, you can't acquire a target, and I'm telling you that it's tough. Physiologically, it's tough for most guys to drop down fifty or sixty feet and acquire a target and shoot a fish and make it back up to the surface and don't get shallow-water blackout, and so they've got to be diving in shallow waters to really do the free diving and spearfishing.

MR. HULL: Anything else on the possible management approaches that are recommended here that the council look at? Okay. We take that back. They're not recommended, but they're just for discussion. Is there discussion? If not, then we -- Jack.

MR. COX: We heard a lot of discussion about it, and I don't know if we ever got anywhere. Was anybody willing to make any motions on possible management approaches, or is there anything that we can do here in this conversation to help the council? It kind of goes back to them, and so is that right? I am just trying to decide, and I've heard lots of conversation about things, but I don't know if anybody is willing to make that motion or anything.

MR. HULL: Does somebody want to make a motion as far as to what we all kind of see here? Everybody said they wanted maybe some type of gear endorsement for identification purposes and reporting purposes for spearfishing, and so that's up for grabs if somebody wants to do that, I suppose.

MR. COX: I am not willing to make a motion, but I'm just saying this kind of goes back to trying to figure out the user groups, just like we were talking about earlier in some conversation. When we get talking about recreational stamps or if we're talking about -- This may lead to a motion later on, but we're certainly trying to figure out who is doing what and what impact they are having, and so it's not the first time that we've been confronted with this in a meeting, on what user groups are doing what kind of activities.

MR. HOWARD: What does the council want us to do with this information? Are they looking for us to endorse or not endorse or --

MS. BROUWER: I can't speak for the council, and their direction to us, when we presented this to them in March, was let's take it to the AP and get their feedback on this information.

MS. MCCAWLEY: We didn't have anything specific. I mean, we thought it was a really interesting presentation and a really good way to look at the data, but you guys had questions, and we had questions, and so we weren't sure if there was something specific, after you saw the data, that you were wanting the council to do, now that you've looked at it, and so we didn't necessarily have something in mind.

MR. HOWARD: Jimmy, one thing that I see and I hear -- She just answered my last question, but every single one of these people who are divers or somehow representing divers or whatever, every single one of them has said that their fishery has gone down, but, again, I can't find out if it's directly attributable to this gear and the type or not, but, at the same time, I am wondering is there really, Myra, any way to find that out?

MS. BROUWER: That's a tough one, because I think -- To dig enough into the issues that are apparently more localized, I think we would need to get the states to help out with that. Certainly there is not much we can do to increase or enhance the number of intercepts, for example, that are going to give us better recreational data at the MRIP level. In order to have a better resolution to get at some of these questions that are more pertinent to a small area, we would have to look elsewhere to try to -- The council could certainly talk to the state agencies and state partners and see if there is any kind of survey or research or whatever that can be conducted to get more information.

MR. HOWARD: Ultimately, we are trying to preserve and protect and enhance the fishery and, at the same time, balance that with the public's rights to utilize the fishery. I don't want to vote or make a motion on anything that maybe I don't fully understand or that we really don't have full data on, and he just made the point about the 4 percent and the fact that the attrition is taking over, but what I'm hearing is also an extrapolation of that, and that is that some folks are saying, yes, it's a small percentage, but they are taking a higher percentage of the quality animals, the breeders or whatever, and so I don't know that -- Even if the attrition part, and then Sebastian says that's not entirely right, and Randy said the same thing, but, even if attrition takes over on the divers, that attrition may take, and I'm just making numbers up, but let's just say five years, but it could be ten years for recovery, because of the damage that was done, and maybe this is a good way to put it, by that small percentage. There is just a lot of -- To me, there's a lot of unanswered questions here with the science.

MR. HULL: I've got a lot of hands up, and I think Robert was next, and I don't know if we can answer those questions that you just asked, Lawton. I mean, that's why there is -- You're hitting it right on the head, because of questions. I mean, nobody wants to make a motion, because we're not really sure what the hell we're talking about, and so I think that there is just -- That's why this is a discussion, and we're just trying to get information, more and more information, so that people can make wise decisions.

MR. HOWARD: With my law background, we have to deal with facts, and I am thinking that I might not have quite enough here, and, at the same time, I'm thinking about people's rights, and so all of that kind of comes into play for me, and I know I'm the new kid on the block, but I'm trying to dig in and understand, and we were just talking about a motion, and I'm just not comfortable yet. It sounds like I think I know where we're going, and I think I know where we should go, but, at the same time, we need to be able to back up our decision, or our motion.

MR. LORENZ: I'm on that same wavelength. It would be nice to be able to do something about this, but not all the tools are here, and will not be available. If you look at what the commercial folks are taking, it's not a lot, but then there's the supposition that we don't have fully-documented evidence and that they can be very efficient in moving on a structure and getting rid of the animals.

Then you have the recreational diving component that some of us, and I personally think, may be growing with that recreational spearfishing and the statement that they're not as efficient, but here you're going to have an endorsement for the commercial side, and you do know what they catch, but then you've got this whole other side, and you have no idea what they are going to -- So you can't get both large sectors balanced out to know what percentage of each side, commercial or recreational, is harvesting fish by commercial spearfishing. The one tool is missing, the

accountability and the knowledge of how many recreational anglers are out there and what percentage of them do this.

MR. ATACK: Two things. One is I think there is some more data that we could mine that we haven't thought about yet, thinking about the trip tickets. I believe we could go back to the trip tickets and mine them, and on those trip tickets is whether you were spearing or not, and you should be able to get a quantity, number, of commercial spear fishermen, and then there's a crew size for each trip, and then you also have your hours fishing, and so we could get a total of manhours fished by year by that group without -- By just data mining and without doing anything else. That's my one comment, that I would like to maybe see what those numbers look like. If it's a thousand manhours this year and then you see that it used to be a hundred manhours, and you just see how that trend goes over time, and that might alleviate some fears or create some concerns.

As far as the management approaches, I guess I could make a motion that I would like to see the council consider a gear endorsement with reporting, but it would be an open access. I mean, I don't want to limit any access at this point. I think, if we had a gear endorsement with reporting, we would have better data to see what's going on over time. **My motion would be the council consider a spearfishing endorsement.**

The reporting would definitely be there already if you're commercial. On the recreational side, we would still like to see some type of universe of who they are, and then we would like to see them report on the recreational side, so we have an idea of what's going on. We don't know how many recreational spear fishermen or free divers there are and what kind of take there is.

MR. HULL: (Mr. Hull's comment is not audible on the recording.)

MR. ATACK: Yes, long-term, it's really you would like it for both.

MR. HULL: (Mr. Hull's comment is not audible on the recording.)

MR. J. FREEMAN: Going back to what Jim was saying as far as data collection, it would probably be easier to go off of dealer reports, because they do list hours and crew size and everything else. Logbooks, they don't quite get as in-depth on some questions, and it does show the gear type used. If they're reported correctly, it will show as hook-and-line or if it's spear or whatnot.

MR. ATACK: The NMFS report has it that you send it, the paper logs.

MR. J. FREEMAN: The dealer report, like what we fill out in Florida, when you purchase that fish off the commercial sector.

MR. ATACK: Not in North Carolina they're not doing that. Actually, North Carolina went backwards a couple of years ago. They used to have this big paper with all the stuff on it, and now it's just a little piece of paper, electronic, and a lot of it --

MR. HULL: All right, and so we have -- Before we go any further, we've got a motion up here that we need to discuss further, and so make sure that this is about the motion on the board. Jack, did you have something on this motion, or was it another topic?

MR. COX: It was another topic.

MR. HULL: Then we'll come back to it. Thank you.

MS. MARHEFKA: I think this is going down the pipe a long way, but I would like to say that my initial gut reaction to this motion is to immediately -- I never thought about having a diver on my boat ever. The second I hear an endorsement -- To me, that is something that will eventually -- If you think about it, the only two other gear endorsements that we have in our fishery became limited, and so the very first thing I want to do, if this came down the pipe, never thinking about diving, is going and getting a crew member who can dive and making sure we have landings. I just think that -- I mean, an endorsement, to me, the first thing I hear is at some point this is going to be limited, because it's always been that way, and I just worry that you're going to have the opposite effect and you're going to have a lot of speculative people going out there and doing it in order to get landings.

MR. HULL: I agree. Thank you. Is there more discussion on this?

MR. HUDSON: The motion, with regard to a spearfishing endorsement for commercial, that reporting mechanism would be the dealer that they had just sold to. Unfortunately, with the recreational, they are not selling, but what mechanism are they reporting to? Is it an MRIP intercept person? I mean, it's sort of vague at that point. Commercial, that's easy. That is the dealer, and, instead of sticking it under other, and you don't know if it's a net or a spear, it will be a spear. If it's the recreational, we've got to find what do you attach the endorsement to and how is the reporting going to be reliable. It's already a subset of the massive private recreational.

MR. LORENZ: An interesting thought is, if you leave this motion just as it is, and maybe that's a good intent, and it's essentially impossible to execute fairly. If you require that they both be together, that there be the spearfishing endorsement with a reporting requirement for both commercial and recreational divers, it can't happen, because of what Rusty said. There is no way to get that to the recreational sector, and so the argument kind of dies. It's kind of a strange way of making the issue go away.

MS. BROUWER: I see where the confusion is coming from, but I guess we would interpret something like this to -- It would give us direction to look at how we could implement reporting requirements for the commercial sector and separately for the recreational sector and look at what's currently in place and if that could be adapted somehow. I think that's how I would interpret it, and I would think the council members would too, but, if that's not the intent of the motion, then I would welcome an amendment.

MR. HULL: Hold on one second.

MR. MUNDEN: After looking at the five possible management approaches, I feel like this is the strongest one, and I support the motion, Mr. Chairman.

MR. ATTACK: In response to Rusty's comment, it's just like Amendment 46, I believe, where we've got the recreational permit and reporting. We're just asking them to report hook-and-line, and we would also like to see spearfishing people report, so that you know what the difference is

in the landings. We don't have a method right now, but we will, and that's what we're pursuing. When Amendment 46 goes through, we should get there.

MR. SEBASTIAN: Any time I see the word "endorsement" come up, I concur that it's -- People start to look at, hey, if I don't get it into now, or something along those lines, then I won't have the availability to do it in the future, and, if I don't put amounts on my reports. Words like that just -- I know that the intent is to get the information, and I don't know if the endorsement is the wording to use it to get to the information that's desired.

MR. HUDSON: The other thought on my mind was, if you're going to be commercially diving for snapper grouper, the SG 1 and the SG 2, the endorsement would be applied to each of them, perhaps, and then, if there is other things down there, other permits, and so does it go all the way back to some other way to connect the dots to the commercial divers altogether? I see all kinds of stuff on the list that they're shooting and wanting to shoot.

MR. J. FREEMAN: I totally agree that the "endorsement" word -- I don't know how to go around it, but it's just -- Maybe somebody in the Permits Office could just tell us -- When we talk about the for-hire, possible for-hire, charters, how many more applicants they received for that, just because there was a possibility of an endorsement. It probably quadrupled.

MS. MARHEFKA: We already know who is using the gear. I mean, we know who is using the gear, and so an endorsement is a completely different tool. An endorsement is not a way to identify the universe. The universe is identified by the way the people should already be, commercially, be legally reporting their data, their catch anyway, and so it's not the same thing.

MR. HULL: I agree. It's more of a -- It's exactly your comment earlier that it's going to lead right to a limited-entry fishery and restrictions and limited entry, and so I can't vote, but I wouldn't support it if I could.

MS. BROUWER: I guess what I'm hearing is that -- I was just talking to Mel, and it looks like you all would really want the council to maybe look at ways to improve the information that we have, as opposed to coming up with something that is prescriptive and maybe not very easily applicable to the way things are right now. I mean, we couldn't -- It would be difficult for the council to create an endorsement for recreational anglers when we don't have any kind of permit or anything, and what would you attach an endorsement to? Anyway, I'm just throwing that out there so that maybe you can reconsider perhaps stating your intent, what you would like to see, kind of like the outcome that you want the council to focus on, and then you can go from there.

MR. HUDSON: Of course, the state would have to buy into it, but having the states, the four states, each of them having that endorsement for the recreational attached to the state license or something, and I don't know if it will work.

MR. BELL: I was just going to -- I appreciate what you all are doing, and you have identified an area that you feel perhaps we're a little weak in the data, or we're not confident in the data reflecting reality, and so the problem, I guess, that you're trying to address is with the data, and so that's what we're kind of getting at. Rather than to worry about being prescriptive about an endorsement or something, an observation from you all that I am hearing is that you feel that

perhaps the data could be improved, and can the council -- Are there ways the council could somehow get better data?

I will tell you that the MRIP creel clerks right now have spear as a gear type on their survey forms, and so, if they encounter a spear trip, they will log it as such. The trouble there, of course, is it's a low-intercept thing for us, but I think you've identified a really good area that we're a little weak in, and obviously I'm not trying to steer you in any particular direction, but I think simply identifying an area that you feel the data need to be improved or the systems need to be improved to have better data -- That's a valid observation, and it does get a little problematic with kind of prescribing the endorsement thing, perhaps, but it's up to you all.

MR. HULL: Any further discussion, or does the motion maker want to change anything, or do you want to go ahead and dispense with this item? I guess we'll go ahead and have a vote on this, and I will read it one more time. **It's to recommend that the council consider a spearfishing endorsement with a reporting requirement for both commercial and recreational divers. The motion was seconded by Red. All those in favor of this motion, please raise your hand; all those opposed, please raise your hand; any abstentions.**

Okay. I suppose, is there anything else that anybody wants to talk about on this issue? If not, we're going to move on to the next item, and I don't know what time it is, and we'll have to see. There is a further question. Go ahead, Jack.

MR. COX: Red, I may put you on the spot about this, but thirty sites off of North Carolina got approved for SMZ recreational, or I guess it was the artificial reef program, and if -- Would it be -- It seems to me that if we identify these issues with diving and so forth, wouldn't it make sense to prohibit diving in the SMZs on those recreational sites, as far as spearfishing as well, if they're in state waters? Would you include that into it?

MR. MUNDEN: I think it would make sense to include the prohibition on the reefs in state waters, and I have not talked with anybody with the Division of Marine Fisheries about this, and I didn't even know until yesterday that they had requested that the North Carolina reefs be designated as special management zones. I would defer that to Marine Fisheries staff.

MR. COX: I just wanted to bring it up for discussion, because it seems like, if that's what they really are, an SMZ site, and the artificial reef sites were set up for what they are, to enhance the recreational fishery, even though spearfishing may be a component of that, it seems like it would be more well protected if there were not spearfishing on it.

MR. HULL: We are going to check on the timing of some things, and we never did take a break, but it's getting late. Just stretch for a minute, and we'll see what we're going to do next. We are just going to go ahead and dismiss today, and we're going to pick it up tomorrow morning when everybody is revived and refreshed and we can push right through it. This twenty minutes here isn't going to make a difference to us tomorrow, and so we're adjourned until tomorrow morning at 8:30.

(Whereupon, the meeting recessed on April 25, 2019.)

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APRIL 26, 2019

FRIDAY MORNING SESSION

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The Snapper Grouper Advisory Panel of the South Atlantic Fishery Management Council reconvened in the Crowne Plaza, Charleston, South Carolina, April 26, 2019, and was called to order by Vice-Chairman Jimmy Hull.

MR. HULL: Good morning, everyone. Welcome to the final session of this spring 2019 AP meeting. We have a lot to cover in a short amount of time, and so bright eyes and sharp mind, and let's get through this and slide home, because the fish are biting. The first item on the agenda is going to be Item Number 8, Citizen Science Program, and we're going to begin right now.

MS. BYRD: Thanks, Jimmy. Hi, everyone. I am Julia Byrd, for those of you who I don't know, and I'm the new Citizen Science Program Coordinator, and I'm guessing that most of you have heard that Amber Von Harten, who had the position before me, has left the council for another job opportunity, and so I kind of moved over from the SEDAR Program over to the Citizen Science Program. Today, I wanted to give you guys an update on what's been going on with the program and then get your input on a few things.

First, I want to talk a little bit about kind of what we've been up to this year so far, and so I started in the position in March, and so the first thing I kind of did was go with a team of folks from the council's Citizen Science Program to a CitSci 2019 Conference, and so that was a conference that was in Raleigh, and that was put on by the Citizen Science Association, and there were over 800 people there from all over the country and all over kind of the world who are doing citizen science, and so there were people doing water quality, and there were people working with fishermen in the Amazon, and there were kind of people who were fur trappers in Canada who were doing citizen science, and so it was a really kind of a wide-ranging group of folks, and it was really interesting to get to talk to so many people doing citizen science in different disciplines, and I think the connections that we made at that conference are really going to be helpful as we move forward, because there seemed to be a lot of universal issues, no matter if you're doing citizen science on fish or if you're doing citizen science on wolverines.

Another thing that I wanted to mention too is that we had a team of folks at the conference, and so John Carmichael and I went, and then there were members from each of the A-Teams, and Bob Lorenz went as a member of the Volunteer A-Team, and we held a symposium as part of the conference's program with Jennifer Shirk, who is with the Citizen Science Association. It was kind of highlighting the work that our council and all of our partners have done to develop our Citizen Science Program.

We gave a symposium, and each of the A-Team members kind of presented on what they had been working on with their groups, and it was really well received. People were really interested in all the best practices and recommendations that all of our action teams developed, and all of that information is available online, and so people were really excited to see that that was something that they may be able to use for their own programs. That was the conference, and I think it was

a great opportunity for us to highlight our program and also to meet a lot of great people and learn a lot about citizen science.

Some other things that we'll have going on this year is we're going to update the citizen science research priorities document, and I'm going to talk about that a little bit more in a few minutes, and we're hoping to figure out ways that we may be able to get some of you guys as AP members involved in that process, and then I also wanted to update you guys on two of our first citizen science projects that are going to be launching in the upcoming months.

First, I want to talk about citizen science research priorities. Back in your spring meeting of last year, Amber presented this information to you, and so these are on the screen right here, and these are currently the citizen science research needs, and so what these research needs do is kind of drive the projects that the program will pursue, and so these are the list of priorities, and they tell us what projects we want to pursue, and so they kind of give us direction on the different kinds of research needs that we're trying to fill.

The idea is that these are going to be updated every two years, in conjunction with when the council updates their overall research and monitoring plan, and so that's being done this year, and so we're going to be updating the citizen science research priorities this year as well, and this is kind of the first time we're doing this, and so I wanted to talk to you guys a little bit about the process we're going to use to update those research priorities and where some of you guys may be able to kind of contribute and join that process.

It's kind of a three-pronged approach. In the first phase, what happens is staff will provide input on the council's overall research and monitoring plan, and so that plan is informed by the SSC, and it's informed by research recommendations coming out of SEDAR stock assessments, by conversations and discussions that have been had at the AP or at the council level, when they're talking about different FMPs, and so that document is going to be reviewed by the council at their June meeting.

Then what will happen as the next step after that is we will develop specific citizen science research needs after that document is complete, and so the idea is that we're going to look to this document to see what the priority research needs of the council overall are and then figure out where citizen science may be able to be used as a tool to help fill those needs, and so the citizen science research priorities document is going to be put together by kind of two groups working together.

One is the Citizen Science Operations Team, and so that is the group that is responsible for kind of the overall policies and procedures for the Citizen Science Program. It's made up of representatives from each of the A-Teams, and there is someone from the Science Center involved, someone from SERO involved, and then there is a new group that we're hoping to put together that will contribute to this process as well called the Citizen Science Projects Advisory Team, and so that will be a new team that we're forming, and it will be made up of representatives from all of the APs.

Then we have kind of a third-pronged approach here that is not developed yet, but we're looking to develop that in the future, and it's what we're calling the Citizen Science Project Portal, and so that would be an online portal, and so members of the public, or fishermen who may not be directly involved in council activities, if they have ideas for a citizen science project, this would be a way

that they would be able to share that idea with us, and then we could take that into consideration when we're updating our research needs and priorities.

The timeline for this year, again, the council is going to be updating their research and monitoring plan, and they're going to be reviewing it in June, and it will probably be adopted either in June or September. Once that is done, we'll get this group together here to develop the citizen science research priorities needs document, and the goal is to have a draft of that to the council to review in December of this year.

I wanted to say a little bit more about the Projects Advisory Team, because we would love to get one or two representatives from this panel to participate in that team, and so, again, this is going to be a new group that we're forming for the Citizen Science Program, and the goal is to have one or two representatives from each of the council AP's kind of participate in this group. One of the main things this group is going to do is to help identify citizen science research and data needs across all of the FMPs and then bring that information and guidance to help us set our priority research needs document, and, again, that document is going to help guide the program. It's going to tell us what projects we're going to be pursuing over the next two years, and so participating in this team is a way to help contribute to the direction the program is going to go.

We're going to meet via webinar maybe one or two times a year, and so it's not a huge time commitment. The first time we would meet would be via webinar this fall to develop that research needs document, and, ideally, we want folks on this team who kind of have a strong interest in citizen science and may be willing to serve as kind of ambassadors for the program, helping raise awareness for the program or helping get people involved in the different projects we have going on. I am going to pause here for a second and see if anybody has any kind of questions about kind of the research needs document or kind of the process we're going to use to update it and then also see if there's anyone on this AP that might be willing to participate on this advisory team.

MS. MARHEFKA: (Ms. Marhefka's comment is not audible on the recording.)

MR. HULL: Thank you, Kerry.

MS. BYRD: Great. Is anybody else interested? Bob, you're already a member of -- The Operations Team is going to be involved in this too, and you're on the Operations Team, and you will get to contribute to the process.

MR. HULL: The Citizen Science Program has been developing, and it's coming to fruition, and this is the -- You're going to see the results of some of these projects coming online, and it's really important, but it's volunteer-based, and so we need volunteers. This is an easy one, one or two times per year, and this is pretty simple, and you can use your skills as a fisherman and what you see on the water and maybe apply it to a program that they're developing that you maybe have some idea, or you're going to be reviewing other people's ideas to see if it's practical, if it can be done, and it's important stuff.

MS. BYRD: Thanks, Kerry. If there is anyone else who may be interested or wants to talk to me a little bit more about what participating in this team would actually entail, just let me know, and maybe if anyone else -- You can either let me know, or let Jimmy or Myra know, and they can pass it on to me.

MR. HULL: If no one else comes up, I will do it, also.

MS. BYRD: Thanks, Jimmy. Moving on, the next thing that I wanted to talk to you guys about is kind of the first project we're going to launch, and it's a pilot project called Scamp Release, and the goal of this project is to collect information on released scamp grouper via a mobile app called SAFMC Release. As many of you guys know, improving information on released fish is a priority research need for the council, and, for stock assessments, getting the length of released fish is really important, and there is very limited information on the length of released fish from all sectors, from commercial, for-hire, and the recreational sector.

What this project did was it brought together a team of fishermen and scientists and data managers and app developers to develop a project and design an app to help collect information. There is a scamp stock assessment that's coming up that will be starting next year, in 2020, and the idea is to collect data through this app and then have that data, in particularly the length data from released scamp, be considered for use in the upcoming assessment.

At your meeting last fall, Amber kind of walked you through the actual kind of app, the Release app, and so I wasn't planning to do that again today, but, just in a quick nutshell, we tried to design this app kind of as simply as we could, and it collects information on kind of the length of the released fish, the depth, and the location of the released fish. We also collect information on kind of some release practices, and so, if you used a descending device, or if you vented a fish before you released it, those are also kind of data fields that we're going to collect.

Right now, we have an evaluation version of the app out, and a lot of -- We're kind of testing it out, and a lot of you guys have helped test it out, and so a big thank you to everyone on the AP who kind of were our guinea pigs and provided feedback. It was some great feedback that you guys provided. Right now, we're developing kind of training and outreach materials, and the goal is to have the app finalized and ready to collect data by the beginning of June.

What we really need to have you guys help on, or what we would love to have your help on, is to get your input on how we can best kind of recruit fishermen to participate in collecting data through this app and help promoting the app, and so, again, we want folks from all sectors to participate, commercial, for-hire, and recreational, and so we want to look to you guys, as our Snapper Grouper AP, to see if you can help us identify kind of who would be key contacts to reach out to. Would you be willing to collect data through this app, or do you know people who may be willing to collect data? What are the best methods to reach out to people to try to recruit people? What are the best ways to communicate with those folks?

If you guys are aware of any kind of fishing clubs or industry associations that may be good for us to reach out to, that would be something that we would be really interested in knowing too, and I know that, a lot of times, it helps a lot to hear about kind of research projects from other fishermen who you know and trust, as opposed to just kind of being approached from a council staff, and so, if any of you guys may be willing to help introduce us to some folks or help kind of introduce the project, or the app, to some folks, we would be really appreciative. I wanted to pause here for a minute and see if you guys had any thoughts on kind of key contacts across sectors, who may be good to reach out to, or if you may be willing to kind of collect data and help us identify some

folks to reach out to, I would love to get your names, so I can kind of reach out to you after the meeting and we can start trying to kind of get folks to participate.

MR. SEBASTIAN: When I look at it, I sort of see different delineations between the crew members that we work with. The guys who are captains now, some of them are not going to buy into anything on the phone. It's not going to be their deal. However, their mates and the newer captains that we're working with coming up, those guys are able to do this stuff, and I would definitely be willing to introduce it to my entire staff of fifty or sixty guys, to get them onboard, especially that eighteen to thirty-five-year group, and I think they would be willing to do it and to participate, especially since they're probably planning on staying in the industry as long as we can keep fishing.

MS. BYRD: That's awesome, Cameron, and so maybe I will chat with you a little bit afterwards and can show you the app, and we can kind of chat a little bit more about what you need from me to be able to kind of reach out to folks.

MR. ATACK: I have a question. I have worked a little bit with this app, and I guess, really, what you're going to be documenting with this is all undersized fish, as far as scamp goes, because, otherwise, it's -- Unless it's out of season. If you're fishing anytime from May 1 to December, that's the only reason that you're going to release anything.

Would it also be nice, if these same people are going to release, if they would also record what they kept? If you have somebody doing this app, it would be kind of nice to know that they released one out of three or three out of four, because all you're going to do is record what they released, right, and, if we're looking at this for the stock assessment data, would it also be nice to know what percentage of what they're catching is keepable?

MS. BYRD: This app is specifically focused on the released fish, and so there are other sources of data that will provide kind of landings or total discards in the stock assessment. One piece of data that's missing is the lengths of these released fish, and so, when we were building this app, we worked with -- Erik Williams from the Southeast Fisheries Science Center was on the plan and design team, and he said the one piece of information that we really can't get from any other data sources is length, and so that's why this app is kind of specifically focused on that as well as getting information on some of these release practices, the descending device usage and that sort of thing.

One thing I will say is MyFishCount is another app that can help collect catch and landed fish, and so that app can also collect the length of released fish, and so, if that's a tool that someone who is interested in collecting data prefers to use and wants to report all of that information, they could. Our app is sleeker and simpler, and it's not collecting as much information, but, if folks are interested in using that tool as app, but want to participate in this program, they can just let us know that that's kind of the tool they want to use.

MR. ATACK: Yes, and I understand that, but when you're looking at data, and you're trying to drill down data, if you have a snapshot from one person, and they don't have to go from app to app, because you won't be able to line up one app with the other, but you will then what know what the trip did that day, and so I think it would be worthwhile knowing what the same people are releasing and what they kept that day. I think it would be better data and better information for when you go to do your thing. I understand what you're saying, but, if all we're talking about

is scamp, and if they have no -- It would be good to have that really cross-section of that day, of that trip, what was kept and what was not kept, from a data standpoint.

MS. BYRD: Again, I think that's probably more than this app is going to be able to do at this point, but I think that's some good feedback that we can consider for the future. Again, we're really trying to make this app help fill a data gap, and that data gap was the length of released fish, and so we're doing this as a pilot for scamp now. If it works well and is helpful to the assessment and we want to expand it to more species, and so hopefully there will be future versions of the app on down the line that may be able to add additional fields and that sort of thing.

MR. MCKINLEY: I would just second with Cameron. I had a lot of names that came to mind recreational and commercial, and even for-hire, some of the younger people that I'm sure would - - If I showed them the app, I think they would do it.

MS. BYRD: Awesome. Thank you, and so I'll touch base with you afterwards, too.

MS. JEFFCOAT: There is several fishing groups in my area, marinas and other fishermen, that I am in touch with pretty regular, and I can forward this information and show them even from my phone how to use the app.

MR. LORENZ: Julia, I will continue on with you on this and working with some folks, and I can be available for other things. Just for clarity, I had my mic off, and I did volunteer for your advisory team.

MR. HULL: Thank you, Robert, and, also, Julia, I will do everything I can in my area. One thought that I had is if you could get maybe some donated time in Florida, on television, they have these sportfishing programs that are just really good, and the FWC is involved with them, and it's mostly geared towards recreational, but that's fine, and, if you could somehow get them to run this on that program on TV, you would get a lot of bang for your buck, especially if they would donate it, if we could get them to do that. Maybe the FWC could -- I think they pay to be a sponsor of the show, and maybe they could somehow ask that that happen, but I think you would be amazed at how many people would see that.

MR. LORENZ: Great idea, Jimmy, and a follow-up with me is a guy named Joe Albie used to do fishing things for PBS, and if we could get this on public -- Let's make sure we talk to somebody like that.

MS. BYRD: I am also planning to reach out to folks at the state agencies as well, to see if they can kind of help identify people that may be good to reach out to, and so Cameron, Randy, and Deidra, thank you guys so much, and so I will kind of talk with you guys maybe a little bit afterwards here, but then also when you're back home, to figure out kind of what the best way is to get the information together that you need to kind of chat with people. If there's anyone else who is interested in seeing the app, and I have tablets, and I have my phone that I can pull it up for you, if anybody wants to see it during the break or if anyone else has any kind of additional ideas of people or fishing clubs or industry associations that may be good to reach out to, and just let me know, and I would be all ears.

MR. HULL: This thing is so easy to use. I mean, it is just simple. It's really, really quick and easy.

MS. BYRD: All right. Thanks, everyone. The next project that I wanted to tell you guys about is kind of another project that's going to be going online probably later this year, in the fall, and we're just kind of kicking off and getting it underway now, called FISHstory. This is a project that is going to be documenting historic catch and length estimates from historic photos in the for-hire sector using kind of an online electronic data collection and crowdsourcing approach, and so we're working with Rusty Hudson on this.

He has an incredible archive of all of these old headboat photos from his family's fleet from the 1940s, 1950s, 1960s, and early 1970s, and so the idea here is we want to use those photos to help us get information on species composition in the past and length composition in the past. Instead of extending a time series forward in time, we want to extend a time series back in time, and so we're hoping that the data collected through this can help fill in kind of a historic data gap. Again, these are photos from the 1940s through the 1970s.

The kind of fishery-dependent surveys, the headboat logbook survey, started in the early 1970s, and so this is a time period where there is not a lot of information, and so, again, we want to try to get species compositions back in time and then length compositions back in time, and so the way that we're doing this is using a platform called Zooniverse, and so that's an online crowdsourcing platform.

What that does is it allows you to build a project online and develop -- You load images and develop tutorials and training materials, and then you can have members of the public help you analyze your photos, and so our project is about kind of historic fish photos, but, if you go onto Zooniverse, they have projects where you can look at camera traps from African countries, where you're counting things like zebras and giraffes, and they have projects where you're counting penguins in Antarctica and sea lions in Alaska. They have over fifty projects, and it's a really cool site and a really cool way to use kind of the power of the people to help analyze these data.

The idea here is that we add these historic photos onto Zooniverse and build kind of trainings and tutorials so that citizen science, or anybody who is interested, members of the public, could then come online and identify the fish in these photos. Then what we want to do is have kind of a fish ID expert team who will help validate the species identifications that all of these folks are making, and so, if this project sounds of interest to anyone, and you would like to be involved in kind of that fish ID expert team to help us develop training tools or to help validate the information that's going to be collected by citizen scientists, just let me know.

We're really kind of excited about this project. We think that it could have a lot of legs. I think so many people have these old, historic photos, and, right now, we're so lucky that Rusty is able to provide kind of this snapshot in time in Daytona, and then I've been talking to Bobby Freeman too, who has pictures up his way in North Carolina, and so it would be really cool to try to get a snapshot all the way up and down the coast, and so this is kind of a pilot project. We're testing these methods to see if they work, and, if they work, we think we really could expand this program.

If any of you guys are kind of interested in learning more about the program, or if you know of folks who have old, historic fishing photos, or you're interested in helping kind of do any kind of

-- Help us develop training tools, so that members of the public can identify these fish, please let me know. We're just getting this project underway now. I just gave Rusty a scanner to scan a lot of photos, and we're hoping that the Zooniverse project will be kind of loaded and up and running later this fall, and so, if anybody has any interest in that, just let me know, and I would love to chat with you about it some more.

MS. MARHEFKA: If you haven't already and you don't know her, someone in the Outer Banks that I think would be a wealth of information is Susan West. She's written a couple of books on the history of fishing, and she is sort of -- I don't think she's officially an anthropologist, but I guarantee you that she has lots of old pictures and is very -- She loves to help, and so reach out to her, for sure.

MS. JEFFCOAT: I can get you a lot of photos from Uncle Sherman and Judy Helmy when they got started. There is a ton of pictures, and they didn't even know what the fish were back then, and so they'll be good.

MS. BYRD: Awesome. Thank you. Again, right now, we're kind of doing this as a pilot, and we're going to test it out with Rusty's pictures and then get everything working right, and then it will be so cool to get photos from so many other areas, and I'm really excited about this project.

MR. HULL: Yes, this is exciting stuff, and Dr. Todd might be able to verify this, but, prior to the late 1970s and 1980s, when we were getting data and information on our species, this could provide potentially a baseline, rather than assuming these stocks were wherever they were before information in the stock assessment, and it could be a game-changer, in a lot of ways, and so it's important. It's fun to look at these photos, too. It's addictive, and count me in for the ID team.

MS. BYRD: All right, and so that's just a quick update on what's going on with the program. If you guys have any questions about the projects or what's going on with the program, feel free to contact me at any time. Go ahead, Jimmy.

MR. HULL: I wanted to ask the AP one question. Has anybody -- I had never heard of Zooniverse. Has anybody ever heard of Zooniverse? So it's new to all of us, and apparently it's free, obviously, and that's great, and it's all these people volunteer to do these things from around the world, and so there's people with the knowledge that's out there that want to do this, and it's amazing.

MS. BYRD: Just to kind of quickly show you guys kind of -- They have projects ranging from arts, biology, climate, history, and language, and so you can help identify -- They have old, historic letters about plants that you can help identify kind of the language in those, and they have a lot of pictures of wildlife from all over the world that you can help identify.

This program actually started -- There was an astronomer who was trying to identify different types of galaxies, and he had hundreds and hundreds of photos, and he thought that he wouldn't be able to get through them all and identify these galaxies, and so he put them online. That was the first Zooniverse project, and he got people to go through like close to a thousand photos in a couple of weeks time. I mean, it's pretty amazing, and it's a pretty powerful tool, but Amber is the one who found it and checked it out, and so I think it's going to be a great tool for these kind of old fishing photos.

I know that Ken Brennan at the Science Center had been working with Rusty and trying to get a project like this funded for many years, and it was always, I think, one of the things that was difficult, is that it costs a lot of money to have one or two people kind of reading all of the information in these photos, and so being able to use people from all over the world to do that really makes it more cost effective, and so we're really excited about this project, and we'll be reporting back as we kind of develop it more in the upcoming months.

MR. COX: I think it's great. I mean, I'm looking forward to getting involved in helping you guys do some things, and hopefully it will get included in some assessments and you guys can transpose that over to what the scientists are reflecting on their own, and it's certainly a way for us to be included in part of the SEDAR process, but I think this is great stuff. What other projects other than the scamp release project do you guys have going on with citizen science right now?

MS. BYRD: Right now, it's the scamp release project, and it's this FISHstory project, the historic photos that we were just talking about a few minutes ago, and we're also collaborating on a project that is with the Nature Conservancy down in Gray's Reef, and they are trying to get a better idea of kind of who are the fishermen, who are the recreational fishermen, fishing in Gray's Reef and kind of what are they doing, what are they fishing for, that sort of thing, and so we'll be kind of working with them on that.

They're going to try to host some focus groups and forums to collect information and try to promote the use of descending devices and best fishing practices, and so we'll be working with them and promoting the use of the Release app and I think the MyFishCount app as well, and then other things in the pipeline is there's a project out of Australia called Redmap, and we're working with a group of folks from NOAA Science & Technology, and there's someone from SECOORA and someone from a university in New York called Stonybrook, and, basically, it is an online tool to try to capture species shifts.

You report species that may be unusual for your area, or rare events in your area, and, if you do that over time, that can maybe give you an idea or give you a heads-up of when species are starting to shift and move north, and so that's a project that we're working on and trying to figure out how we might be able to get funding for that, and so those are the main ones that we're working on now, and we're always kind of interested in getting other things in the pipeline, and so, if you guys have ideas that meet some of our research priority needs, we would love to hear them.

I guess one other thing is, at the citizen science conference, there was someone from NASA who was interested in collecting -- They collect salinity data from satellites, and so they were interested in figuring out if there's a way to kind of groundtruth that, and so we were talking with them, as well as the folks from Harbor Light Software, who developed this Release app, or the eTRIPS app, if you all are familiar with that, about figuring out a way -- If there's a way to put a logger on a fisherman's boat that could then collect salinity data and communicate that data through the app to the folks at NASA, and then they could compare what's being collected from a satellite with what's being collected on the ground in the field, and so we're trying to follow-up with them now to see if that project has any legs, but that's kind of what is in the pipeline right now, Jack.

MR. HULL: Anything else? That was great. Thank you, Julia.

MS. BYRD: Thank you, guys, so much.

MR. HULL: The next item is Number 10, the Effects of Recreational Management Actions on Select Snapper Grouper Species.

DR. COLLIER: Thank you for that, Jimmy. Today, Allison Iberle is going to be giving a presentation on recreational fisheries management effectiveness, and where this project came from was Allie kind of sent an email to council staff asking if there were any research projects, in the fall of this year, and so we sat down, as council staff, and said what are some projects that we haven't had a chance to get to and what would be something useful for her to go through as a student working on her master's at Johns Hopkins.

We came up with this project for her to work on, and she's done a great job putting all this information together, and so Allison finished her undergraduate at Coastal Carolina and is now working on her master's degree in environmental science and policy at Johns Hopkins, and so she's going to be talking about recreational fisheries today, and, with that, I will turn it over to Allie.

MS. IBERLE: Thank you, guys, for your time. Like Chip said, I was, with Chip's help, analyzing the effectiveness of the management actions as they changed through time on three species that are fairly important in the South Atlantic. First, the why, and so why is effective management so crucial for this region, and, in 2015, four-million recreational licenses were sold, and \$73 million were spent on those licenses. There was a \$115 billion contribution to the economy and over 800,000 jobs, and so making sure that these management actions are effective is ensuring that we're not losing those social and economic inputs that are coming from the fishery.

Then another big distinction that we had to make was the difference between a recreational fisherman and a commercial fisherman, and so three big differences is going to be gear differences, catch amounts, and fishing locations, and so gear in the recreational sector is mostly hook-and-line, and then we've got pots and longlines in the commercial sector. The difference in catch amounts -- With the commercial sector, you are focusing on a vessel with these regulations, versus a per-person in the recreational sector. Then fishing location and the amount of time spent on a trip, and so commercial may be going out for multiple days, and recreational is usually staying at a day-long trip, and then recreational tends to be closer to the shore and commercial a little further off.

The recreational has very different goals within just the recreational sector, and so you have people that are trophy fishing that may be increasing discards, because they're looking for that large fish, and they are removing an individual that is of breeding age, and then, with harvest fishing, you may be increasing landings, because you are wanting to take fish home. Then, with catch-and-release fishing, you are, obviously, going to have increases in discards. Depending on the species, that may equate to an increase in discard mortality.

Then recreational and commercial fishing sustainability, and so we look at sustainability, including both of the sectors, and, as we know, many species in the South Atlantic are experiencing overfishing. Then overfishing is defined as a scenario in which the fishing mortality rate exceeds that which has been set by the maximum sustainable yield, and the maximum sustainable yield is used to determine the appropriate yield based on the stock assessments, which we have used.

To determine if a stock is experiencing overfishing, the mortality rate is divided by the fishing mortality rate that would occur to obtain the maximum sustainable yield, and we're going to look at this ratio for each species, and, if that ratio is over one, then overfishing is occurring.

The main question that we asked before we started this was have recreational management actions impacted the sustainability? For each of these species, a stock assessment was conducted, and overfishing scenarios were observed. The regulations were changed through a time period, and then these species were selected because they are important to that recreational sector. Then, obviously, we chose red snapper, black sea bass, and gag grouper.

The first sustainability analysis, what you're looking at -- The black line is that ratio of the observed fishing mortality rate for that year over the fishing mortality rate at the MSY, and then the red line -- Anything over that red line is indicating overfishing, and so, for black sea bass, the SEDAR stock assessment ran from 1978 to 2012, and the fishery was sustainable from 1978 to 1988. However, in 1989, it moved into unsustainable fishing, or overfishing. However, it returned to sustainable fishing in 2010.

When we broke down the difference between the fishing mortality rates for the recreational sector and the commercial, the recreational fishing mortality rates exceeded that of the commercial for fifteen of the twenty-three overfishing years, and then commercial fishing mortality rates exceeded recreational for eight of the twenty-three.

For gag grouper, the SEDAR stock from went from 1962 to 2012, and sustainable fishing was seen from 1962 to 1980, and overfishing was observed from 1981 to 2011, and so the stock did return to sustainable fishing at the very end of that stock assessment period. Then, when we broke down the recreational and commercial, there was some interesting stuff here. Of the thirty years of overfishing, the recreational fishing mortality rate never exceeded that of commercial.

Then, finally, for red snapper, red snapper has a little bit more tumultuous history of overfishing, and so the stock assessment went from 1950 to 2014. From 1950 to 1957, during that stock assessment time series was the only period of sustainable fishing, and so, from 1958 to 2014, there was overfishing observed. Then, of those fifty-eight years, fifty-four of them, the recreational fishing mortality rate exceeded that of commercial.

The SEDAR stock assessments, what was taken from them was catch metrics and fishing mortality metrics, and so catch metrics included total landings in thousands of pounds and total discards in thousands of pounds, and then total fishing mortality included the fishing mortality rate and the fishing mortality rate from release or discard mortality, and then management actions just pertain to anything that included a size minimum, a bag limit, or a spawning season or a general season closure. Then my hypothesis was the management actions were sufficient to significantly change the recreational catch and fishing mortality estimates of the three species from the recent stock assessment.

Then I'm not going to bore you with the statistics. However, we examined the significant change before and after a regulation change, and we also looked at the relationship of how certain metrics move together, and so how did landings and discards -- How are those correlated through the time series, and how did population biomass move with total fishing mortality, and so we'll go through some of those.

Then this slide has a lot of information, and this was the amendments that we tend to focus on for each species, and I will break it down how we broke it down in the next slide. The original FMP in 1983 was kind of our starting place, and, for black sea bass, you had an increase in size limit across the amendments, as well as with gag grouper, and a decrease in bag limit, and then gag grouper saw that spawning season closure in the last amendment that was analyzed. Red snapper had some length minimums, bag limits, and then the infamous closures that are lumped together, and so the next slide will go through how we split it up.

We converted the data into regulation periods, and so, for black sea bass, we started in 1999 for a period of stable landings, and so, from 1999, they already had an eight-inch size minimum, and then that first regulation period went to when the size minimum was increased to ten inches and there was a twenty-fish bag limit. Then the next regulation period was from that change to the eleven and then subsequently twelve-inch size minimum and the fifteen-fish bag limit.

For gag grouper and red snapper, we started in 1983 at the original FMP. For gag, we went to when the twenty-inch minimum was created and the five gag within the aggregate bag limit. Gag has four regulation periods, because we go from that change to the twenty-four-inch size minimum and then from that change to the spawning season closure, which you still had the twenty-four-inch size minimum, and the bag limit reduced from five fish to two fish to one fish within that aggregate, and then to the end of the stock assessment.

Finally, for red snapper, you started out with a twelve-inch minimum, and then you went from a twenty-inch minimum and a two-fish bag limit to the red snapper interim rule, which closed the season. The last regulation period for red snapper includes Amendment 17A, which was the closure, the emergency rule, and Amendment 28, and all of those were lumped together because of their proximity in time and their similarity with the regulations.

For black sea bass, what we saw first was the trend of landings, which is that top-left-hand graph, we didn't see a significant change in landings across all of those changes throughout the time series, and then, if you look at fishing mortality, which is the upper-right-hand graph, again, not a significant change in fishing mortality. However, when we jump down to discards, discards increased significantly after each regulation change, and so, as that size minimum increased through time, there was an increase in discards. However, the fishing mortality rate from releases, or discard mortality, did not show a significant increase, and so that bottom-right-hand graph.

That prompted us to really hone-in on the correlation between discards and discard mortality, and so discards is the line in green and discard mortality, or fishing mortality rate from releases, is in blue. The correlation, the rank-sum correlation, indicated that there was a significant positive relationship, and so, as discards increase, discard mortality increases as well, and we're seeing a trend upward of discards increasing, especially after Amendment 9, which was that ten-inch size minimum and twenty-fish bag limit.

However, we're not seeing a drastic or kind of correlating increase in discard mortality that we would expect, and so this may indicate that this species is able to handle discards maybe better than some other ones that we examined, and research has shown that black sea bass are able to handle that release maybe better than some.

Then, with gag grouper, there was some significant decreases in landings, and the amendments over time tended to decrease landings, which is that top-left-hand graph again, and then fishing mortality rate for this species didn't show a significant change until the decrease from Regulation Period 3 to 4, and this was after that spawning season closure change.

Then discards showed significant decreases across all of the regulation periods, and so regulations tended to decrease the discards. However, when you look at discard mortality, we saw a significant increase from Regulation Periods 1 to 3 and then not much after a change after that spawning season change. There wasn't an increase in discards at that point. Then another interesting thing to note is that the fishing mortality rate of release exceeds that or is equal to that of the fishing mortality rate by Regulation Period 3.

The correlation that we decided to focus on for gag grouper is the significant negative relationship between population biomass and the total fishing mortality, and so, as the fishing mortality rate increased, the population biomass is decreasing.

The fishing mortality rate, you can see that well in the beginning of the graph, where you have a significant decrease in those fishing mortality rates, and then there's a sequential increase in population biomass. However, after Amendment 4, biomass levels reach the lowest that we see within the time period and never -- There is some peaks and valleys. However, we're still seeing really low biomass at the end of this time series, and so gag grouper was one of the species that returned to sustainable fishing. However, the biomass, even with the lowest fishing mortality rates after Amendment 16, is still pretty low.

Then, finally, red snapper, there was significant decreases in landings, and so regulations tended to decrease landings, especially after those closures, and fishing mortality rate, the top-right-hand graph, wasn't much of a change from that twelve-inch size minimum to the twenty-inch with the two-snapper bag limit. However, obviously, after those closures, there was a significant decrease in fishing mortality rate after that red snapper interim rule.

Then the discards showed an increase from Regulation Period 1 to 2. However, not much of a change after that red snapper interim rule, and that was most likely because we didn't have a size minimum, and so there was just a bag limit after the red snapper interim rule, when the season was open.

For fishing mortality rate from releases, there was an increase after the size minimum was increased and the bag limit was tightened. However, after the red snapper interim rule, when there was no minimum size limit, and that one-fish bag limit, there wasn't a significant change in the fishing mortality rate from releases. Then, like gag grouper, the fishing mortality rate from releases equaled that of fishing mortality rates by Regulation Period 2.

In the correlation that we focused on for this species, it was just like gag grouper, the total fishing mortality rate, and so that fishing mortality rate and fishing mortality rate from releases combined and the population biomass. Another really easy negative relationship to see in the beginning of the time series is they have a really drastic drop in fishing mortality rates, and that coincides with an increase in population. After Amendment 4, which was that twenty-inch size minimum and two-fish bag limit, population biomass levels reached the lowest point that we observed during the

time period. Then, after the red snapper interim rule, there is a decrease in fishing mortality rates, and we see an increase in those population levels.

The other thing that we wanted to focus on was the increase in population levels from 2006 to 2008, and we see an increase in spite of increased fishing mortality rates, and so, to examine this further, we looked at the number of fish in each class for that time period, and the age-one fish are the pink bars, or the pink color in the bars, and you can see, during that time period, we had some really great recruitment. However, after that time period, recruitment falls off again, until the end of the time series, around 2013 or 2014, where we see another good recruitment year. Then another thing to note with the last years is that we're seeing an increase in the age-two class, meaning that some of these fish are starting to move up into these age classes, which is important.

Regulation effectiveness varied with species, and so, with black sea bass, we didn't see a significant decrease in landings or fishing mortality. However, the fishery returned to sustainable levels, and, even though we saw an increase in discards, there wasn't an increase in discard mortality, and so certain species showed rebuilding when regulations were changed. However, others did not, and so red snapper and black sea bass seem to have population biomass and sustainable levels that were heading in the right direction. However, the biomass of gag grouper may not be responding to the regulations as intended.

The life history strategies of these species is extremely important for successful management, and so gag grouper are one of those protogynous hermaphroditic fish, and they also have massive spawning aggregations, and so maybe this complexity is why we're seeing some of those population biomass levels.

To wrap it up, this analysis, we could keep it going. I recommend that, for these species, the effectiveness be continued to be analyzed as new stock assessment data is provided. Looking at how amendments or regulation changes are affecting these metrics is important, and then you guys know which species that you think may need the same analysis, and so what can we analyze next for effectiveness, and so I think that's what I would like to hear, is where you think that maybe this analysis should go, and so thank you so much for your time, and I appreciate it. I have all of my references up here, if you would like to see them, and so thank you so much for your time.

MR. HULL: Thank you. That was really interesting and great information. Don't go away, because there is probably going to be some questions, comments, and concerns. Who is first?

MR. LORENZ: With the sea bass, and, in North Carolina, we are that state where there is suddenly divide between assumed populations north and south. As such, that has, among the average fisherman, caused a lot of confusion, because I believe this year it's fifteen bag limit north and seven south. Correct me if I'm wrong. I am still trying to catch up.

MS. IBERLE: I am still learning as well, but Chip says yes.

MR. LORENZ: Okay. Again, if you're looking for an area of research, or of explanation, I'm still trying to get my arms around the fact that there are two distinct populations and why they can have theirs with a larger bag limit -- We, even through the closure and all, constantly recorded an abundance of small fish, and it was consistent. Every year, you could still get the three to six-inchers, and so you get to the fishermen that says there's got to be big ones to be making little

ones, and so, in that matrix, you wonder were we getting infiltration of fry and juveniles here in the south, or do they come from elsewhere, and that seems like a large question that -- It was confusing that we seem to always have a lot of fish, and you would all of a sudden expect then the collapse of the smaller ones also that I don't think we ever saw.

MS. IBERLE: From what I have read while researching this, and this is just from my research and Chip's help, is that we're not seeing much migration above and below that line, and so correct me if I'm wrong, but that stock assessment is only for the southern portion of that fish.

DR. COLLIER: Yes, the information that you're looking at here is for the southern stock, and there is a genetic break between north and south of Cape Hatteras that's pretty strong. You see it as strong for organisms that don't really move, like oysters, and so that's what you're seeing, that type of genetic break that you're seeing, and so you might get some recruitment from the north every once in a while, where vagrant eggs or some of the southern eggs will go north, but it's not sufficient to prevent the genetic drift.

MR. ATACK: But this data is only through 2012, and that was six or seven years ago, and, the way the black sea bass are, there is -- You tend to see more cyclical, I think, cycles in their biomass, and is there any reason why we stopped at 2012 versus running the data up through 2016 or 2017?

MS. IBERLE: The SEDAR stock assessment that I used was the SEDAR 25 update for black sea bass, and that's where the data ended. There was Amendment 18A that happened in 2012, and that would be the next -- That would be going into that next period, and I would love to continue using more stock assessments as they come out and continue to analyze the data.

MR. ATACK: Thank you. If we did that, when we would get the next update on a window? Would it be 2020 or 2019?

DR. COLLIER: That would be when the next stock assessment is done, and I don't have the schedule with me right now, but it's going to be a few years.

MR. ATACK: So we couldn't update this without another stock assessment up through more recent history?

DR. COLLIER: The two graphs on the right are looking at fishing mortality rate, and you need to have a stock assessment in order to get those values. We could look at the landings, whether or not there's been a significant difference in the landings over that time period, but what we were trying to do is make sure that all the information we were using was vetted through the SEDAR process.

MR. HULL: For myself, it's interesting to look at the graphs and see the results, especially if you could go to the one from the stock assessment, the bar graph that shows the population abundance of red snapper back in time, and you can see that, if you correlate that to management effects and then recruitment, and, in particular, of course, we're getting that age data from the stock assessments, but is it -- That's from the stock assessment, but, also, your work showing on the discards and the population growth, and it lines up with what we see on the water, and so it's definitely lining up good, and, of course, you all can see the bar graph prior to the 1980s, and you see all those straight lines, and so that's some tough stuff to -- Those are assumptions from the best

science available, but that's where this stuff is so important, all the information we can get, and I agree that you're right on target with this, and I hope that you get a continuation of it, I do, and this needs to keep going. Thank you.

MR. COX: This was a really nice presentation, and you did a great job, and thank you. It was really quick though. I mean, you go through some of these species in just a few minutes, and so it's kind of hard to follow, I will say.

MS. IBERLE: Even just interpreting the data from the stock assessments, it was something that was really new to me, and so I would love -- I am really appreciating your input, because I'm not out fishing, and I'm more behind a computer, and it helps me to be able to make connections with what I'm seeing in the research and reading from the stock assessments. You can read a stock assessment all day, but, if you're not, like you said, correlating it with what you're seeing on the water -- That's really important.

MR. COX: Let me ask you -- As you analyzed each species and you put this presentation together, how long did it take you to do one species, let's say for black sea bass, for instance?

MS. IBERLE: The analysis, I feel like I learned how to do it the wrong way a couple of times before I learned how to do it the right way, and so I think we worked on analysis for maybe like a month. This has been really blurring together for me. It flew by, but I think, between learning how to use the program that we use to analyze the data and then getting it to run smoothly and spit out what we have used, it took a while. It wasn't instantaneous.

MR. COX: I would only add that I would love to see it done with red grouper.

MS. IBERLE: Thank you for that recommendation. I think that would be interesting as well. These couple of days, I've heard a little bit about that species, and so I think it would be interesting to see those numbers.

MR. COX: All right, and so we'll look forward to seeing that in October. Thank you.

MR. ATACK: That was a very good presentation, and it was good information. I might recommend that you also do the same thing for scamp. That was another species that we've been concerned about over the years, just to see how those numbers play out with the amendment changes.

MR. HULL: Allie, it was very interesting, and especially like the gag. I mean, it lines right up with what we're seeing, despite the best management of trying to rebuild that stock, you can see that it just hasn't had the same effect. Why, we don't know for sure, but then red snapper management and really good environmental factors are resulting in a huge, rapid increase in population, and so it's good. You've got to keep doing it, and you've got to bring more species in. Like Jack said, red grouper would be great.

MS. IBERLE: I think another surprise for me, especially in the sustainability analysis, was the breakdown between the difference in the fishing mortality rates of the recreational sector versus the commercial. That surprised me, seeing that, of those thirty years, that recreational rate never exceeded the commercial rate during the overfishing years, and that was something that, when I

ran those numbers, it surprised me a bit, and I feel like, with gag grouper, their requirements for the life history kind of makes for a perfect storm of difficulties in trying to manage that fishery, and so it's been eye-opening.

MR. LORENZ: Allie, just for information, again, and it will only be with the black sea bass, but, with respect to black sea bass, looking at climate change, and I'm reading more and more -- I am seeing that up north of Hatteras there is a distinct population, and people are doing some work and some research trying to integrate how that distribution of sea bass is changing with respect to warmer waters. Larger fish have migrated north, and then they've actually spread their range, and so there are small fish up in Maine.

I am not seeing much of that type of a look here south of Hatteras, and you probably read a lot, and is anybody working or thinking about that, because our colleagues here in Florida say that, yes, the fish are small, and I can't very many, and they might actually be, in size, increasing a little in North Carolina, and so I was just wondering if anybody is formally looking to address that or look at that, as much as I see them doing it north of Hatteras.

MS. IBERLE: I didn't come across any research that compared climate change and how it's affecting that separation in population. I mainly focused on stuff that explained that differentiation, and Chip may know if there is any research.

MR. HULL: Todd has some information for us, I think.

DR. KELLISON: Thanks, Jimmy. Maybe the background to that is that, whereas in the Mid-Atlantic, over the last couple of decades, there have been significant increases in water temperatures across the shelf, and they have seen lots of changes, and you mentioned black sea bass, but a number of species distributions have changed. In our region, looking at both bottom waters and sea surface temperatures, the temperatures have been pretty stable over the last couple of decades.

The exception is in the most recent years, four or five years, there is some indication of trends, and the climate modelers suggest that we've kind of been in a grace period and we should expect to see increasing temperatures over the coming decades, but we haven't really seen it thus far, and that has resulted in, I think, sort of a -- The people that have spent time looking, most of the focus has been on the SEAMAP coastal trawl survey that we have, which is limited in its depth distribution, and so I think now it only goes out to about ten meters, or thirty feet, and so it's right along the coast, but it's been consistent in methodology, from the Carolinas down to Florida, for twenty-plus years, and so it's a great time series to look at these species distributions. There's a lot of coastal species.

Jim Morley and Malin Pinsky, and Malin Pinsky is at Rutgers, and he and his lab have published a lot of this work in the Mid-Atlantic, and so he had a post-doc, Jim Morley, who is now at UNC Chapel Hill, and they examined that SEAMAP coastal trawl survey database, and they didn't find any broad distribution shifts. There were some of the species that their centers of distribution had changed over time, but there weren't consistent directional changes, and so they hadn't seen broad shifts in species moving northward, and I think it's predominantly because we have yet to see those significant increases in our regional water temperatures.

MR. HULL: Thank you, Todd. Do we have some more comments and questions? Okay. Thank you. Let's take a quick break for ten minutes. We'll take a ten-minute break.

(Whereupon, a recess was taken.)

MR. HULL: The next order of business is Item Number 11, Review of Snapper Grouper Fishery Management Plan Objectives, and there is attachments for this, 10a and 10b, and Myra is going to make this presentation, and then we'll have discussion and recommendations.

MS. BROUWER: Thank you, Jimmy. Let me give you a little bit of background, just to make sure that everybody is up to speed on why we're talking about this. Back in 2012, the council embarked on a visioning project, and it took us three years to develop what we ended up calling a vision blueprint for the snapper grouper fishery, which is, in essence, a strategic plan with goals and objectives and strategies and actions that are going to guide management for this fishery over the short term and also over the long term.

We started that off with a series of port meetings, and we met with stakeholders throughout the South Atlantic region, and the advisory panel was instrumental in providing recommendations and guidance for the council through that whole process. One of the first things we did, back in 2013, was to present to the AP the objectives that were currently in the fishery management plan and ask them what do you think of these and how should we change them? How should the council continue to manage this fishery? Are these objectives still applicable or not, and what do you guys think?

Attachment 10a, I believe, shows what the AP recommended at the time. It has more extra information about the evolution of these objectives over time, and so there's a lot of information in that attachment, and I'm not going to go over everything. It's mainly there just for your information, but the AP did recommend some changes to the objectives at that time, and so I wanted to project that and show you what those changes were.

Objective Number 1 was to prevent overfishing, and, when the AP saw this, they reasoned that that objective was part of the council's mandate under the Magnuson Act and that, really, it didn't need to be included in the list of objectives. Objective 2 was to collect necessary data, and so that's pretty broad, and the AP said we'll consider rewording it, and you suggested some wording there to improve and expand data collection and consider things like a recreational reef fish stamp and electronic reporting, and so not only were you providing input on the objective itself, but also strategies and things that could go under that objective.

Objective 3 is to promote orderly utilization of the resource, and we talked about this, and the AP members -- Recall that this was added when the wreckfish ITQ program was put in place and that it wasn't applicable anymore. Objective 4 is to provide for a flexible management system. Again, there was a suggestion for some wording changes, and then what exactly does "flexible" mean? Does it mean management such as state-by-state quotas or the regional stuff that we were talking about yesterday?

There were objectives about habitat, and the AP questioned whether there was any documented habitat damage that was happening and should there be an objective specific to that. Objective 6

was to promote public compliance and enforcement, and you can read that. I am not going to go through everything that is included, and you can see the wording on the screen.

Objective 7 was a mechanism to vest participants. Again, here is somewhere where the AP reasoned that it was no longer applicable to the recreational sector and it was mainly just, at the time, put in there because it was to manage the commercial portion of the fishery. Objective 8 is to promote stability and facilitate long-term planning. Objective 9 was to create a market-driven harvest pace and increase product continuity. Some AP members questioned, well, is this the council's job to be doing this, but, anyway, there is five more objectives of minimizing gear and area conflicts, decreasing incentives for overcapitalization, preventing continual dissipation of returns from fishing through open access, and I guess nothing was said about that one, and I'm not even sure what that means. Evaluate and minimize localized depletion, and we had some conversations about that one already. Then ending overfishing of stocks undergoing overfishing, and that's, again, sort of a no-brainer. That's what the council is tasked with doing. Then Objective 15 is to rebuild stocks that are declared overfished.

In addition, the AP, at the time, recommended considering excluding objectives and goals that are already part of the council's mandate, specifying items that the council is already doing, and those that the council should focus on achieving, and shorten that list. This is what we took to the council back then. There were some edits that were done as a result of the AP's recommendations, and those are included in Attachment 10b, and so you can see exactly what was taken back to the council and the edits that we proposed, and I'm not going to go over all of that.

Eventually, what we ended up with are the objectives that were adopted in the vision blueprint, and that blueprint is the document that is supposed to guide management from 2016 through 2020, and the idea is that, at that time, the council is going to evaluate that, okay, are we meeting everything that we set out to do over the short term, and then they're going to look at what needs to be done over a longer term.

As you know, that blueprint is divided into four strategic goals under science, management, communication, and governance. Under each goal, there are several objectives, and so, right now, the council has not officially adopted these objectives as the objectives of the fishery management plan.

There was an item at the March meeting for them to discuss this and decide whether they should just adopt the objectives that are in the blueprint and those become the objectives of the FMP or whether there needs to be some changes, and so what they asked me to do was to bring this to the AP and ask you guys what do you think about the objectives that are currently included in the blueprint, and are they currently applicable, and do they capture what needs to be done to manage this fishery sustainably and properly into the future? If so, then those objectives will then be adopted at a later meeting, maybe in September. Otherwise, if the AP would like to make recommendations for how this needs to be changed, now is the time to do it.

There are, like I said, a few objectives within each goal, and I was going to mainly focus in management and communication, because those are more applicable to where I think you guys probably have more input, but the objectives for science are listed here. As you can see on your screen, the ones that are starred are things that are currently being addressed, and, mind you, under each of these objectives, there is a suite of strategies and actions, and so there's a whole bunch of

stuff under each of these that I am not showing you here, because it probably would take half the day, and so the council is already taking some actions to address some of these objectives right now, and that's why they have these little stars by them.

I guess we can probably just go one-by-one, and, if anybody has any problems, we can talk about it, and, if not, we can just move on. That way, maybe we can just give the council some solid guidance on whether you guys are happy with these objectives as they are or whether you think they need to change.

Objective 1 under the science goal is to promote collection of quality data to support management plans and programs considered by the council, and it's very broad. Objective 2 is encourage the development of mechanisms to effectively engage and collaborate with stakeholders in cooperative research, data collection, and analysis. Objective 3 is improve the knowledge about the social and economic elements of the snapper grouper fishery in the South Atlantic. The council has been busy doing this. Recall that Kari MacLauchlin did a very nice characterization of the commercial fishery, and that was presented to you guys, and so we are getting more information.

Objective 4 is support improved and expanded monitoring and reporting programs for the snapper grouper fishery, again, some of the things that we're doing with MyFishCount and that sort of thing, addressing some of this. Promoting data collection and analysis to support ecosystem and habitat considerations for the snapper grouper fishery. Any comments or issues with the objectives under the science goal?

MR. COX: I was just going to say these are great ideas, and I think objectives are great and goals are great, but I think, periodically, we've got to go back and go through each one of these and the council should say how do we execute this, or exactly -- Periodically review this and say, as we look at these objectives, what actions were taken to meet the objective.

MS. BROUWER: Yes, and thank you for bringing that up, Jack. That was actually something we did back in December, and I believe sometime in the fall. I showed you guys where we were in terms of what we set out to accomplish with the blueprint and then listed all the activities that were being done under each of these objectives, and so part of what we're doing is evaluating as we go and are we doing what we're supposed to be doing to meet each of these objectives, and so we are doing that.

The objectives under management, there's not that many. Objective 1 is to develop management measures that consider sub-regional differences and issues within the fishery, and so a lot of what was done in the commercial blueprint amendment had this as the intent, to address latitudinal differences, and all the commercial split seasons are designed to make sure that this objective is met. Objective 2 is develop innovative management measures that allow consistent access to the fishery for all sectors, and that was one of the objectives that has been prioritized, and the council has been doing things to address it.

Objective 3 is ensure that management decisions help maximize social and economic opportunity for all sectors. Objective 4 is develop management measures that reduce and mitigate discards. Objective 5 is support management measures that incorporate ecosystem and habitat considerations for the snapper grouper fishery. Objective 6 is develop management measures that

support optimal sector allocations for the snapper grouper fishery. Any comments on the objectives under the management goal?

MR. ATACK: After these objectives, do we have any way of listing examples of how we're meeting these objectives? Are we going to develop some type of a paper or something to make -- Typically, that's what you'll do. This is our goal, and we're meeting the goal by doing such and such and such and such, as examples, and it's probably a lengthy list for some of the things, but then it might be good for people to just realize how we're meeting some of these goals.

MS. BROUWER: Right, and, as I said, I brought a presentation to you guys showing you each activity that the council is doing to meet each of those objectives, and, like you said, it is rather lengthy, and so I'm not going to offer to pull that up right now, but I could, and so that's been put together, but the other thing the council has directed us to do is, every time an amendment is completed, there is a section in the document where we write why that action was taken and all the rationale behind it, and we also have started including a discussion of how that particular measure is meeting the objectives in the blueprint.

For example, one of the recent amendments, the recreational amendment or some of the more recent snapper grouper amendments, they all have a discussion of how that particular amendment is meeting something in this blueprint, and so we're addressing it that way. There isn't going to be a comprehensive document that includes it all, but it's just being done as we go.

MR. HULL: Just to add to that, Myra, I would say like Objective 4, develop management measures that reduce and mitigate discards, and it is being addressed now with all the different things coming forth to possibly require these devices and best management practices and on and on and on, and so it's obviously being done, but I think what you were asking for was like a comprehensive document that we could look at and score it or something.

MR. ATACK: Well, that or, I mean, some of these objectives, some people may have trouble realizing how we're addressing them. Yes, we're doing venting devices and blah, blah, blah for discards, but some of the other objectives may not be clear to people of how we're addressing or trying to address or be compliant with these objectives.

MR. R. FREEMAN: I guess I would pose more of a question. Every bit of this could pretty much be created sitting in an office at a desk, and what is being done different to evaluate our testing procedures and what's really going on out there in the ocean? So much of this, I can sit down and read for hours and look back, and it's just apple pie and Chevrolet and all that, but what are you really doing for the fishermen?

MS. BROUWER: This is intended to help the council decide what actions they need to focus on in order to manage the fishery the way that fishermen have expressed that they would like to see it managed, and that's why we say that the visioning project was a stakeholder-driven project, because we went to you all, to the communities along the coast, and asked, okay, what are some of the things that you wish would be done to manage this fishery into the future, and so that's how we came to Regulatory Amendment 29, the best fishing practices amendment, and that's why there's an action in Amendment 46 looking at a potential stamp or a permit for the recreational sector, is because stakeholders said that's what they wanted.

We're getting there, Bobby, but I think it's just -- Like you said, it's difficult to explain all that to the public and say this one is checked off and this one is checked off and this one is checked off, but we can say these are the activities that the council is looking at considering now and into the near future that are going to address some of the needs, I guess, the management needs, of the fishermen. Does that make sense?

If there is no suggestions, or, mainly, I think the council would like to know does this pretty much include everything that they should be focusing on for the snapper grouper fishery, and are we leaving anything out in the objectives, in the strategic planning for managing this fishery into the future, and I think that's where they are coming from.

MR. ATTACK: I don't think we've seen all of the objectives here, right?

MS. BROUWER: Right. There is two more goals, and so next is the communication goal, and a lot has been accomplished, I think I want to say most of the things we set out to do, and develop communication approaches that provide streamlined and timeline information to increase awareness and engage stakeholders, and that's Objective 1. We have done a lot with our website, and we've done a lot with story maps, and we do public hearings via webinar, which, more often than not, people are comfortable doing. There are things like that have been accomplished over time to address this objective.

Objective 2 is to improve awareness and understanding of fisheries science and research and how these inform management. Objective 3 is to ensure that council communication encourages and supports engagement with a diverse audience of stakeholders. Objective 4 is to improve awareness and understanding of how social and economic issues are linked to fisheries management measures, and so these are pretty broad, and I realize that you're having a difficult time saying, okay, well, what are the things that are being done that address each of these, but, as I said, it could take us a good part of the morning to go through all of that, and, right now, I guess the council wants to know -- Do we include all of these objectives as the official objectives of the fishery management plan? Any questions or comments on the communication objectives?

MR. BONURA: I was just going to add a comment on the communication end of the visioning project. It was actually back in 2013, on the port meetings there, and that was actually a big reason why I'm here today with you guys, because of the port meetings and all that.

MR. HULL: Thank you for that, Vincent, and so that ties into communication heavily, when they had -- I attended a lot of those port meetings too, and they were really good, and when was the last time we had a port meeting? Those are things that, yes, the continuation of that type of stuff is important, and communication and education and engagement -- It got you engaged, and that's a great thing, and we need that, and so maybe that's something else, and I don't know how you would massage that into this, communication, and you've got communication approaches that provide streamlined and timely information and improve awareness and ensure that the council communication encourages and supports engagement, and so Objective 3 was a diverse audience of stakeholders. It's there, and it's going before the council, and it's there for them to look at and consider and try to figure a way to make it happen. Go ahead, Robert.

MR. LORENZ: I guess the only thing to add, and I'm banking off of what Vincent said, and that was an interesting thing, and I would be another objective, and it may be covered, but it would be

with what he said, and the recruitment of appropriate and enrolled stakeholders or whatever onto the APs, quality people. You flush them out.

MR. SEBASTIAN: The biggest thing that I see in our area with communication is the timing of communication is exceedingly challenging, and so it covers the communication approach, but what I see in our real world up there is, if we get anything from April through September, it's almost -- It doesn't even come across our radar, because we're running fifteen hours a day seven days a week, and it's just blown by. Unless it's outside of that timeframe, the reality is that nobody looks at it and nobody pays attention to it, and that's just real-world experience and real-world charter/headboat area in that region. That April through September, you could say, hey, there's going to be no fishing, and nobody would almost say anything, because we don't even have time to look at it, almost.

MS. BROUWER: To that, I would say that we have tried really hard to diversify the ways that we communicate with stakeholders, and so we have a Twitter account, and we have a Facebook page. We have all these different things that are hopefully better ways to reach people, like you said, that may not be reachable through other traditional means of communication. Nobody expects you to just be sitting there reading your email, for example, when you're very busy on the water, but, if we send out a tweet or something like that, it might be just easier, and so that's one thing that we've done a lot of more of to try to reach folks in different ways. If you have any other suggestions for us of ways that would work better for you or the people you work with, then, by all means, we always want to hear from you.

MR. SEBASTIAN: I appreciate that. One of the things, going back to what Vincent said, the port meetings that were held in our area seemed to draw a good amount of people. They were held at the right time, in the offseason, and some of the fishermen engaged in that, and so, as technology advances and you have more and more things coming online, and we've got younger guys getting into the industry, I think, if you could get some of those going again in the next couple of years, then the outreach would be exceedingly successful, especially with the mates who will be captains and the guys who are starting to be captains, to really buy into the being in the stakeholder part of it, and it would be great if you could put some of those on the books again.

MR. ATTACK: The challenge is not with the charter/for-hire people, I think, or the commercial permit holders. They will get emails, and they sign up, and it's their business, and they try to keep up with what the rules and regulations are, and so, if there is a closure in the summer of cobia or something that -- You will get notified, and you know what's going on.

The people that aren't in it for a living, the recreational, if they don't go and sign up for some type of email system or go look on Facebook about what the regulations are, then they're out of the loop, and so that's the real challenge, is the majority of the people, as far as mass-wise, it's hard to reach them. The ones that are in it for a living all the time, I think they're very well informed with what you all do, and you do a great job sending out the emails and this and that and Facebook and the council page, the SAFMC page, and it's good.

MR. HULL: Thank you. I agree with that.

MR. BONURA: I was just going to add that the visioning project -- I feel like it made the fishermen feel comfortable to come out, and they didn't have these in front of their faces, the

microphones or anything, and the big piece of paper you guys had back then, writing down all their thoughts and everything, that was really nice.

MS. BROUWER: We still have a sticky wall, and we like to use it whenever we get a chance.

MR. COX: This goal here, Goal 3, communication, to me, it's one of the most important goals that we have, because, without communication, the rest of it doesn't work, and, when I look at this, I think about a lot of the conversation that we have at the table, and we talk about the role of the enforcement in a lot of the things we talk about, things we're frustrated about, and, well, that's enforcement's job, or the council works hard on amendments, but, if they're not enforced, what good are they?

Enforcement is one of those things that is so -- It does not seem like it's included in part of our process. It seems like they are so far removed from what we do, and I don't know where it would fit into this, but it seems to me that, anytime there are meetings like this, there should be enforcement to help answer questions and to bridge a gap between fishermen and regulations, to somehow be included in all of this as we work through, because enforcement could give us a real on-the-water experience of things that we may think is something that we could regulate or help put something in place to mitigate interactions with say gear conflicts with fishermen or some of these things that we discuss, but I certainly think that they should be part of the process and ways that we could communicate with them and some of our frustrations on things that we're seeing.

MR. ATACK: The more I think about it, the real way to communicate to these people -- We have talked about it and talked about it, but, if we work with the states, and they have some type of a check-box when they get their saltwater fishing -- A lot of them get these licenses online, and they've got an email, and, if we can link that to when they apply for their saltwater license, then any updates or regulations could be emailed to them and linked up that way.

That way, they have to have the license to go fishing, and you could send them a link, and they would have some type of a way to email to them, and you wouldn't be emailing the whole state. You would just be emailing the ones that said, yes, I want to go reef fishing or snapper grouper fishing, and they would just be getting that information, and it would be a way to really improve the communication to the ones that don't do it all the time. If they do it two or three times a year, they would get the information.

MR. HULL: Thank you for that, Jim. I think we're heading that way. If everything goes the way we want it, that's going to happen, the social media and email and private sector -- One thing that I would add to it is that, for me, port samplers -- They don't sample the private rec so much, except most of the state agencies do, and sometimes they fill in.

We lost our port sampler, and we don't have one anymore, and so the FWC agent is trying to come in and fill in, but a port sampler, for me, would be a vital link from the agency to continually be in contact with the community that they serve, that port sampler, and they also are collecting data, but they could be involved in communication, and they could be involved in -- Maybe, if you are going to set up port meetings, you don't have to do them -- On a bigger scale, you could have this one port sampler there that could set up a meeting, and we could spread the word, but that, I think, has to do with money issues and funding, but this is important. As Jack said, everything we do, unless there is proper communication to especially the largest group, which is the private rec --

This is very important. It looks like the council is, obviously, going to see these and is already working -- We're already working on a lot of this.

MS. BROUWER: Yes, but these are really good suggestions. In terms of, if I may, going back to what Jack was saying, the enforcement, obviously, you know we have a Law Enforcement Advisory Panel, and there's been discussions recently that they would like to meet more frequently, and so we do have at least one meeting in-person, and there is one coming up in May.

There hasn't been one in recent years where we've met twice in a year, mainly because there haven't been a lot of issues, but if the Snapper Grouper AP, or anybody, really has suggestions for things that they would like the Law Enforcement AP to discuss at their meetings, or if you have anything in particular that needs clarification, or even -- I'm just going to throw it out there that there could potentially be an invitation of the Law Enforcement Advisory Panel Chair to one of your meetings, whenever that is appropriate, and that sort of thing is easily done, and you all just let me know.

Moving on then, the last goal is governance, and there is only three objectives. Create an accountable and flexible decision-making process for development and evaluation of management measures, and I've heard that that is important, as we saw this morning in the evaluation of management measures. Objective 2 is build capacity to streamline management efforts and better coordinate with management partners, and Objective 3 is improve communication with stakeholders to ensure the needs of the fishery are understood and considered throughout the council process.

Basically, I guess what the council would want is for you all to tell them that, okay, all of these objectives are -- We're okay with them, and, if you are, then the council would look to formally adopt these as the objectives of the Snapper Grouper FMP.

MR. HULL: Before somebody else comments, could we go back to the Goal 4, the objectives, and could I read those again, just to kind of put them in a little better? Objective 1 is to create an accountable and flexible decision-making process for development and evaluation of management measures. Okay. Objective 2 is build capacity to streamline management efforts and better coordinate with management partners. Objective 3 is improve communication with stakeholders to ensure the needs of the fishery are understood and considered throughout the council process.

That one is easy. We've been talking about that in the previous objective, in communication. The first two, for me, it's taking me a second to -- Maybe it's just me, but does anybody have any comments or questions or concerns on these?

MR. ATACK: I have one question on the footnote. All of the objectives that are starred were not prioritized for the 2016 to 2020, but they will be for the 2020 to 2024, and is that what we're looking at?

MS. BROUWER: Right, and so, when the council formally adopted the vision blueprint, they said, okay, we can't possibly accomplish all of these things in the next four years, and so we're going to focus on a subset of those, and we're going to tackle those in the next four years, and so that's what we're in the process of doing now. There was this appendix, where we put everything else that the council intends to address, but it's more like the long-term things.

MR. ATACK: Thank you for making that clear. The old FMP had something in there about habitat damage and protection, and does none of these goals include that now?

MS. BROUWER: That one is included in Objective 5 under the science goal, promote data collection and analysis to support ecosystem and habitat considerations. I could pull up what strategies and actions are under that particular objective. There are quite a few.

MR. ATACK: Well, no, and I was just wanting to make sure that the habitat was in there, because some of the verbiage before talked about how the habitat -- Due to direct and indirect effects of recreational and commercial fishing as well as other non-fishery impacts and to minimize habitat damage.

What makes me think about that is I guess there's a lot of habitat damage that is going on now that the council is not addressing off the Frying Pan Shoals. There are some square miles of area that there is basically underwater dredging with scooters and looking for megalodon teeth and destroying the reef, and there has been no real action by the council to do anything, and so I didn't know if we were eliminating that as one of our goals or if we just haven't addressed it yet or figured out how to address it yet.

MS. BROUWER: That falls under the essential fish habitat mandates, and so the council can comment on projects that could potentially cause damage as a result of non-fishing activities, but the council can't really affect that. They can, like I said, comment through that process, and there is policies that have been approved and established to do that, and so that's how the council can affect that, but they can't directly address some of these issues of, as you said, dredging for megalodon teeth. That's not a fishery-related thing, but it is causing some damage to habitats that are important to fisheries, and so then, indirectly, the council can take action on that, and I think Chip is at the table to expound on that.

DR. COLLIER: I have been communicating with some people within National Marine Fisheries Service to figure out what can be done in regards to some of the things you've identified with the megalodon teeth and removal, where they are blowing out different areas of the reef, and so we are working on that, but it's just a -- I haven't heard back, and so I will get back to you once I do hear some information on it.

MR. HULL: Thanks, Jim. That was something that I hadn't heard of.

DR. KELLISON: Chip, I am just curious, but what is -- I think, often, NOAA's role, or National Marine Fisheries Service's role, in activities that would affect habitats, like maybe broad-scale dredging projects, would be through the consultation process, which I'm not that familiar with, but I think NOAA has a seat at the table and can provide comments then, but it's not clear to me -- If it's not a broad-scale-permitted action, like maybe dive operators who are going out individually or taking groups out to look for shark teeth and whether that will be covered, and so maybe, Chip, that's what you were saying that you had been exploring, and I really was just asking a question as to what would be the mechanism that would allow National Marine Fisheries Service or the council to weigh-in on an activity like this. Thanks.

DR. COLLIER: Yes, and that's the issue right now, is it's an unregulated activity, and so no one has the responsibility for it, but it is causing damage, and so, if somebody is going out there individually and just picking up a shark tooth, that's not a big deal, but, when they're using these blowers to blow out reefs, that can have an impact on the resource, and so that's what we're trying to look into and talking with them about it.

MS. BROUWER: The Habitat Conservation Division is the part of the agency that does these consultations that Todd was mentioning, and so that's the process where the agency -- Then the council can comment on that, and, from a fisheries perspective, say how potential activities that are not directly related to fishing can affect fisheries.

MR. SEBASTIAN: If anything is going to move forward with any type of stuff on megalodon shark tooth hunting and stuff like that, I think it would be very, very wise to keep stakeholders who are in that realm in the loop, because what some individuals say is they are blowing out the reefs and yada, yada, yada, and, in some cases, that's just total BS, because of the location of where they're actually hunting for those teeth, and I go down and do it, and I love doing it. I will go mine all day long, and so either I'm going to be looking for teeth or I'm going to be going and killing fish, but, the way we do it, is we are off the reef hundreds of feet, because that's where I find the most productive teeth. If you start down that line, because some individuals feel that it's damaging the reefs, it seems like there will have to be a lot of science and a lot of research to prove that before anything starts coming down the pike.

MR. HULL: Thank you, Cameron.

MR. R. FREEMAN: I think I would caution as to what we ask for, because a Philadelphia lawyer and a GoPro could say that, when you drop your sash weight to the bottom, you are doing habitat degradation.

MR. HULL: Thank you, Robert. Any other comments or questions or concerns on this subject? Thank you, Chip.

MS. BROUWER: That's it. The council just wanted me to bring these to you guys and show you the objectives, and then they're going to take this issue and discuss it in September and then decide whether the objectives that I just showed you, the blueprint objectives, should be the ones that replace the list that we went over in the beginning, and so that's the idea, and that's where they wanted to make sure that the AP had a chance to comment on that, and that's it.

MR. HULL: I think Myra is -- Do we want to make a statement that we approve this? I mean, it's the minutes that so far it looks like we do, and we've had a couple other ideas and questions, but, overall, this has been worked on, and we've seen it before, and it's been edited, and it's been refined down and wordsmithed down to this, but I see a couple more hands.

MR. ATACK: I think the objectives are very good. They are very encompassing. It's a mouthful, and they can't do it all at one time, and so, as I understand, it's like you can eat the elephant in one big chunk. You've got to do it a mouthful at a time, and so I think it's very good goals and objectives that they have there, and I would endorse those. **I guess I would make a motion that the AP approves the goals as stated and encourage the council to pursue meeting the goals.**

MR. HULL: Yes, I think that that's -- I like that idea, and I think we should make a motion, and so let's go ahead and write it up, and we'll see if we can get a second. Is that what you were concerned with too, Randy, or did you want to comment first?

MR. MCKINLEY: I do. I think the objectives are great, and, hopefully, when it comes time to implement it for the next one, they are prioritized in the manner that helps and is most beneficial to us as fishermen.

MR. HULL: Okay, and so, when Myra gets this up here, we will read it and see if there's any changes from the motion maker, and we'll see if we get a second, and we'll discuss it quickly and vote. **The motion is recommend that the council adopt the goals and objectives in the vision blueprint for the Snapper Grouper Fishery Management Plan.** Does anybody want to second that? Robert was first, Robert Lorenz. Any further discussion? We just had a lot of it. Any further discussion, or are you ready to vote on this? Let's vote. **All those in favor of this motion, raise your right hand; all those opposed; any abstentions. Seeing none, the motion passes.** Thank you.

MR. LORENZ: I just want to offer something as -- I really like this, and, just to the group, if you remember, we were addressed in our introduction by Gregg Waugh, who mentioned -- Apparently he must get hit from time to time with feedback, and I don't know whether from this committee or others, that the council and council members do not listen to us, or some individuals may feel that way, and I really hope the council adopts this, because I am going to print this out, and, as we sit here and discuss issues, I think a very powerful way that we can approach it, or if you want to approach the council in general or a council member, is, if something is not going to the way you want it, or you think they're not doing the job, make it business and not personal.

Say, hey, you're not meeting -- This fits under Goal 1, Objective 2, and you're doing or not it, and that can work both ways, both as sort of a statement that you're not happy that something isn't happening, and I'm going to certainly try to do it with this group, that we actually keep a mind of this as we make various motions or come up with things and where it fits in this plan. I just wanted to offer that.

MR. HULL: Okay. There is a little bit more here, and then we'll move on.

MS. BROUWER: Just to show you, since we're on the vision blueprint topic here, one of the things that we brought to the council in March -- They had asked us to sort of revamp the material that we have provided for stakeholders, so that they can keep up with what the council is doing in terms of these goals and objectives, and so we have -- Here is our website.

If you go to site menu and you go to vision blueprint, it brings you to this page. There is a story map, and I'm not going to go through it, but there is a story map that shows you what the vision blueprint is and the evolution of it and what all went into doing it. There is an overview, and there is a fact sheet, and there is the blueprint itself that you can peruse at your leisure, but it's all here, and so, if you're interested in looking at the various bits and parts and different actions and strategies under each of these objectives, this is where you will find it. Thank you for your input on this. I appreciate it.

MR. HULL: Thank you, Myra. Okay, and so we're moving along good, and this is good. We're going to go to Item 12, Election of Chair and Vice Chair. This is the time to do this, and so we're going to look to you all to make a motion on this, and so the first hand that I saw was Rusty.

MR. HUDSON: **Is the motion for the Chair at this moment, because you're the Vice Chair that is sitting in for David Moss, and so I would like to make a motion that the Vice Chair becomes the Chair, Jimmy Hull, and I would like to close any further suggestions on the Chairman.**

MR. HULL: Who seconded that? Red Munden. Rusty makes this motion, and Red seconded. We do the Chair and the Vice Chair separately. We're going to go ahead and, if there's no further discussion, we're going to vote on this. **All those in favor, raise your right hand; any opposed; abstentions. It passes.** Thank you for your confidence in me.

MR. MANIGAULT: **I would like to make a motion for Robert Lorenz to be the Vice Chair.**

MR. HULL: Okay. Do we have a second? I saw Jim Freeman first, and so we'll go with Jim on that one. I will go ahead and read this motion. **It's elect that Robert Lorenz serve as AP Vice Chair.** Let's have a vote on this. **All those in favor. It's unanimous.** Okay. Very good. I look forward to having you sitting next to me to help me a lot.

MR. LORENZ: Thank you, everyone, for your confidence. I will try to do the best I can.

MR. HUDSON: I always had thought that there was several years involved, but I understand, with Snapper Grouper, that we meet twice a year, and so it's a total of four meetings, two plus two, and so that's two years for each person. Thank you.

MR. ATACK: That means that, if Robert is going to take it, that he needs to serve four more years, right, and will he be allowed to do that?

MR. HULL: I can't answer those questions.

MS. BROUWER: The way it works is, after your term is up, you can be reappointed, if you submit your application, and then I think it's you can serve three terms on the AP, and then you have to be off of it for a year, and then you can put your application back in the hat to be reconsidered.

MR. HULL: Okay. If there's nothing further on that, we're going to move on to Number 13, Other Business. We do have one thing lined up for this. We're going to have a discussion and some information presented to us first by John Hadley on the sharks, and so that's where we're going now.

MR. HADLEY: Thank you. What was included in your briefing book under the late materials is an updated draft of a letter that the council intends to send to the National Marine Fisheries Service regarding the feedback that they have received on increased shark predation. We've talked about it here at this table, and the council has heard it throughout the South Atlantic region, throughout the range, and so this is really a first step, and it's a comment letter, and it's a first step at better addressing the interactions with sharks. Really, we're bringing this to the AP to make the AP

aware that the council is doing this, and also to gather some feedback on whether -- Does this capture the concerns, and is there anything that's being left out?

With that, I will briefly go over the letter, in general. It starts off with pointing out the kind of key species that are of particular concern, based on the feedback that the council has received. Most of those lie within the aggregated large coastal sharks management group and also dusky sharks, which are not in that management group.

The particular species that were identified outside of dusky sharks included bull sharks, blacktip sharks, silky sharks, lemon sharks, spinner sharks, tiger sharks, and sandbars, and so that's kind of the list, and those are the ones that are identified in the letter, and then the letter goes on to state essentially some of the major concerns that the public really has expressed regarding potentially some learned behavior, where you have sharks that seem to be becoming increasingly more so towards fishing boats and dive boats and hanging around and eating fish that are either hooked or put back in the water.

Then, also, the implications of that, and so increased mortality, particularly on some snapper grouper species, and then some of the long-term sustainability concerns in relation to that. Also, some of the issues over gear damage and also the economic losses from gear damage or just losing target species.

Moving on down, the council essentially is calling for a better balance between conservation of sharks and other federally-managed species, including South Atlantic Fishery Management Council managed-species, and then improved coordination essentially between the councils, HMS, the Science Centers, and the public in general.

As a starter, there is a few solutions that are suggested. One is looking at better utilizing the large coastal shark commercial quota. Last year, that was underharvested. Then looking at timing step-ups in the commercial possession for these shark species, to coincide when some of the South Atlantic managed-fisheries kind of at their peak or kick off, and so, there again, better coordination between HMS and the council.

Finally, one thing that was identified was potentially reevaluating the recreational prohibition on the harvest of silky sharks, and this is currently prohibited, and it's largely due to concerns over misidentifying silky sharks with other ridgeback species, specifically sandbar and dusky sharks. Those are the three concerns, and it caps off with asking the -- Well, requesting the HMS staff attend a future council meeting and really get the conversation going and the dialogue going on how everyone can work together to have a positive outcome. With that, I will turn it over, and that's kind of a brief overview of the letter.

MR. HULL: Thank you for that. That's very important.

MR. HUDSON: Thanks, John. Many of my suggestions have been already made and given to Jessica, and so you'll see that. One of the things, with regard to dusky, is it's a co-occurring species with the sandbar. We do have a research fleet with sandbar that we hope to open up to make it more available, but, in order to open up dusky and get it off the prohibited, both have to have a stock assessment, sandbar and dusky together, and HMS and us have been talking about that, and

Anna Beckwith, as a council member, will be coming up to the meeting on May 21 through 23 in Silver Spring, Maryland, and it has been put on the agenda.

We will be able to discuss this draft and these suggestions, and keep in mind that we don't have an SSC, and so all of this has to go through a different mechanism than what we do on a council level. We have also, just like with a lot of our fishes that we're concerned about moving north because of changing climate and stuff, well, as a general thing, for forty years, we followed blacktip, sandbar, and dusky from down south all the way up to the Delaware Bay, and so that is one concern.

The first five prohibited species, which is including great white, we approved of. We supported that back in 1997. The additional fourteen species that included dusky never had a stock assessment, not a single one, up until dusky was recently done, and so you've got thirteen others there, of which some are actually virgin populations that we could fish on, like bignose. That's an example. With silky, there is some kind of things out there on the international level. The hammerhead that we have, those are a concern too, and those are a large coastal also, in particular, the great hammerhead and the scalloped hammerhead and the smooth. The great hammerhead, as you know, the male and female generally just is kind of loners. The female is always the biggest.

The scalloped hammerhead, they come all the way into the Florida beaches and stuff. Our shark gillnet fleet used to catch them as a bycatch with their blacktip, and sometimes the swordfish guys will see a thousand of them up on the surface and stuff like that. That population is rebounding very well, and it is not one of the four threatened or endangered hammerhead, scalloped hammerhead, stocks around the world.

We, from Maine to Texas, are one of the ones that has no problem, but we still give CITES reports on our catch, and so that's where we have a linkage with our large coastal sharks, with these scalloped hammerhead. The smooth hammerhead we don't see quite as much, particularly since that is caught, usually, on the other side of the axis, or around that, with the swordfish fleet, but we have no pelagic longline off the east coast of Florida, and that's another kind of thing, but they also are a big, schooling shark, and so that's something with the hammerhead that needs to be understood, and so they are part of the problem.

Our neighbors, the Mid-Atlantic Council and the Gulf Council, they are having the same problems that we're having. Collectively, before NMFS took this and made it into a secretarial plan, it originally was the five councils of New England, Mid-Atlantic, South Atlantic, Gulf of Mexico, and Caribbean. The Caribbean even has issues, but we're getting ready to change their whole way of being able to behave, and that's a good thing, and they're going to have things like the Caribbean reef, which is currently prohibited, but it's very common down there, and it's going to be unprohibited for them to use once we get finally to that point. I am just going to end that, and, when you see whatever I did, and there's a couple of other things off of there, but I'm very supportive of this effort. Thank you, John.

MR. HADLEY: If I could, one thing that I forgot to mention is the timing of this letter to correspond -- It's basically right before that HMS AP meeting, and so the HMS AP will be receiving this letter from the council before then.

MR. HUDSON: You're going to the right guy at Alan Risenhoover right now, the Head of Sustainable Fisheries, and he always sits in our HMS meetings, and he pays attention, and sometimes he communicates to us in a sidebar and everything, and we do not have a permanent chair at the moment, or chief, of Highly Migratory, because Margo moved over to the National Ocean Service, and we have Peter Cooper currently in the acting role, and he will be there for another couple of months, but he will have to defer to people up above him, which will include probably Chris Oliver.

MR. HULL: I would like to let everyone know that Rusty sits on the HMS AP, and has for a long time, and so he's kind of representing us there, and I think at the council level -- I believe Anna is also on there as a council member, and so we're there, and this letter is timely, and it's important, and we need the HMS to address the concerns that everybody has, but it seems like it's the same issue that we have with snapper grouper species, and it's science. The science isn't happening quick enough for them to make the moves that they need to make, apparently, but Rusty has a lot of information, and so, if you need more on that, he's the guy to talk to on that.

MR. ATACK: I totally endorse pursuing the ecosystem approach to the management of sharks, and you really need to -- The whole ecosystem approach and take a certain amount of species, so you don't have it top heavy in your predators. The one shark that is not mentioned is the great white, and they have been more and more prevalent in our area, and I know we've had four or five different great whites in the last four months off of Frying Pan Shoals, and so they're coming back, and I have never seen one in the water yet, and I hope that I never do, but that may happen one day.

MR. MUNDEN: Would you scroll down so that we could see the bottom part of the letter?

MR. HULL: Did you want to further comment on that, Red? Okay. Go ahead, Jack.

MR. COX: All I will say is it's about time, because, at public comment, that's what we've been hearing for years and years and years, about our ecosystem is so out of balance with sharks and the way that we have protected them for so long, and we felt like our hands have been tied, and they still are, to what we can do to go back, and I was involved in the shark fishery in the 1980s, and things were much more balanced, and we didn't have our reefs -- If you go out and talk to the guys at Wanchese, they can't even tuna fish anymore, because the sharks are so bad, and they're lucky if -- They have had twenty-five or thirty tunas that they have tried to get to the back of the boat that they don't get eaten up, but all I can say is this is a great thing, and I hope that it will get somewhere.

MR. HULL: Thank you, Jack. Anybody else?

MR. MUNDEN: I think it would be a good idea for the AP to notify the council that we support this letter, and I would like to say one thing, and that is that the Atlantic large whale is meeting as we are meeting today, and they met this week, and I made the decision to come to this meeting rather than the large whale meeting, but this may raise some red flags among the marine mammal people relative to more gear being placed in the water for the harvest of sharks. I know it's very rigidly regulated, but, in the past, there has been some really serious problems with shark gillnets and interactions with marine mammals.

MR. HULL: Thank you for that, Red. We appreciate it.

MR. HUDSON: Most of our shark gillnet is gillnetters that aren't really operating any more, and, second off, they traditionally used to operate near the Florida coastline and stuff, down our way, and our longline is usually the main source. Great white was brought up, and it may be a predation issue, with a lot of the right whale calves, and they follow them right on down, and there's other issues going on with great whites, but, at the same time, that was supported in 1997, along with the basking, the whale shark, sand tiger, and the deepwater, the bigeye sand tiger, those five, but these other populations are much larger, particularly sandbars and dusky and spinner and blacktip and stuff like that, and they're a problem for a lot of our councils. The more that we can do to emphasize the science, because the science is the only thing that's going to set us free, whether it's red snapper or sharks.

MR. HULL: Thanks, Rusty. I think we have support for this letter going forward to the council.

MR. HADLEY: That's all for me. Thanks for the feedback and the discussion.

MR. HULL: Thank you. We're in Other Business, but we need to bring Kathleen up here. She needs to address us.

MS. HOWINGTON: Hi, everyone. I am Kathleen Howington. For those of you that don't know me, I was working for the council as the for-hire electronic reporting outreach specialist, and I have stepped into Julia's shoes, and I am now the SEDAR coordinator for the South Atlantic, and so, hi, how are you doing, and I'm hoping to be able to work with all of you in the future.

I am coming up to be able to try and discuss the SEDAR 68 scamp research track assessment. As you all know, in SEDAR, our schedule has been a little bit shifted, because of the shutdown, and so I'm coming back up here to re-ask if any fishermen would like to be appointed observers for this assessment. I would love to be able to talk with you about that. I have also discovered that - - Maybe you guys don't know about this, but sedarweb.org is our website, and, if you all ever need to go find a SEDAR project or assessment, you can go to this website, and go to "find a project", and you can find it by species or by cooperator, like South Atlantic Council. You can also go down here, if you know the number, which I do, and you can just click on the button with the number.

If you ever need to go back and say look at black sea bass, then you can actually come find it on this website. The reason why I am pulling this up is this SEDAR 68, scamp, this is our new milestone schedule, and so it's a little bit more generalized, and we're waiting on some cooperators to get back to us to narrow down these dates, but the new schedule kicks off in June of this year with the stock ID data scoping webinar. June is the stock ID data scoping webinar, with a few webinars being hosted in August and September as well of this year. That's followed then by a data workshop that would be in-person in March of 2020 and then, following that, there's a few other webinars throughout the year, with the assessment hopefully starting around July of 2020. All of that is culminating in a review workshop, which would be in-person, in March of 2021.

The reason why I just went over that is, like I said, we have come up and requested for observers before, and I actually do you have you all's names down. If you're still comfortable with this

schedule, please feel free to come up to me, and, if you feel like you need to just kind of mull over these dates, then feel free to, and you can come reach out to me later on.

I did want to emphasize that, if you do want to be a part of this, this is the first research track assessment in the South Atlantic, and so, if you want to be kind of one of the people that helps mold this process, being a part of this would be really great. Like I said, these are the dates, and that's where it is on the website. If you're still comfortable with it, feel free to walk up to me, or if you want to say right now that you're still good, feel free to do that as well. We would just like to know if you're still good.

MR. MCKINLEY: I'm good.

MR. HULL: I believe that I'm good, too.

MR. HUDSON: Other SEDAR projects, like golden tile, SEDAR 66?

MS. HOWINGTON: Right now, golden tile and a lot of the other assessments in the South Atlantic are on pause. In March, the council and the SSC raised some concerns about the newly revised MRIP numbers, and the council requested that the SSC conduct a workshop to be able to actually look at that, and so that is still in the works. The SSC met, and they created a group that is hopefully going to be able -- It's a steering group that's going to kind of get the ball rolling, and we're hoping to address those concerns in the near future.

MR. HUDSON: Having listened to the SSC and SEP meeting, and also knowing the litigation scenario that we had with regards to this standard assessment, that was a solution that Shepherd Grimes and us had discussed, and that came up a couple of times during the SSC meeting that I listened to, and so what I'm trying to say is that they felt that it could be accomplished, and that is only 5 percent of the entire allocation is recreational, and so it's not going to be an MRIP recalibration scenario of any consequence. What we need to do is solve the problem. We took a million dollars off the table, and that's good. We should have a million dollars on the table, and so thank you.

MS. HOWINGTON: Yes, and I know that, for the SEDAR assessments that are occurring, all of the other data is still moving forward, and that's the only thing that is kind of on pause, and so we're still working on everything, but we're just waiting until that workshop, but I think Julia wants to speak.

MS. BYRD: I was just going to say that, at the March council, and, Jessica and Mel, feel free to speak up if I'm not characterizing this correctly, they were most comfortable putting all of the assessments on hold, and that included tilefish, because that was discussed, until the concerns about the new MRIP data are done, and so I think, if you have some of those concerns, Rusty, I would suggest that you guys talk to them, because, right now, the general idea is SEDAR is going to be waiting for the outcome of this SSC workshop before kind of things are really going to gear up and get underway again for all of the assessments, other than cobia.

MR. HULL: Thank you for that. Anything further on your side?

MS. HOWINGTON: No, that's all. Thank you.

MR. HULL: Thank you. We're still in Other Business, and I know Jack has some. Deidra, go ahead.

MS. JEFFCOAT: I am bringing up the black sea bass again and what was proposed yesterday. I am not wanting to reopen this, but I just want to voice my concern, and I think I voted hastily. I don't want to see the sea bass to go to eleven. I am afraid that, with the current ACL for this year, opposed to last year, we stand to see a closure even at thirteen. I just would like to see maybe a change when the new stock assessment is done and see where we're at with that, but that could be some time away, and so that's just how I feel, and I don't know if anybody has anything else to say to that. I know that I'm on the minority side of this, but I just feel that eleven, with such a low ACL for 2019, is dangerous for a closure.

MR. HULL: Deidra, the opportunity is here to make another motion, and so would you care to do that?

MS. JEFFCOAT: A motion to --

MR. HULL: What you said. We could develop a motion, and you said possibly wait until the next stock assessment or that they consider the motion that we actually made or any other further size.

MS. JEFFCOAT: **I really would like to make a motion that we wait for the change on the sea bass until after another stock assessment is done.**

MR. HULL: Let's let Myra get something up there and then see that it suits you, and we'll see if we get a second, and then we'll go.

MS. JEFFCOAT: This is recreational. It was supposed to be 2020, but, with the closures, the government closures, I think it's on the back-burner a little bit.

MR. HULL: Okay, and so we have a motion on the board, and I'm going to go ahead and read it and see if we can get a second. **Recommend that the council make no changes to the black sea bass minimum size limits until after the next stock assessment is completed.** Do we have a second for that? I saw Robert Freeman's hand first, and so he seconded it. Now let's have some discussion, and then we'll vote. Any discussion on this motion?

MR. SEBASTIAN: Sea bass is pretty much our bread-and-butter for headboat and charter and stuff like that, and so, for me, anything that jeopardizes that stock getting closed, if we're taking more fish out of the water, is absolutely devastating for our fishery, and it would have humungous economic impacts.

Dropping the size limit down to me, even though they're going to retain more fish, to me, all that means is we're just going to reach the limits faster and then we're going to get penalized when we override the limit. Then 2020 is cut in half, and I remember 2010, or 2011, and it was absolutely -- When you have to tell a customer that you can't retain a fish at all, then you just lose that customer. They just don't want to go, and it was a horrible couple of years, coupled with the

economic downturn, and a lot of us almost didn't make it out. The headboat industry is down to just a couple of boats in South Carolina now.

MR. HULL: Thank you, Cameron.

MR. ATACK: I think the motion maker wanted to have recreational in there, because it's really addressing the recreational size limit. The motion the other day talked about making the size limits the same, but all she's really concerned about is the recreational in this motion.

MR. HULL: Well, hang on. Deidra, think about that, what he said. Your motion reads now to recommend that the council make no changes to the black sea bass minimum size limits, and that includes both, until after the next stock assessment, and so does that capture what you want? It was seconded by -- You're good with that, also? Okay. Is there further discussion on this?

MR. MCKINLEY: How did that vote go yesterday on that? I wanted to see that. Oh, I see. Eleven in favor to --

MR. HULL: Jack, did you have something that you wanted to talk about to us?

MR. COX: Not related to this.

MR. HULL: Okay, and so let's hold off on that.

MR. MANIGAULT: I don't know why we're revisiting this, and I was looking at some of these objectives that we just voted on unanimously, which strictly stated that we were going to prevent overfishing and that we would -- Where is Number 11? Then 14 is end overfishing of the snapper grouper stock, which is there, and I believe black sea bass falls into that.

Once again, I will always say that the playing field needs to be leveled in this particular area, and the ACL has never been met on the recreational side, while the commercial guys still overfish it, and so, to me, in looking at it, it's more of a money thing than an actual conservation thing, and that's why we're here, for the purpose of conservation.

Once again, it's not a job. It's a job for the commercial guys. It's an adventure for the recreational people to go out. I took my three-year-old son out fishing a couple of weeks ago for the first time, and, for him to be able to catch a fish and be able to catch a fish years down the line, it's what is important to me, because, at one point in time, I was a law breaker. I am going to stand on this, no what happens, and I'm going to continue to support it, because I know that the SEDAR assessment on this is three years out. We just had that discussion, and so the only way we're going to get a balance within this whole entire thing is to take this to the council and have them understand that, if we get everybody down to eleven inches and not get the commercial guys to overfish their ACL, we'll be able to get a proper stock assessment.

It's not about money. It's about conservation. It's a matter of a hard thing to me, because, like I said, I used to be a law breaker until I understood the importance behind conservation with everything in the ocean, and so, whether you like my statement or not, it's not a money thing for me in the charter boat business. It's a conservation thing, and that's how I feel about it.

MR. HULL: Thank you for that, Gary. I don't know when the last time was that the commercial sector overfished their ACL in the black sea bass.

MR. MANIGAULT: We just talked about it.

MR. HULL: It's a reported fishery, and it's kept pretty close, but I think that we need to -- If there's no further discussion, we need to vote on this, and then we can discuss some more, and, if you want to make some more motions, we can do that. Are you guys ready to vote? Yes? Let's vote. Okay. **All those in favor of this motion, raise your hand; all those opposed; any abstentions. The motion passes.** All right. We're in Other Business.

MR. ATACK: I would just like to make a comment on that. I was surprised to see Gary vote for this, because he just said that he didn't endorse her motion, and he's wanting to change the --

MR. MANIGAULT: (Mr. Manigault's comment is not audible on the recording.)

MR. ATACK: The comment that I want to make, after the motion passed, is that I agree with Deidra as far as not changing the recreational size limit, and that's what her motion was, and, if we do wait for the next stock assessment, it will be five years before we make a change with anything, if we go with her motion. I think, from a sustainability and a conservation standpoint, I think that both size limits should be the same, and I think, if you run the numbers on it, I don't think the size should be going down, and it should be going up, to make it even across the field, and that's part of the reason I think we're where we are, is we're not leaving enough of the eleven or twelve-inch females out there to breed for recruitment, and so that's my comments.

MR. HULL: Thank you, Jim.

MR. LORENZ: I just had one comment. I voted for this, but my mindset is we need another six months, and so does the council, and I would like to hear the council just talk about this a little bit, and I view this right now as just to tap the brake right now, and we're retaining the status quo, and we can always think about it again. I am still -- I need to get a little more up on this, because I'm not so sure that we don't -- That the recreational people would overfish their ACL, because we keep being told that we never catch our limits anyway, and a very low amount of fishermen that catch their limit, and so nothing is terminal, and I got a little confused.

MR. SEBASTIAN: As a pretty integral part of the biggest charter/headboat operator in South Carolina, the amount of throwbacks that we have, and I would say probably 90 percent of them survive, and we would blow through that limit in no time if the size limit was dropped down, and the season would be shut. Sometimes we're talking, on just a fourteen-passenger vessel, 300 or 400 fish being thrown back in a half-day trip.

MS. JEFFCOAT: I agree with him. With the change in the ACL from last year to this year, it could be devastating for us. I think we would see a closure for sure.

MR. HULL: Thank you. Okay. I don't see any more hands. Is there more other business?

DR. KELLISON: This is a different topic, and so were we done with that conversation?

MR. HULL: Yes, sir, we are.

DR. KELLISON: Okay. Thanks. Just quickly, the conversation about water temperatures and species distributions, that just reminded me that a group of us in Beaufort, mostly on the fisheries side, but also on the NOS side and some people from academia, are working on something called an Ecosystem Status Report for the South Atlantic. Ecosystem Status Reports are being done by our agency, NOAA Fisheries, for all the marine regions, and they are essentially just compilations of trends over time and a suite of ecosystem components, which might range from climatological, like El Nino or Atlantic multidecadal oscillation, to physical, and like water temperatures were discussed and our degree of upwelling and things like that, to biological, like trends in different species abundances, to socioeconomic, like landings and fishing effort and coastal population pressures.

You name it, and it's meant to be sort of a big-picture look at changes over time within the region, and the purpose of those is to make that information easily accessible to people that might be interested in it, like this advisory panel or, more importantly, the council or Atlantic States Marine Fisheries Commission. That's something we've been working on for a while, and it's not really anybody's day job at our lab, but we are hoping to have a draft report that can go out to potential customers of that report for review and feedback hopefully sometime later this year, possibly early next year, but it's pretty far along right now, and so I just wanted to -- That's just an FYI that we are working on that, and stay tuned, because I would envision distributing it for comment here. Thank you.

MR. HULL: Thank you, Todd.

MR. COX: For Other Business, on the commercial side, we just met our triggerfish ACL for the first half of the season, and we just had a closure last week, which tends to be a little bit of a problem, because triggerfish -- It's a co-occurring species with our vermilion fishery, and so I'm a little concerned about our discards that we're going to have. We closed two-and-a-half months early.

With that said, I think I would like to -- I would be prepared to make a motion on our triggerfish fishery. **The motion would read that I would like to see the council consider a gray triggerfish trip limit reduction to extend the season to be more in line with our vermilion fishery.**

We have certain species, co-occurring species, in our fishery, and our triggerfish and vermilion, at least with what I am familiar with in North Carolina, are co-occurring species, and so anything that we can do to reduce discards would certainly enhance our fishery.

MR. HULL: Okay. Stand by, and let's get that written. Go ahead, Randy, while we're working on this.

MR. MCKINLEY: Could I add to that some of the stuff that I wanted to say before we write up a motion, so that maybe it could include some of the --

MR. HULL: We're still developing the motion here.

MR. MCKINLEY: Yes, and, I mean, I would like to say something before you even write the motion.

MR. HULL: Go ahead.

MR. MCKINLEY: I agree entirely with Jack. That really puts a hammer on us, and it's just like Amendment 27. A lot of time was spent on that, but it just seems like some of the stuff was left out. The step-down on the trip limits, to me, or a bycatch allowance, is the most effective way to get rid of this fishing mortality, and especially with the species that come together, and the triggerfish is one that is just crucial. I mean, those two are intertwined so much with the b-liners that it's just I can't believe that there hasn't been -- You know, we've still got the step-down on the gag, but they took it off the b-liners, which I am sad to see that.

In May, it's going to be a bad month, especially if they do away with our red grouper, and it's just -- I like the step-down, and I think it should be added not just to the gags, the b-liners, and the triggers, but the black sea bass also, because we're facing a closure, probably in November or December of this year, possibly, on that, and so I just hate seeing the step-downs taken away. Anyway, that's what I would like to say, and so let's incorporate that.

MR. HULL: Thank you, Randy. I think we can wordsmith it to be more in line with the vermilion fishery. Obviously, we realize, and so does the council, that they are intertwined. Triggerfish and vermilion are prosecuted together, and they should try -- I think that was the intent of this, when we were doing all of this, was to try to keep them aligned together and stay open as long as they possibly can together, and so maybe there is further things that, Jack, you think need to be done to try to do that. Let me read it, and then let's see if you want to change it. **The motion is recommend that the council consider a gray triggerfish trip limit reduction to extend the season to be more in line with the vermilion fishery.** You may want to add "commercial" into there and not the recreational part of it, or go ahead.

MR. COX: Well, I thought about that, but recreational is usually -- We talk about bag limits, and a trip limit is usually commercial, but we can certainly put that in there, to make it clearer. **I would say that we could change it to "recommend that the council consider a gray triggerfish commercial trip limit".**

MR. HULL: As to your comments, Randy, I think, to be more in line with the vermilion fishery, and, if you wanted to include the step-down, if you want that language in there.

MR. MCKINLEY: What I would like to see is maybe and/or a step-down.

MR. COX: Well, I know that the council had some talk about step-downs, and one of the reasons that they removed it was because it was a cost burden on National Marine Fisheries Service to put step-downs in. However, I do support step-downs. I think there is a place for them in our fisheries. This is going to go back to I think some conversations that the council had on step-downs, but it would certainly have helped in this situation if we had left the step-down in place, and so I would support adding step-downs into that.

MS. BROUWER: I am still trying to follow. You are wanting to recommend that the council replace or reconsider or re-establish the step-down for vermilion and reduce the trip limit for gray triggerfish, and is that what we're doing? Okay.

MR. MCKINLEY: I would love for them to reconsider the step-down on vermilion, but, as part of this motion, I would just like to either one or the other or both, possibly.

MS. BROUWER: So reducing the trip limit and implementing a trip limit reduction, a step-down.

MR. COX: I don't want it to get confusing. I want to leave it like it is, a trip limit reduction, and I just kind of know where the council has been in discussions on step-downs, but maybe he can make a motion, a separate motion, to ask the council to reconsider step-downs on other species, but I'm going to leave my motion as it stands.

MS. BROUWER: I just want to clarify, because sometimes we refer to a step-down as a trip limit reduction, but that's not what you're talking about. You want the trip limit to be reduced without a step-down for triggerfish.

MR. COX: Yes, that's my motion.

MS. BROUWER: Okay.

MR. HULL: Do we have a second? It's seconded by Red. I will read it. **Recommend that the council consider a gray triggerfish commercial trip limit reduction to extend the season to be more in line with the vermilion fishery.** Is there more discussion?

MR. J. FREEMAN: Jack, is there a number that you're thinking?

MR. COX: Well, hopefully they would put a range of alternatives in, which they would need to do, but I would only add that triggerfish bite when the water is cool, and so it will start to get a little complex, and that's where fishermen will weigh-in. The triggerfish fishery ramps up when the water is cool. Then, when it warms up and gets hot, the vermilions will start to bite more than the triggerfish, and so, if I personally were to put something in place, it wouldn't be a drastic reduction, but it would be something like -- Right now, the trip limit is 1,000 pounds, and so I'm thinking of something like 700 pounds or whatever it takes, because we've got two-and-a-half more months of the vermilion fishery before the triggers reopen, and so that's a long time, two-and-a-half months. There's a lot of discards that are going to go on during that time period. I don't know if I want to put something there, because that would be a next step.

MR. J. FREEMAN: I agree, but should we try to put something there? What if they come back at 500?

MR. COX: I would even support that, the 500, but they would come back with a range of alternatives, and then the fishermen would decide on what they would like to see.

MR. HULL: Vincent, did I see your hand on this discussion?

MR. BONURA: I had a question, but then Jack answered it there. I was going to ask to have it on the record what the current trip limit is currently, but he said it's 1,000 pounds, and is that accurate?

MR. MCKINLEY: I would just like to say that, to avoid step-downs, I would a lot rather see like the b-liners be 750 or something like that for a trip limit, and then that would avoid a step-down, but that would help too, I think, because I think we're going to face closures on them, and maybe not this year, but in the next couple of years.

MR. HULL: Okay. I don't see any other hands, and so do you all need me to read this again, or are you ready to vote on it? **All those in favor of this motion, raise your right hand; all those opposed, raise your right hand; abstentions, none. It passes unanimously.** Okay. Are we ready to move on? Does anybody else have any other business that they would like to bring up at this time?

MR. LORENZ: It's going to be new business, but I kind of wonder -- There are some hot buttons, and if we ever had a chance to talk about it, and we never get to it, because it's more -- Some of it ends up dumping into the vision things that we just saw, but I made a note, through this meeting, of a few things that are a little messy, and you would have to get a little outside of the box, and maybe I will write a letter on this one to consider, but I will just give a quick sample.

We are running into what I would actually call commercial gear in the recreational fishery, and I think that would be a way to describe some of the angst that some of the commercial fishermen have, and so I, as a recreational fisherman, thought is there some reason where like an electric reel beyond a certain size, and it would be like for people with a handicap or children could be utilized, but, at a certain size, would that be considered a commercial gear? That could eliminate some issues where -- Like where Mr. Freeman has talked about where it's undocumented or unknown what effect recreational fishermen have on the deepwater fishery, yet we know it requires that in order to prosecute the fishery out there. I am not going to fish in those areas with anything but an electric reel, and I won't use an electric reel, because I'm into the sport, and there is one.

We got into the issue of powerheads in spearfishing, and that grew out, originally, of what I thought was a very simple request, was should we standardize the powerhead use or no use between all the states, because of South Carolina. It came out with a bunch of tentacles on there about people spearfishing and the advantage they have in taking large species. Where we talked of the commercial spear fishermen are well documented, and it's a small group, but they are very effective at localized depletion, or at least that is thought, and the recreational spear fishermen -- There is some thought that they are growing, and I think they could, but there is no documentation, and they may not be as effective at the depletion, but we don't even know their success. I kind of wonder, gee, would powerheads be something that you could do with spearfishing that's a commercial gear.

We don't yet have a recreational fishing license or anything, because one of the things you could go to is something like we have in North Carolina, where there are certain things that are considered a commercial gear that you can use them recreationally, but you just can't sell the fish, but you would have a commercial gear permit for recreational fishing. Things like that. Is there anything like that that we're talking about? I look at some of the new gears or the rising utilization

in fisheries, like spears, and what effect they are having on fishing, and when do we get to discuss that?

The regional consideration for the seasons, that's been talked about since I have been on these APs about five years ago, but we really don't have a good, honest discussion of that and what I see as the 28 parallel factor. There are things that start and go on in Florida that end up affecting all the rest of us all the way up the coast, in spite of the fact that, with recreational fishermen, we can have conservation by default with the time, the distance, expense, the boat required, and the weather. In some of the more northern areas of that, it causes us to not make trips, and so there is conservation by default.

We have issues like the spawning of red grouper. If we're going to start thinking that there are red grouper spawning in our area in June, again, a regional consideration in the northern area to give us January and things like that.

We never discuss how anybody here thinks climate change may be affecting the fisheries and all, and I'm just wondering if ever there might be a time for this group, with its knowledge, to get together and convene on a discussion of some of these other issues that I feel are a little more strategic or forward looking, rather than the day-to-day of firefighting or objectives fisheries management that we're doing here, and so that's just a thought that I would like to bring to the group. If you look at what we have, we have a parking lot of a lot of issues that have kept accumulating, and they come up over and over again, and sometimes we don't have any way of dealing with it, often because there is no mechanism that makes the whole solution something that we can grab.

MR. HULL: Thank you for that, Robert. I mean, that's a lot of stuff, and is it something that you want to propose for a future meeting, that we discuss some of those items and put it on the agenda, some of those things that you -- I mean, the first thing that came to mind on one of the first items that I remember you mentioned was gear, acceptable gear, for sectors.

That is being done at the state level. In Florida, there is fisheries where they say there is acceptable gear, and I think at the federal level we have that also, and so maybe that's something that, at a future meeting, we could discuss, acceptable gear for the recreational sector, and I think you mentioned like powerheads should be in the commercial sector and not the recreational, because we have different objectives of the fisheries.

Deepwater reels for the recreational sector, when you only have access to very limited harvest in the deep water, and you can't really release them very well, and so it's just kind of fruitless, and so, yes, I think those are great things that we should talk about, and is that something that we want to recommend that we talk about these things in the future, or make a motion to that, or what do you want to do?

MR. LORENZ: I would like to recommend that everybody think about those and put those on a list, and I guess where I was coming from was, and it may be too expensive, was it ever worth a special day for those type of things that people submit and we start the ball rolling on thinking and talking about it, as a group of very enrolled stakeholders, and that's where I was coming from, and I can put these in a little letter list, where we can take one per meeting and discuss it and try it and see whether it works, but it's really -- It's going to change some things, if we really get into it.

MR. HULL: I don't think we should get into it right now, that's for sure, but I think it's a lot of stuff, and it's a lot of great ideas, and I think we're talking about a lot of them already, and they need further discussion. There needs to be a lot of discussion and analysis on everything that're talking about there.

MR. LORENZ: With the AP's permission, I just would like to ask Myra to bring this up and what was stated to the council for consideration to sort of back-assign to us or make it something incumbent -- Give us the time and a little bit of the energy with staff to look at some of these issues that have been in the parking lot for so long, and I will give you a little letter for that, to help out.

MR. HULL: I mean, that was one of the main items that she put up there, and we just discussed it, was acceptable gear, but I think it's like the list that you said that you would put together, a list of all of those things that you just mentioned.

MR. LORENZ: That's just what I've thought of. That's just what came out of today's meeting that we rehashed, and there are so many other things, like what Rusty brought up about what's causing that algal issue out on the Oculina coral that is affecting rock shrimp people. I mean, you could really go on on some of these things.

MR. HULL: Basically, it's like we need to meet here every day for the rest of the year, and so does the council, but that's not going to happen, and so I guess we'll just leave it at this as a request, and we'll go forward with it, and it looks like maybe something we can bring up at the next meeting and see if we can push forward with that. Are you good with that, a request? Okay. Thank you. Is the rest of the AP good with that? Okay.

MR. COX: If we're through with that, I wanted to hit one more other before -- Something that we've been -- I don't feel like we ever got to a resolution on something, but one of the big-picture items here that we met with was trying to figure out this universe of recreational fishing. That was a lot of the things that we discussed here, and one of the things that we did learn is we talked about state stamps and different things.

I wasn't aware that Georgia didn't have a saltwater fishing license, and so that makes it a little more complex, and I don't know -- To me, it just seems like it would be certainly easy to have an open-access recreational federal fishing license, and we're fishing in federal waters, and it doesn't make any -- I don't understand why we don't have that discussion a little bit more. I don't know if I'm prepared to make a motion on it, but it just seems to be something that, out of this meeting, that we realized that we didn't solve the problem.

MR. HULL: Thank you, Jack. I will come right back to you, Vincent. I mean, there is -- We have made that motion in the past, in some form or another, and maybe it was permitted or registered or -- That's something that's been ongoing, and it seems like there is discussion going that way. We were presented with a lot of the ideas that are being -- That Sportfishing Association presentation and all that discussion, and it seems like they are being more receptive, that sector is being more receptive, to it, and they're talking about it, and they realize that things can't go on forever like the way it's going, I think, and that's the way it looks like. I mean, do you want to make another motion to the council that they hurry up and get this done? Is that what you're looking to do?

MR. BONURA: I was just going to add that I agree with Jack on that. I mean, us in the commercial sector, we've got 531 SG 1 permits out there, and so I think it would be very helpful to count the number of recreational vessels fishing as well.

MR. ATACK: I think you're really talking about Amendment 46, right, Jack, or are you talking about something above and beyond Amendment 46, and them just getting a higher priority on it and trying to get it done sooner?

MR. COX: Well, I think it's a great thing that that sector is looking at ways to do this, but what I looked at in the presentation was that it was looking more at state-by-state to get this job done. However, I assume there is some complexity in doing that. There are some things that I have learned at the meeting. National Marine Fisheries Service has already got something in place and ready to roll, and they've got these permits, and we buy them all the time, and the recreational sector is already buying -- They are already obtaining federal permits to engage in certain fisheries. A lot of our recreational guys buy the dolphin wahoo permits and these other things, but it just seems to me that it's something in place and ready to go, and it would certainly streamline this, and we could get there a lot faster.

MR. HULL: Jack, I would certainly recommend that you make a motion, and you just explained at a federal level as opposed to the state level, and I think that's a great thing that you could put in there, and I would certainly entertain a motion to that effect.

MR. COX: I am prepared to make a motion. **The motion would read request that the council consider implementing a recreational open access snapper grouper federal permit.**

MR. HULL: Does that look good to you, Jack?

MR. COX: **Yes, for snapper grouper species. That would be something that would need to be included in it. A recreational snapper grouper.**

MR. HULL: Okay. **The motion is to request that the council consider implementing an open access federal recreational fishing permit for the snapper grouper species.** Do we have a second for that? I saw Deidra's hand first. Is there further discussion before we vote?

MR. R. FREEMAN: I'm confused. In North Carolina, you're already buying the for-hire permit, and it's a couple hundred dollars, and so you cover somebody to have a fishing license on your boat, and you're also purchasing the permits that allow you to go catch snapper grouper, and so what, in addition to that, do we need?

MR. HULL: I think the word --

MR. R. FREEMAN: This is recreational.

MR. HULL: Private recreational. It would be take the for-hire, which you're already permitted in the for-hire.

MR. R. FREEMAN: I think we suggested this at the last meeting or a year ago.

MR. HULL: Many, many times, yes, and so this is to just keep reinforcing it.

MR. HOWARD: I have been proposing something like this for a couple of years to people that I know, but you and I were talking about this yesterday. I am not going to be for this in its form. In its generality, yes, because this is going to collect a lot of money, even if it's just ten bucks. Where is it going, and I personally think our motion needs to be a study made and the feasibility of doing this from the perspective of NOAA or any other governmental agency can scarf this money up, and it will never benefit the fishery. We have seen government agencies do things like that time and time again.

I was told specifically at the meeting that I attended, when I proposed something like this, that they have said, unequivocally, that the money will not go to -- As a matter of a fact, what I was told is that it will go to administrative costs, and I'm just not for that. That is effectively a tax, and I'm just not in favor of any more taxes.

The concept you've got here is great. You're saying the same thing that I've been saying. Somewhere, we just need to extend this to say provided that it's used for the benefit of -- My big thing is better data collection, particularly on red snapper, and I haven't talked to anybody yet that is not in agreement with that, and I even said, I think yesterday, about what Louisiana did, where they upped their license by ten bucks, but they've got a million fishermen, and so they had \$10 million on this instantly to work with, and that's how they got all their data collection done, but, just an open-ended tax, you know what's going to happen with it.

MR. COX: Unfortunately, I have had to write a check to the U.S. Treasury for a long time, and I wish I could say where I would like to see that money go, especially in fisheries, to help stock assessments, and so I would -- We've been hearing for a long time that the recreational sector says that they want to be more accountable, and they want to start trying to help us figure out what we're taking, and so all I'm saying is this is something that's in place that -- You know, if you and I share a checking account together, and I'm over here balancing my checks, but you're writing checks and not balancing yours, at the end of the day, how do we know how much money we have? I'm saying that in terms of the stocks and what we have in the water.

This is something that I know that's in place that is ready to go, and I can't help where the money goes. We have to go to Congress to maybe tell them that we would like to see some of this money go to certain places.

MR. HOWARD: Well, good luck with that, but I was told in the meeting that I think it's NOAA has said that -- I was talking about maybe like a grouper tag or something, and this is the same thing, or it's similar, and I was told specifically that they have said that it will go to administrative costs and it will not go to the fish, and I'm not going to vote for something that is effectively another tax that I can't be assured doesn't accomplish our goals, because what's going to happen is we're going to be right back with this same discussion of how do we get the money for the fish. Well, we did, but somebody else spent it, and I hear what you're saying, and that is one of the frustrations.

That's one of the reasons, after I went to Washington last year with that Modern Fish Act, and I got really frustrated with that, and I said to some of those guys -- I said, how can I make a

difference, and so I ended up here. When I'm told specifically that the money is not going to go to the fish, I just can't support it, just to be honest with you.

MR. HULL: Thank you, Lawton.

MR. HUDSON: I don't see a census in there, and an administrative fee is exactly what they are allowed to do to provide a service of a permit, private recreational, but there's no census involved with this motion, and so that's not going to be a data gathering, and it's just going to be the universe of the South Atlantic Fishery Management Council in federal waters, people that fish in federal waters, and it has no effects on the state licensing, et cetera, and so that's just a very plain thing. It will tell you the number of private recreational and nothing else, and the fee could be anywhere from \$10 or \$5, or it could do like what the State of Florida just did a couple of weeks ago. They provide a free permit for the shark fishermen, and we could do the same thing.

MR. LORENZ: Lawton, just to make you feel better, to mimic what Rusty said, there is one objective that we recreational anglers have had, and even many of the recreational NGOs, and that is that we need to be counted. The first objective is count us, how many there are, and then we can move on to these other things.

MR. ATTACK: It's not about getting money to help fishery. What we want to know is who is in the fishery and who is fishing for snapper grouper and who might be scuba diving for snapper grouper. I mean, until we know the number of people -- Then, from there, you could email them, and you could survey them, and you could do whatever, and so the goal of this is not to get \$20 a person to help fund any data sourcing. By doing this and getting the list of people, then we will know what the universe is and then how to get some data out of that and be counted.

In North Carolina, there was like thirty-seven hogfish landed in 2018, and why is that? It's because of the survey. They don't know who to talk to. Of all the fishermen in North Carolina -- Until we know what dataset to then drill down to and survey, we'll never blow through our ACL, I guess, of 997 fish, but it's not realistic that we only have thirty-seven landings, and so, until we get some type of either state thing or federal thing saying that we're in this fishery, we're going to be here, and we've been asking for this for at least ten years.

MR. HULL: Vincent, and then maybe we'll wrap it up and vote on this.

MR. BONURA: I just wanted to add in there -- We keep saying people, counting people and this and that, but isn't this permit more geared to counting the vessels in the South Atlantic, and so maybe we want to add that into the motion, possibly, Jack?

MR. COX: All I'm trying to do is get to a place of a lot of the discussions that we've had, and I'm not trying to create a lot of controversy here. I am just trying to -- Lawton, I certainly understand what you're saying, and now you know how we feel on the commercial side about where our money has been going for a long time, but I am just trying to work together here collaboratively with our recreational sector to get that number that we're trying to get to to figure out who the participants are in the fishery, whether it's vessels, individuals, and I don't know how to answer that question.

MR. ATTACK: It's a good question, but nobody is going to be fishing for snapper grouper without a boat, and so, if you have a boat fishing for snapper grouper that is recreational, you will then know the universe, and so, whether we start with vessels or people, that can be worked out, but it may just have to be vessel, but nobody can fish without the vessel.

MR. BONURA: I would say let's count the vessels first. Then, later on, you can add endorsements or this and that on the personal fishing licenses, but, for now, we don't even know how many boats are out there.

MR. HOWARD: Going back to what he just said, I am all for getting the data and starting, as he said, to understand who we need to survey. Now, Georgia does have the SIP permit, and it's free. If you buy a license, and so they know, in Georgia, who is supposedly saltwater fishing. Now, they have all of us lumped into inshore and offshore, but that's a start, and it's free. It's the click of a button. If you're going to buy your license, you've got to fill it out one way or another. If your objective with this is to really count the people who are fishing and get some information as to who to start surveying, I think that, to me, the real motion needs to be a study on what's the best way to do that.

We're making an assumption, or you are, that this is the best way, and it's certainly a way, and there's no doubt about it, but you're talking about the vessels, and I don't know what the other states do, but, in Georgia, we have to register all of our vessels, private or otherwise, and get a number, and mine is \$50 or \$60, I think, and so that information is there, if the state will share it with you, and, in my mind, it would be very simple. How many are registered vessels over twenty-five feet or thirty feet or whatever it happens to be, but there is -- Just to wholesale say let's endorse a license that we are not even saying -- My first comment was this is good, but let's just make it a little deeper. Let's make it a little more precise, and that's all I'm saying, but it really depends on what your objective is.

Now you have clarified that your objective is to try to find out who these people are, and maybe what we really need, again, and I am repeating myself, is to maybe have a study or a group or however that occurs, rather than just wholesale going out there and creating another tax.

MR. COX: To that point, as we're talking about descending devices and tools that may be federally mandated by some of the regulations we're talking about, if a marine patrol were to stop a boat and he has snapper grouper species onboard, it coincides with a permit that he may have to have those species. As we start talking tools and different things that these participants have to have on the vessel, it seems to me that it all kind of works together, and that's why I stated a federal permit.

It's like, at the end of the meeting, this big picture just kind of comes together here, but we're just trying to put something in place here, because we've talked about Georgia not having a saltwater license, or some of these other things are not in place, but this is something that's in place and ready to go, and that's why I kind of went down this road.

MR. HOWARD: Again, please understand that I'm not against it in general, but I would just like for it to be a little more specific. I have said for years, and he's not here right now, and he had to leave early, but my other colleague here from Georgia that was sitting right beside you, I told him

years ago, sitting in his restaurant, I said that we need the data and we need this and we need that, and I'm fine with paying something.

I don't have a problem with it. I'm fine with it, and I told him that three or four years ago, and so don't misunderstand me. I'm not against any of this, but we need to be careful, because the money will be wasted, and then we'll be having the same conversation again of how we're going to fund the program to get better data collection or to help fish, and that's all. I mean, I think there is a better way, and maybe a little more economical way, if we just want to find out who the people are that are fishing.

MR. SEBASTIAN: I am new to the council, but, in the last couple of minutes, one thing you hear is that it's been proposed and it's been proposed and it's been proposed, and so it's being proposed again, and so I don't know if I would make a motion, but let's -- In the form it is, it's going to go to the council, and they're going to look at it, and they're going to kick it back over the next several years anyway, and so let's make a motion and move forward past this and keep rolling.

MR. HUDSON: John Carmichael made the very profound comment with regard to MRFSS and MRIP and whatever. On our South Atlantic region, it's three miles of state waters. Whatever rules they've got in state waters, that's their rules. Like, in Florida, you can't possess a red snapper under twenty inches if it's caught in the state waters, but, outside, when it's an open access -- Not an open access, but a mini-season for the private recreational, that's where the rubber hits the road that John Carmichael said.

That's the universe we need, from three miles all the way to -- That's where the federal waters start, and that just gives us the universe. That's all it gives us, the number of whether it's boats and the estimated number of people that might be on the boats, but it gives you more than what we've had for thirty or forty years, and that's really what I want to emphasize. John says that would help our stock assessments, and stock assessment is our bread-and-butter.

MR. HULL: Thank you, Rusty, and it's a game-changer if they have that, just that information, and it's just a big, big game-changer. Myra wants to sum this up for us, and then we'll vote on this.

MS. BROUWER: Just a reminder, and Jim Attack mentioned it, but there already is an amendment that's been started that includes an action to do just this, and so I just wanted to make sure -- The council hasn't been able -- We haven't been able to work on it, because there's been other priorities, but it's already in the queue.

MR. HULL: Okay, and so let's go ahead and vote on this, because, pretty soon, we're going to get kicked out of here. Vincent, one more thing.

MR. BONURA: Can we all come to an agreement on are we counting people or vessels here? I would like to add the vessel part in there.

MR. HULL: Myra will help you with that.

MS. BROUWER: I don't remember the language in Amendment 46, but I think those are things that we would look at in the development of that amendment, and it may be constrained by the

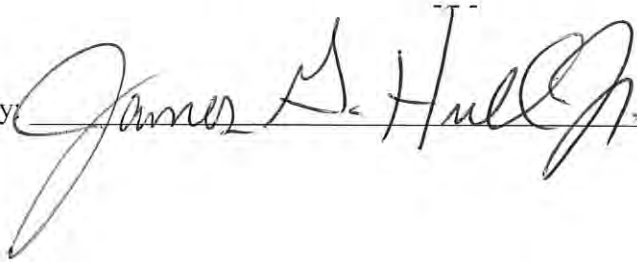
type of permit it would be or whatnot, but that will be included in the analyses that go in that amendment.

MR. BONURA: All right, and so we're going to leave it alone then and we're not going to add --

MR. HULL: We're going to leave it alone. We're going to vote. **All those in favor of this motion, raise your right hand. It's unanimous.** You can fill in the rest. Okay. I think that we did a lot of other business there, and I think that you guys did a fantastic job, and it's a lot of information, and the process is ongoing, and it's endless. As I said, we could stay here every day, but we can't do that, and so I say that we -- I adjourn this meeting. Everybody have a safe slide home, steam home, and we'll see you again soon. Great job. Fantastic job.

(Whereupon, the meeting adjourned on April 26, 2019.)

Certified By:

A handwritten signature in black ink, appearing to read "James A. Hull", written over a horizontal line.

Date:

10-9-19

Transcribed By:
Amanda Thomas
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