

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER COMMITTEE**

**Marriott Hutchinson Island  
Stuart, Florida**

**June 10-12, 2019**

### **SUMMARY MINUTES**

#### **Snapper Grouper Committee Members**

Jessica McCawley, Chair  
Anna Beckwith  
Dr. Kyle Christiansen  
Tim Griner  
LCDR Jeremy Montes  
Art Sapp  
Spud Woodward

Mel Bell, Vice-Chair  
Chester Brewer  
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#### **Other Observers and Participants**

Martha Guyas  
Monica Smit-Brunello  
Dr. Clay Porch  
Erika Burgess  
Dr. George Sedberry

Rick DeVictor  
Dr. Jack McGovern  
Kate Siegfried  
Shep Grimes

Other observers and participants attached.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at the Marriott Hutchinson Island, Stuart, Florida, on Monday, June 10, 2019, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: I guess we're going to move into the Snapper Grouper Committee, if Rick is ready and Myra is ready. After Myra gets up here, then we'll go into the Status of Commercial and Recreational Catches Versus Quotas for Species Under ACLs. There are some reports that we're going to end up skipping, but we are going to start with the Status of Commercial and Recreational Catches. I am going to turn it over to Rick DeVictor.

MR. DEVICTOR: We're doing landings first or status of stocks, either one? Okay. I will jump through landings, and so this is Tab 8, Attachment 1a. We have landings through May 6. Of course, these are commercial landings that I normally go through. I'm sorry.

MS. BROUWER: I'm sorry, but we have the landings through June 4. They're in the late materials, and it's Attachment 1a, and so if you would rather run over those. It's up on the screen.

MR. DEVICTOR: Thank you, Myra. Yes, I'm going to go through those, the updated ones that I just sent you. Okay and so just going through and highlighting some species, and I will just point out where Regulatory Amendment 27, which is through rulemaking, could make some changes to these species. We're highlighting some of the more prominent species.

Black sea bass, of course, that ACL was reduced through Abbreviated Framework 2, and I believe it was May 9, and so you can see where we have 42 percent of the ACL. Then, of course, you can see in the right-hand column the preliminary landings, preliminary final landings, for 2018, and you can compare it to the same time as to where we were at, and so, for example, black sea bass, we were at 25 percent around the same time, but, of course, that was a different ACL.

Moving on down to golden tilefish hook-and-line, we are currently at 76 percent of that annual catch limit. Longline, of course, that is usually one of the first commercial closures we have in the fishing year, and that was March 14, and you see that, last year, golden tilefish longline closed down on March 25. Gray triggerfish, of course, that's two six-month seasons, and that closed on April 17, and we ended up -- So far, we're at 103 percent of that. We closed a little bit earlier than we did last year, which was June 13.

Hogfish, of course, this is Georgia through North Carolina, and we're at 23 percent of that, a little bit ahead of where we were last year, which was 9 percent. Then the hogfish Florida East Coast and Florida Keys Stock, we're at 14 percent of that, and you can see that we closed that down in November last year.

Moving on to the jacks complex, and, of course, that's almaco, banded rudderfish, lesser amberjack, and that usually closes in-season, and we did August last year. Regulatory Amendment 27, of course, again, which is in rulemaking, we put in a trip limit for that and a size limit for almaco jack, but we're at 73 percent of that.

Moving down to red porgy, it's 9 percent, which isn't surprising that we're that low, considering the limits early in the year. Of course, 27 specified the two seasons and a sixty-fish limit early in their season, January through April. Moving down to snowy grouper, it's 72 percent currently on

that, and 27 put in the two six-month seasons for that and the 70/30 split. We closed down in July of last year on snowy grouper.

Just a few more. Greater amberjack is at 24 percent. Last year, we did not close, and we ended up, according to preliminary landings, at 83 percent. Vermilion snapper, as we all know, is two six-month seasons, and we're at 89 percent currently, and we did reduce the trip limit on 5/6, and I think 27 proposes to get rid of those step-downs. Finally, yellowtail snapper, that closed on June 7, and you can see that's very similar to where we closed last year, which was June 5. That concludes my report, and I can take any questions. Mike Larkin is prepared to give the recreational landings report.

MS. MCCAWLEY: Any questions for Rick before we go to Mike? All right. Myra is pulling up the stuff for Mike to give us a presentation on the rest of the landings.

DR. LARKIN: I will start with the snapper grouper. I have a small request. I would like to go through the snapper grouper recreational landings, and then, on Wednesday, I'm not going to be here, and so I would like to maybe go through snapper grouper landings and take any questions and then briefly go through the dolphin wahoo presentation of recreational landings after that, because I'm not going to be here on Wednesday afternoon. Hopefully that's okay with everyone.

I guess, first, I will start off with the snapper grouper recreational landings. We recently got updated landings from the Science Center, and that's what I'm going to present to you here. Landings are summarized using MRIP or MRFSS, and there's just a very few number of stocks that are still monitored with MRFSS, but, anyway, whether I provide MRIP landings or MRFSS landings depends on how the ACL was calculated, and these landings were modified to be consistent with ACL monitoring, post-stratification. What I'm saying there is basically for those stocks -- Like some of them, for MRIP, we include the Florida Keys and Monroe County, and some of them we don't, following stock assessments, and so we just continue to keep it the same method that they use for stock assessments.

This is an update of landings through Wave 1 of 2019, and so all the way up from January 1 to February 28 of 2019. I know it's confusing, but, in 2018, we started an effort survey, FES and CHTS, and, essentially, we have changed from a phone survey to a mail survey to estimate effort, and so these ones -- Even though in 2018 the effort component came from the mail survey, we have conversion factors to convert them to the phone survey equivalent, because that's how the ACLs are set, until future stock assessments and amendments change them over, and so, anyway, these are all equivalent to the Fishing Effort Survey, the phone survey, because that's how the ACLs are currently stated for each stock.

Then no landings for headboats in 2019, and it's not available for the Wave 1. We're also missing headboat data from November 1 through December 31 of 2018, and so these landings for 2018 are still not complete. They're close, but they're still not complete. We're still waiting for headboat landings for the last part of 2018 and also the beginning of 2019 as well.

These are the 2018 preliminary landings that we have so far, and I'm just going to highlight the ones in yellow. The yellow cells are the ones that had an overage. In 2018, blueline tilefish went about 33 percent over the ACL, but that one we didn't close, because, by the time we realized that,

it was already going to a fixed closure, which started on September 1, and so that was already closed in federal waters.

Then golden tilefish was a 42 percent overage, and that was closed on August 28 of last year, and the jacks had a 7 percent overage, but that's one of the ones where it's under ACL throughout the year, but then, by the time we get the final landings, or close to final landings, then we get an overage, and that one was 7 percent over. More 2018 preliminary landings, and so red grouper had a 97 percent over the ACL, and that one we closed on December 12.

Then we're on the 2019 landings, and where are we now, and so far we just have Wave 1, and we did have a very large spike in golden tilefish, which I expect I will get questions about at the end, but, anyway, that one had an over 600 percent overage of the ACL, because of the large spike in recreational landings in Wave 1, but keep in mind that one has a very low ACL. It's 2,316 fish, and so that is a very low ACL to begin with.

This is more of the 2019 landings, and none of these currently are over. These are ones that have different fishing years that don't follow the calendar year, and so, instead of January and February for the greater amberjack, it's March 1 to February 28. In the 2017-2018 season, greater amberjack had a 4 percent overage, and we closed it on October 31 of 2017. Then, for 2018-2019, currently, none of these are exceeding their ACL.

For black sea bass, I'm sure you all have seen this many, many times, but, anyway, real quick, this is the landings broken up by mode, and the gray area is when it still had an ACL and the landings were still monitored under MRFSS, and then, when it turns to clear, like in this case it's 2013-2014, it switches over to MRIP, and so I'm just showing you the landings by mode, by charter, headboat, private, and shore for black sea bass, and so it will be the same format for all the other tables.

Now I'm going to show you a figure showing -- The headboat effort is in the orange, and the MRIP effort is in the red, and then the bars are actually the landings broken up by mode, and so charter, headboat, private, and shore, and they correspond to the Y-axis on the left, which is landings, and the Y-axis on the right is for the angler effort trips, the MRIP effort and the headboat effort. Then the black dashes are the ACL, and so you can see in this case, in recent years, the landings have been below those black dashes, and so they have been below the current ACL.

Then for gag grouper, and I will just kind of go through these and give you guys a few seconds to look at them. This is gag grouper broken up by mode, and then there is the landings in a figure format there, and you can see it's below the ACL in all cases there. This is greater amberjack, and you can see this one is still under MRFSS, and then it's broken up by mode. The landings, you can see when they did exceed the ACL and they didn't exceed the ACL.

This is mutton snapper broken up by mode for charter, headboat, private, and shore for each year for mutton snapper, and this one had a big change in the ACL. It went from pounds to numbers, and you can see the ACL dropped, and I need to change that over and note that on the Y-axis to the left, but, anyway, you can see the big drop in the ACL in 2018-2019 and that switchover to numbers, but they're still, in both cases, below the ACL.

Yellowtail snapper landings there are broken up by mode, and then there's a figure of it there of the landings broken up by mode. Then there is red porgy landings broken up by mode. Then there's a red porgy figure showing landings broken up by mode, again, with the bar graphs there. Then vermilion, again broken up by mode, and then the bar graph there is showing you the landings relative to the ACL.

Snowy grouper, this one is in numbers of fish, and this is a very small ACL. There's a big peak in landings in 2016, but, again, keep in mind this is a very low ACL, also in numbers of fish. Then golden tilefish landings broken up by mode. Again, golden tilefish, you can see the big -- They have a big peak in 2016, and then another large peak in landings in 2019, but, again, it's a very low ACL, just over 2,000 fish.

This is scamp and the landings broken up by mode. There is the scamp landings for the last ten years broken up by mode. Then this is blueline tilefish. This is the second-to-last species. Are you still hanging in there? Actually, this is the last one. Blueline tilefish is broken up by mode, and then you can see the peak in landings in 2017, above the ACL actually in 2016, 2017, and 2018, but we currently are below it. That one, we just started that ACL in 2014, and that's why it only goes back to then. That's when we separated from that tilefish complex and gave it its own distinct ACL, and so that's why it starts in 2014 and only goes to 2019. I think that's it, and I'm happy to take any questions.

MS. MCCAWLEY: All right.

MR. BREWER: On the blueline tilefish, I'm assuming that's a rarely-encountered species, and is there any chance that that 600 percent is kind of an outlier and one boat came in with three fish, or was it golden? I'm sorry. It was golden tile. I'm sorry. Any chance that's an outlier because of one boat came in with three fish or something? We have seen that before with regard to spiny lobster.

DR. LARKIN: Actually, it's broken down to -- It's roughly about an 80 percent PSE, and it did have four intercepts, and so a low number of intercepts, but very high sample weights, which kind of jacked it up, and so they have looked at it up in Silver Spring, at S&T, and nothing really -- No red flags, in terms of an extreme outlier, but it certainly is an outlier in terms of the landings we've seen, and so it just happened to be those intercepts were -- It was four intercepts, but it got applied a huge weight, and it really jacked up the landings, and it was only in Wave 1 too, and so we're already above the ACL, and we only have Wave 1, and so it's an unfortunate situation that we got stuck with, but I would definitely agree that it's a very rare species, in terms of the other species, like the snappers and groupers, in terms of catch.

MS. MCCAWLEY: Are there more questions? Mike, do you want to go ahead and do the dolphin landings that you were talking about?

DR. LARKIN: Yes, that would be great, if you don't mind. It's a lot shorter, and so hang in there. It's only two species, dolphin and wahoo.

MR. HEMILRIGHT: Given that we've just seen the golden tilefish, and the time to nip this in the bud is right now, when you first get the data, because, when you go to a data workshop and you go to a stock assessment, this issue is going to come up again. There has got to be some

methodology to address this, which nobody believes, and I believe -- I forgot what he said the PSE was.

UNIDENTIFIED: 80.

MR. HEMILRIGHT: 80, and so is there something that is going to happen to address this anomaly, or is the can kicked down the road until it comes time for a stock assessment, and hopefully the people in the room will press forward to say, hey, this is an anomaly, and this isn't correct, and somehow they've got to go back over it, but, I mean, right now, it seems like a red flag was put up, but yet the red flag don't continue, and somebody puts it down, and it's still there as the numbers, and so how does the Science Center or somebody work? I mean, how does it work, because now is the time to do it, when you have the number there, and not let it keep on going until a stock assessment comes up.

DR. LARKIN: Science & Technology has a working group that is working on better ways to estimate landings from these low intercepts, these rarely-intercepted species, and so going through a range of different methods, and they are working with academics to evaluate them, and so I don't mean to kick the can down the road, but I feel like they're not kicking it down. They're actually looking at it, but they just don't have any final reports yet, and I believe that will be available maybe later this year, but I know that -- Because I'm involved in that working group myself, but I can certainly get back to you, Dewey, and I will look into the update on that. I know they are pursuing alternative methods for these rarely-intercepted species

DR. PORCH: He's right about that, but I would say, for some of these species, you just are not going to get the intercepts you need to get a low PSE, and so that means either we have to increase effort, and to get from an 80 percent to even a 40 percent PSE is something like a fourfold increase in sampling effort, which is very expensive, and I haven't heard any movements from any fronts to fund MRIP at that level, or you're going to have to go to something you have already been talking about, and that's somehow finding a way to get a better idea of what the sampling universe is for that offshore effort, and so offshore fishing licenses for recreational fishermen, something like that, or we have to change the way we manage these stocks, and we start setting ACLs for multiple species at once, to get that PSE down, which has its own challenges.

MR. CONKLIN: Isn't golden tilefish part of our deepwater recreational complex, or do we exclude that for a certain reason? We do? Okay.

MS. MCCAWLEY: Any more questions before we turn it back to Mike for dolphin wahoo? Okay, Mike, you're back up for dolphin wahoo.

DR. LARKIN: Thank you. Again, I will run through this pretty fast, but it's the same setup here. These ones are all in MRIP. Again, the landings are up to January 1 of 2019, January 1 to February 28 of 2019, and all we have is Wave 1. Again, no headboat landings for November and December of 2018, and no headboat landings currently for Wave 1 of 2019.

The same thing, and these are 2018 landings, and we had the mail survey with conversion factors to what it would be if we had the phone survey, and so everything is equivalent to the phone survey, which is because that's how the ACLs are currently set. I am just going through dolphin and wahoo, and so both of these are below their ACL from the 2018 landings we have. Then, also,

and we only have Wave 1, but, anyway, they are also below in 2019 as well. Then the same format as before. It's landings broken up by mode. Again, it's the same format there, and so you see they're way below their ACL, and it's the same format there with the dolphin landings. This the wahoo landings, and the same thing. The landings are broken up by mode. Then, again, wahoo landings broken up by mode.

This is a question, I believe, that Anna brought up, and so it's comparing, real quick, for these two species, essentially the mail survey and the phone survey, and so CHTS is the Coastal Household Telephone Survey, and FES is the Fishing Effort Survey, and, as I talked about earlier, that changed in 2018, and it only impacts the private and shore mode.

Charter is estimated a different way, and so I just thought I would bring that to your attention, but the next slide is just to show you a table from 2014 to 2018 for the two species, and this is MRIP CHTS, the phone survey that we had before, and then, to the right of it, the next column is MRIP FES and what are the landings under the current effort survey, which is the mail survey, and you can see how they -- In the figure below, the blue line is the phone survey that we had before and the red is the current, and you can see that they are higher for dolphin. The next slide is the same thing for wahoo.

Anyway, you can see this request that got sent to me to just provide you guys real quick the last five years, and so, again, you can see the difference there from the phone survey, CHTS, and the mail survey, the FES, for dolphin and wahoo. That's it, and so thank you. I would be happy to take any questions.

MS. MCCAWLEY: Thanks, Mike. Are there questions for Mike? All right. I don't see any hands in the air. Thanks for getting on the webinar, Mike. We really appreciate it.

DR. LARKIN: Okay. Thank you.

MS. MCCAWLEY: If we don't have any more questions on landings, I'm going to turn it back over to Rick for Status of Amendments Under Formal Review.

MR. DEVICTOR: All right. Yes, there is three amendments. First is Amendment 42, which deals with the newly-approved sea turtle release devices, Regulatory Amendment 27, the commercial visioning, and Regulatory Amendment 26, recreational visioning. Basically, we're working on the proposed rule package for all three of these right now, and 42, of course, will have a notice of availability also, because it's a plan amendment.

MS. MCCAWLEY: Thanks, Rick. Any questions about those amendments? All right. I think we're going to have to skip around here in the agenda, because there are a number of folks that are not here to give some of the next presentations, including the AP Chair, and Marcel is not here yet, and Dr. Sedberry is not here yet, and so I think we're going to jump over to Amendment 38 and bring Roger up here.

MR. PUGLIESE: What we have before you is under Tab 8, Attachment 4, and it's up the updated version that's included in the late documents folder. We had some final tweaking and clarifications that provided a little more focus on what this discussion document is, and what you have before you is what is identified as the discussion document. It's tied to the original discussions we had

as Amendment 38 for the Snapper Grouper FMP to address blueline tilefish, but it is also identified as proposed Abbreviated Framework Amendment 3, and I will get into exactly where that comes from.

I will dive directly into, I guess, the core of the driver, SEDAR 50, which was conducted back in 2017. It was a collaboration between the South Atlantic Council and the Mid-Atlantic Council. It provided the foundation for creation of allowable biological catch and ACLs for the South Atlantic region south of Cape Hatteras. The SSC provided those and also identified that as best science available. However, it did acknowledge that the need to address the stock north of Cape Hatteras, both the area -- The intent of being able to manage in the jurisdictional areas, and so basically Virginia south and north of Virginia.

With that said, they initiated creation of a workgroup to evaluate and consider how to address that information, and the workgroup convened, and the first individuals that were able to review the information from the workgroup were the Mid-Atlantic Council's SSC, and the Mid-Atlantic Council's SSC provided recommendations on allowable catch for the area north of the Virginia/North Carolina line, as well as the methodology to look at the area between the Virginia line and Cape Hatteras.

The SSC subsequently took that information and identified a new ABC and identified a new ACL and identified that as the best science available, and so that set the stage for consideration of where do we go from here, and, at that point, there were a lot of other activities going on in June of last year, and the amendment got delayed, and the discussion got delayed somewhat. However, it was readdressed and initiated for review as part of the bigger picture for the MRIP revisions and the potential for revised assessments or revised projections.

The SSC was scheduled to address these in January of this year. However, due to the furlough, we were deferred to having the deliberation on February 25, at which time they reviewed the information and decided not to use the revised assessment to update the ABC recommendations that were made after the SEDAR 50. To reconfirm that determination at the April 2019 meeting, the SSC again reconsidered and reaffirmed their previous ABC recommendations from SEDAR 50 and from the ABC Workgroup.

That essentially set in motion the discussion we have going on today about advancing where we are with this, and so, with the SSC approving SEDAR 50's findings and establishing a new ABC and establishing a new ACL, and for the south of Cape Hatteras area, and with the ABC and ACL being identified and built on the workgroup recommendations, in combination, those two areas would address the ability to establish a new ACL for the South Atlantic region.

One other consideration is that some of the commercial management measures for blueline tilefish were already being implemented through Vision Blueprint Commercial Regulatory Amendment 27, and, in addition, with the discussions from the SSC focusing on the recreational MRIP and going into another review and workshop, et cetera, not looking at really having any opportunity to look at refined recreational regulations, and one opportunity that was looked at is to expedite the process, and, given that all you would be doing is changing the South Atlantic ACL, there is the possibility of creating an Abbreviated Framework 3 to the Snapper Grouper FMP to advance this.



Now, I did bring this forward with NOAA GC and gave a heads-up to Monica about us having this discussion and what the opportunities -- To see if this is something we can actually do. Also, some considerations in terms of timing or operations have to do with the determination on, if that is the case, then would that also provide a categorical exclusion, which would eliminate the need to have to have an EIS or an EA for this, and that would affect the timing for this.

What I will do is just touch on what the numbers and different things are for the potential action that could move forward and then highlight some timing and allow the committee to deliberate where you want to go from here.

What we have with the deliberations from SEDAR 50 that provided a new OFL and, ultimately, a new ABC for the South Atlantic region, and so, under Table 1, what you have are the numbers, based on the deliberations and evaluations by the SSC, and they also provide that workgroup recommendations that were adjusted and refined by the SSC and provide both an OFL and ABC, and so what you see is a combined ABC, which is based on just basically combining both of those ABCs that were developed, and the recommendation was also that, once developed, the ABC, and ultimately the ACL, would be provided for three years, and so what you're seeing is an establishment for 2020, 2021, and 2022, until modified.

When you move to Table 2, applying the sector allocation numbers of 50.7 for commercial and 49.3 for the recreational, and the current ACL is at 174,798 pounds, and the proposed new ACL would move it up to 233,968 pounds, which would increase both the commercial ACL from 87,000-plus to 117,000-plus and the recreational ACL from 87,000-plus to 116,000-pounds-plus.

What the idea is today, it's to bring this forward and to have the committee and council discuss the need to continue to develop Amendment 38 or shift to, potentially, an expedited opportunity, with creation of an abbreviated framework, if NOAA GC feels that we can proceed in that direction, and that would be based on the deliberations. Relative to timing, that would be the first step, in terms of making that decision, and it would begin, basically, the abbreviated framework for the South Atlantic.

That would move it forward to other timing with the rest of this year, and that would be, potentially, the council would be looking at public comments or final changes to the actions in either September or December, and then, ultimately, a final action in December or March, and the consideration on that is understanding both our staff's timing, in terms of getting this accomplished, because, essentially, right now, there is just this on the table, and we would -- Even the abbreviated framework would take the analysis that we would need to do.

The other consideration is where you really would like to have the analysis done. If you want to complete it, if, best-case scenario, everything is available, and say we have a categorical exclusion, December, potentially, could be possible, if all the catch, mainly the recreational, were available. If they get deferred later, which they have been in the past, it's more likely going to shift. If you want to use the 2018 complete for the analysis, probably March, and so that at least gives you a scope of what was laid on the table and where we are with deliberations of the SSC and the path forward on what the council may want to be able to do and advance that. Any questions?

MS. MCCAWLEY: Thanks, Roger. Are there questions or comments?

MR. HEMILRIGHT: What does a category exclusion mean?

MR. PUGLIESE: I will probably bounce it to our NOAA counterparts, but, essentially, you do not have to do a full environmental assessment or an environmental impact statement. It would expedite the process, and those are usually used when all you are doing is changing a catch number, and, if you would like to go further on that, but I think Monica was going to get into just the discussion in general anyway.

MS. SMIT-BRUNELLO: Essentially, Roger covered it. It would be when we're talking about NEPA. If all you're going to do is just accept essentially what was given to you and that the -- Let me back up. We consider the impacts on the human environment, and we would look to see whether you need various alternatives, and so, for practical purposes for the council, it would mean that you would have one action, and you wouldn't necessarily need to consider a number of alternatives under that action. You would just have what -- I shouldn't even call it alternatives, in a sense, because, if it's categorically excluded, you would just be looking at implementing the very thing that the council wants to implement without having various alternatives.

MR. HEMILRIGHT: Given that this particular small area -- All the work in the past has been done, and, when I look at this, and when I read it right, these areas in the past has produced 300,000 or 400,000 or 500,000 pounds, just commercially, and I look at the recreational side, even though I don't believe the numbers, and so anything that can expedite this would be very good, even though we're getting a measly 30,000 pounds in this particular area, and so anything that could expedite it would be very much appreciated. Thank you.

MS. MCCAWLEY: Thanks, Dewey.

MS. SMIT-BRUNELLO: Just to follow-up with that and then some questions that Roger raised. I looked back at what was done for blueline tilefish and then looked at the SSC reports and that sort of thing, and I think you can definitely do -- If you just want to address the blueline tilefish portion that came out of the SEDAR 50, I guess, and then the working groups, yes, you can do it via framework, and I think you can probably do it via an abbreviated framework. My suggestion would be, if you want to consider just dealing with blueline tilefish out of Amendment 38, that you put the two staffs, the Fisheries Service and the council staff, and form an IPT and bring you back something in September, if that's when you want to receive it, when you're looking at your workload and all that.

The one thing though, Roger in Table 2 in the discussion document, you have this assumes that the council will choose to set an ACL equal to ABC for blueline tilefish, and, when I was reviewing the history for blueline tilefish, I noted that, at least in Regulatory Amendment 25, the council decided to set the ACL at 78 percent of the ABC, to account for landings north of Hatteras, and really to account for landings in the Greater Atlantic Region.

Remember, at that time, I think blueline tile had just maybe been added to the Mid-Atlantic's tilefish plan, FMP, and so the council wanted to make sure that overfishing wasn't going to happen, and so they put a 22 percent buffer in there between ABC and ACL, but this is all information -- I have a lot more information, but I won't read it all to you, but that's all the kind of thing that we can put in the next document you see, and so I'm fairly certain we can do this in an abbreviated framework process, if that's what you choose to do.

MS. MCCAWLEY: Thanks, Monica. I think that's what we want to do, but I'm going to look around the table, because I am looking for comments on that, and I'm going to go to Tim and then back to Dewey.

MR. GRINER: Thank you, Monica. That's exactly what I was hoping we could get to. I am very much interested in seeing the two staffs work together to move this into an abbreviated framework and bring something back in September, and I really want to see what this looks like with the ABC equal to the ACL, and I don't really think that we need any additional buffers. I just think we need to get this done, and, if we can do it this quickly with an abbreviated framework, I say we put the two staffs together and get something back in September.

MS. MCCAWLEY: Thanks, Tim.

MR. HEMILRIGHT: Can you put back up there the blueline tilefish, please, the last slide you had? That's it. When I look at this, and I only ask this question because sometimes I look at something and it's a little different, but what is the buffer for north of Cape Hatteras, south of the Virginia/North Carolina line? What's the actual amount? How much buffer are you giving?

MS. SMIT-BRUNELLO: When I was talking about the buffer, I was talking about what the council did for -- The ABC, the council has continuously not partitioned out the ABC, so to speak. They just didn't know what the ABC was, necessarily, north of the Hatteras line, right, and so what they did was they said, well, we have this ABC for the South Atlantic's area, and we're not really sure exactly of all the landings north of Hatteras, and so we're going to reduce the ACL by 22 percent from the ABC to account for all the landings that may occur, including north of that, to make sure that we don't exceed the ABC, and so that's the buffer that I was talking about. If you all want to take away that buffer, and that sort of thing, then I think we're probably looking maybe at a framework process, where you look at various actions and alternatives and those sorts of things, and so I'm not quite sure what it is exactly that the council would like to do.

MR. HEMILRIGHT: Well, when I look back at that document that was on the screen just a few seconds ago, I saw 55,000 pounds north of Cape Hatteras and south of the Virginia line, and what I see spit out is 30,000 pounds, that fishermen are going to be allowed 30,000 pounds extra in this particular area. Not extra, but 30,000 pounds, and so, when I look at this, I see a 25,000-pound buffer in this particular region, and so whoever the -- I just don't understand why we've got the buffer there on that particular part of 25,000 pounds, and that's what I don't understand.

MS. SMIT-BRUNELLO: Maybe Roger can answer that. I know that the ABC that your SSC eventually gave to you that takes into account just that portion from Hatteras to the Virginia line - - They suggested that the ABC was 55,968 pounds, and now are you talking about the split between the commercial and recreational?

MR. HEMILRIGHT: I guess they are putting it -- I was thinking that the area north of Cape Hatteras to the Virginia/North Carolina line -- That 55,000 pounds I was thinking was the commercial number, and then they took that, and they whacked off 25,000 pounds and had 30,000 pounds, and they added it to the rest of the South Atlantic south of Cape Hatteras, and that's what I think I'm understanding, and I was just curious why, in this little area, you took half, 25,000 pounds, of 30,000 pounds to make a buffer, and am I missing that?

MS. SMIT-BRUNELLO: Roger can speak to this, but I think that that 55,968 pounds was the total ABC before it had been divided into commercial and recreational, and then what you see in the Table 2 is for commercial and recreational that has those divided 55,968 pounds between the two sectors, and the sector is 50.7 commercial, and the recreational is 49.3 percent, and so they used that percentage and just applied it to the 55,968 pounds.

MR. PUGLIESE: Yes, and that's exactly what it is, because, essentially what it is, it's combining the 178,000 for south of Cape Hatteras with the 55,968, and that comes up with your 233,968 for the entire ACL.

MS. MCCAWLEY: Thanks.

MS. BECKWITH: Just looking at the numbers, so I'm sure that I understand, why is there so much more of a drop-down, and I'm not sure if this was towards Dewey's question, from the OFL to the ABC for the north of Hatteras portion, because it looks like they're dropping down 50 percent. Was that the piece that we allotted? That's not even the piece that we allotted for the catch north of Hatteras, and so why is there such a dramatic -- Another buffer between OFL and ABC?

MR. CARMICHAEL: The north of Hatteras was done with the DLM, data-limited analysis, and that gave what they considered an OFL, and then it was divided up into the Mid-Atlantic and South Atlantic, based on the trawl survey and relative availability of the resource, and that got us to the OFL portion in the South Atlantic of being 103,000, and so the Mid-Atlantic had an OFL portion of theirs too, and the Mid-Atlantic applied their ABC control rule and came up with some number. Our SSC applied their ABC control rule and came up with the 55,000, and so, when they applied the control rule, due to the data issues and the uncertainties, they ended up with  $P^*$  of 12.5 percent, which is an extremely low risk of overfishing.

It's a low  $P^*$ , and so it resulted in a very big difference between OFL and ABC. That is the result of applying that 12.5 percent  $P^*$  to the data that they had, and that gave you the ABC of 55,000, and so the big buffer there is really just due to the precautionary  $P^*$  that resulted from applying the control rule.

MS. MCCAWLEY: Thanks, John. Are there more questions?

MR. HEMILRIGHT: Given that in the future we have segmented this area out, I think it would also be of interest to my state of North Carolina to segment south of Cape Hatteras, anglers that come out of Hatteras Inlet that are included in the northern range to be segmented out, so we've got two different areas, because I find it hard to believe that people leave Hatteras Inlet and go forty miles to catch blueline tilefish, when they can go fifteen or twenty miles, and it's clear, and so, now that this has been separated out, I hope that the agency will look at, when it comes time for the next stock assessment, just where these fish are caught at and relative to the survey, or the MRIP estimates, because clearly there is a good portion of fish that were included in the recreational that come out of Hatteras Inlet that had to go forty or fifty miles north to go catch tilefish, and I just don't see that happening, when you can go fifteen miles and catch a few, but that goes, again, to the MRIP data and stuff like that, but that's just a note for us to think about in future stock assessments, when this region has been particularly parsed out with such a small piece

of fishing, based on historical of what was caught in the past, and so just to get a little bit leveler playing field. Thank you.

MS. MCCAWLEY: All right. Are there more questions? If we don't have additional questions, we need a motion to do an abbreviated framework amendment, and then, also, we need to talk about timing, and we need to talk about if we're going to do a public hearing at the September council meeting, and so there is a proposed motion on the board. Tim, it sounded like, earlier, that that's where you were leaning, and would you like to make a motion?

MS. BECKWITH: There was the other buffer that we allotted for catch north of Hatteras that, if we decided we didn't need that buffer and wanted to put that catch back into the ACL, we would not be able to do an abbreviated framework, and so I'm not sure if that's an option, or can I get some clarification on that?

MS. SMIT-BRUNELLO: I am not sure, Anna, that you couldn't. I think the best thing to do is to have the IPT look at this and figure that out. When I look at your framework process, it says adjustments to ABCs, ACLs, and ACTs, according to the existing ABC control rules and formulas, for specifying ACLs and ACTs that have been approved by the council and that were implemented in fishery management plan amendment to the FMP. Then it starts to talk about what the council does and how many public hearings you want and those sorts of things. If you want to remove that 22 percent buffer, I'm not so sure that you couldn't do that with an abbreviated framework, because you're changing -- You know what? I'm just not sure. You might be able to. I'm sorry to give you an equivocal answer, but I think if --

MS. MCCAWLEY: Let me go to Myra and then back to Tim.

MS. SMIT-BRUNELLO: Yes, let me think about it.

MS. MCCAWLEY: Okay.

MS. BROUWER: Thanks. That 22 percent buffer, my understanding is, and I'm looking to John Carmichael and Mike Errigo, but my understanding is that buffer was necessarily in order to establish the ACL south of Hatteras in Regulatory Amendment 25 before the Mid-Atlantic developed their own FMP, but it has, since then, not actually -- It's already been considered in the recommendations that the SSC and the workgroup have brought forward, and is that the case? John is nodding correct, and so that buffer has already been considered, and so you don't need to worry about taking it away.

MS. MCCAWLEY: Okay. That might have lost me.

MR. GRINER: Now you just lost me, because that was my question. Will using an abbreviated framework let us address that, but I'm hearing yes that it will, or that, at least by moving toward an abbreviated framework, we will flesh that and figure out whether or not we can, but now I'm confused as to whether -- Where is this 22 percent? Where exactly is it?

MS. SMIT-BRUNELLO: These are all great questions. Myra, I want to ask you a question. My recollection, in digging back through this, is that 22 percent buffer was applied by the council, and it didn't come from the SSC. The SSC gave a higher ABC than that, and the council was concerned

about harvest north -- Unknown harvest north of Hatteras. Now, some of that harvest is kind of known, although, as John said, the SEDAR that was done north of Hatteras, if you will, used data-limited methods, because they didn't have a lot of information. They didn't have as much information as you have south of Hatteras.

I think this council could take the ABC that was given to them without the reduced -- Not apply -  
- Put that 22 percent back in and have ABC equal ACL, in addition to adding in this chunk that would be from Hatteras to Virginia, but what I thought you said is they could not do that, or it should not be done that way, and so maybe we can have some discussion here.

MS. MCCAWLEY: I see that Mike E. has come to the table. Help us out.

DR. ERRIGO: I am going to try to untangle the knot. Monica basically laid it out. Originally, the first assessment, SEDAR 32, I believe it was, assessed the entire stock from the east coast of Florida all the way through into the Mid-Atlantic, and it got an ABC for the whole thing. In order for us to get an ACL just for the South Atlantic, because that's how we wanted to do it, we set aside a portion, a percentage, that was -- We looked at landings over a bunch of different years and decided that, okay, this 22 percent of this total ABC, we're going to set that aside and assume that the Mid-Atlantic will fish off of that, and we're just going to set our ACL equal to the rest of it.

Now, in SEDAR 50, it's a little different. We used two different analytical tools to look at the whole stock south of Hatteras, and so we're all good with that, and then from Hatteras north. Then we had a group get together and say, okay, we have an ABC, or we have a -- We have an OFL and an ABC from Hatteras north through the Mid-Atlantic and how do we break it up, and we figured out that, okay, we'll break it up this way, and so we broke it so that a portion of it goes to the South Atlantic and the rest goes to the Mid-Atlantic, and so we've already accounted for the proportion of the landings that the Mid-Atlantic is harvesting, and they are using that as their ABC, and so we don't need to account for that anymore, because we've already done it when we created the ABC for the South Atlantic and Mid-Atlantic separately, because we figured out how to break it, and so we're all set there.

UNIDENTIFIED: That was done through their ABC control rule?

DR. ERRIGO: Well, no. The split was -- We came up with the split using an independent survey that surveyed blueline tilefish through the Mid-Atlantic down into northern North Carolina, and the proportion -- A weighted proportion of blueline tilefish south of the Virginia/North Carolina border and north gave us the split, and it was like 56 percent.

I think 56 percent was in the Mid-Atlantic and 44 percent in the South Atlantic, and that gave us the split, and so we split the OFL, which was the number that came out of the DLM, the data-limited, analysis, and so we split that number, and then the Mid-Atlantic used their ABC control rule to come up with their own ABC, and we used our ABC control rule to come up with our ABC on the portion of that OFL that we got, the 44 percent of the OFL, the total, north of Hatteras and south of the Virginia border. Then that would just get added into the south of Hatteras portion, to give us the entire ABC.

MS. BECKWITH: I guess what I'm not hearing a specific answer to in that explanation is, is that 22 percent that we had originally set aside, has that been put back into this ABC south of Hatteras, and the answer to that is?

DR. ERRIGO: The south of Hatteras is all -- That's all, by itself, set. The south of Hatteras ABC takes care of south of Hatteras, and that's South Atlantic, and so we don't have to touch that. Then we have the Hatteras to the Virginia border, and that's good, and we don't have to take away, and we don't have to put in any more buffer. That 22 percent, you don't need it anymore, and that can be put back into the total. You don't need it anymore.

MS. MCCAWLEY: Score. Okay.

DR. ERRIGO: It's already been accounted for by splitting the OFL north of Hatteras into South Atlantic and Mid-Atlantic, and so we already accounted for their portion, and we don't -- My confusion was, in the new ABC recommendation from the SSC, there wasn't any portion taken out, but, yes, you don't have to take it out, is what I'm saying.

MS. MCCAWLEY: We were wanting to put it back in. It wasn't about taking it out. It was can we add it back in.

DR. ERRIGO: Yes.

MS. MCCAWLEY: Yes. Okay. That was the answer we were looking for.

DR. ERRIGO: Yes.

MS. MCCAWLEY: I appreciate the history. The history was helpful, also. I felt like that -- But we did get to the answer.

MS. SMIT-BRUNELLO: So, essentially, you would have two actions, right? You would have an action to change the current ABC, or ACL, formula -- I mean, excuse me. I don't want to say change the formula, but you would have two actions, one regarding south of Hatteras, the ACL, and one regarding the ACL for that chunk of area between Hatteras and Virginia, right?

MS. BROUWER: Did you say two actions, separate actions?

MS. SMIT-BRUNELLO: Well, or one action with all this discussed, and how's that? What I think you need to do is let your IPT work on this, and I think we -- What I am hearing is that you would love to take away that 22 percent buffer that was applied in Regulatory Amendment 25 and put that back in, in addition to adding in what the SSC just gave you as an ABC for that area between Hatteras and Virginia, and you would like that brought back to you, and hopefully you would like an abbreviated framework the next time you see it, and so that's what I'm hearing, and, if we could hear that on the record from you, whether you agree with that --

MS. BECKWITH: Yes. Thank you.

MS. SMIT-BRUNELLO: Okay, but I will let you know that, as far as NEPA goes, whether it's an environmental assessment or a categorical exclusion or whatever, the IPT needs to look at that and figure that out, and we'll bring that back to you in September as well.

MS. MCCAWLEY: All right. Then would someone like to make the motion on the board, now that we've been through this discussion?

MS. BECKWITH: **I move that we begin development of Abbreviated Framework Amendment 3 to establish a new South Atlantic blueline tilefish ACL.**

MS. MCCAWLEY: All right. We have a motion. Do we have a second? It's seconded by Steve. I am pretty sure that we've had enough discussion on this, and I'm just going to throw that out there. **Is there any objection to this motion? Seeing none, that motion stands approved.**

It sounded like we wanted this to come back to September. Are we also wanting to do a public hearing at the September council meeting? Okay. Then we'll put that in the timing and tasks. In thinking about the analysis, do you think that this could be ready in September, or does it have to wait until December? I know we're talking about various landings information, and I hate to put you on the spot, Jack, but is this -- What are your thoughts on the timing?

DR. MCGOVERN: September might be a little quick. I think December would probably be a lot easier for the IPT to do it, especially since we don't even have an IPT yet.

MS. MCCAWLEY: That's a minor detail. I saw another hand up over here.

DR. SIEGFRIED: I just wanted to add that blueline is going to be considered in the MRIP workshop, and that is happening in August, the last I heard, and so there might be even more reason to consider it in December, because I assume whatever is decided by the group will affect what the IPT recommends.

MS. MCCAWLEY: All right, and so it sounds like we're thinking that it has to come back in December, based on what we just heard, and are we okay with that? Okay, and so it's coming back in December, and it will be in the timing and tasks motion. Thank you for that discussion. Let's take a ten-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: Moving right along in the agenda, we are going to move on to the Update on the System Management Plans, and I'm going to turn it over to Myra and Chip.

MS. BROUWER: While we hail Chip remotely here, he's going to walk you through a Story Map, and the link to it is in your overview, under Item 7, Update on the System Management Plans, and so that's what he's going to be using for the discussion, and so I will pull it up here in a second.

DR. COLLIER: You don't need to do that, Myra. I will pull it up.

MS. BROUWER: Okay. Go ahead.



DR. COLLIER: Thank you for the opportunity to speak on the outreach project of the System Management Plan Workgroup that's provided for you today. This comes to you guys based on a request that you did mid-last year, where you had asked the System Management Plan Workgroup to work on an outreach document related to the spawning special management zones, and you had requested that we work on a document that was similar to the Channel Island Marine Protected Area document and taking that information, as well as information that the Information and Education Advisory Panel had given us, where they had stated that they wanted to see more of a, I guess, a digital document. We went this way of a Story Map, to increase our flexibility in providing the information to the public about these spawning special management zones.

What we would like to get from you today is an endorsement to send this project out to other APs for their review and comments, and the APs we were thinking about providing this to was the Information and Education Advisory Panel, the Law Enforcement, and the Snapper Grouper Advisory Panels. If there is others that you would like us to send this to, please let me know, and we can take it to those groups as well. What we were thinking about is just having them review it through email, and they would provide comments back to us.

The final thing that I want to point out today is the workgroup also recommended that we add testimonials to this system management plan document, and so that is going to take a little bit of time, but what we would like to do is add those in as we get them. Once we get up to three testimonials, that's when we would add them into the document. With that, I will start going through the spawning special management zone outreach document, or the Story Map.

This first page gives you a brief introduction on spawning special management zones, why they're important, exactly what was created in the South Atlantic in 2017, as well as what we're looking at, and so we're trying to find fish in spawning condition, but the first thing that you will note is that several of these are in blue links, and these are hyperlinks to other pages, and you can see that this first one starts off talking about mutton snapper, and it's a video that was put together by FWC talking about reef fish spawning aggregations, particularly down off the Florida Keys.

You can then look at some of the information that's been put together for Nassau grouper in the Bahamas and then, getting a more worldly perspective, there is two spotted red snapper, and a document was produced for them from Palau.

One of the questions that we've been getting is what does fish in spawning condition mean, and this gets a little bit technical, and it's a little circular, but it tries to describe the female maturity stages that we're trying to document in these different areas and just providing a little bit of background to the public on what we're looking for.

The next page goes into a little bit more detail on why we're trying to protect these spawning aggregation areas, and this video to the right is actually a video of Nassau grouper spawning, and it's really neat just to see how they get colorized and go up in the water column to spawn.

The next page is letting the public know exactly where these areas are and also give them a little bit of a description of the bathymetry and the area, and so you can click on these different map areas, and the first one isn't going to zoom in or out, because it takes you right to the area, and it should populate, and you can see the actual depth profiles, or bathymetry, that's been collected by the National Marine Fisheries Service for this spawning special management zone, and also areas

a little bit outside of it, and so, as the color changes, that means a change in the depth profile, and you can see a little bit more change up here, and it's pretty static, or pretty consistent, down here in the bottom.

In addition to the bathymetry and the maps that we're providing, we also have links to videos that have been collected in these spawning special management zones, and you can click on these YouTube links, and these will take you to some information in the different areas, and you can see exactly what they look like and what fish have been seen in the areas with some of these ROV dives. Then you can go through the different areas. As you click on the blue link for the area, it will take you over to the different sites, and then you can click on videos for each one, as I mentioned before.

Continuing on down, we also provide all of the regulations for the spawning special management zones, along with the coordinates, and this comes straight from the CFR, and so the information is correct, and people can download it to their GPS, to make sure they're not fishing in a protected area. We also wanted to provide information on all the protected areas that the South Atlantic Fishery Management Council has recommended, and we have a Story Map that is within the FEP side of things, and this talks about the managed areas, and you can see our special management zones, and those are these little blocks here, the deepwater MPAs, which are represented in yellow, and then a variety of pastels represent the CHAPCs and Oculina Bank.

The final thing that we have information on are the different sanctuaries that are in the areas, and these have different regulations than what the council has recommended, but we wanted to have these available to fishermen, and, that way, it's a one-stop shop for all of the protected areas in the South Atlantic region.

The next part we go over are the goals and objectives for the spawning special management zones. Here, I took the goal of the spawning special management zones straight from the fishery management plan, Amendment 36, and then you can look at the different governance objectives underneath these and what we were trying to do. One thing that you can see is that we have developed a -- You guys have developed the system management plan for the spawning SMZs, and so we are making headway in some of these objectives.

Going into the management and evaluation, that is the actual system management plan and why the workgroup was convened. There's a list of target species, and here we have the twenty-three species that were listed in Amendment 36 as target species to protect with the spawning special management zones, and we have created a little link for some life history information for each of the species that are being protected by the spawning special management zones, and then you can also find the regulations on our regulations page, as you scroll down.

One thing that we wanted to highlight were some of the observations of spawning within the boundaries, and so, once again, we have these broken out into our different areas, and then you can click on the link here, and it shows you exactly which species have been observed in spawning condition in this site. Then it also lists the different research programs that have been conducting research in the areas, and so we have these for each of our sites, and you can see the information. If a species is highlighted, or in bold, that species is a target species for the spawning special management zones.

Then we go into the socioeconomic information, and this is more or less background information on creating the system management plan and the spawning special management zones and how we're trying to minimize the overall impact to the fishermen while trying to create positive impacts for the biology of the species.

Then we go into compliance and enforcement, and this is very important to understand, compliance and enforcement in these areas, because some of these stocks are believed to be at small sizes, and even a little bit of fishing effort in these areas can actually prevent the stock from rebuilding.

One of the ways that we would love the public to get involved is by commenting or using this protected area document, and what they can do is, if they're out by an MPA, they can report whether or not they see a vessel fishing in the area, and this information can be used not only by law enforcement, but also biologists, to potentially think about when to go out there to actually do some research in the area or when to do observations in the area, or, if there is no observed non-compliance in the area, that might not be a priority for law enforcement to go to that site, and they may be able to focus their efforts on certain sites during certain days. There is a bunch of information that they can provide within this document, or within this webpage, and we do have an active link. From there, we can download the information immediately and provide it to law enforcement officers.

This is part of the outreach program that we developed for the spawning special management zones, and the workgroup will continue to work on some outreach documents. Upcoming later this year, we're going to start working on the Oculina Bank, and so that's going to be part of the system management plan for that area.

Finally, we provide additional resources, including the Citizen Science Program, Fish Rules, which has the regulations for state and federal waters, and then MyFishCount, which is the private recreational reporting app for fishermen to track their catches. With that, I will turn it over to the Chair for discussion on this document, unless there is questions.

MS. MCCAWLEY: Are there questions for Chip? I don't see any questions, Chip. That was a great presentation, and thanks for walking us through that Story Map.

DR. COLLIER: The one thing that I do have is a proposed motion, if you guys would like to send it to the different advisory panels that we had recommended earlier, or we could go back and continue to work on it.

MS. MCCAWLEY: Thanks, Chip. The Chair will entertain a motion.

MR. POLAND: **I so move. Motion to approve the spawning special management zone Story Map for review and comments by the Information and Education, Law Enforcement, and Snapper Grouper Advisory Panels.**

MS. MCCAWLEY: Thanks, Steve. Do we have a second? It's seconded by Chris. Any discussion on this? **Any objection to this motion? Seeing none, that motion stands approved.** Thank you, Chip.

DR. COLLIER: Thank you, all, and thank you to the System Management Plan Workgroup for getting this document together and being so easy to work with.

MS. MCCAWLEY: All right. We are going to move into the next item on the agenda, which is Options for Removing Jacks from the Snapper Grouper FMP, and I'm going to turn it back to Myra.

MS. BROUWER: Thank you, Jessica. This is Attachment 5 in your briefing book, and recall that this came up in discussion back in March regarding whether you should consider removing the jacks from the Snapper Grouper Fishery Management Plan. The way it came about is a committee member, council member, was concerned that some of the regulations that the council is currently considering for descending devices and other things are not really applicable to species, jacks, that are part of the snapper grouper complex, and so we just gathered some options of how you could potentially handle the situation, and so that's what we put together in this little document.

First of all, you need to build a record and show your rationale for why you are considering potentially removing these species from their current FMP, and, if the intent is to exclude these species from the proposed requirements for other species in the Snapper Grouper FMP, you could simply exempt the jacks from those requirements, and so that's the easiest way to handle things.

Regardless, we put together, if you still want to consider maybe a separate FMP or putting the jacks in the Coastal Migratory Pelagics FMP, which was actually brought up as a potential option, this is what would have to happen, and so, initially, in the original FMP, the council didn't have a very specific rationale for why the jacks were included in that management unit, and so simply it just stated that jacks were associated reef species and that it would be more efficient and less costly to manage a multispecies fishery under one fishery management plan, and so that's what the council, in 1983, reasoned of why this group of species was put under one FMP.

If you were to remove the species from the FMP and manage them under a new FMP, you would, of course, have to amend the Snapper Grouper FMP to remove the species, and then you would have to abide by the requirements for preparing a whole different fishery management plan, and you have what those requirements are in this document here, and so we included some of the wording in the act for species that require federal management, and so there are certain criteria that need to be met, and those are outlined on your screen there, and so all of these things would have to be met and discussed in order for a separate FMP to be put in place for the jacks.

If you wanted to continue to consider removing the species from the Snapper Grouper FMP and managing them under the Coastal Migratory Pelagics FMP, you need to consider that the CMP FMP is a joint plan with the Gulf Council, and so both councils would need to agree to including those species in the fishery management plan, and you would need to explain why the jacks should be managed under that particular FMP and not under the current FMP and build a record for that.

Other considerations are the Gulf Council manages jacks in their area under the Reef Fish FMP, and they may have to remove the jacks from that FMP, to transfer them to the Coastal Migratory Pelagics FMP, and so it quickly gets a lot more complicated to take this approach. Permit requirements would be something that you would have to consider as well, and maybe they would need to be revised under both the Snapper Grouper and the Coastal Migratory Pelagics FMPs.

Another consideration is that the Coastal Migratory Pelagics FMP extends through the Mid-Atlantic Council's jurisdiction, and so, while the management of jacks may not have to be extended, but it's something that you would consider, and it would introduce some inconsistency there. Those are the options that we put together of things that you might want to think about before you decide which route you want to take to address this.

MS. MCCAWLEY: All right. Are there questions or comments? Spud, I'm looking over there at you. You're the one that brought this up.

MR. WOODWARD: Yes, I'm that unnamed council member. Myra politely unnamed me, but thank you. This is exactly what I was looking for, was at least a thorough treatment of sort of the pros and cons, because my concern was trying to avoid what I would now call, based on earlier discussions, the tomtate effect, where we sort of catch up a species in something that we really didn't intend to.

I think this will be very helpful as we move forward, and also, based on earlier discussions today, I think we've got a lot to grapple with, in terms of Regulatory Amendment 29 and descending devices, and a lot of this is going to depend on how that actually is made manifest, and so I appreciate the staff's effort in putting this together, and I think it's very thorough, and it certainly fills the void that I intended it to.

MS. MCCAWLEY: Okay, and so let me ask some more questions here, to figure out how we're going to move this forward, or if we're going to move this forward, and so, Spud, remind me -- The intention with starting this was because we didn't want jacks to be under the requirement for the use of descending devices or non-stainless-steel circle hooks or what? Can you remind me?

MR. WOODWARD: Well, I don't know that it was anything specific, as much as we were going down a route of increasing gear-specific requirements in that plan and that we may reach a point where it could be in conflict with fishing practices and all for the jacks themselves, and so I'm certainly not at the point where I would recommend any specific action.

I think this did what I wanted done, which was basically a comprehensive single source that would give us pro and con options, so that, as we move forward with looking at gear requirements, we would have some context for if we feel like there's going to be unintended consequences for the jacks, and then we would have something to look at and say, well, is it worthwhile to do something to remove them, or is it best to deal with it as one of the recommendations, which is put language in there that may exempt them, but it all really depends on how we go down the road of these gear requirements. I mean, if it's something as simple as you've just got to have a descending device onboard the boat, well, that's not very intrusive on somebody that is fishing for jacks.

MS. MCCAWLEY: Tomorrow night, we have a time period where you can talk to the Regional Administrator and myself and Mel, and then, the following night is actually -- Wednesday night, I believe, is the open public comment time period.

Spud, let me try to restate what I think you're saying here. I think you're suggesting that, as we move forward with the best fishing practices amendment, that, depending on the various actions and alternatives that we choose in that document, that then we pick this back up and figure out if

we want to go forward with something in here for jacks and, if so, which one of these options we would choose, and is that what you're suggesting?

MR. WOODWARD: That is a good summation of it, Madam Chair.

MS. MCCAWLEY: Any more comments or questions or concerns? All right. Thank you, Myra, for pulling that together. That was a very helpful document. Next up, we're going to move into Regulatory Amendment 33, which is the red snapper season modification.

MS. BROUWER: Before we get into the actual document that we prepared for you, we always put together these little introductory presentations, just to make sure that everybody is on the same page and we sort of re-group and talk about how we got here, and so that's what this is.

Basically, in March, you directed us to begin work on a framework amendment to remove the specification that if projections indicate the season for red snapper would be three days or fewer than there would be no season for that fishing year. Included in the motion was also modifying the start dates and looking maybe at spring, summer, and fall for both the recreational and the commercial sectors.

Then the rationale that you provided in March was that consecutive weekends during the summer months could potentially increase the changes of losing an entire weekend to recreational fishing opportunities, due to poor weather, and so that was a big concern. There was also a mention on the record about interest in having periodic review of how these limited openings are working and providing the public an opportunity to provide feedback on the seasons for red snapper, and there was talk about minimizing fishing mortality when red snapper are in spawning condition.

As far as timing, you asked us to bring something for you and potentially approve it for public hearings at this meeting. In September, if you continue to go forward in developing this, you could potentially approve it for formal review, and we probably have to have a little bit more discussion about the type of analyses and get some feedback from the Regional Office as to the feasibility of having this for you in September. Our understanding was that you were interested in having any changes put in place for the 2020 season.

What we are going to ask from you at this meeting is, first of all, to review the draft purpose and need statement and change it, as appropriate, and there's still a lot of work to be done there, because we still need to maybe re-group a little bit more and come up with a concise purpose and need statement that is going to allow the IPT to flesh out actions and alternatives, although we do have some for you to look at, and so we'll be reviewing those options for actions and alternatives and hopefully getting a lot of rationale from you for those. Then consider approving the amendment, if you want, for public hearings and tell us how you want those to be conducted. Red snapper being a hot-topic item, do you want in-person hearings, or are webinar hearings okay? Those are the kinds of things that we would like to get from the discussion.

I wanted to point out that I tried to PDF the options paper and all the appendices together, and that didn't work out, and so we ended up having to break up the appendices in the briefing book, and so we tried to provide as much background information as possible for you to walk through this, and so we have a lot of information.

Appendix A has the collection of Fishery Bulletins that have to do with reopenings for red snapper and when the agency has had to change things, due to weather, and so all of those have been compiled, and they're in Appendix A for your reference.

Appendix B has the verbatim transcript of the December 2012 and the June 2013 Snapper Grouper Committee discussions, and I tried to highlight important bits of the discussion there pertaining to rationale for why red snapper seasons have been structured the way they currently are, and we also included, in Appendix C, the final rules for Amendments 28 and 43, and those have also been highlighted, in pertinent sections, to show you what the rationale was at the time for the actions the council has taken on red snapper.

Then, finally, Appendix D is the 2017 Halibut Catch Sharing Plan, and the reason that's included is because this is an example of how in-season regulations can be adjusted. My recollection from the record of your discussions in March, is that there was some interest in possibly doing quick adjustments in-season to the structure of red snapper, and so that was included in there for your information as a way that in other regions it's being -- How it's being handled.

With that, I will bring up my options paper here, and so this is Attachment 6 in your briefing book. As I mentioned, there is some background, which I've already gone over the motion that you approved, with guidance to bring this to you at this meeting, the rationale that you provided in March for why we're talking about this, and then the proposed changes that would be included in this framework amendment, and I've already gone over those, and so, basically, it's to modify, in general, the structure of the South Atlantic red snapper seasons for both sectors and remove that requirement that, if the projections indicate the seasons would be open for three days or fewer, then the season would not open for that fishing year.

As I said, here are the objectives, and I've already covered this, as well as the timing, and so we can dig right into the purpose and need statement, and so, currently, what the IPT was able to come up with, based on your discussions in March, was that the purpose and need of this framework amendment are to modify the structure of the South Atlantic red snapper commercial and recreational fishing seasons to increase the socioeconomic benefits to fishermen and fishing communities, while minimizing discard mortality and providing protection for spawning red snapper.

As we were discussing this among the IPT, we came up with things to consider, and that's what you have on your screen now, and so is increasing access something that you are intending to do with these proposed actions? If so, we need to know that. As far as additional flexibility, that is something that came up in your discussions, and it was pointed out that you do have some flexibility already to reopen and change the opening dates due to weather, and so, as I said, that rationale and those minutes are included in the appendices.

Avoiding harvest during the spawning season, safety-at-sea, these are all things that, as we were, like I said, discussing this at the IPT level, kept coming up, and the purpose and need for Amendment 28 is also included, for you to just remember what that was back then, and that states that regulations should minimize: 1)safety-at-sea concerns; 2)probability of overages of the ACL; and 3)discard mortality of red snapper. In addition, the fishing season should allow an opportunity to collect information on the life history of red snapper. I will pause there and give you some time

to mull this over and potentially give us some guidance of how you want to change your purpose and need.

MS. MCCAWLEY: All right. Thank you, Myra. All right, folks. What do we think about this purpose and need? There are some questions on the board that we need to consider. I can't believe, after the lively discussion on red snapper at the last meeting, that people don't have anything to say. I am going to start calling names. Doug Haymans.

MR. HAYMANS: Thank you, Madam Chair. I think it's premature to work on purpose and need, because we change it five times by the time we get to the end, and so I would say move through the document and come back to it.

MS. MCCAWLEY: I am good with that.

MS. BROUWER: Ideally, you would want to state what your intent is in considering certain regulations, and so I'm being the devil's advocate here a little bit, but it's -- You really should have an objective in mind before we start talking about how we're going to get to that objective. It's kind of backwards, and I'm not discouraging you from moving through the document first, if you still want to proceed, but just to think about the things that you are intending to address with the actions that you are proposing is helpful for us, and I guess also to make sure that your intent is clear on the record.

MS. MCCAWLEY: I agree with all of that, but I also think -- I kind of agree with Doug, because, for example, avoid harvest during the spawning season. I think, after we have a robust discussion, we might not actually be able to avoid harvest during the spawning season, and we might end up with the months we have right now and end up right back where we are, and then we would have modified the purpose and need, and then we're going in a different direction, and so I kind of agree that this -- We might need to just jump into the discussion and figure out what people are thinking relative to some of these items before we come back to this purpose and need.

MR. WOODWARD: I think one of the things that was an impetus for this was talking about is there a need to have greater flexibility across the region, and, to me, that is sort of captured in "increase the socioeconomic benefit", because that's embedded in there. I mean, the maximum flexibility within certain constraints for people to fish, based on the regional differences and that sort of thing, and so I agree. I think this captures the essence, and we're not looking at any substantial deviation from what we've done in the past. It's just more of the specifics of how we do what we've done. The mission statement really hasn't changed.

MS. MCCAWLEY: I kind of agree with that. To me, it's about flexibility. All right.

MS. BROUWER: I will, if it's okay with you, just kind of taking this slowly and walking you through it, and this is kind of a lengthy document for a reason, because we wanted to make sure that we included all of the rationale that this and previous councils have worked through for where we are with red snapper, and so what we did was to first include the rationale for the current management actions on red snapper for the different topics that you are intending to address in this document.



A lot of this is found in the response to comments in the final rules and as well as in the verbatim transcripts that I mentioned already, and so, for the minimum number of days for the opening, during development of Amendment 28, which was, recall, the amendment that established the process for opening up harvest of red snapper after 17A closed it down, the council indicated that, if the projections were for a three-day season or shorter, then there should not be an opening, because such a short time period wouldn't provide sufficient fishing opportunities to the public, and so that is currently the rationale that was provided for the way things are now.

As far as the weekends being Friday through Sunday, the recreational seasons were structured in such a way that the weekends would be Friday through Sunday to provide overall benefits to the recreational season to the greatest number of participants, and, in discussions for Amendment 28, it was discussed, it was stated, that most recreational fishermen are going to be fishing on the weekends, and weekend-only seasons would provide the most recreational fishermen access to the resource when they are not working. Again, we have highlighted where in the final rule this rationale is found, and so it was in a response to a Comment Number 6.

Also, during development of Amendment 28, the council discussed non-consecutive weekend openings, and this is reflected in the minutes of I believe it was the December 2012 discussion, and some council members were saying, well, can we include analysis at this stage that is going to allow us to select, perhaps, non-consecutive weekend openings, and so that was discussed, but, at the time, it was, I think, the meeting where the amendment was being approved, and so the minutes reflect that the council decided not to delay development of that amendment, because of the timing of it all.

As far as the July start date, Amendment 28 included alternatives that examined season start dates for both sectors in July, August, and September, and the council, at the time, selected the July start dates as the preferred to decrease the chances of inclement weather events affecting the seasons, and therefore promoting safety-at-sea and increasing the chances of small vessels participating in the fishery, and this is included in -- It's in Appendix C, and it's in the final rule for Amendment 28.

In addition, the council determined that seasons beginning in July or in August would allow for better weather during a second opening, if such a reopening was necessary, and we have seen that that's been the case, at least for the commercial red snapper season.

Also, during past seasonal openings that occurred in September, November, and December, NMFS received complaints from fishermen, particularly those in smaller vessels, that inclement weather was minimizing fishing opportunities for them. Again, this is included in the final rule for Amendment 28. In addition, the council determined, at the time, that a start date prior to September would promote recreational effort in all the South Atlantic states and increase the likelihood that the entire recreational ACL would be harvested, while allowing more fair and equitable access to red snapper.

In the Amendment 43 final rule, it states that the red snapper spawning season in the South Atlantic extends from May to October, peaking in July through September, and NMFS acknowledged, in that final rule, that allowing limited harvest, as proposed in the amendment, could result in catch and discards of some spawning red snapper. We will talk a little bit about the actual months, and SEDAR 41 has a different spawning date, and I can bring that information up if you are interested

in getting into more details of when the exact spawning peaks are, based on the information that was part of the latest red snapper assessment.

As far as why commercial harvest opens before the recreational sector, that's another topic that keeps coming up, and so there is rationale in Amendment 43 in response to Comment Number 8 where the council and NMFS determine that the commercial and recreational sectors could have different start dates and should have different season lengths as a result of differences in the sectors, much of which was discussed and determined in Amendment 28, and so it's referring back to the rationale provided back then. Again, more rationale for why it's okay or it's -- I don't want to say it's okay, and I will take that back, but why it's structured the way it is.

The start dates of the commercial and recreational sectors are not going to align, as a result of how those ACLs are harvested, and so that's explained as well, and, again, the council, during development of Amendment 28, discussed that a July opening was advantageous for the commercial sector, because most of the other snapper grouper species are open to harvest during that time, and this is something that -- We'll talk about this a little bit more, what are some of the other species that are open in different months, and I will show you a little interactive application that Chip put together, so you can visualize that a little bit better. I will pause there, to see if there's any questions or clarifications, and then we can dig into the options.

MS. MCCAWLEY: All right. Questions, before we dive into the options? All right. I'm going to turn it back to you, Myra.

MS. BROUWER: Okay, and so, for Action 1, or what could become Action 1, remove the minimum number of days for the South Atlantic red snapper seasons, and the IPT, after we discussed this, we have a section here called IPT Recommendations and Comments, and so sometimes it's not a consensus thing. Sometimes we have IPT members that say, hey, what about this, and so we try to capture the things that come up when we get together to talk about amendments, and so the IPT would recommend that the council remove consideration of this action, due to concerns regarding safety-at-sea and promoting a derby-style fishing and increases in catch rates that would affect projections. For what it's worth, that's what the IPT wanted you to consider.

As far as requested clarifications, do you intend to remove this provision also for the commercial sector, or just for the recreational, and that wasn't clear in the record from the March meeting. The commercial ACL would likely not be caught in fewer than four days, and so you would need to provide rationale for why you're removing that provision for the commercial sector as well as the recreational, the ACL for that sector being so much smaller, and it's, obviously, possible that it could be harvested in less than three days, or four days.

Also, is it the council's intent to allow commercial harvest even if the recreational season doesn't open? That was another question that came up, and do you want to potentially modify this provision, instead of removing it, to reduce the number of minimum days that would be needed in order to allow red snapper harvest? Those are all questions we had, and then, as far as options for alternatives to analyze, so far you have stated that you either -- That you just want an option to remove it, and so we have Option 1, which is no action, and Option 2, which is take it away, and so I will pause there.

MS. MCCAWLEY: Is there discussion?

MR. HAYMANS: It was such a simple idea. I guess I would like to hear other opinions on the safety-at-sea issue. I mean, if there is one day or two days or three days, I mean, ultimately, the captain has got to be responsible for his vessel and the folks who are with him, and is he truly going to decide to go fishing in bad weather if he has only got one day?

MS. MCCAWLEY: I mean, I guess one could argue that it could be a safety-at-sea day now and a derby now, with there only being five or six days, and I don't know how getting it down to three or less is any more of a derby than what we're at right now, but I'm just saying.

MR. SAPP: My sentiments exactly. That didn't make any sense at all to me, that IPT recommendation.

MR. GRINER: I was going to say the exact same thing. I mean, that doesn't really make any sense, about the safety-at-sea. I mean, you've got to take responsibility no matter what days you have to go fishing, and whether it's one day, two days, or three days, it's all the same, as far as being responsible to be safe.

MS. MCCAWLEY: Anna, did you have your hand up?

MS. BECKWITH: Sort of. To me, I think, at some point, if we can only open for one or two days, I guess my personal viewpoint is it's almost not worth opening. If we're scraping the bottom of the barrel so much that we can only get that few fish, I don't know if it's almost, in my personal opinion, worth just leaving them to help with the rebuilding, because it's such a miniscule amount of fish. The hope is that we're going to keep getting more and more days, and I'm fine with whatever you guys decide, and I'm fine with the way we do it now, but I just -- At some point, if you're going to open for one day, does it really make sense? I don't know.

MS. MCCAWLEY: I hear that, and I hope we don't get back to that, and I'm afraid, because we didn't have a data stream coming in when it was completely closed, I am concerned of going back to that.

MR. GRINER: I was going to say the same thing. I mean, one day of dead discards being landings is a lot better than a day of discards, and so, whether it's one day or two days, I think it's still worthwhile.

MR. WOODWARD: Plus, I think we've also got to consider the data collection value, too. I mean, when you have nothing, you get nothing. At least, when you open a few days, you're getting something to fill the data void that exists.

DR. CHRISTIANSEN: When you have none, one is a lot. From the recreational standpoint, one is a lot.

MS. MCCAWLEY: I agree. Chris, it seems like you want to say something.

MR. CONKLIN: We could open it for an hour a day for twenty-four days.

MS. MCCAWLEY: I can tell it's getting close to happy hour. Are there other thoughts on this? there were a number of questions that Myra had in the document here on this particular possible action about are we removing this only for recreational, are we removing it for commercial as well, is it our intent that we would allow commercial if the recreational season doesn't open, and are there thoughts here on this action? I agree, Doug, that we were trying to do something that seemed simple, but is it really ever that simple? Thoughts here? Do we like the two options for alternatives to analyze down there at the bottom? We're looking for some feedback here.

MR. HAYMANS: I am fine with the two options to analyze. I think the second bullet point is one of those unintended consequences, and I don't think we really considered that, well, if you've only got one day, do you still open the commercial fishery or not, and so, right now, if you've got three days and you don't open, there is no commercial fishery either, and so it's not double the savings, but I guess it's one-and-a-half-times the savings, but, for me, if we're going to open a recreational season, even for one day, there's got to be a commercial component as well, to answer that second question.

MS. MCCAWLEY: If I heard you right -- I'm having a little trouble hearing the two of you, if you could move the microphone closer, but it sounds like what you're saying is you like those two options for analysis, but Option 2 is remove the requirement specifying that red snapper recreational and commercial seasons in the South Atlantic would not reopen if projections indicate the season would be three days or less, and is that the correct wording for that option, or were you suggesting to remove the word "commercial" from that? I couldn't hear you.

MR. HAYMANS: I am fine with Option 2 as it's written.

MS. MCCAWLEY: Did I see some hands over here?

MR. CONKLIN: In Option 2, it would be three days or less in the recreational sector, because, with the commercial, you're not projecting the number of days. You are projecting the amount of pounds.

MR. HAYMANS: But it's tied to the recreational. We haven't opened commercial in the past, right, if there's been no recreational, and isn't that correct?

MS. MCCAWLEY: That's my understanding. I am looking over here. Yes, Jack and them are nodding that, yes, that's true.

MR. CONKLIN: The way the fish are allocated, if we had a catch level recommendation, then both sectors would get something to go and catch, and is that correct?

MS. MCCAWLEY: Is it forty-nine-point-something to -- I can't remember what the allocation is here, Myra. I am going to ask Erika to explain -- She believes that there's a nuance here about the recreational and commercial, and, Erika, can you explain that nuance?

MS. BURGESS: I am going to look to Jack and Myra to affirm my interpretation, but, in previous years, when there was no recreational or commercial season, it was because of the formula used by NOAA Fisheries to determine if there was any quota for that year, which reflected back onto

previous years' discards and catches, and so now we have a new system that doesn't depend on previous years' discards or catches.

We have a quota that is established, and then NOAA Fisheries determines the season length, based on how quickly they determine the recreational sector will catch their quota, and they let the commercial fishery fish until their quota is caught, and so these two sectors are no longer linked, and so the possibility exists that NOAA Fisheries could determine that the recreational season would be a day or less and that the commercial season will be as many days as it takes them to catch, and so this is a completely different scenario than what was happening before, when there was no recreational and commercial season at the same time.

MS. SMIT-BRUNELLO: Just for the record, the division between the two sectors is 71.93 percent recreational and 28.07 percent commercial.

MS. MCCAWLEY: Monica and Jack, do you agree with what Erika is describing?

DR. MCGOVERN: Yes, I think that's correct. I think there could be a commercial season with a really small quota, and, if the recreational season was going to be three days or less, you just wouldn't have a recreational season, and so I think, according to the way it's set up now, that could happen.

MS. MCCAWLEY: Okay.

MR. GRINER: That was my understanding of it too, and so, when you think of it along those lines, the commercial -- As long as there was a quota, the commercial sector would always open, and, looking at it like that, there really is no reason to have a minimum number of days for recreational. If they have something, they should be allowed to go fish it, whether it's one day or not.

MS. SMIT-BRUNELLO: If the projected commercial or recreational fishing season is determined by NMFS to be three days or less, than the commercial or recreational fishing season will not open for that fishing year. There is an "or" in there, but I think the intent has always been that it's considered together, right? I mean, I am thinking back through the record, and I cannot recall anything in there that says, yes, you're going to have a commercial without a recreational, because, basically, the commercial season can last more than three days, and so I don't think that's ever been the intent for this council, and I don't think that's reflected anywhere that that could happen in the record.

MS. MCCAWLEY: Let me make sure I understand that NOAA GC's opinion is that you don't think that you could have one sector open without the other, the way that you read the rule.

MS. SMIT-BRUNELLO: The way I read the rule and the record for red snapper and all the amendments with it. I don't think the service -- That is right. I don't think that could happen.

MS. MCCAWLEY: All right. Thank you.

MR. HAYMANS: Based on Jack and Tim, that, in and of itself, is a reason to take up this question. It's the reason to take up this question in this amendment, but now Monica has made me question

that a bit, but I am still good with moving forward with what we talked about a moment ago, both options in there.

MS. MCCAWLEY: Okay. I am too.

MS. BROUWER: As much discussion as you can provide, so that we can make sure that we can explain this to the public, and so, if you are okay with these two options for analysis, and you in fact do not want to reduce the number of minimum days, and you just want to remove the provision, then that's clear.

MS. MCCAWLEY: I think it's the committee's intent, but somebody correct me if I'm wrong, that we don't want a minimum number of days and we just want to remove the provision, so that, in theory, if it could only -- I am going to use recreational as an example, but, if recreational can open only one day, or only six hours, or whatever it is, I think that we want to have the ability to do that, and, right now, this prevents us from having the ability to do that, and so we're wanting to, I guess, maximize access and flexibility in setting the season.

MR. SAPP: I am going to play the devil's advocate real quick here. I don't think anybody wants to be the guy that says there is zero season this year, and the potential for them saying one day is far greater, but, if you leave that minimum there, they're going to say that we either go zero or we give them three days, and am I making myself clear here at all? I think there's a fear of saying zero days, and so they're more likely to say three days than zero days, if you leave that in there.

MS. MCCAWLEY: I am not convinced that we're playing a game here.

MR. CONKLIN: It would have to be a minimum of one day, wouldn't it, to be enforceable?

MS. MCCAWLEY: Why, Doug?

MR. HAYMANS: For Georgia anglers, if you had a twelve-hour season, it's not much worth us going, because we can't get to some of our snapper grounds and back in a half-a-day. I think it's got to be a twenty-four-hour period, at least.

MS. MCCAWLEY: What I just heard from you is that, instead of eliminating this, that you want to change this from three to one day, to a twenty-four-hour period or something?

MR. HAYMANS: If you change it to one day, then you don't open, because -- If it's one day in the current regs, then you wouldn't open, right, but we're saying that we want it open even if it is one day. Not less than one day, which, in my book, is a twenty-four-hour period.

MS. BROUWER: Right, and so we would need to modify the way that Option 2 is worded, to capture that, because, right now, it would simply remove that requirement, but, if you want the season to be a minimum of twenty-four hours, then that would need to go in there.

MS. MCCAWLEY: If it was going to be less than twenty-four hours, it would not open, and that seems like that's what you're saying, that, if it's going to be less than twenty-four hours, don't open it.

MR. HAYMANS: I don't think NMFS can get it down to the hour.

MS. MCCAWLEY: Don't make this a challenge.

MR. GRINER: Yes, but I think that causes more problems, Doug. I think what you're really wanting is to take away the minimum period and avoid having something that's one day shut down the commercial fishery, because, even it was just six hours on the recreational side, that doesn't mean that the commercial side wouldn't last four or five days, and so the whole thing, to me, is you can't pin this down to a minimum day that's not going to open up a commercial fishery, and so, if there is quota, everybody goes and catches it, but don't tie it to any minimum. I like Option 2 just as it's written and just get rid of it.

MS. MCCAWLEY: Okay. We've heard some discussion here, and I'm trying to figure out if we need to add another option other than Option 2, which is just straight up removing this. Doug, do you think we need to add another option here that is suggesting that, if it's going to be less than one day, we don't open?

MR. HAYMANS: Far be it for me to be the voice of this entire committee. My opinion is we don't need to add anything else, but there's still a bunch of voting members here.

MS. MCCAWLEY: All right. Others? It seems like we're saying we like the two options on the board here. Okay.

MS. BROUWER: Moving on to potential Action 2 to modify the start date for the recreational red snapper season, and so there are some comments here of just things to consider. The black sea bass recreational ACL has been recently reduced, and, although the analyses indicate that a closure for black sea bass is not likely under the current catch rates, fishermen did complain of high black sea bass discarding during the 2012 red snapper opening and urged the council not to open red snapper harvest when black sea bass was closed.

Consider that discard mortality is higher during the summer months than during spring and fall, and just some clarification that currently the language that reads in the rule "unless otherwise specified" was put in place to allow NMFS the flexibility to delay opening, in case of inclement weather, and I believe there was talk about it had to be a named storm, or I forget, but it was put in there for that reason.

I already mentioned that Appendix A has the Fishery Bulletins for opening and closing and reopening of red snapper in the recent past. Also, consider that opening the season later in the year is going to reduce the ability to project a reopening, should one be necessary, because there's just not enough time, and then there's issues with the timing of data availability, and then a recommendation is some IPT members thought that maintaining the current approach of specifying the day and week of the month, to maintain consistency in the regulations and avoiding confusion, is a good approach.

This one was kind of -- We struggled with this one a good bit, for how to present and capture the discussions that you all had in March, and so the no action is, currently, the recreational season consists of weekends only, and it specifies that it's Fridays, Saturdays, and Sundays, and it begins on the second Friday in July, unless otherwise specified.

It was, like I said, hard to pinpoint what we could do, and so the options here are to modify the season to start in May, and then you have sub-options there for the week, first, second, third, or fourth, and so on and so forth, and so we just have June, August, and September, and we tried to just cover as many options as possible, and then you all can decide which ones to keep or which ones you're not willing to consider, and so we included October, and then, in Option 7, we modified the red snapper season to start in May, but recreational harvest would not be open during July and August, and so this is to capture your wanting to exclude the peak spawning months and to give you that flexibility of having maybe an opening in the spring and then closing harvest during the peak of spawning and maybe potentially, if there is still ACL to be harvested, reopening in the fall, and so that is what we have for you to consider.

MR. GRINER: Is it possible to see a breakdown of recreational discards by month?

MS. MCCAWLEY: For all species or for --

MR. GRINER: No, just for the red snapper.

MS. MCCAWLEY: You mean discards in other directed fisheries?

MR. GRINER: Yes. In other words, when recreational grouper opens up on May 1, do we have data that shows how many red snapper they are encountering in May?

MS. BROUWER: I don't know. I see John Carmichael approaching the table. Maybe he does.

MS. MCCAWLEY: John is coming to the table.

MR. CARMICHAEL: The simple answer is, yes, you have estimates of the recreational discards on the wave basis, which is a two-month period, but, generally, when someone wants to know something about a general one-month period, you can either take the average across the two months, or, if there's a strong trend, then there's more sophisticated ways of saying maybe more happened in the first month or the second month or what have you, but, yes, you could get it on a monthly basis, and you can get it on a much finer scale, but remember that you are just taking something that is really reported on a two-month basis and trying to assume something about how it's distributed, but, yes, you could get that, and it would be for all of the recreational fisheries. You can't -- It's a little bit harder to tie it back to say examples like you gave, like how does say grouper openings and stuff affect it, but maybe you could look at patterns in the data over time and start to get some inference on that.

MR. HAYMANS: This is yet another one of those times where I like to look forward to the other actions, right? In Action 3, there's an Option 8 there, which basically says that, every March, the council considers what the season should be and helps the Regional Administrator set that season. Could that not be done for not only the month that we're in, but the days that we're working on and the commercial season? Could we look at it in March and help set that without these three separate actions? I mean, where is the downfall in that?

MS. MCCAWLEY: Let me bring up a couple of points. In theory, yes, I think we could, and I think the timing of publishing the notice and all that -- So let's pretend that we talked about it at



the March council meeting and we wanted to start as early as the first week in May. I am not sure that we could make that happen. That's one of the downfalls that I see.

Also, we have talked about, in previous council meetings, that the public has wanted the largest amount of time for noticing, and so, with that same scenario of we met in March and we're going to start fishing the first week in May, that's not a lot of time for noticing, and so that's the only downfall I see there, but, otherwise, I think the answer is, yes, you could do that.

MR. HAYMANS: Those are significant pitfalls.

MR. POLAND: On this current action we're on, Action 2, I think I spoke at the last meeting, and I think Mel actually posed the question to everybody, or it might have been Doug, and I can't remember, but what months is best for each state, and I thought, from the last meeting, that it was kind of the intent of the committee that some of the flexibility that we were looking for, or at least some of the other states were looking for, would be to select whatever time period works best for their state.

Personally, in North Carolina, I said the last meeting that July works fine, because that's when our recreational fishing effort is the highest, and that's when everyone is vacationing, and that works best for the charter guys and the headboats, and everybody likes that, but I don't see that flexibility in here, but I also have concerns with that flexibility, because if we've got North Carolina in July and South Carolina in October, then, right there around the border region, there is some spillover, and, in all honesty, I kind of go back to what Doug said right off.

We tried to do something simple, and this is -- I am ready to back out of the room and just walk away from this thing, I feel like, because I don't see where we're going to get any added flexibility. I mean, the only thing that I feel like that might would help a little bit is Action 3 and maybe just, instead of doing a three-day weekend, a two-day weekend and spread those days out, but, outside of that, I don't see how we're going to better manage access to this fishery, because I feel like we're already kind of tightening the noose as much as we can.

MS. BECKWITH: In terms of this action for additional months to consider, I think May would work as well for North Carolina. We've got cobia season going on, and the weather is decent, and black sea bass would still be open, which was also one of the original reasons we put the original season in July, and it's outside of the peak of the red snapper spawning, and so, if we were going to look at an alternative, I can see May working for the recreational fishery in North Carolina.

MR. GRINER: That's why I was asking about the discards. I really kind of look at May as this is the month that all the guys that are going to go bottom fishing, recreational guys that are targeting these species, that's when they get geared up, and that's when they get started. That's when they are out there, and I think the data would show that that's when the highest discards are, if that fishery isn't open, because that's when they're out there fishing, and that's when they're encountering these fish.

To me, it makes a lot of sense, if we're really looking at trying to get our most bang for the buck here and eliminate some of these discards and start building on more ACL, that we open this when we can do the best for the fishery, which is reducing discards, and so, to me, May makes a lot of sense, and it seems to me that May would work for everybody.

MS. MCCAWLEY: I think that Florida would -- We like July still. I mean, there's a lot of fisheries that are open during that time period, and so we also are trying to sample both the Atlantic red snapper season and the Gulf red snapper season, and so we're trying to keep it away from the Gulf red snapper season, and we only have so many people that can do this intensive sampling effort, and so that's another thing for us to think about in Florida.

MR. WHITAKER: Did I understand earlier that the Regional Administrator would only reschedule if there was a named storm, and is that correct, or what if each of the state directors reported that we couldn't go fishing and he assesses that three out of the four states couldn't go, or four out of four couldn't go or something like that?

MS. SMIT-BRUNELLO: Attorney DeVictor has pulled up the regulations, and it is if the RA determines that tropical storm or hurricane conditions exist. I recall when this was being discussed among the council, and it was like, well, kind of storm and what are we talking about? If it's just bad weather, and what if it just occurs off of Florida, the bad weather, and not off of somewhere else, and so, anyway, it got to be where at least the National Weather Service puts out that kind of information on tropical -- So it's tropical storm or hurricane conditions. That is something definitive.

MR. WHITAKER: Well, just experiencing weather in May in South Carolina, I know there are often major fronts that come through that time of year, April and May, and you've got three or four days, sometimes, of pretty high winds, and it's not a named storm, and maybe it's fine off of south Florida, and so I don't know if there's an answer to that.

MR. WOODWARD: This is for Jack, and I don't know if you can answer this question or not, but, if we decided that we wanted to move back to May, given the fact that the last three years we fished in July, in mid-summer, is there going to be difficulties in making the catch projections necessary to determine the season length for the recreational fishery?

DR. MCGOVERN: I think they would still use the same data that -- They don't have landings from May, and so they would just have to make assumptions with the projections based on previous years, and probably go back to when it was open in May, maybe, and so it would be an estimate.

MS. MCCAWLEY: Okay. I say we continue this discussion tomorrow. Thank you. We have an 8:30 start in the morning.

(Whereupon, the meeting recessed on June 10, 2019.)

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June 11, 2019

TUESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Marriott Hutchinson Island, Stuart, Florida, on Tuesday, June 11, 2019, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: We'll go ahead and get started. Instead of going back to red snapper, we're going to go back and do some reports left over from yesterday, and, if Marcel is in the room, maybe Marcel can come up here and give us his presentation, and then we'll do the AP report, and then we'll do the SSC report. Marcel, can you come on up? Thank you.

Also, while Marcel is coming to the front, we've had some discussions about the microphones, especially Spud and Doug, and make sure that you are close to that microphone. Not only can folks in the audience not here, or other council members can't hear, but also the challenges on the recording and other things, and so, please, people, make sure that you are close to your microphone. Thank you. Thanks, Marcel.

DR. REICHERT: Thank you for once again allowing me to give you an update on the Southeast Reef Fish Survey. I made some small corrections to the original presentation, and Myra, I think, posted the corrected presentations for you to take a look at. You have seen some of the slides, or versions thereof, in previous presentations, and I keep including them because not all of you may be familiar with the Reef Fish Survey, and, first, before I do that, I need to acknowledge Walter Bubley and Tracey Smart, who have been largely responsible for the index and the maps, and also Christina Schobernd at the Southeast Fisheries Science Center in Beaufort for providing the data for the SEFIS part of the Reef Fish Survey.

The Southeast Reef Fish Survey, or SERFS, is a collaboration between three partners, MARMAP, SEAMAP South Atlantic, and SEFIS, and these are the four vessels that we used in 2018, and the number of days we have used these vessels are under the pictures. SEFIS is mostly using the Savannah and the NOAA Ship Pisces, and Savannah is owned by the Skidaway Institute of Oceanography at the University of Georgia, and the Lady Lisa and the Palmetto are South-Carolina-owned and operated vessels.

As you may know, the video trap is our primary sampling gear, and we are targeting low to medium-relief live-bottom habitat, and it's generally deployed in depths to about 110 meters, and we use this gear consistently and standardized since 1990. The soak time, as is the soak time of all of our gear, is ninety minutes, and we bait the traps with clupeids, or menhaden, and, especially since SEFIS joined MARMAP in around 2009, we deployed two cameras on top of the traps, and they are the red circles here. One is facing away from the trap opening, and this is the trap opening, and the other one is facing generally in the opposite direction.

On occasion, we put cameras inside the trap, to face inside the trap, and that gives us some information about fish behavior inside the traps, and the video information, as you may know, has allowed us to gather a lot of additional information, including data to develop additional indices of relative abundance. We can now look and verify habitat and habitat changes over time, and, also, we have now an idea about what we call trap behavior. For instance, if traps are bouncing off the bottom, that may affect catchability, and we can correct for that or decide what to do with that particular sample.

In addition, it allows us to look at fish behavior around the traps. This is an example of hogfish, showing what we believe is some courtship behavior. This is information that we were previously -- That we previously did not have, and I have a couple of other examples of fish behavior around the traps in the rest of my presentation, and we think this is really cool behavior by this male hogfish here.

We also deployed the short bottom longline in 2018, and we target higher relief live-bottom habitat, generally over ninety meters of depth, and these are areas where we cannot deploy the traps, because the traps would fall down the slope. As I mentioned earlier, soak time is similar, and we bait the short bottom longline with whole squid. Just as a reminder, we did not deploy the long bottom longline this year, because of funding. This is the gear that we generally use over soft bottom golden tilefish habitat.

We currently have, in our universe, about 4,300 sampling stations, and they are indicated by the - - Those are the chevron trap video stations, and they are indicated by the blue Xs on the map on the right, and we have about 300 short bottom longline stations, indicated by the yellow or brownish Xs, and, for reference, I also put the long bottom longline boxes in there, and they are based on earlier locations, based on the loran numbers. We annually select 1,500 samples randomly from this universe for the chevron video trap sampling and about 250 random stations for the short bottom longline survey. Our general sampling area, just as a reminder, is from Cape Hatteras to actually just off the coast here where we are today.

In terms of processing data, MARMAP and SEAMAP and South Carolina DNR -- We are processing all the life history samples, the age and reproduction and DNA samples, and we developed the trap and the longline indices, and the group at SEFIS, at the Southeast Fisheries Science Center in Beaufort, is mostly responsible for the video processing and analyses, but we do maintain one combined, comprehensive dataset for all our analyses.

In 2018, we made about 117 sea days, and we deployed 2,280 -- We made 2,280 gear deployments, and we deployed a record of 1,784 chevron video traps. We also made seventy-seven short bottom longlines and did 324 CTD deployments to measure oceanographic parameters. We collected over 47,000 fish, representing eighty-two species, and, of those, we kept a little over 11,000, or forty-one species, for life history, age, reproduction, and a variety of other samples.

This is a table of our most-encountered species, both in the chevron video trap and short bottom longline. In general, this list doesn't change much over the years. There is sometimes species that move up or down a spot. What is relevant, however, is that red snapper is now our fifth-most abundant species in our traps, up from ninth in 2012 and a much lower ranking in earlier years. The blue species here are the ones that we generally do not take life history samples of. The black ones are species that we do take life history samples from, and that color scheme is continued in the slides of the individual species.

The CPUE overview that I present is similar to what I presented in earlier years, the chevron trap catches, and it does not include any video information, the data from 1990 to 2018, and the short bottom longline is 1996 to 2018. The data are standardized using a zero-inflated negative binomial model, and, since that's a mouthful, I refer to that as the zero-inflated model. We feel it's the most appropriate model, and it's used a lot nowadays in stock assessments, and it reduces the uncertainty, because it accounts for variability in abiotic factors as well as sampling variability.

All of our data are summarized in our annual trends report that I actually distributed not too long ago to the council, the Science Center, and the Regional Office staff. If you're interested, I can provide you with a copy of that. We generally complete that between April and May.

These are the caveats that I think are very important to keep in the back of your mind. This is a summary overview, and this is not an update of the stock status. An update of the stock status should include updates on landings, size and age composition, reproductive parameters, and a variety of other stock assessment inputs. Also, it's important to realize that the trends that you may see in this presentation may differ from those that are used in SEDAR stock assessments, because of differences in time periods and other input parameters, and then, also, it's important to realize that not all species have been assessed or updated through the SEDAR process, not all species that I am going to present, and so not all of these trends have been discussed in the SEDAR assessment framework.

Just to orient you to the figures, there is going to be two figures on each slide, and one is the trend. As you can see here, they are normalized through the long-term average, which is one, and this means that -- Two means the relative abundance is twice the long-term average, and 0.5 means it's half the long-term average. This black line is the zero-inflated standardized index, and the gray area is the 95 percent confidence interval, and then the red dots are the nominal value, and so those are not standardized values, and, again, as a reminder, this just includes the chevron trap or short bottom longline catches, and it does not include any video information.

The maps, this is the type of maps that you saw last year, and you asked for a potential depiction of potential changes in distribution, and so, this year, we've added an earlier period of four years, 1997 through 2001, which I refer to as the earlier period, and then the 2014 to 2018 is our last period, and I have overlapped them, so you can see the changes in distribution, and I do want to indicate that, in the earlier years, we deployed less traps, and that means, because of the way the data was treated, you see larger swaths of either high or low densities. We simply have less detail in those maps, and so that's something that you need to keep in the back of your mind.

They are all set up the same way. The kind of warmer the color, the higher the relative density, and they are based on the nominal CPUE, and so not the standardized, but the nominal CPUE, and so red is 75 to 100 percent of the maximum nominal CPUE, orange is 50 to 75 percent of that nominal CPUE, and yellow is 25 to 50 of the maximum, and then green is 1 to 25 percent, and blue is zero of the nominal CPUE. It's important to realize that, if you see blue on the map, it doesn't necessarily mean that that fish does not occur or is completely absent in that area, but it's just that we did not catch them in the traps, and that's important, as I will show you later, in some species.

You will always see the 1997 to 2001 first, and then I overlap that with the 2014 to 2018, and we are considering adding periods and maybe a different way of presenting this, and so, if you have any suggestions, please let me know. The next slides provide the abundance of fourteen species, and I have some additional slides of some other species, such as scup, sandperch, pinfish, spottail pinfish, if you are interested.

This is gray triggerfish in the chevron trap. As you can see, in recent years, there is somewhat variability, but the standardized CPUE hovers around the long-term average. Gray triggerfish is

found in the entire area, in the mid-shelf, and you see -- This is the most recent period, and this is the earlier period, and you see that the distribution really hasn't changed much over time. As a reminder, we are ageing gray triggerfish using the spines, and colleagues at the Science Center are conducting a validation study, and we are working with them to try to age gray triggerfish for the future stock assessments.

This is tomtate, and tomtate has seen a little bit of an uptick in recent years, from lows around 2006 and later to a little bit over the long-term average currently. It's a widely-distributed species as well, like gray triggerfish, and this is the most recent period, and this is the earlier period, and we feel that there is not much of a change in the distribution of tomtate in the region. This is the earlier period, and this is the most recent period.

White grunt, we've seen a general uptick since the lows of 2010, and white grunt is one of the species that has this disjunct distribution, as you can see here in the earlier period map, and you will see, again, that the pattern hasn't changed much. We know that white grunt is mostly absent off of northern Florida and parts of Georgia, and then, again, white grunt occurs again in the Florida Keys. We recently published, or a paper was accepted, looking at the genetics of white grunt, and that indeed confirmed the fact that, genetically, this population off of northern South Carolina and North Carolina is genetically distinct from the population in the Keys, and then there is also another genetically-different population in the eastern Gulf of Mexico and in the U.S. Caribbean, and so we identified four genetically-distinct populations, and that's confirmed by some other life history parameter differences between those populations.

Red snapper, as I mentioned, is the fifth-most abundant species in the traps. We thought that we saw a tapering off of the relative abundance last year, but the 2018 data indicated that the increase in relative abundance of red snapper increased, and we completed the first round of ageing of the 2018 data of red snapper, and it looks like that most of the red snapper that we caught in our traps are two to three years old, but there were also indications of the 2015-2016 year class and 2006 and 2005 strong year class, but these data are very recent, and we haven't gone through and QA and QC'd just yet.

Distribution of red snapper, this is the earlier period, and this is the most recent period, and I believe the changes in the distribution is really reflective of the increase in relative abundance of red snapper, with an expansion of the distribution between the two periods. Here you see that red snapper wasn't caught in the traps a lot in the earlier periods, and, of course, it's much more abundant, currently. The current CPUE is about thirteen-times higher than that of the previous period.

Vermilion snapper, we have seen an uptick, and the current relative abundance hovers around the long-term average. Vermilion snapper is widely distributed over the shelf in our sampling area, and this is the earlier period, and this is the current period, and I believe we did not see a significant change in the distribution of vermilion snapper.

Black sea bass, the trends, the relative abundance, in 2018 was roughly similar to that of the last couple of years, around half of the long-term average. Black sea bass is a species that we generally see in the shallow areas on the shelf, and this is the earlier period, and this is the most recent period, and, as you can see, that distribution is in the shallow parts of the shelf.

Bank sea bass, we have seen a continuation of the decrease in the relative abundance, and, as you can see, this bank sea bass is not very happy about that, and the distribution is similar to that of black sea bass. It's shallow shelf, and this is the earlier period, and this is the more recent period. What is interesting is that you can see that it looks like bank sea bass may be occurring in some of the deeper areas over the mid-Florida area, and hopefully the video information will give us a little more information on that also, but the general distribution hasn't changed much.

This is gag, and gag is still relatively low, and that trend continued. This video shows you big black-belly gag and a female gag around our traps, and this is an example where the blue in the map doesn't necessarily mean that it's absent in those areas, but we just don't catch gag in our traps in very high numbers. This is the earlier period, and this is the later period, and, as you see, the distribution hasn't changed much in the earlier period and the later period.

Red grouper remained low. As the recent stock assessment indicated, the relative densities are well under the long-term average, and this is a species, like white grunt, with a disjunct distribution, and we see them a lot off of northern South Carolina and North Carolina, and then we don't catch them at all until mid-Florida, and that pattern, as you can see, hasn't changed much over time, and the smaller patches here in the most recent period may be a result of the way we calculated the densities, but I think it's also a reflection of the fact that red grouper has a lot lower CPUE now than it did in the previous period, and this is the previous period, and this is the most recent period.

Moving on to scamp, scamp also is relatively low densities relative to the long-term average, and scamp is found on the shelf edge towards the deeper part of our sampling region, and we see them a lot in the videos, and this is the more recent distribution, and, again, I believe that the overall pattern is a reflection of the lower CPUE in recent years, and this is a really cool video. This is what we believe is a male scamp, and it turns its color to what we call a gray-head phase, and we believe that is part of some courtship behavior here, and so this is another example where the video provides us information on behavior of fish around the traps, and that may provide us some information on spawning and other behavior.

Snowy grouper, I only show the short bottom longline, and we do catch snowy in the traps, but generally in very low numbers, and you can see there's a high variability in our short bottom longline catches. As a reminder, we halted the -- By and large, we halted the short bottom longline survey in 2012 and then picked it up again in 2015. On occasion, we did deploy the short bottom longline in those years, if we had an opportunity, and so that's why you do see CPUE for those years, for 2013 and 2014.

Not surprisingly, snowy grouper occurs on the shelf edge, in the deeper areas, and that hasn't changed much over time. This is the more recent time period, and this is the earlier time period, and the distribution here is a function of where we deploy the short bottom longlines, which is mostly off of South Carolina and North Carolina and not as much off of Georgia and Florida.

Knobbed porgy continue to be very low in CPUE, well under half the long-term average, and we see knobbed porgy off of Georgia, South Carolina, and North Carolina. This is the earlier period, and this is the more recent period. Again, I believe that this may be a contraction of the distribution a little bit, because of the lower densities, and this is another species with that disjunct distribution, where we don't see it much off of Florida. This is the earlier period, and this is the most recent period.

Red porgy, the red porgy CPUE remains low, as you can see on this picture, and the distribution is the mid to deeper-shelf area, with not much difference between the earlier and the later period, as you can see here, and this video is actually two red porgies interacting in front of the trap.

Blueline tilefish, as with snowy grouper, I only show you the short bottom longline. Again, we do catch them in the traps, but they are not very abundant in the traps. There is high variability in recent years. As with snowy grouper, they are a species that is mostly found along the shelf edge, and, again, this distribution is more a function of where we deploy the short bottom longline than that they are absent in the rest of the region. The most recent and the earlier period distributions are roughly the same.

That concludes the overview of the species. A quick update of the current year, our sampling season is roughly the same as in previous years, between late April/early May to late September/mid-October, and we planned eleven to fourteen cruises, with about 100 days at-sea, and we completed three cruises with twenty-two days at sea. The Palmetto just returned from a cruise, and I think the Savannah is currently at-sea.

With that, before I entertain any questions, I want to acknowledge everyone. Obviously, this is a huge team effort, and these surveys -- MARMAP has been in place since 1972 and SEAMAP since 1986 and SEFIS since 2009, and there's a lot of people involved in collecting the samples, and so I want to acknowledge everyone, past and present, who have helped us collect the samples. While I am answering any questions, if you have any, I will show you a little video about our sampling procedures and some video from the video trap on the bottom, and I can give you information on where all these videos were taken, if you're interested, and so, with that, I will open the floor for questions, if you have any.

MS. MCCAWLEY: Thanks, Marcel. That was a great presentation. I love seeing those videos in there.

DR. REICHERT: Yes, so do I. They are really cool. Of course, these are the best of, and not all of them have this quality.

MS. MCCAWLEY: Those videos are awesome. Are there questions for Marcel?

DR. MCGOVERN: Thanks for the presentation, Marcel. It was really good. I like the heat maps, too. It really shows the differences in distribution and trends over time. I was wondering about lionfish and if you're seeing lionfish in your traps and how that is changing over time.

DR. REICHERT: We do. I think we still see them. Actually, one of our staff is working on a paper on lionfish, looking at CPUE of lionfish, and I can see if I can include that in the next presentations. We catch them in somewhat higher numbers in the traps, and they don't go into the traps a lot, but we do see them a lot on the videos, and I actually have a short video that I can show you, and I think there's twenty lionfish in one shot, and so, yes, we do have that information, and I think our colleagues at Beaufort have also that information, because they are doing all the video analyses, and so we do see them a lot on the videos. This is that video, and so we do see them a lot.



MR. HEMILRIGHT: I was curious about your camera that you use for it, that you use to put in the traps, and what is the greatest depth that you put the camera in for the trap, and do you have to use any special kind of encasing for the camera?

DR. REICHERT: Currently, we are using GoPro Heroes 4 and 5, I believe, and we have special deepwater housings for them, and we put cameras on all the traps to about 100 or 110 meters of depth, and so we do purchase special housings for them, and the resolution is really good, and we used to have other cameras that required a special housing that were a lot more expensive, and so that's what we're using right now.

This was, I think, one of the first times that we saw that our native fish actually were harassing the lionfish. We hadn't seen that a lot, but now they're actually going after them, and so I thought that was a good sign.

MR. POLAND: That's good. They're finally fighting back. I like that. Thanks, Marcel. The trends in black sea bass is kind of concerning, and I know, at one of the -- I can't remember if it was the SSC or an AP meeting recently, but the question and the topic came up of red snapper predation, and I think you said there was a student at the College of Charleston that was working on a project, and do you have any updates on that?

DR. REICHERT: Thank you for reminding me. I failed to mention that, and yes. Kevin Spanik is one of our staff, and he's also finished his master's, and he is in the process of publishing that information. Although red snapper do prey, and are likely to prey on black sea bass as they are preying on a variety of other species, his thesis information does not indicate that red snapper disproportionately prey on black sea bass, and so they do eat them, but they are not specifically targeting them, and so thanks for reminding me.

MS. MCCAWLEY: Other questions?

MR. BELL: Good presentation. Thanks. The red grouper presentation, kind of a north/south thing, would we have any tissue sitting around that we could do genetics work on that, or would we need to like start something fresh, if we wanted to do that?

DR. REICHERT: I believe we have quite a bit of tissue, DNA tissue, from red grouper. We generally take -- Even though we may not have a project, we generally take DNA samples from a variety of species, just to have them in case there is a question or there is some funding available. I don't believe there is currently anything in the works to look at that, but that would be an interesting species to take a look at, especially since we discussed the recruitment issue with red grouper and the potential of them coming around the Gulf of Mexico, and I think there were some coming around Florida from the Gulf of Mexico, and I think there was some discussion there, and so we have some samples, and we continue to collect red grouper DNA. The densities are so low, and so we don't catch them a lot anymore.

MS. MCCAWLEY: Other questions?

DR. MCGOVERN: One more question. You mentioned, I think, a figure of like 11,000 hard parts and reproductive tissue that are collected from fish each year. Is that processed and interpreted, or

is that just collected from the fish, and, it's not, how many are interpreted each year for assessments?

DR. REICHERT: I don't have the exact numbers with me. There is a couple of things here. For the most abundant species, because of funding, we sub-sample the otoliths, and, currently, it's only black sea bass and -- Maybe it's only black sea bass that we sub-sample, but, generally, depending on the number of fish we catch, black sea bass, vermilion snapper, red porgy, and gray triggerfish, those are the species that we have sub-sampled, and, for the reproductive samples, again, we looked at efficiency, and, because of funding reductions, we now only take reproductive tissues -  
- We do not take reproductive tissues of males of gonochorists, and those are species that have separate sexes, and, for the most abundant species, we do not take reproductive tissues of two species for three years, and then we switch them with two other species, and so that's black sea bass, vermilion snapper, red porgy, and gray triggerfish, because we thought that the reproductive parameters may not change so quickly, and so, if you don't take that for three years, we don't lose a lot of information, but that's just to make sure that we are able to process the remaining tissues.

In terms of both otoliths and reproductive tissues, what we currently have done is look at the SEDAR schedule to make sure that we can provide the information for SEDAR stock assessments at the time the data is needed, and that means that some other species may not be processed until a later date, and sometimes it's a challenge, because, as we all know, the SEDAR schedule changes on occasion, and that means that we have to scramble to get the age samples done.

What we would like to do, and we are working towards that, if we can, is to process everything on an annual basis, but, right now, we simply don't have the funding to do that, but hopefully, at some point, we will be able to catch up and keep up, and so we're keeping up with the SEDAR schedule, but not with everything we collect. That was a long answer to a short question.

MR. SAPP: Thank you very much for a very entertaining presentation. Has there been any discussion in trying traps other than the chevron trap, a more dome-shaped trap that is commonly believed to catch more of the larger snapper and grouper species?

DR. REICHERT: No, we are not -- We are currently not discussing that. We use other gear, like hook-and-line gear, short bottom longline, and long bottom longline. The problem with changing gear is that that means that you are starting a different survey and develop a different index, and, generally, if you really make significant changes to a gear or come up with a new gear, the first three to five years, five years, it's very difficult to use that data, because you don't have that trend yet, and that creates some issues for stock assessments, and so we have not. That is one of the main reasons we haven't changed the procedure.

Also, with the video on top of the trap, we are now capturing a lot of information and species that provide us a lot of additional information, and the problem also is, if you catch bigger fish, that also means that you may lose some of the smaller fish, and so not any single gear is optimal for everything, and so, no matter what you choose, it always becomes a compromise, and, again, that's why we try to deploy a variety of gears, to alleviate some of that. Clay, is it three to five years? Is that, ballpark, what you really need before you can use the index in an assessment?

DR. PORCH: More or less, depending on how large the variance is on the points, but, yes, to be informative for an assessment, it needs to be at least that long, but there is other potential uses for it, even in the short term, which was leading to my next question, and so good segue.

One of the things we're talking about doing on the Gulf side is using the video survey and other surveys for what we're calling interim analyses, where you have an OFL that was established from the last assessment, and then you increase it or decrease it each year based on the trends in an index, but the key is that that index needs to represent the fishable biomass, and so, looking at some of the size fish that we're seeing in the video at least, how representative would you say the results are for a variety of species from that video survey, in terms of what the fishermen are actually seeing and bringing onboard? In other words, are we seeing basically the same sized fish in the videos as generally we're seeing coming into the catches? I know it varies by species, but the --

DR. REICHERT: The complication with that question is that we do not have length for the fish in our video, and so the simple answer is we do not know, and I know that Nate Bacheler and others are working on methods to capture the length of the fish in the videos, but, right now, for stock assessments, for the CVID, the combined video trap index, we are, quote, unquote, borrowing the size and age distributions from the trap catches, because we don't have the length, and that's an important part that I think would be really important in what you're describing, and also for stock assessments, that you have the length distribution of the fish in the videos. I am not sure if that answers your question.

MS. GUYAS: I was going to ask, with the sampling stations for the short bottom longline, why are there so few off of Georgia and north Florida? Obviously, there's none off of south Florida, which I guess is also its own issue, but --

DR. REICHERT: That is largely a funding issue. In 2009 or 2010, when SEFIS started, and especially in 2012, when we got this significant budget cut, it was decided, collectively by the partners, to concentrate on the chevron trap, the chevron video trap survey, and not as much on the short bottom longline, and so the short bottom longline survey has largely been somewhat of an opportunistic sampling, which means -- At the end of the day, you have a little more leeway, current-wise, with deploying a short bottom longline than a trap, and so, if the current is marginal, or too strong for a chevron trap, then we deploy the short bottom longline, and so that's largely a funding issue. We would really like to expand that.

We are working -- We had a workshop a couple of years ago with fishermen and others and our partners to discuss what we would be a good strategy to expand both the long and the short bottom longline and where and what gear to use, and so we are still in that process, but I personally would argue that it's mostly a funding issue.

MS. MCCAWLEY: Are there other questions? All right. Thank you, Marcel.

DR. REICHERT: Thank you so much. Do we have one more minute?

MS. MCCAWLEY: Sure.

DR. REICHERT: Myra suggested that I show you this video about a red snapper who is really eager to get into our traps. I think there is -- Also, one thing that we observed is that this red snapper actually caught a tomtate in the trap, and I think I showed you one of the gag earlier, where you can actually hear -- This guy is much smarter. He just stays out and plucks that one from the trap. Anyway, thank you so much. I appreciate it.

MS. MCCAWLEY: Thanks, Marcel. Next up, we will bring up Jimmy Hull, who is our new Chair for the Snapper Grouper Advisory Panel, and he's going to give us a report on their recent meeting.

MR. HULL: Good morning, Madam Chair and council members. Your Snapper Grouper Advisory Panel convened at the Crowne Plaza on April 24 through 26 to discuss topics supporting management of the snapper grouper fishery in the South Atlantic region. This is a summary. The meeting started with public comment from a commercial spear fisherman informing and explaining the methods of deepwater commercial spearfishing and the use of powerheads in the commercial spear fishery sector. The AP appreciated his information.

Next, Executive Director Gregg Waugh addressed and advised the AP on providing input to the council in an efficient manner. The next item was an update on the Snapper Grouper Fishery Management Plan amendments. Council staff briefed the AP on eleven recently submitted and developing amendments and the expected timeframe for new regulations to become effective.

After the presentation by staff, the AP was pleased to see the implementation of several amendments. Then the AP made the following motion. Motion 1 was recommend that the council consider not allowing harvest of red snapper during their peak spawning season (July and August), but consider a commercial harvest in the spring (May and June) and another season in September through December. This was a unanimous decision. Every AP member was concerned and recommended that harvest of red snapper be allowed during their peak spawning time.

Motion Number 2 was recommend that the council consider modifying minimum size limits and bag limits for the black sea bass. Recommend that the minimum size limits be the same for both commercial recreational sectors. This was approved eleven in favor, two opposed, and one abstention.

AP members have different concerns on the black sea bass minimum size limit, depending on whether they are recreational, for-hire, or commercial. Commercial fishermen are happy with the eleven-inch size limit. They maintain there are very few discards and they can catch their limits. Recreational fishermen are split on whether to reduce the minimum size limit or leave it at thirteen inches. Some would like it reduced. Other recreational and for-hire fishermen are concerned that if the minimum size limit were reduced, the recreational black sea bass fishery could close early. The AP had additional discussion under Other Business and made another motion regarding black sea bass.

Next was Regulatory Amendment 29. The council approved Regulatory Amendment 29 for public hearings on April 30 and May 1. The council requested that the AP provide input on the definition of a descending device and the requirement that a device be rigged and ready. The AP had the following comments.

The amendment document should include examples, with photos or diagrams, of descending devices that have proven to be effective. Several homemade descending devices, such as window sash weights with inverted hooks and poly line attached, were brought to the meeting by AP members as examples. The AP discussed developing an agency approval process of different descending devices with a practical commonsense design. Some commercially-available descending devices may not be suitable for some species, such as large groupers, that require additional weight to return to a suitable depth.

Also, AP members questioned the thirty-three-foot depth threshold for releasing a fish, as currently stated in the definition of descending devices. This depth threshold seems insufficient for deepwater species, such as snowy grouper. Consider instead stating that a fish should ideally be released at the same depth that it was caught.

To address the rigged and ready requirement, the AP suggested including language such as in close proximity to where fishing is occurring or easily accessible and available in the vessel's deck area. One AP member shared a practice he maintains on his boat when he encounters snowy grouper while targeting tilefish. He attaches the descending device to the snap swivel on the baited rig ready to be dropped to fish for tilefish. That way, the grouper is released, and he can immediately go back to catching a tilefish on the same drop. Telemetry studies conducted on rockfish on the west coast have documented high survival over extended periods of fish being reeled up from over 800 feet.

Next was the ABC Control Rule Amendment. The AP received a Story Map presentation containing background information on the setting of ABCs, the attributes used in scoring the risk of overfishing for each stock, and draft risk scores for snapper grouper species based on three scoring approaches. The AP was asked to review these ratings and provide input on scoring attributes, as appropriate. Overall the AP learned a lot from John Carmichael's presentation addressing the ABC control rule and the uncertainty buffers and the flexibility the council has, as well as possible avenues and approaches to carry over unharvested catch.

The AP was asked to comment on the annual commercial value attribute. This attribute refers to the annual commercial value of a species relative to the revenue for the entire fishery (annual value) or the average value of a species on a single trip (trip value). The AP was asked whether the annual value or the trip value would be more appropriate for scoring this attribute. AP members agreed that the annual value and trip value are equally important. Fishermen are just as concerned about their overall income at the end of the year as the income that they are obtaining during certain portions of the year.

Regarding the preliminary risk scoring, AP members had the following comments. The AP hoped this would be a simpler process and had concerns with moderate risk scores for species with unknown attributes, for example gag. The AP felt that gag should be considered a high risk. Fishermen are seeing smaller fish than before, and recreational pressure is high, particularly in recent years with advances in electronics that allow fishermen to target them more effectively.

Blueline tilefish should perhaps be ranked as moderate risk. Infrequent MRIP intercepts and poor confidence in recreational landings estimates directly contribute to frequent inability to regulate the fishery. Also, the species matures early and spawns year-round and is long-lived. Because

they are a deepwater species, they are not targeted as frequently as other, more accessible species. However, recreational pressure in the Florida Keys is very high.

Scamp should be moderate or high, along with red grouper and gag. All three species appear to be undergoing low recruitment and have been harvested below the ACLs for many years consecutively. AP members also questioned whether invasive species, such as lionfish, should be considered in the risk ratings.

Next was the Comprehensive Recreational Accountability Measures Amendment, Amendment 31. The amendment requires further development before the AP can provide their feedback. Hence, this amendment will be presented to the AP in the fall of 2019. However, AP members commented that, if a permit were to be implemented for the recreational sector, data timeliness issues would diminish, resulting in better recreational landings estimates and improved accountability. AP members continue to have concerns with the accuracy of MRIP estimates and discussed increasing the number of staff to improve intercepts. The AP also discussed having no in-season closures, except when a species is listed as overfished.

Next, we had a fishery performance report conversation on blueline tilefish and developed a fishery performance report. The AP provided substantial input, especially those who target this species in North Carolina and the Florida Keys.

Next was the results of the recreational workshops. Kellie Ralston, ASA's Southeast Fisheries Policy Director, delivered a presentation to the AP. The council requested that the AP provide recommendations and perspective on the practicability of the suggested approaches for management of the recreational snapper grouper fishery. In general, the AP members supported the ASA's recommendations and urged the council to continue work on Regulatory Amendment 29 and Amendment 46.

AP Members also had the following additional comments. Recreational tags could be considered for deepwater species, but would not be appropriate for red snapper. Recommend a pilot project to explore the use of tags and determine economic feasibility of such a program. When considering tags, the council should look at existing programs, such as that for highly migratory species. Regional regulations should remain on the table. However, such an approach is feasible when there is a foundation of cooperative management already in place, such as interstate fishery management plans between the Atlantic States Marine Fisheries Commission and the states. This mechanism is currently not available in the South Atlantic. Accountability is critical. The council should continue to move forward to implement a permit for the private recreational sector. It is important for the council to establish connections with partners that can engage the private recreational community. The council should continue to work to obtain and promote better data. State and federal cooperation is required on many levels, including enforcement. North Carolina should establish a joint enforcement agreement with the National Marine Fisheries Service Office of Law Enforcement, as the other South Atlantic states have.

Next, the National Marine Fisheries Service Southeast Regional Office Permits Presentation, Kevin McIntosh, Acting Permits Branch Chief, delivered the presentation to the council at their recent meeting and presented again to the AP. Many questions and concerns were addressed during the ensuing discussion. This presentation was very informative and was appreciated by the AP.

Next was spearfishing in the snapper grouper fishery. The council instructed staff to prepare a white paper to discuss the topic at their March 2019 and subsequently requested that the white paper and presentation be delivered to the Snapper Grouper AP at their spring meeting.

AP members had the following input. Recreational diving is growing in popularity in North Carolina. AP members report that vessels from Florida are fishing in North Carolina more frequently than before. Recreational diving is having an impact on ledge areas in North Carolina. There has been an increase in free-diving in North Carolina in shallow areas off the shoals. AP members who dive in North Carolina expressed concern that male hogfish are smaller now. A gear endorsement would allow for better characterization of the user group. Off South Carolina, AP members report that diving activity has diminished since 2008, and there appears to be no growth in this sector. Some AP members disagreed with the percent of commercial landings attributed to spearfishing gear. They maintain there has been an increase in commercial diving and that younger people are entering that portion of the fishery. The AP discussed that most of the concerns on spearfishing and diving were from North Carolina and the Florida Keys.

Then the AP approved the following motion. Motion 3 was recommend that the council consider a spearfishing endorsement with a reporting requirement for both commercial and recreational divers. This was approved eight in favor and six opposed and one abstention.

Next, we went on to the citizen science update. AP members were asked to help promote the use of the application and dissemination of information. The AP discussed this being expanded or included with existing platforms like MyFishCount. AP members offered to assist and provide contacts. The AP provided other input on strategies to recruit volunteers and the best way to communicate with volunteers about data collection and the use of data. AP members also provided suggestions to move the FISHstory project forwards. AP members were unaware of the Zooniverse platform for crowdsourcing. AP members discussed that, if successful, the FISHstory project could better inform baseline data on stocks before additional data collection programs were implemented.

Next, we went to the effects of recreational management actions on select snapper grouper species. Student Allie Iberle gave a presentation, and it was well received by the AP members, and we had constructive input and suggestions. For instance, they thought it might be informative to compare the effectiveness of management measures on black sea bass north and south of Cape Hatteras. AP members generally agreed that the results of the study reflect their personal observations for the three species examined. They suggested similar analysis be conducted on scamp and red grouper.

Next, we had a review of the Snapper Grouper Fishery Management Plan Objectives, and, at the March 2019 meeting, the council requested that the AP provide feedback on the current objectives in the Snapper Grouper Fishery Management Plan. The AP last provided input on these objectives in 2013 and 2014, as part of the visioning project. Staff reviewed the short and long-term objectives in the vision blueprint.

AP members had the following comments. Port meetings held as part of the visioning project were very effective in engaging stakeholders. AP members recommended that the council consider holding more of such port meetings. Enforcement should figure more prominently in the

management process. Consider requesting that an enforcement representative attend AP meetings. Port samplers help create and maintain communication and could assist with outreach.

Then the AP approved the following motion. Motion 4 was recommend that the council adopt the goals and objectives in the vision blueprint for the Snapper Grouper Fishery Management Plan. This was approved unanimously.

The next item was we had election of the Chair and Vice Chair. I was elected the AP Chair, and Robert Lorenz was elected as Vice Chair. Then we went on to Other Business. Under sharks, the AP discussed a draft letter to the Director of the National Marine Fisheries Service Office of Sustainable Fisheries pertaining to increasing negative interactions with several species of sharks in the South Atlantic region. The AP offered suggestions to improve the letter and voiced their support for this communication.

Next was the scamp research track assessment. Volunteer observers for the upcoming research track assessment for scamp were confirmed. Next, we had a brief discussion on the preparation of an ecosystem report for the South Atlantic region, which will be available in the future. Next, we went to gray triggerfish. AP members voiced concern over the recent April 17<sup>th</sup> closure of commercial gray triggerfish. Fishermen maintain this will result in high discards of gray triggerfish, since vermilion and triggerfish are caught together and commercial harvest of vermilion snapper is still open.

The AP approved the following motion. Motion 5 was 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. This was approved unanimously by the AP. We're getting close to the end.

The AP requested that the council consider having the AP discuss acceptable gear use in the commercial and recreational sectors and other potential issues. In addition, the AP approved the following motions.

Motion 6 was recommend that the council make no changes to the black sea bass minimum size limits until after the next stock assessment is completed. This was approved ten in favor, two abstentions, and one opposed. Motion 7 was request that the council consider implementing an open access federal private recreational fishing permit for the snapper grouper species. This was approved unanimously by the AP, again. Overall, council, you have a strong, smart, diverse Snapper Grouper AP that is ready and willing to assist the council and the agency. That concludes my report. Any questions?

MS. MCCAWLEY: Thanks, Jimmy. I see hands in the air. I see Tony and then Jack and then Mel.

MR. DILERNIA: Thank you, Madam Chairwoman. First of all, let me compliment you on the thoroughness and professionalism I see displayed in your Snapper Grouper Advisory Committee. I think it's wonderful to see such a professional group working together, and it's a pleasure to see that. My question is regarding the comments requesting or advising or recommending a private recreational permit for the snapper grouper fishermen, and it's not the for-hire vessels, but the private vessels, and has the region commented on this request at all at this point? Do we have any advice from the region regarding that recommendation?



MS. MCCAWLEY: Let me see if I can answer that, Tony. I believe that we have an amendment that was in the process that was looking at an option for a federal permit, but I will let Myra expand on that.

MS. BROUWER: Sorry, and I just sat back down, but I assume you're talking about the potential permit for the private recreational sector? That's an action that's included in Amendment 46, which you had requested that we continue to sort of keep it in the background, but you haven't talked about, I believe, since December, and so I think it's coming back to you in September to continue discussing that and provide guidance.

MR. DILERNIA: So it's been discussed at the table, and I understand that, but the region has not officially weighed-in one way or another regarding supporting it or making recommendations of what it would look like, and so we have no advice from the region at this point, and is that correct?

MS. MCCAWLEY: Just general answering questions about it as we've -- We've talked about that amendment a couple of times already. Do you have a specific question?

MR. DILERNIA: I just ask because, I know in the Northeast Region, there would be concerns regarding the amount of additional administrative work required of staff and paperwork. Although we don't have an official answer, my guess would be that the region would not be supportive of a permit. The Northeast Region, if requested by the Mid-Atlantic Council, would not be supportive of such a permit at this time, and I may be wrong, but that's just my interpretation of the comments that we've received in the past.

MS. MCCAWLEY: I would say that they provided comments and spoke of similar challenges in putting a federal permit in place for the private recreational angler. Is that a fair assessment, Monica?

MS. SMIT-BRUNELLO: I think that's a fair assessment, and, in the Southeast Region, there would be even more recreational fishers than there would be in the Northeast Region, but, if Roy Crabtree were here, I am certain he would say it would be a large administrative burden, or a large administrative cost, if you will, to administer that kind of permit.

MR. DILERNIA: Thank you, and let me just state that I am here as a committee member and not as a liaison, and so, as a committee member, I feel free to express my own personal opinion, and I think it's a good idea, and it's something that I would advocate also in the Northeast, but I'm not sure how much traction it would get at this point. Thank you.

MS. MCCAWLEY: Thanks, Tony. Next up is Jack and Mel and Doug.

DR. MCGOVERN: Thank you, Jimmy, for the very good presentation, and I had two questions. One is related to red snapper, and you mentioned the AP talked about having two commercial seasons for red snapper, to avoid the spawning season, and I'm wondering if there was any discussion about changing the recreational season, and then my second question had to do with gray triggerfish, and you mentioned putting into place a trip limit, and was there any discussion about where that trip limit should be?

MR. HULL: Thank you, Jack. On your first question, on the red snapper spawning season issues, with the recreational sector, it's such a short shot. I mean, it's just such a derby, and, overall, I think we concluded that it's just -- Although it makes a difference when you kill a prime spawning animal, it was different for the commercial sector, because we were able to -- With our system, we're able to have a longer season, and, even though it's basically a bycatch fishery, if we could avoid the harvest during the peak spawning time, and so, if you closed the opening in July and August, you would just push those two months further ahead, say in May and June, and then we wouldn't be in that peak season.

Just, overall, there's a concern about -- There is so many red snapper now, and it used to be that they spawned in specific aggregations, and now they're spawning everywhere. I mean, they're just all over. They are spawning everywhere when spawning is happening, and so it's just a concern, an overall concern, and none of us like to really kill peak spawning animals.

As far as the triggerfish, I think the intent is, when you have a triggerfish annual catch limit that's roughly 300,000 pounds, and you have vermilion, which is over a million, and they both have a thousand-pound trip limit, and we catch them together. Like, right now, vermilion, even though it's in a step-down, we're still catching triggerfish and discarding them, and, when we're discarding these triggers -- The most recent study that we saw was that they don't retract their air bladder from their head, and they die, and so, I mean, we don't like to discard triggerfish that potentially are going to die, and so the thought is, if you reduce that thousand-pound trigger catch limit down to something like a third, because the quota is about a third, they may more align together and stay open together more often.

MR. BELL: Thanks, Jimmy. Great report, and I will say that I was at the Snapper Grouper AP meeting, and you all made a wise selection with you as Chair, because Jimmy can run a good meeting, and that's herding a lot of cats, and different cats, but you did a really good job with that, and so thanks for taking that on.

MR. HULL: Thanks, Mel.

MR. BELL: Jack asked my red snapper question, but, to black sea bass, there's two different motions. Motion 6 recommended that the council make no changes to the black sea bass minimum size until after the stock assessment, and then Motion 2 is recommend that the council the size limit the same, and so, basically, that's when, eventually, we would get that done, you would prefer to see it the same, and so the two motions are basically --

MR. HULL: The first motion was early in the conversations, and there is -- You know, you have a diverse group here, and you have some people that, for instance, are fishing off of say Georgia, and they catch a lot of bass inshore there, and there is some smaller animals there, and so they have a -- They are tired of discarding bass, and they want to catch their bass and move on, which makes good sense, instead of sitting there discarding them.

Then there's others in the same state -- In Georgia, there was a difference of opinion. There is others that go further offshore, and they were fine with making sure that the season stayed open no matter what. I will sit there and discard small bass all day long, just as long as my charter has the opportunity -- I may not be able to book a trip if bass isn't open, and they are able to eventually, and it seems to be getting better, catch those larger animals, but there is a lot of discarding going

on, and so, overall, we decided -- This motion came up, and we decided that, you know, maybe we ought to just wait until the next -- Bass just seems like it's one of those species where the assessment has pretty much got it right. Things are, at least down my way, especially off of northeast Florida -- We've seen a diminished population, and so wait until the next stock assessment to make further decisions.

MR. BELL: Yes, and that's what I wanted to make sure of, is we understood your intent, because I remember earlier in the meeting discussion and then later, but that's the intent, is to --

MR. HULL: Yes, that's where all the difference of everybody's own unique perspective on how they fish the bass.

MR. HAYMANS: Jimmy, thank you for the presentation. My question is for the psychic attorney who is channeling Dr. Crabtree. Monica, would you think that there would be any reason that a permit would cost any more than the saltwater angler registry now, at \$29.00? Do you think there is any reason that it would be higher than that?

MS. SMIT-BRUNELLO: I really don't know. I know that the service goes through a series of calculations to try to figure out what the administrative cost of a permit is, and they're actually doing that right now, going through that, and so I'm really not sure, and maybe -- I don't know if Roy has spoken to this, but it seems like he has, but there are various ways to administer a permit too, and you heard a presentation here from Kevin McIntosh at the last meeting about how many of these permits are now available online, and they're able to do a whole lot more online, which probably cuts down costs, I'm sure, and so I don't know. It's a good question, Doug, and I'm not sure.

MR. HULL: To the point of the AP's discussion of a recreational permit, I think that the AP would like to see anything in place that would help identify that universe and that effort group, whether it's a permit or whether it's anything that could be developed that would help better inform us of this.

MS. MCCAWLEY: Are there more questions?

DR. PORCH: I wanted to go back to Jack's question about the red snapper season. I'm curious why the AP felt it's better to catch the red snapper right before they spawn, versus during the spawning, and is it -- Are they just easier to catch at peak spawning, and so it makes them too vulnerable, and what was the argument there?

MR. HULL: Thank you, Clay. As the Chair, I didn't get to vote on that, and I wouldn't have voted for that, because for -- I think, overall, to get into your question, snapper are really easy to catch, whether they're spawning or not. They are so aggressive, and there is so many of them, and, as I say, they're everywhere now. It's not that you have to find them. I mean, they're there.

I think it's just an overall concern about spawning seasons and harvesting all species during -- I think this discussion started with the spawning season closure for shallow-water grouper, where you have a four-month closure there, but there you have -- There was concerns, and that's why that happened. They are very easy to catch, and it doesn't have to be a season during spawning season for us to catch red snapper, and it seems like, for me, in my experience personally, and not

speaking for the AP, but we're seeing a lot more spawning earlier and longer and younger, and it's just wild what we're seeing there, and so I don't know if that helps answer your question or not, but I hope it did.

DR. PORCH: If I could, it does, but, basically, there's not really a reason, biologically, then. I mean, it's a psychological thing, but the bottom line is, if you catch them before they can spawn, it's not any different than if you -- In fact, it could be worse, depending on how hard you fish them, but, with grouper, it's a bit different thing, especially fish like gag that spawn in big aggregations, where they're clearly more vulnerable then, if you can target those aggregations, and so, there I see a reason why you would prohibit fishing during the spawning season, and that's why I bring it up.

MS. MCCAWLEY: Thanks.

MR. SAPP: You nailed it there. It's a psychological issue with it. You feel a considerable amount of guilt when you cut a fish and it's got a belly full of roe, but, if you think about it, at least from a fisherman's perspective, if you catch a fish without any roe in its belly, and, okay, we're good, and it may have spawned in a couple of months, and maybe it wouldn't have. Maybe something would have gone wrong and it may have died by that point, and who knows, but there's an extremely strong likelihood, once they do that belly full of roe, that they're going to spawn, and hopefully successfully, and so it may be miniscule, but at least there is a potential that you're taking a fish that never would have spawned prior to that spawning time, whereas, if they have a belly full of roe, it's guaranteed that that fish was about to spawn. Scientifically, it may be miniscule, but at least there is that possibility.

MR. BELL: Clay is absolutely technically correct, but I think it really -- We have conditioned the fishermen to understand the importance of the spawning, and we have the grouper closure period for spawning, and I think, instinctively, they do kind of react to when you catch a fish and it's full of roe. There's this sense of interfering with the spawn, but you're absolutely correct, whether you catch it before or after, but I think it is more of a conditioning or a psychological sort of thing, and, again, I think they were also perhaps wanting to be consistent with the -- We have a spawning closure for grouper, and so why do we not include red snapper in the same thing, but you're right.

MR. SAPP: The other thought I've heard a lot was if the commercial sector opened the first of May with the groupers, and I think even the recreational would like it, and you get a reduced bycatch scenario, where you're catching the snappers, and, if you get to keep a few of them, at least you're not discarding them with the potential of dead discards.

MS. MCCAWLEY: Any more questions or comments on the AP report?

MR. WOODWARD: Thank you, Jimmy, for the report. I was curious. As we grapple with this descending device discussion, was there any discussion in the AP about giving the commercial sector greater flexibility on the choice of devices versus the recreational sector, because, obviously, the two fisheries operate very differently, and you've got a lot of novices that fish in the recreational fishery that don't know as much about fish handling and that sort of thing.

MR. HULL: Yes, there was a lot of discussion on descending devices overall and which ones should be allowed and which ones shouldn't be allowed and the development of new ones from

fishermen. As far as between sectors, generally, as you stated, commercial fishermen generally have a well-established fishing plan that they do. I mean, for instance, we do use descending devices on our vessels, and we use sash weights with inverted hooks, and they are very quick and efficient, and we keep them in a bucket, five-gallon bucket, right back to where we're fishing, and they work great.

Most private recreational anglers and charterboat guys are using a venting tool, and so there is some differences there. Usually on smaller fish -- We'll use a venting tool on smaller fish, and it's pretty quick on smaller fish that you can handle quickly. On larger animals, we use a descending device, but overall, there is just concern, and I think one of the biggest concerns on the descending device discussion was that someone would come up -- Unless we have an approval process for certain devices that are approved for us, somebody is going to come up with an idea of a -- I think the discussion went to a tin can, a coffee can, and that's my descending device, and, if you don't have -- Then law enforcement gets onboard, if it gets that far, where these are required, and they're going to say, well, this is my descending device, and so we need certain devices that are proven to work and some type of approval process, no matter what sector we're dealing with.

MR. WOODWARD: Thank you. How about a categorical prohibition of venting, because you brought that up, that venting can be used successfully by people who know how to do it and do it well. You know, we've talked about a categorical prohibition of that, and I think that's another thing we're struggling with, is should we allow both processes to combat barotrauma, or do we try to push everybody towards descending devices.

MR. HULL: Yes, that's important. The AP did have discussion on that, and I would say it's about split. Some members of the AP are just -- They kind of like fear the descending device, that it's somewhat dangerous for the user, but also for the animal, and that it's causing harm, but certainly there is potentially more harm if you don't use it and the fish floats off into the abyss. Personally, my opinion, and from gathering information from the other AP members, it's that we need to let people use both, and we do. As I said, the venting tool works great in certain instances, smaller animals.

Imagine being on a headboat and you drop down sixty double-rigs and you come up with 120 chickens, and the mate has got to run around and descend them, and I know that's not a pretty sight, and so we need venting tools to be allowed also, and you certainly don't want them to use a fillet knife to vent them, because that is happening also.

MS. MCCAWLEY: All right. Any more questions for Jimmy? All right. Thank you so much for the AP report, and congratulations on being elected Chair. Next up, we are going to bring up Dr. George Sedberry to give us the SSC report relative to snapper grouper.

DR. SEDBERRY: Thank you, Chair, and good morning, everybody. The SSC met from April 9 to 11 and discussed many things, including a couple of agenda items relevant to your Snapper Grouper Committee discussions this morning. As we've been talking about Amendment 29, the SSC reviewed Amendment 29, and the council had requested input from the SSC on how best fishing practices might affect estimates of catch-and-release mortality and how that could be considered in future stock assessments.

We had quite a discussion on this, and the SSC considers the proper use of non-offset circle hooks, venting devices, and descending devices effective methods for reducing release mortality. However, quantifying the benefit will require additional research and monitoring as these efforts go forward. As we've mentioned already this morning, the effectiveness of descending devices depends, in part, on the depth and the species involved.

The SSC recommends that the council consider angler preferences, and we think that compliance is going to be an important part of this, and so, if the angler has a particular preference for a descending device, a different kind of descending device, or even a venting tool, the council might want to consider that as it weighs-into the compliance part of it.

The SSC suggested adding an alternative that requires either a venting or descending device, and outreach and education programs could increase compliance and mitigate problems with the devices, and we know there are problems with venting tools, if they are not properly used, and so the education program would need to include things like where these should be used, when they should be used, what depth zones, for what species they should be used, and what tool is actually the best tool for a particular species within a particular depth zone. As I mentioned, and as we all are aware, the improper venting can actually increase release mortality, and so, particularly with venting tools, an education program would be important.

Overall, reducing handling time is important with all of these devices, and so whatever device that the fishermen feel is more comfortable with and can get the fish back in the water as soon as possible might outweigh whether it's a venting tool or a descending device. Handling time is a critical issue.

The SSC discussed how any changes in release mortality as a result of these devices could be incorporated into the stock assessments, and it will be some time before the benefits to release mortality can be applied to the stock assessments. A large amount of information needs to be collected after the requirements become implemented and compliance rates need to be determined for adjusting release mortality estimates, and some of this can be investigated in sensitivity runs of the models and applied to the release data.

Data are needed on the changes in release mortality estimates and evaluation of the uncertainty of those estimates, and data are needed on differences in handling time between different devices and the effects of different handling times on release mortality estimates. Before I move on to the next agenda item, snapper grouper agenda item, that the SSC discussed, I would be happy to take any questions or any discussion you might have on this Amendment 29.

MS. MCCAWLEY: Okay.

MR. HAYMANS: It's a big question, but is there any idea of how long the data collection is going to be required before you can start seeing implementation of the effects for the savings?

DR. SEDBERRY: You know, I don't think we got that specific on it. I can look back in the report, which is part of your briefing book, and I don't remember any discussions specifically, but there's a lot of variables that have to be considered, and so I think it would probably take a couple or three years of collecting data on the compliance rates and the use and the mortality estimates from different species and different depth zones. It would take quite a bit of work.

MS. MCCAWLEY: Are there more questions? All right.

DR. SEDBERRY: The next snapper grouper item that is part of your committee's agenda this morning is the economic overview, and I think this is Agenda Item 13 on the Snapper Grouper Committee agenda. We got an overview of this economic report, which I think you all are going to get a little later this morning as well, and the Socioeconomic Panel of the SSC reached consensus, and the Full SSC concurred, that these reports and their methodology is best scientific information available and is usable for management.

They have been used on an ad hoc basis, but the SSC believes that these are now ready for much broader use. Additional guidance for users on what data are appropriate for what management purposes will be forthcoming in these reports, and this, as you'll hear later more detail on these, but this is kind of a first shot at this, and so the full range of applicability remains to be seen, but there will be guidance coming from the Center on that.

The SSC noted that there is some areas of potential uncertainty, and there is large variations in the landings for trip data, which you will see in that presentation, and one of the methods is excluding vessels from the sampling frame if they were sampled in the previous year, and the SSC was concerned that this is not exactly random and there might be some biases introduced, but the presentation and the investigators that presented it convinced us that the randomness is not compromised through this exclusion of some vessels, and I believe that's it, and so any questions on the SSC's review of that?

MS. MCCAWLEY: Any questions?

DR. SEDBERRY: The SSC thought this was just a great product, and it's going to be a real help in the future, as you will see when it's presented later on.

MS. MCCAWLEY: All right. Any more questions for George? All right. Thank you, sir.

DR. SEDBERRY: Thank you.

MS. MCCAWLEY: Let's go ahead and take a ten-minute break. When we come back, we'll go back to red snapper.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We have a couple of announcements to make. We're going to start with an announcement about the GAO, and I'm going to turn it over to Kim.

MS. IVERSON: I just wanted to remind folks that the General Accounting Office is collecting comments from a wide array of folks, and you can sign up. The sign-up sheets are out front, on the main table. If there's a name already in a time slot, there are three representatives here from GAO now, and so you can sign up even if there's a name on the sign-up sheet, and so don't consider that slot filled, because they can take multiple people at one time, and so they will be conducting the interviews just down the hall.

Please sign up, and, if you have questions, you can come back and see me. There's a general description at the bottom of your week-long council meeting agenda that provides a background. They are collecting public comments on allocations in mixed-use fisheries, and some of the representatives were at the Gulf Council meeting last week doing the same, and so this is very informal, but the sign-up sheets are on the table, and feel free to sign up even if another person has taken that slot.

Also, the Saltonstall-Kennedy folks will be collecting public input in the amphitheater, if you go around the corner and go all the way down the hallway, at five o'clock this afternoon. They have a presentation at five o'clock today and tomorrow, and they're asking for public input. Then, Jack, I believe, is going to talk a little bit more about the exhibit that's just out in the hall here.

DR. MCGOVERN: Christina Package-Ward from our office is an anthropologist, and she's here, and she has a kiosk that is set up out there, which was created by here and Mike Jepson, who is also an anthropologist, and it's called "Voices from the Fisheries", and they are oral histories of fisheries, both in the South Atlantic and in the Gulf of Mexico, and there are interviews in there with Gregg Waugh and Bob Mahood and David Cupka and Susan Shipman and Charlie Phillips and Ben Hartig, and I would encourage everybody to visit that and listen to it. I think it's pretty good.

MS. MCCAWLEY: That sounds great. Thanks, Jack. All right. We're going to move back into the red snapper document. When we left this yesterday, we were talking about modifying the start date for the recreational red snapper season, and I felt like we were having some challenging discussions yesterday, and so also remember that one of the options here is we could just leave things the way they are.

If your initial reaction to that is I don't like it, then you need to pick out which parts of this document that staff prepared that we need to focus on or work on, and maybe every action in here is not needed, and so folks can just think about that as we move through this document, and I feel like we're trying to rearrange the deck chairs on the Titanic here with this very small private recreational season and trying to make something positive out of that, and I feel like we're all having difficulty trying to figure that out, which I think is why we tried to initiate this change, but maybe this is as good as we can get right now, and so maybe we don't need to work on this, but, if we do, we need to figure out which pieces of this that we need to focus on.

MS. SMIT-BRUNELLO: Before you all start in that discussion, I would like to go back to a statement that I made yesterday about that there would never be a commercial season if there was not a recreational season, and, when I looked at the amendment, as was discussed yesterday, it does discuss -- I'm sorry. When I looked at Amendment 28, it does discuss a commercial fishing season action and then a recreational fishing season action, and, if you remember, that was based upon total removals from the previous year as compared to the ABC, and this was all pre-Amendment 43 that we put through and all that, and so it was total removals from both sectors that were looked at, and the rules said, if NMFS determines that limited commercial and recreational fishing seasons are allowed, and so it was always packaged together, commercial and recreational.

However, the regulations state, as was pointed out, if a commercial or recreational fishing season, if that's three days or less, then it will not open, and so they do kind of -- The record is a little muddy, and we've always packaged them together as "ands", and then it does say "or" though in



the regulations, and there was never, and we looked back through, a situation in which the Fisheries Service was faced with we could allow some commercial fishing but not allow the recreational fishing, and so that scenario never played out.

Now you go to Amendment 43, where you have a set amount of ACL that can be harvested every year, and so I guess my point is I will go back and scour through the record again. I know that it was the council's intention that there would never be, I think, one season without the other, but I would like to backtrack a little bit what I said and said that that could never happen, and I just want to make sure that the record supports what I said.

You left an option in there, I think, to take out the three days, which, if you go forward with this regulatory amendment, I think is appropriate, and so I can bring all of this back up at the next meeting. I just want to make sure that -- I made a pretty definitive statement, and, in looking back through the record of what I could find, and I think I need to qualify that a little bit and say I don't think that could happen, but the regulations certainly do leave that "or" in there, commercial or recreational fishing season, and so, anyway, I take back what I said yesterday, and I'm going to just look back at it and bring you back more information at the next meeting.

MS. MCCAWLEY: Thank you, Monica. Chester, did you have your hand up?

MR. BREWER: I did. Just a comment. I hesitate to think of the phone calls that we would get if we had no recreational season and yet there was a commercial season. I mean, it would be ugly.

MS. SMIT-BRUNELLO: That was part of why I was so definitive yesterday and said that could never happen, but, technically speaking, and I want to go back through and look at the record and all that.

MS. MCCAWLEY: All right. I believe we are on proposed Action 2 here in this document.

MR. BELL: I apologize for not being here yesterday, and I was doing my GAO interview, but, in kind of looking at this -- I know what our intent was, I think, to try to take what we've got, with the existing ACL and optimize it for the different states, realizing everybody has got kind of a different approach to when the fishery might work best for us, but the concern I have is, if we take actions to kind of optimize and maximize the fishery, then we may find ourselves, particularly in the environment now where you saw the data that Marcel presented on abundance, and the abundance of these animals is pretty high, and climbing, and so, with more fish there, if you optimize your fishery to get the max out of it, we'll probably end up in a situation like we did this year, coming from last year, where we went from six days down to five, to try to stay within that ACL, because the ACL is not growing right now, and it won't until the stock assessment is completed, I believe.

I know what the intent was, and it sounds good, but we may have some unintended consequences. If we try to maximize the fishery too much, we may find ourselves going from five days to four days, or five days to three days, and we can deal with the three-day issue, but that's my concern in this, is that we have the right intent, but we might do something that has a result that nobody is going to like, because we may optimize the fishery to a point where we don't have a fishery, if we -- That would just be my caution right now in dealing with the dates and that sort of thing.

I mean, I certainly appreciate what we're trying to do, but we may have an unintended consequence that would be worse than perhaps just living with -- It would be nice if we had the two or three days or whatever, but that's just my concern in kind of moving on some of that.

MS. MCCAWLEY: Thanks, Mel.

MR. HAYMANS: That's an interesting comment, Mel, and I think the thing is that people don't like what we have now, and are they not going to like us attempting to improve, even if there is an unintended consequence? I don't know, but, specifically to Action 2, I was going to suggest that, based on the AP's comments, that I like the Option 2, the May start, and I like the option that didn't have a season in July and August, but I don't like -- Is that 7? Yes, 7, but I don't necessarily like 4 and 5, having a late, late start to any potential season, and so I was going to suggest that we keep 1, 2, 3, and 7 and perhaps remove 4, 5, and 6, and leave the others in there, just so there's not so many options.

MS. MCCAWLEY: I agree with that.

MR. GRINER: I would agree with that as well. I really think May is the way to go, but I would definitely agree with what Doug said.

MS. MCCAWLEY: All right.

MS. SMIT-BRUNELLO: Doug, I have a question for you, for the record, really. I know people are very unhappy with the short season, the length of it. What specifically do they not like about the current setup, in that it will open -- For the recreational sector, and it will open the second weekend in July and those sorts of things?

MR. HAYMANS: It's not so much the fact that it's July, but it's the fact that it's consecutive weekends, and, if you have a blow during that time, and it's regional, and it's not across the entire -- Well, it's more specific than region and that they may not be able to fish one of those two weekends, or even both of those weekends, and so the very point in starting this was can we spread it out across more weekends, so that it's not Friday, Saturday, and Sunday of consecutive weekends, but perhaps it's one or two days across multiple weekends, to try to avoid losing time because of weather.

MR. WOODWARD: I would also recommend that we delete the sub-options. I don't know that we need to bog down into the weeds, and can we not just leave the option as a month?

MR. DILERNIA: I am looking at the National Standards, and I have a -- I wonder how, in National Standard 10, in the Guidelines, Section (3), Sub-Unit 3, National Standard 10, Section (b), Section (3), limited season of fisheries, fisheries where time constraints for harvesting are a significant factor and with no flexibility for weather, often called "derby" fisheries, can create safety problems. To participate fully in such a fishery, fishermen may fish in bad weather and overload their vessels with catch and/or great. Where these conditions exist, FMPs should attempt to mitigate these effects and avoid them in new management regimes, as described in the paragraphs of this section.

I guess I support the comment that Doug just made regarding perhaps spreading it out over additional weekends somehow, because just limiting it to those two weekends may violate National Standard 10 and some of the guidelines under National Standard 10. Thank you.

MS. MCCAWLEY: Thanks, Tony. We did have a discussion about safety-at-sea yesterday.

MR. HAYMANS: Do you need a motion to remove?

MS. MCCAWLEY: Sure. If you would like to make that in the form of a motion.

MR. HAYMANS: Sure. **Madam Chair, I would move that, in potential Action 2, that we remove Options 4, 5, and 6 and all of the sub-options of all of the options, so that it just reads and starts in those months.**

MS. MCCAWLEY: Got it. Is there a second? It's seconded by Tim.

MS. BECKWITH: I've got a question and a thought. My question is, if we remove the sub-alternatives, at what point would we be setting the start point within the month? Would it then be the first of the month, or is there some section in here where we would be setting the first Friday or the Thursday or --

MS. BROUWER: The following action is where you deal with the days of the week, but, yes, that would introduce some confusion, because, if the first of the month is on a Tuesday, and you don't select a Tuesday at the starting day of the week, then we would have to work through that, but thank you for bringing that up, because that would need to be clarified.

MS. BECKWITH: **I am sort of okay with having the sub-options in there, for planning purposes, if we want to start the first week or the second week, just knowing that that's going to be sort of a Friday, and so that would just be a friendly amendment, and it will go where it goes.** Then my thought is -- I know we're going to take this out, I assume to public comment, and I sort of want to keep the start date in September. I know, for North Carolina, September is not the worst month, and it's not the best month, for fishing, but I also think that we're going to get some feedback.

While my personal preference is May, I can also recognize that September would have potentially less folks being able to access the fishery, because kids are back in school, which might control effort and give us more days, and it's also after the spawning, the peak of the spawning, which means we might alleviate some of those concerns for people that taking a fish either right before spawning or during spawning is not biologically the best choice. Again, that would also be a friendly amendment, to retain September, but --

MS. MCCAWLEY: I too don't mind keeping the September month in there, and, also, I see the confusion that could arise by removing the sub-options, and so, Doug, I don't know if you want to speak to both of those.

MR. HAYMANS: Well, specifically to September, what I see, in the way that I would like to see it, is May is the earliest that it could start, and it doesn't have to start in May, and we may wind up starting in September, for a variety of reasons. I rest on Action 3, Option 8, that hopefully we get

there, where we have some group discussion at every March meeting about red snapper season, at least as long as we're confined to these really tight ACLs, and we give some direction at that point that we would like to see whether it's May or June or whether it's which weekend or which days in the month of March. **I don't have a problem if we leave in the sub-options, but, based on what Spud said a minute ago, I thought I would roll that into one motion, but, if we want to leave it there now, I am fine with that friendly amendment.**

MS. BECKWITH: I hear you, Doug, but I can also sort of -- Having been on this council for a while, I suspect that we're going to get some feedback from National Marine Fisheries Service saying that that's too complicated. Jessica's point yesterday was, if we meet in March and want to start the season in early May, then it might not give the required heads-up that the charter industry, in particular, wants, and maybe some recreational folks might like having a set start, so they can plan a weekend away, and if they don't have much -- That may not be enough notice, and so I think we sort of need to proceed with at least the recognition that we might have to choose at least that first weekend being sort of set.

MR. HAYMANS: I get that, and, the way I'm reading it, it doesn't have to start a certain weekend in May. It can, if that's the way we want to go, but, again, maybe I'm putting too much reliance on Option 8 and Amendment 3 and the council would have some input as to when it would start, but, if you don't have it in May, and we have it June, then you can't start in May. If you have it September, you can't start in May or June, and so, to me, that's maximum flexibility, but maybe I just look at it differently.

MS. MCCAWLEY: I hadn't thought about it that way, and I'm glad you explained that that's the way that you were thinking of it, because I hadn't thought that you're thinking -- If we don't have an earlier start date in there, then we can't start in that month, and I do see what you're saying about that option that's coming in the next action, but, just like I mentioned yesterday, I'm just not even convinced that NOAA Fisheries will have the data ready at the March meeting for us to make that decision, and, while I like that option, it seems like there should be a default option in place. What if the government is shut down, or what if something else happens? We want the red snapper season to occur no matter what, and I would hate to fall back on we have to talk about it at the March council meeting, and maybe we don't even have a March council meeting, and so just a couple of points to think about.

MS. GUYAS: I won't belabor it, but I was going to kind of hit on some of those points, and so we've been through this in the Gulf, right, and so, at least until the last couple of years, we meet usually in April, and we usually meet in February, January, and sometimes even at the April meeting, when our season was supposed to open on June 1, NOAA couldn't tell us what the season was going to look like, because they were waiting for MRIP information. MRIP, at least lately, has been extremely late. I mean, we just got Wave 1 like last week, and it's mid-June at this point, and so I know that this season is kind of wonky, in that it's so short, and that MRIP really isn't reliable, but I assume that that data at least is being used somewhat in here, and I'm certain that Roy would talk about that if he was here.

The other thing I was going to say is that, however you go here, one of the comments that we hear all the time, or have heard all the time with red snapper, is predictability is really important, and so people need to know when this is going to open, assuming that it does open, and so they need to be able to plan for a date, and usually the feedback that we would get, when we were operating

under this mode where the season was announced like May 1, and then it opened on June 1, is that's not enough time for people to plan, even for the length of the season. They at least knew that it was going to open on June 1, but they didn't know how far out they could plan trips, and so I'm just putting that out there as something to think about.

MR. DILERNIA: Just to build on what Martha just said, I guess, if you're going to make a decision in March, how much lead time does the agency need, does the region need, to publish an opening? I don't think they could do it in four or five weeks. I understand what Doug is saying, and I support what Doug is saying, but I'm just looking at the practicality of you make a decision at the March meeting, and you send the letter to the agency, and how soon can the agency have an opening date published in the Federal Register?

DR. MCGOVERN: To Martha's point, the data we're using to predict the seasons is mainly from the states, and the State of Florida conducts a survey, and that's the main point where all the landings occur, but we get the data from the State of Georgia and the State of South Carolina, and I think we use MRIP from North Carolina, but, to Tony's point, he's right. I think it would be problematic if the council decides in March to provide notice, and, to Anna's point, for predictability for the charter fishermen, and so I think that definitely would be an issue.

Also, I think, if we do have the seasons split up in different months, then I wonder how well the State of Florida can do their survey, and I think it's now done -- With two weekends, it's probably easier for them to get everybody together and do it, and so that's another logistical thing with splitting things up.

MS. MCCAWLEY: To address what you're talking about, in the State of Florida, we're basically mobilizing people to the Atlantic coast to do the sampling, and I can tell you that one of our biggest concerns is overlap with the current Gulf season, which right now is starting in mid-June and running through early July, and we don't want to do it those same weekends, because, when the Atlantic season occurs, we're mobilizing people over to the Atlantic coast, and so we can't pull people off their Gulf assignments during the Gulf red snapper season.

I don't necessarily think it has to only be the two weekends. I think that we have talked about, at the last meeting, doing maybe a month of Saturdays, and like so maybe it's five fishing days, and we know it can be weekend days, and we pick five Saturdays, which span one whole month and the Saturday of the next month, and I still think that FWC could sample that, as long as it does not overlap with the Gulf red snapper season that we've set, because that's really the hindering factor here for us.

MR. HAYMANS: Just a quick reminder for us all that what started this was the fact that NMFS told us at the March meeting, this year, that we would have a five-day season, and so it's possible.

MS. MCCAWLEY: What do you mean what's possible?

MR. HAYMANS: It's possible to have the discussion of the season at March, because it happened this year.

MS. SMIT-BRUNELLO: But NMFS didn't have to do any additional rulemaking to put that in place, because all those measures were in place, and that's the rub, too.

MR. HAYMANS: The first year that this goes into place may be difficult, absolutely, but, once it's in place, wouldn't it be the same procedure that we have now? We would have a discussion in March, and you would have to announce?

MS. SMIT-BRUNELLO: Well, it depends what is going to come out of this amendment, and so it depends what kind of process you set up. If it's a kind of process where the Fisheries Service has the information and brings it to you in March, and then you want to choose when to open and when to do different things -- I mean, that might involve an additional kind of rule situation, where you would need to go out for notice and comment, and so it's that kind of thing. The more streamlined you make it, in that there's really not any discretion, then it makes the rulemaking process easier, but it really depends, Doug, on what we come up with or what you all decide out of this amendment.

MS. BECKWITH: Just to make sure I'm clear, for Florida's sampling, if I am hearing you right, you guys would prefer to not have the season open during the same time as the Gulf, and so, right now, it is, and you guys are sampling in July and the Gulf season is open typically in July?

MS. MCCAWLEY: It's not, but I will let Martha explain.

MS. GUYAS: They don't completely overlap right now, but June and July -- Let me also explain that it's different, what we do in the Atlantic versus the Gulf, and so let's start with the Atlantic. We have a finite number of inlets, and that means everybody is going in and out at these like ten points, or however many there are along the east coast of Florida. We can really, if we have people at each of those inlets, we can touch and see the majority of fish that are coming through, and we can provide these really robust estimates that have been used.

The Gulf is a whole other story. We don't have the barrier islands and the inlets, and so we can't do that intensive sampling, at least at the cost that we can in the Atlantic, but we do have peak seasons in June and July, particularly in the northern Gulf, where people are bananas over red snapper, and so the state season is open until mid-July. The federal season for charter boats runs through the end of July, and so June and July are really busy months, and we need people on the ground in the Gulf, and we also need to -- We pull people off those assignments to run the Atlantic season.

I mean, I think, in an ideal world, we would have a completely different, probably, management and research sampling protocol, and, yes, we could do this, but, at least the way things are now, I think it might be tough to get at least the quality of information that we've been getting recently, but it would be great, I think, if we could make it work, but I just don't know that that's a reality right now.

MS. BECKWITH: Then you guys -- It sounds like you would support potentially a May or a September season, so you didn't have to pull people off of one.

MS. MCCAWLEY: I think that we would support May. I think, when we start picking other months, there's other factors that are going to come into play here for what would be the best season for Florida that don't just involve when we could sample.

MR. HAYMANS: I was going to suggest that that maybe isn't the best argument, because if, heaven forbid, the stars align and we got ten or twelve days that we spread across four weekends, you're going to have the same issue in Florida, even if we didn't go through with this, and so I don't know that sampling effort is necessarily the best argument for when to set the season. It would be nice if it would align itself, but --

MS. MCCAWLEY: I agree. There's a lot of factors at play here. Do you want to make a substitute motion, Anna?

MR. HAYMANS: It's not seconded yet, is it?

MS. MCCAWLEY: Yes, it was seconded by Tim.

MS. BECKWITH: **I would make a substitute motion to take out Option 4 and 6 from Action 2 and leave it at that.**

MS. MCCAWLEY: All right. Do we have a second? It's seconded by Doug. It's under discussion. Is there more discussion about this substitute motion? If we were to vote on this motion and pass it, the substitute motion becomes the main motion, and then we would vote on the main motion.

MR. WOODWARD: As I understand this, what this will do is it basically puts the sideboards on when the Regional Office could open the season, and it will set it as May to July or September, and so May through September would be the sideboards on which the season could be opened.

MS. MCCAWLEY: Well, no, because Option 7, as you can see it on the board there, says that the recreational harvest would not be allowed during July and August, which Option 7 concerns me a little bit, because, if you're talking about the Doug scenario, where May is the earliest month, and then you're picking a range of days over multiple months, possibly, assuming we had more days, then Option 7 would not allow you to pick other time periods in July and August, and we are -- At this point, both of these motions leave Option 7 in there. I don't know what other people think about that. We haven't had some discussion about Option 7, but, Spud and Doug, you all were kind of thinking about this a particular way, and so if you all want to address that.

MR. WOODWARD: I think Option 7 takes away the flexibility of NMFS to address if you get weathered out in one of those earlier months, because now you don't have those two months to even consider as a replacement date, and so, to me, I think it would be better to have it where it basically boxes it between May and September, and then you can do whatever you need to do within those months.

MS. MCCAWLEY: Before I go to Anna, and then I see that Myra has her hand up also, and so I just want to say, and I'm going to look to Myra and over here at the end of the table, I didn't read this, these options, as sideboards. Now, maybe we have to pick a future option or alternative under the next action in order to create sideboards, but I saw this as specifically directing what month the region had to set the season in, and so, I mean, Myra, is that how you read this also?

MS. BROUWER: That is correct, Jessica. That's what I was going to bring up.

MS. BECKWITH: I read it as Jessica does, and certainly how Myra has presented it. **I am okay adding Option 7, to remove it, because I think there is some value of having some gravid fish taken, on occasion, for sampling, and so one of the reasons that we opened July at the beginning was to pull in some of those biological samples that hopefully are being used in the stock assessment, and so, while it's not ideal to concentrate all of the growing effort during those months, if there were some take during that time period, I think that the data would be of value, and so I'm okay adding Option 7 to my motion to remove, if my seconder is okay with that.**

MS. MCCAWLEY: Okay, and so the seconder was Doug. Doug, are you okay with adding Option 7 as removing from this alternative?

MR. HAYMANS: I was leaving 7 in, giving deference to the AP, because that was their suggestion, was to try to not fish the spawning season, and I've heard lots of comments from our own anglers about why do we have during the peak of the spawn.

MS. MCCAWLEY: Let's go to Myra.

MS. BROUWER: Just to clarify, and, Jimmy, correct me if I'm wrong, but the AP recommended that for commercial, and then you asked him to clarify their position on recreational, which this option was added by the IPT to mirror what the AP had recommended for the commercial season, in case you all wanted to consider that as well.

MS. MCCAWLEY: All right, and so I'm still looking to the seconder, which was Doug. Are you okay with adding Option 7 to this substitute motion?

MR. HAYMANS: To Myra's comment, it says the Motion 1 was to recommend that the council consider not allowing harvest of red snapper during the peak spawning season. The next sentence then says consider commercial harvest in the spring (May and June), and so I guess you could read that as commercial, but it doesn't say it in the opening sentence. I guess I would be okay.

MS. MCCAWLEY: All right.

DR. MCGOVERN: I think, unless we're going with the predictability of the March meeting, I think it's problematic, removing the sub-options from here, because you don't know when the season is going to occur, and you can't codify it and so I'm okay with removing Options 4 and 6, but I think we ought to keep the sub-options in there.

MS. MCCAWLEY: Yes, and so, just to clarify, the substitute motion does not address the sub-options, and I believe it's Anna's intent to keep the sub-options, and that's why she made the substitute motion, is to remove the particular options that we don't like, but to keep the sub-options in there, and so that's a good point.

I guess that one of my thoughts is we can vote on this substitute motion and then the main motion, but I'm wondering if we need to, after that, move forward to the next action and figure out if we're going to choose this flexibility option. If we are, we might need to come back to this action, because this action, to me, is very specific on when we're telling them to open. It's not just this is the earliest you could open, and so I'm just trying to get to your points, Doug.



MR. HAYMANS: What this is doing is saying, okay, we're going to open the first week of May, but the next action is saying what days of that week we would be open. My reasoning for continuing to look at Option 8 of Action 3 was saying the council is going to discuss it at the March meeting, and so, to me, you could discuss, at the March meeting, whether it's the first week or second week or third week and the specific day of the week. This is saying, if we pick a sub-option, it's going to be the first week of X month, and then, depending on what we do in Action 3, it will be that day within that week.

MS. MCCAWLEY: I guess, and I will look over to Monica, and so I guess my concern is it seems like we're developing a construct here from when we're telling you guys to start, but yet we might also choose an option that would allow some flexibility. My concern is though, with that flexibility, if we have already chosen say the second week in May as the time period with which we want to start, but yet we get to the March meeting and want to change that and like, well, this year, we don't want to fish in May, and now we want to fish in September, I'm not sure what flexibility you guys have after this is already a rule in place that says that we would start the second week in May.

MS. SMIT-BRUNELLO: It really gets back to it depends on what you all are setting up in here, and we'll have to do rulemaking for this particular -- If it goes forward, we'll have to do rulemaking to put these measures in place, and it's a little premature to tell you right now what that's going to look like until we see what that's going to look like, and so it's almost like you're setting up some sort of mini framework to specify what recreational harvest is going to be during that year.

In thinking about this, Doug, I'm not quite sure what you're going to -- What you think you're going to discuss at each March meeting that will allow you -- That will give you information on whether the season ought to be in May or ought to be in July, and I don't know. It just kind of depends how you all set this up through this process, but I agree that kind of -- Your question, Jessica, is very important, because the whole way this gets implemented every year is just going to depend on how this comes out, and, the time for rulemaking, if we have to do another notice and comment rulemaking after the March meeting, and you have a start date in May, like was already discussed, that's going to be difficult, depending on how this all gets set up.

MS. MCCAWLEY: Doug, do you want to respond to that?

MR. HAYMANS: Quickly. Monica, the end result of all this was I thought that we could sit down in March, with all the parameters out there, and say this is when the season is going to be. I didn't realize that we were going to wind up with it kind of broken into so many options, but that was my ultimate goal, was that we could discuss in March when the season would be, and maybe we can't do that, but --

MS. MCCAWLEY: Or not easily.

MS. GUYAS: I was going to discuss maybe one more consideration from what's happened in the Gulf, and I'm not sure exactly where you guys are on this, in terms of like how flexible the season would be, because it's starting in May or July or August, and so it's -- You may find that it's difficult to move it around that much, and so like five days in May may not be equal to five days in October, but you don't necessarily know how different they are, and so we've kind of had a

little bit of this struggle setting the Gulf season both for Florida and like Gulf-wide, and so, in the cases where we've been able to extend the season federally, and we have to -- Like the year of the oil spill, for example, we reopened in the fall, and it was not impossible, but I think difficult, for NMFS staff to predict how many days we would get. We kind of thought about how we structured Florida's season, now that Florida sets state and federal, and how can we do that, and there are significant challenges to doing that in a situation where you have not been open for that specific harvest during those months.

Now, it could be, with Atlantic red snapper that, because it's only open so few days, and those days are going to be crazy, you can just expect like maximum crazy effort, no matter what time of year it is, but you could find yourself in a situation where you have to incorporate maybe more risk into those season projections than maybe would be, I guess, ideal for the fishermen.

MS. MCCAWLEY: That's a good point, and so let me just reiterate that Martha is saying, that all days, all fishing days, are not created equal. We already know that weekday effort and weekend effort is different, but also suggesting that, if we start fishing in a month that we haven't really historically, or in many years, fished for red snapper, that the effort -- It's hard for them to predict the effort, and so the possibility of an overage could be even more, and then we might have to do something the following year, and there's a lot of other factors at play, and so a fishing weekend in May may not be equal to a fishing weekend in September, because of the effort, and that's just a factor.

We've had a lot of discussion, and I'm going to take a vote here on the substitute motion. **Once again, this substitute motion is to remove Options 4, 6, and 7 from Action 2.** Just to be clear, this retains the sub-options under the remaining options that are in this particular action. The previous motion, which is right now the main motion, removes those sub-options. **Let me see a show of hands of all those in favor of the substitute motion, ten in favor; are there any against; are there any abstentions, one abstention. That motion passes.**

The substitute motion becomes the main motion, and we now need to vote on the main motion. **All those in favor of this motion, raise your hand, ten in favor; any opposed; any abstentions, one abstention. The motion passes.** All right. Are we ready to move to Action 3? Okay. I'm going to turn it back to Myra.

MS. BROUWER: Thank you, Jessica. The next action, as was pointed out, would revise the days of the week that recreational harvest of red snapper would be allowed during an open season, and so, the IPT recommendations and comments, first off, the IPT felt the council should provide some detailed guidance for alternatives to be analyzed, as it was already pointed out, considering the complexity of analysis, and that was just mentioned. Also, you have already considered predictability versus flexibility, and that was another question that the IPT had. Administrative and sampling burden, that's already been covered this morning.

Consider that an increase in sampling conducted by the states during the red snapper opening could impact MRIP sampling for other snapper grouper species, and so keep that in mind, and then just a reminder that Appendix D has the 2017 Halibut Catch Sharing Plan, which is rather complicated, but it does -- It's an example of what's been suggested this morning and how the agency could quickly adapt to in-season changes, but, if you've read through that appendix, you see that there's a structure in place, and there's a hotline that fishermen can call to find out when the season is

going to open that day and things like that that are not currently in place in our region. However, it is possible, and so that's why that appendix was included for you to consider.

The options that we have here for you to think about, Option 1, of course, is no action. We have weekends only, consisting of Fridays, Saturdays, and Sundays. Here, you could potentially select multiple preferreds, and so the options here allow you to combine. Option 2 is Mondays, and Option 3 is on Fridays, and these are consecutive days, consecutive Mondays, consecutive Fridays, and Option 4 would be consecutive Saturdays, and Option 5 is consecutive Sundays, and this is where we get into more combinations of some things that were mentioned in discussions of red snapper, as I said yesterday, back in 2012.

Option 6 would be when a red snapper recreational season is projected to take place, and, depending on the projected number of days, harvest would be allowed every other weekend, and so that's there for you, and that was mentioned by a previous council. Option 7 is when a red snapper season is projected to take place, and depending on the number of days, harvest would be allowed on the last weekend of each month, and then Option 8, which has already been mentioned, this is where the council could potentially, if this is a doable thing, have NMFS announce the opening through the Federal Register and other methods after the March meeting.

MS. MCCAWLEY: All right. Is there any discussion? Are there any options that we want to remove?

MR. HAYMANS: **I would actually like to add an option, and that would be to modify the commercial red snapper season to start the first weekday after the start of the recreational season.**

MS. MCCAWLEY: Is that a motion?

MR. HAYMANS: **Yes.**

MS. MCCAWLEY: I think it's the opposite. Were you saying that the commercial red snapper season would start the first weekday after the recreational season? Okay. Just stand by while we get that up there. Is there a second to this motion? Seconded by Spud. It's under discussion.

MS. BECKWITH: I have gotten a lot of public comment and requests from recreational fishermen that don't like that the commercial season starts prior to their access to it. In North Carolina, during this past season, I certainly got quite a few emails from folks that had gone out fishing and had felt like the commercial guys being open for a week or ten days or so before had somehow thinned out their access to it. I feel a little bit about this the way I feel about slapping the chocolate cake out of my nephew's hand. He really wants it, and I get it, and it's delicious, but it's not always good for you, and so I think we've had plenty of discussions around this table recognizing that -- What is the ultimate goal?

If the ultimate goal for us as managers is to eventually be able to extend the season out for as long as possible, actually adding access, then making those fish the most accessible possible actually defeats that purpose, and so my response to some of those folks that interacted with me was exactly that, that the commercial guys are actually doing you a favor. If you go out fishing and the fish are so thick that everybody catches them, and they're coming back to the dock and they are big

and beautiful and huge, and there's a lot of them, then your fishing season is going to get shorter and shorter for the following year.

This is one of those situations where I think I'm going against what my recreational constituents have asked me to do, because I actually think it's the best thing to do, because I am going to vote against this motion. I actually think having the commercial season open before the recreational does the recreational a bit of good in the long run.

MR. GRINER: I agree with you as well, Anna. I don't like tying the two together at all, and, in fact, this whole action here is to revise the days of the week for recreational harvest, and I don't even see why that this motion would even be appropriate in the action.

MS. MCCAWLEY: I think it might be better in the following action, which is modify the start date for the commercial season.

MR. GRINER: Yes, but, going back to the motion itself, I couldn't support this at all. I mean, the commercial guys, where we need to be moving to is to a May start date, so that it aligns with our grouper, so that we can handle this discard problem a little bit more efficiently, but I don't see that -- With what we've heard from Marcel with the increase in abundance, I don't really see anything that -- Other than sour grapes from the recreational side, saying that they're catching our fish. There is plenty of fish, and everybody agrees there is plenty of fish, and so I really don't see that that's an issue, and I don't want to see the two tied together.

MS. MCCAWLEY: Okay.

MR. BELL: I would agree with Anna. I think this just kind of creates a tension there that doesn't need to be there, and we don't need to pit one against the other, and I don't see any value in that.

MS. MCCAWLEY: Is there more discussion on this one?

MR. HAYMANS: Apologies. Although I am following the discussion intently, my page was open to the fourth action, and so I did get it out of place, and my apologies. Mel, the tension is already there. We're not adding to the tension. It's already there, at least from what I'm hearing, especially with the way that the season is predicted to open -- Not predicted, but is opening this year, and I am just trying to go by what my anglers are asking for.

There is pros and cons to every possible scenario we could open, and I understand that if they get out there and they're thick that maybe they catch too many, but you know what? MRIP is probably not going to encounter them, and I know that we're adding extra effort, but Florida may have effort on the Gulf coast, and they may miss them, and so we can -- I don't know, but I'm okay to move this to Action 4, and my apologies for having it early.

MS. MCCAWLEY: Okay, and so, yes, if this passes, then we will move it to the next action that's more about the commercial. Is there more discussion on this before we take a vote here? **All those in favor of this motion, please raise your hand, three in favor; those opposed, nine opposed; any abstentions, one abstention. The motion fails.**

All right, and so is there more discussion on Action 3? Are there other alternatives that need to be added here? Are there ones that we don't want at all and we want to remove that we don't need an analysis on, or are we good with the options that are in there?

MS. BECKWITH: For Option 6, do we need to specify what dates we would want? I think, for me, it would be Friday and Saturday of non-consecutive weekends.

MS. MCCAWLEY: So you mean sub-options, add some sub-options for days and combinations?

MS. BECKWITH: Yes, because there is a parentheses to specify whether Saturday and Sunday or Friday to Sunday, but, to me, a good option would be Friday and Saturday of non-consecutive weekends.

MS. MCCAWLEY: Okay, and so maybe we can add some sub-alternatives under Option 6. I think we can do that with direction to staff, to add sub-alternatives under there. Is there more discussion of this action, which is to revise the days of the week recreational harvest of red snapper would be allowed? All right. We're going to move on to the next action. We need maybe a little break here to get everything running again. We probably need a good five minutes, because we need to get the computer going and the webinar restarted.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: Okay. Now that we have recovered the document, we were looking at the alternatives in Action 4.

MS. BROUWER: Action 4 is modifying the start date for the commercial season, and one of the things that we wanted to have for you to consider is there's an interactive application that Chip put together, and so I'm going to show you very quickly how it works. Then, if there's any questions, Chip will be available to answer them.

Basically, this is a Shiny app, and it's not displaying all of it, but here are your years, and so this is all data on snapper grouper commercial landings from 2012 through 2018, and you can select whatever years you want to look at by just clicking on this little button, and so let's just select 2017. The bars indicate the months that are closed to fishing, and so the lighter color is the spawning season closure that we have in place for the shallow-water groupers, and then the darker red indicates the months that were closed during that particular year for that species, and so we brought this to you because one of the things that council members expressed during this red snapper discussion is the importance of knowing what else is open when red snapper commercial harvest is allowed.

You see how you can stop the loop here, but it shows you for all those years, and then you can also select or de-select certain species, and we have a lot of them included in here that are not part of the snapper grouper complex, and so you can de-select those, but you can use this to sort of get a visual for landings, and then there's another tab that's specific to red snapper, and, here, you can select which months you would like to see open and what that would do as far as availability of other species.

If you wanted, for example, to select a commercial season that starts the way it is now, starting in July and open through December, then, based on historical landings, this would be the availability of other species that are typically caught with red snapper, and so this tool is here to just help in your discussions, as far as commercial landings, or commercial harvest, of red snapper. Are there any questions on this? I hope everybody got a chance to play around with it.

MR. SAPP: I can't get it to stop, for some reason. It just rolls right on.

MS. BROUWER: Here is your little play button here, and this is where you can -- Then, once you stop it, you can toggle back to whatever year you would like to see displayed.

MS. MCCAWLEY: All right. Are there more questions? This is really neat.

MS. BROUWER: If you would like to see, for example, what the AP had suggested, if you want it maybe open in May and June and then closed in July and August, you could model that scenario here and see, over time, what other species would be open or have been open during those months.

MS. MCCAWLEY: This is excellent. Thanks for working on that. Thank you, Chip.

MS. BROUWER: Going back to the action, now that we've given you some background there -- Again, the Snapper Grouper AP recommendation is on the screen, and then the options to analyze are similar to what I've already talked about for recreational. We have the no action is the second Monday in July, unless otherwise specified, and so then we have options for starting the second Monday in May, the second Monday in June, August, September, October, and Option 7 is the Snapper Grouper AP's recommendation to start in May, with commercial harvest not allowed during July and August.

MS. MCCAWLEY: All right. Are there comments or questions? Do we like these options? Do we want to add some options here? I am giving people time to look at it.

MR. GRINER: I would be supportive of Option 7. I think the AP did a really good job with this, and I think it's really important that we align this with the start of our grouper snapper fishery. We are encountering these animals a lot at the very start of our grouper effort, and so I think this would work very, very well for the commercial sector, and even closing it in July and August. If that's when the recreational season decided to open, if that's what they wanted, then that would give them access to all of the red snapper, unabated by the commercial sector.

MS. MCCAWLEY: All right. Are there other comments? Are we okay with this range of options?

MR. SAPP: I couldn't agree more with Tim, and, also, I've got to believe that it would reduce the amount of dead discards that the commercial sector is getting credited for, especially during that opening of grouper season, which might benefit us all in the long run.

MS. MCCAWLEY: Did we want to remove any? Anna, did you see one that you thought maybe could be removed?

MS. BECKWITH: **To me, it looks like Options 4, 5, and 6 could probably be removed, but I would want Tim's confirmation of that.**

MR. GRINER: Yes. As far as I'm concerned, you can remove all of them but Number 7.

MS. MCCAWLEY: It sounds like a motion to remove Options 4, 5, and 6. It's seconded by Mel. Is there more discussion on this?

MR. HAYMANS: Taking those out, the commercial season will start either the second Monday in May or the second Monday in June, correct?

MS. MCCAWLEY: Or July, which is the no action.

MR. HAYMANS: Yes. Okay.

MS. MCCAWLEY: Myra, before we vote on this, can you explain why we don't have sub-options here? Why is it always that second Monday?

MS. BROUWER: I guess we weren't sure that -- You hadn't given us guidance in March to have an option to also select the days of the week, or the day of the week, that commercial harvest would start. Your guidance was to change the date, and so we just went with the no action, which is the second Monday, and we provided you options simply for months, but certainly we could, if you want, add sub-options that would specify a different day of the week.

MS. MCCAWLEY: I would look over to Tim. Is the second Monday good for all of these, or do you want sub-options to start fishing a different say Monday in the month?

MR. GRINER: I mean, really and truly, if you can pick a month, why not -- I don't understand why it wouldn't just be the first day of the month. I mean, that's just a lot easier for the commercial guys to keep up with.

MR. SAPP: Or even just to coincide with the start of the commercial grouper. That way, we really take advantage. Is that not May 1?

MS. MCCAWLEY: To me, that's a separate option.

MR. GRINER: That is Option Number 7, I believe, is May 1. Other than that, if we're going to have options for other months, it should just be the first day of the month.

MS. MCCAWLEY: Okay, and so it sounds like we need some sub-options here. First, do you want us to take a vote on this motion and then come back to the sub-option discussion? We have a motion, and it's been seconded. **All those in favor of the motion to remove Options 4, 5, and 6 from this action, raise your hand, eleven in favor; those opposed, one opposed; abstentions, one abstention. The motion passes.**

Now the sub-option discussion. I have heard options for the first day of the month, and I have heard the first Monday of the month, and why don't we just have direction to staff to develop some sub-options underneath these options and bring something back? Does that sound good?

MS. BECKWITH: That just seems like a lot to analyze, and it's a commercial thing, and I'm fine with the first day of the month, if that's how they want to open it, and May 1 makes sense. I don't feel -- The Monday thing is probably unnecessary, and so we could just give direction to change it to the first day of the month for those months.

MS. MCCAWLEY: Okay. The first day of the month. All right. Any more discussion on this action? Any more options that are needed on this particular action? Then I think we're going back to the purpose and need. Here is the purpose and need statement. The purpose and need of this framework amendment are to modify the structure of the South Atlantic red snapper commercial and recreational fishing seasons to increase the socioeconomic benefits to fishermen and fishing communities while minimizing discard mortality and providing protection for spawning red snapper.

MR. HAYMANS: I don't know that we necessarily provided any additional protection to spawning red snapper. I would consider deleting that portion.

MS. MCCAWLEY: Yes, I agree with you. I think that needs to come out. What else, folks?

MR. BELL: To that last point, you might provide protection to red snapper that are spawning, and do you know what I'm saying? Whether you save them before or save them then, but if what we meant was not interrupting the spawn or something, but you can take it out if you want.

MS. MCCAWLEY: We could end up with our no action alternative, which is July, which is in the middle of the season, and so I don't know if we want to add that to the purpose and need. Okay. Any more discussion on the purpose and need? Okay. Let's talk about the timing.

MS. BROUWER: Could I get a motion to approve the purpose and need?

MS. MCCAWLEY: Can I get a motion to approve the modified purpose and need statement?

MR. CONKLIN: **So moved.**

MS. MCCAWLEY: It's moved by Chris and seconded by Tim. **Any objection to approval of the purpose and need, as modified? Seeing none, that motion stands approved.**

MS. BROUWER: As far as timing, you had talked about potentially approving this for public hearings, and so those could be conducted at some point this summer, before the September meeting. We would need guidance from you as to whether you would like those to be in-person or via webinar, and you also have the option of conducting those hearings at the September meeting.

MS. MCCAWLEY: Thoughts on that? We need a motion to approve for public hearings, and know that we wouldn't see the modified document before it goes out, and is that right? Staff would modify the document, and they would do a webinar public hearing, if that's what we want, and then bring this back to the September meeting, and so that's what we're discussing right now.



MR. GRINER: I think that's what we should do. I mean, the webinar is going to be the most efficient, as far as cost and timeliness, I would think, rather than setting up in-person meetings, and so I would be willing to make that motion.

MS. MCCAWLEY: Let's get a little bit more discussion first.

MR. BELL: If the goal is to try to go through this whole process and have it in place for the 2020 season, then whatever the recommendation is for staying on track with that is fine.

MR. HAYMANS: Is there anything else going out in August for public hearing?

MS. MCCAWLEY: Myra says no. I mean, if we do webinars, and I'm not opposed to that, and maybe we need a couple, more than just one, and it could be one quite packed webinar, to just do one, and so maybe we give staff the leeway to figure out how to conduct the webinars.

MS. BROUWER: Yes, and we normally have a couple of days, maybe two, or we could have three days. I mean, webinar meetings are easy enough to conduct remotely, and so we could have as many as three or four, if you all want.

MS. MCCAWLEY: I am sorry. It's only the first Monday and the third Wednesday when the full moon and it's raining, and you can use a mattress or a couch cushion to release turtles, and so I am going to go to Tim to make a motion.

MR. GRINER: **I make a motion that we approve Regulatory Amendment 33 for public hearings, to be conducted via webinars.**

MS. MCCAWLEY: And bring this document back in September?

MR. GRINER: **And bring it to September.**

MS. MCCAWLEY: All right. Do I see a second to that? It's seconded by Mel. Any more discussion on this? **Any objection to this motion? Seeing none, that motion stands approved.**

Let's go ahead and break for lunch, and let's come back at 1:30, and, when we come back, I believe we'll be working on best fishing practices. Thanks, everybody.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We are getting started. We are going to get going on the Snapper Grouper Regulatory Amendment 29, also known as best fishing practices, and I'm going to turn it over to Christina.

MS. WIEGAND: All right, and so I've got this presentation, just to reorient you guys to this amendment. If you will remember, in March, you selected all of your preferred alternatives, which we'll go over, and you modified Action 1 to include a delayed implementation of the descending device requirement. Under Action 2, you removed an alternative that would have removed the circle hook requirement entirely, and you directed staff to work on developing a research and

monitoring plan for descending devices, and then you approved the document for public hearings, which we held at the very end of April and beginning of May.

This is where we stand on timing. Here, we will review all of the public comments and make sure that you guys are comfortable with where the amendment stands, and we'll bring back a fully completed document to you in September, for you to consider final action. At this meeting, we need you guys to review the purpose and need statement, and we skipped over it last time, and so that's the first thing we're going to do, is go over that in some detail, and we'll review the actions and alternatives. You guys sent this out to quite a few different APs, as well as the SSC, and I believe now you've heard all of their comments, and we can address anything that you would like to change in the actions and alternatives, and that's what we need to get through today.

Again, there are three actions in this amendment, one specifying requirements for descending devices or venting devices, one modifying the requirements for the use of non-stainless-steel circle hooks, and one adjusting the powerhead prohibitions in the South Atlantic. I will go ahead and jump right into the document.

The purpose and need statement is right here, which currently reads that the purpose is to modify gear requirements for the snapper grouper fishery to promote best fishing practices and to ensure consistent regulations for the dive component of the snapper grouper fishery. The need is to reduce discards and discard mortality of snapper grouper species and to decrease the burden of compliance with different regulations for the dive component of the snapper grouper fishery while minimizing, to the extent practicable, adverse social and economic effects, and so we just need you guys to review that and decide whether you feel like you need to make any modifications or this is the intent of Regulatory Amendment 29.

MS. MCCAWLEY: All right. What do we think about this purpose and need statement? Are we still good with it? I see heads nodding yes, and people seem to be okay. I think we're good.

MS. WIEGAND: Then let's jump right into Action 1. Again, this specifies the requirements for the use of descending devices and/or venting devices. Your current preferred now would require, within six months of implementation of this amendment, a descending device to be onboard a vessel that is fishing for or possessing species in the snapper grouper management unit, and your current preferred sub-alternatives would require this for all sectors.

There is an Alternative 3 under here, which is the same, except it would be a requirement for venting devices, and, since there was some discussion about this earlier, I do just want to remind you that, with your current preferred alternative, this doesn't prevent people from venting fish if they so choose, and so for-hire vessels or commercial vessels, when they are looking to vent the smaller fish, like Jimmy was talking about. When you've got a lot of people onboard, it's understood that these guys are perhaps highly trained and might know how to vent a fish properly, and so, while they will be required to have a descending device onboard, this regulation doesn't prohibit them from venting, if they so choose.

Then we've got the definition of "descending device" here, and we got quite a bit of input on that, and I'm not going to go over it in a whole lot of detail, since you have received all of the AP reports, and I did want to note that I reached out to law enforcement in Washington State. They already have a descending device requirement in place, and their regulation reads that a descending

device is a device used for the rapid descent or recompression of fish. A descending device must be onboard vessels and rigged for immediate use when fishing for or possessing halibut or bottom fish, and so their regulation is similar to the definition that we have created for a descending device, and, when I spoke to their captain out there, he said the law enforcement really hadn't had any issues enforcing this regulation.

In terms of the rigged and ready requirement, his officers have been using, for the most part, common sense with that. If they're boarding a boat and you say where is your descending device, and the guy can grab it and show you how he's going to hook it up and descend a fish, that's rigged and ready, whereas, if he's got to look for it, or it's still in the packaging, or it's not near where fishing is going on, that's not rigged and ready.

In terms of the sort of availability of devices versus these guys making homemade devices, he said, more often, they were seeing guys that had purchased devices. Washington State spent a lot of time handing out the Shelton fish descenders, which is the small wire descending device that costs about five-dollars, and he said that most of the guys out there were using that and that they hadn't seen a lot of homemade devices, but their website does have instructions for how to make weighted hooks as well as the milkcrate descending device.

We actually heard some really positive stuff from him in terms of social pressure. He said there's been a couple of instances of charter vessels being caught not descending fish and that the charter community sort of rallied around on social media and really got on their case, saying we don't want this bad publicity and we need you guys to be using descending devices, and so he said that out there they've seen a lot of that social pressure develop that you guys have been talking about a lot, and so I just wanted to clue you in on the discussion that I had with him, since they have experience dealing with a regulation that's written similar to the way you guys are looking at writing yours.

Then one other thing that staff is going to do on the next go-round of this amendment is to put examples of descending devices, both commercially available and that can be constructed, into the discussion of this document. We got input from public comment, as well as from the Snapper Grouper AP, on what they are using, and so in the body of this document will be examples of devices that fit this definition as well as what rigged and ready would mean for those devices, and so you will be seeing that in the next iteration of this amendment.

With that, the other thing you had asked us to do related to descending devices was to put together a research and monitoring plan, and I'm not going to go over this in a lot of detail, and it still needs to undergo some IPT review, but I did want to just sort of clue you in on the main goals that we've added to this research and monitoring plan.

The first is, of course, to monitor the number of fish by species that are being released using descending devices, and this is to get at compliance and some of the data that the SSC had indicated would be necessary to start looking at revising release mortality estimates in the stock assessment, and we've also got a goal here that would encourage NMFS to address barotrauma effects and how effective descending devices are on additional snapper grouper species as well as different fishing conditions and available release devices.

We have also suggested organizing a working group or to host a workshop that would provide recommendations on how to integrate descending device usage by commercial and recreational fishermen into the management system, and this was sort of based on what the groundfish management team had done in the Pacific, to start integrating different release mortality estimates for descending device use for rockfish out there.

The one thing I will note that is a pretty big difference between their system out there and ours here is that Oregon, California, and Washington already have questions on their recreational surveys that address whether fishermen are using a descending device and how many fish, by species, they are descending.

Then last, but not least, for NMFS to develop additional outreach material, as well as a series of workshops and web-based material, that will educate fishermen on the use of descending devices and venting tools, and so, if there's anything else major that you think we're missing, that you think staff should try to incorporate into this, that would be helpful advice.

MS. MCCAWLEY: Can you go back to the action part, where we have the preferred alternative? I had a couple of questions, plus I saw some hands up. Right now, our preferred alternative is, within six months of implementation, to require that the descending device be onboard. Didn't the SSC recommend that it be either descending devices or venting tools be used?

MS. WIEGAND: The SSC did recommend an additional alternative that you guys did have in this document in its first iteration, and there was an Alternative 4 that was written that would require a descending device and/or a venting device, and we ended up -- Your rationale for getting rid of that action was that you didn't want to encourage fishermen to vent fish, particularly fishermen that might not be trained in how to properly vent a fish, since there is a lot of research out there that shows that not all fishermen are properly venting fish and that, when done wrong, it causes additional damage, more damage, to the fish, and so you wanted to focus on requiring descending devices while not prohibiting people from using venting devices on say for-hire trips or commercial trips for smaller fish or for people that know how to properly vent a fish, which is why we ended up getting rid of that alternative and leaving it with just Alternative 2, where everyone has to have a descending device onboard, and that's what you all would like to encourage, but it doesn't prohibit the use of a venting tool.

MS. MCCAWLEY: Okay. I am going to go to some of the hands that I had up, and so I had Doug and then Chester.

MR. HAYMANS: To the definition equivalent that you put up, was that California, or was that the West Pacific Council, or the Pacific Council?

MS. WIEGAND: That is Washington State.

MR. HAYMANS: That was Washington State. Okay. So the rest of the Pacific, or at least the council, there is no other descending regulation?

MR. BREWER: A couple of points. I am okay with this the way it is right now, requiring that there be at least one descending device onboard. Then, if you want to vent, you can have as many

venting devices as you want, and I'm thinking about headboats, and they might want to have ten of the things.

I am feeling -- I have to tell you that I've been really singing the praises of the FWC at this meeting, but I don't know how many of you saw it, but there was an email that went out, I guess this morning, from the FWC that went to some lengths to explain venting, and it had diagrams to show how you vent, and I am feeling a lot better about the private recreational people being able to successfully vent fish. It's also important because it's my understanding that there's been some stuff that has shown that the traditional descending devices, with certain species, and I think it was triggers that I saw, can actually -- The descending device can actually cause more damage than just tossing them back overboard.

The last point that I want to make, and I don't mean to be stepping on Martha's -- I don't know why we need six months of implementation, or the delay of six months of implementation. We have already seen tremendous outreach from recreational organizations and the FWC, and maybe other states have done it and I'm not on their mailing lists for emails, but, for our other states that are present, the FWC has done a pretty good job of this, and you might want to steal it and send it around on your mailing list. Thank you.

MS. MCCAWLEY: Thanks, Chester. You brought up one of the points that I wanted to bring up, and so I'm going to turn it over to Martha here in a second. She went to the Gulf triggerfish assessment, and there were some points that came out of the assessment that basically said that the descending devices were increasing mortality of triggerfish, but I am going to let her tell you a little bit more about that, and then I also have Mel and Tony in the queue.

MS. GUYAS: There is a researcher that was describing some of the work that he had done on gray triggerfish, and they were, I guess in some cases, using descending devices on the fish, and maybe in others they were venting, but, either way, or not using any device, and there is at least anecdotal observations, and I don't know that they had a huge sample size at this point, but he, I guess, felt like it was significant enough to share with everyone, but they were seeing a significantly higher discard mortality rate on the fish that they had been using a descender, and they felt like that was because of the mouth of the triggerfish and their teeth, and it was taking them a lot longer to rig up the fish with the descending device, and so that time out of the water might have been contributing to a higher discard mortality in that case. I thought that was interesting, and it makes sense, if you think about it, if you can just quickly vent it, or maybe they weren't using the right descending device, and I don't know which tool they were using specifically, but I just thought it was an interesting insight.

MS. MCCAWLEY: I thought there was one particular brand that they were using, and I thought that the mortality using the device was over 50 percent, but then, without the device, it was under 20 percent, maybe.

MS. GUYAS: Something like that. I would have to go back and look at my notes, but, yes, it was significant. It was a big difference.

MS. MCCAWLEY: Those kind of concerns kind of make me want to bring back that alternative that we put in Considered but Rejected that said either/or, the descending device or the venting tool, but I would like to hear more of what you guys think.

MR. BELL: If I could comment on that real quick and then ask my question, but I think, the direction we're going in, you could have both onboard, and so, depending on the species -- If it doesn't work well for triggers, then you vent, but, if you -- If the descending doesn't work well for triggers, you vent, but then, if you need to -- But, if you want the descending devices out there, you're going to need to make that as a requirement, and so I think we would be okay to deal with that contingency, if there's a species that it doesn't necessarily work for, and they've got the option. Back to my question. Christina, when you talked to Washington State, these are state-imposed requirements for three states, or --

MS. WIEGAND: This is specifically a requirement in Washington State waters.

MR. BELL: Okay, and so, to that then, they're not having an issue, and did you ask them about if they actually had to write tickets, some citations, and then was that -- Did that hold up, if it was questioned or challenged?

MS. WIEGAND: He didn't elaborate on any specific cases that they've had, in terms of issuing citations, but he said that, generally, they have not had very many instances where they found people not in compliance with the regulation, especially with the peer pressure that these guys are experiencing. Most every time they have a boarding, these guys are in compliance with the descending device regulations.

MR. BELL: Okay, but I think it's important to distinguish that those are state officers dealing with a state fishery -- As opposed to trying to impose a federal requirement. Just from the law enforcement standpoint, it can be a little different.

MR. DILERNIA: I would like to build on what both Chester and Martha said regarding the devices. First of all, I agree completely with what Chester said. I think what was sent out today by FWC regarding the use of venting tools was very good. I have been a very vocal and severe critic of the use of descending devices in the Mid-Atlantic. After forty-five years of running headboats and charter boats -- I will just give an example.

In the fall, black sea bass fishing out in the deep, say twenty or thirty fathoms, and we catch black sea bass, and you bring them up to the surface, and they are suffering from barotrauma, and what actually happens is, once the headboats are anchored over a piece of hard bottom, as the clients bring up their base and there's a little piece of clam or squid left on the hook, they take that off and they dump it over the side, and they throw it in the water, and they put on another piece.

Well, after half-an-hour or so, with thirty or so people doing that, you have developed a chum slick, which mean that the dogs have found it, the spiny dogs have found it, and so, after a half-hour or forty-five minutes of sitting on that hard bottom, you learn real fast that, as you reel up your black sea bass, for the last fifty feet, you better reel it up real fast. Otherwise, the dogs have taken them off the hook.

Now put that black sea bass that you have to put back over the side with a descending device and clip his jaw to a descending device and send him down real slow, and the only thing you're doing is sending a meal down for another dogfish to eat, and so the descending devices don't work too well.

On the other hand, trained deckhands -- If a deckhand is trained how to properly use a venting tool, that would work, because you could have black sea bass coming up real fast, and if the deckhand has been properly trained, he goes around and unhooks it and hits it with the venting tool real fast and takes it and flips it over the side, and that fish scoots right down to the bottom. While I would not be an advocate for the use of descending devices in the Mid-Atlantic, I would definitely be an advocate for training deckhands and crew how to properly use venting tools. Thank you.

MS. MCCAWLEY: Thanks, Tony. Are there more comments?

MR. WOODWARD: One of the things that I am concerned about is I think we have four, or maybe more, concurrent outreach and education efforts going on right now in the South Atlantic, and there is two things that need to happen in what we do and what they're doing, and that is clear messaging that is the same between all of it and not overpromising the benefits, in terms of the possibility of catching more fish.

I am just thinking of -- Looking back to the discussion we had that led to us rejecting that alternative, it was concerns over poor venting techniques, but then you hear what we've heard from Jimmy and what he reported from the AP that headboats, for-hire boats, are different situations than the private recreational fleet, especially when you have a lot of novice anglers, and so I think -- If we remain silent on venting, which is the current situation, that's going to lead to more mixed messaging, in terms of, well, does that mean that they don't endorse it or what, and so, to me, I would feel better if we believe it has a place and that we put forth something that specifies where we believe that place is, so that the messaging is straightforward and understandable to the people who we're trying to influence their behavior.

MS. MCCAWLEY: Let me understand what you are saying, Spud. You are just saying, in the outreach portion, we need to outreach more -- Not more than barotrauma, but be clear about the use of venting tools and how it works, or are you suggesting that we need to modify these alternatives or bring that one back from Considered but Rejected, and just help me understand what you're saying. Are you targeting the outreach message part or what?

MR. WOODWARD: I think, right now, what we've got sort of supports the belief that there is no role for venting. Because we're remaining silent on it, we're not necessarily endorsing its proper place, and most of the outreach efforts that are going on out there are also -- They may not be overtly recommending against venting, but they are recommending descending devices in lieu of venting, and so, again, it's the whole messaging thing. You've got people who are trying to figure out what am I supposed to do, and when am I supposed to do it, and, to me, I think we need to bring that back and state explicitly that we believe that there is a role for venting and state what we think that role is.

MS. MCCAWLEY: Okay. I don't necessarily disagree with that, but let's hear some other folks.

MR. BREWER: I probably, in some of my comments at earlier meetings -- Some of this is my fault, and a lot of it is probably my fault, and it's because I didn't know how to vent a fish, and I was worried that the private recreational anglers out there didn't know how to vent a fish and would do more damage.

To me, it seems like the simplest thing to do is to structure this so that everybody has got a descending device and a venting device onboard. The venting devices are not complicated, and they're not expensive. They are like six or seven or eight-dollars, and so the cost to a headboat to have at least one descending device onboard is nothing.

With a little bit more education, I would be very much in favor of kind of melding in what Spud was saying. Let's require both, and let's have some more outreach, with the idea that the different tools might work better in different applications, or in different situations, with the idea being that what we're trying to do is decrease release mortality of these fish.

MS. MCCAWLEY: I am going to go to Christina before I go to Steve, but it sounds like -- I have heard two different things here. What I heard -- What is consistent is that it seems like we want to bring the venting back in, but it's just how to do it, and so Spud is suggesting possibly bringing in the alternative that went to Considered but Rejected, and what I heard Chester say was actually choosing two preferred alternatives here, choosing Preferred Alternative 2 as well as 3, but, Christina, maybe you can shed some light on what would be best here.

MS. WIEGAND: I just wanted to make a quick note. If you guys will remember, back in Snapper Grouper Amendment 16 or 17, and Jack can probably remember which number it was, but the council had approved an amendment that would have required venting tools onboard, and NMFS rejected that requirement, because there was significant evidence out there that showed that venting was causing more harm than good to fish.

Research that exists now does say that, when done properly, venting and descending both work to improve release mortality, but that being done properly is a big component of that, and there's also research out there that shows that fishermen are not properly venting fish all of the time, and so that's where the research stands on that, and then, sort of related, I would just ask that -- You guys are talking a lot about outreach, and if you could specify, when you're talking about outreach, if this is something you think individual states should do or if you're talking about outreach that you would like the council to do, but just to be specific about that, so that our outreach staff knows if you're going to be expecting something of them, in terms of possibly requiring venting tools as well as descending devices.

MS. MCCAWLEY: As I run through some of the other people that had their hand up, is there any chance that you could go grab that alternative that we put in Considered but Rejected, just to see what that looks like, because I can't remember exactly what it looked like.

MS. WIEGAND: I'm not sure if it's in Considered but Rejected. I think you guys may have gotten rid of that when this was an options paper, before we did any analysis, but it was written almost verbatim like this. It would have said to require a descending device and/or venting device be onboard, is how it would have been written.

MS. MCCAWLEY: Okay.

MR. POLAND: I just wanted to kind of reiterate what Spud was saying, and I agree. I feel like whatever message that we try to put out there, as far as public outreach, anything that especially the council puts forward, we don't really want to send a mixed message that we say one is better than the other. I think, regardless of if we move forward with descending devices or descending



and venting, or either/or or whatever, we still need to include some information on venting tools, or at least some breadcrumbs to point in that direction, and Anna is sitting over here playing the YouTube that the FWC just sent out. She is looking at how not to do it, but, anyway, looking at the videos, and to Chester's comments about public outreach, and he's been educated, and he feels confident now, and it's really not that hard to vent a fish, but you certainly need to do it correctly, and the information that's out there needs to be correct.

That being said, I am in support of bringing back that other alternative from Considered but Rejected, or Christina said it didn't make it there, because it was a scoping document, but, yes, I'm in support of allowing venting or descending devices, and I don't know if we need to go as far as you have to have both, but at least give anglers the option, and they can use whichever one they are more comfortable with.

Another point, and this is something that came up earlier, and I was talking to somebody earlier, and I think it might have been Anna actually, and I am trying not to get this discussion too off track, but the point that we don't specify how many descending devices or venting tools to have onboard, and so, for a private recreational vessel or for a charter six-pack, one is probably appropriate, but, for headboats and stuff, do we want to kind of set like a per-head thing, and I am not saying that I am advocating for that, because it's pretty obvious the issues that that would create, but at least acknowledge that one on a headboat with a hundred passengers is probably not going to get used that much.

MS. MCCAWLEY: I have a list of people here, but one thing that Steve brought up -- I take back what I said. I don't think that we should choose both Alternative 2 and 3 as preferred, because that would require that both of them be onboard, and I kind of agree with Steve that maybe it's either/or, one of those two devices, but we're still discussing this, and so I have Tony, Mel, Anna, and Lieutenant Montes.

MR. DILERNIA: Thank you. The descending device, you unhook the fish, and then you try to attach them to the descending device, and you will probably drop him on the deck two or three times, and then you finally get him hooked up, and you send him down to the bottom, and, like I said, in my case, up in the Mid-Atlantic in the fall, the dogfish follow them on the way down and just pluck them off the line on the way down.

That is one way to do it, or another way is the fish is still on the hook, and you take the venting tool, and you hit them in the back real fast, while he's still on the hook, and you pull the venting tool out and take them and invert them and hit him with a fish dehooker, and you don't even touch the fish and flick him back down over the side. That's a much faster and easier way to do it.

Regarding how many venting tools you would have onboard, the Coast Guard is going to specify how many individuals, how many deckhands, you need per number of passengers, and so I would say that every deckhand have a venting device, and so that should cover you, because the rules, the Coast Guard rules, are designed to be deckhands being able to assist passengers in case of an emergency, and so the deckhand-passenger ratio is pretty well established, and so, with the venting tool, if each deckhand has a venting tool, I think you're in good shape.

I think venting them while they're still on the hook, and they're just flicking them over the side, versus unhooking them and dropping them on the deck a couple of times, and maybe kicking it

out from under the bench, where it flipped into, and then putting him on the device and sending him back down, and that's not going to work too well. Thank you.

MR. BELL: I think, in our sort of backing off a little bit on the venting devices, but not saying you can't use them, what we were simply responding to was the fact that, yes, they're a tool that can be used at the right time for certain species, and they work better if you know what you're doing, and I have vented a lot of fish. Not as many as the MARMAP folks have, but I have been out on trips, and I have vented sea bass and b-liners and porgies and grouper and triggerfish, and every single species is different in how you approach and where you stick and how you massage it to get the air out, and so you really have to develop some experience with that, and so headboats and charter boats -- Those guys are professionals, and Tony is a professional, and so you do that, but the average Joe Six-Pack, if you will, may not get that opportunity a lot, and so, for people who know what they're doing and who are comfortable with what they're doing, fine. Then venting is an option.

We're not saying you can't do that, but we're saying -- What we were moving towards was requiring this other device onboard, and so, at the appropriate time, if that's the best tool to use for the particular situation and the particular fish at time, use that tool, and you've got the other tool as well. Then the problem with venting devices is we have heard our anglers tell us what their concept of a venting tool is, and they are not talking about a sixteen-gauge hypodermic needle. They're talking about a fillet knife or an ice pick or a hook, or I've heard all kinds of scary things.

I think we could still go in the direction we're going, and we're not precluding the use of venting tools, if that is what is needed for the situation, but we're just saying you need to have this other tool onboard to deal with other contingencies, but I agree that, if you could do more outreach and education related to proper venting, like you guys are doing at FWC for both, you've got both options on the table, and we're not taking venting tools off the table, but we're just sort of saying, hey, here's this other tool, and you need to have that onboard as well, and so I think we're kind of going back and dragging more focus on venting, or maybe now we don't want to have descending devices, and I don't think that's a good direction to go.

MS. MCCAWLEY: I don't think we were going towards not wanting descending devices.

MS. BECKWITH: I mean, I'm comfortable where we're at, requiring the descending devices and having the educational component be towards the venting. I have sat here, and I have watched about ten different videos, and all the videos are a little bit different. Some are using hypodermic needles, and some are using hooks, and some are venting right under the pec, and some are venting behind the pec. I mean, there's a lot of variation, and so I think, even when you are properly trained, there is going to be some variation.

I think, when you think about the idea of rigged and ready for a hypodermic needle on a recreational boat in rough waters -- I mean, we had some of these discussions on, if we were going to put this requirement on recreational fishermen, in particular, to have this rigged and ready, is a father with three kids under six running around with a hypodermic needle accessible to them potentially a good idea for us to be requiring?

I agree that I think that venting is a great tool, and there is lots of videos out there. If people are comfortable with it, we should encourage the education portion of it, but I think, when we came

down to requiring a descending device, it was because you hopefully can't cause too much damage with a descending device, unless you are sitting there handling that fish for an excessive amount of time, and people that are not comfortable venting are also going to have to lay that fish flat on the bottom of the boat, or on the gunnel, and probably drop it, because it's going to happen, and so, for headboats, I brought up the idea that we only had one descending device required for headboats, but I was comfortable with that, because recognizing the headboats are going to primarily vent, and the charter guys are probably going to use a combination. George uses the descending device, and he likes it, and plenty of other captains vent, and so it just kind of is what it is, but I'm not sure that I would want to go back to requiring a venting tool.

MS. MCCAWLEY: Okay, and so, just to clarify, the venting tool was not part of the rigged and ready language. That is only the descending device.

LCDR MONTES: Just to kind of echo what Anna just said with her concerns about small children running around, and I can kind of relate to that, and having a hypodermic needle on the boat would probably be a little bit dangerous, and I look at it for the officer safety and also the passenger safety.

To require a venting tool onboard all vessels targeting snapper grouper, or having it onboard, I think having that venting tool with people who may have watched three YouTube videos and said I've got this and let me go out there, and it's three-foot seas, and they might make mistakes, and they might hurt themselves, and they might hurt others, and I'm not interested in mandating something or supporting mandating something that turns into future search and rescue cases, where I've got to take off my law enforcement hat and put my SAR hat on.

Kind of back to what Spud said, I think what we're missing in the language, or however we're going to finally capture this, is that venting is still okay, and so our preferred alternative says we require a descending device, but it doesn't require a venting tool.

We just have to figure out a way to, either in the messaging, because I think the messaging is incredibly important, and, if we want to still encourage venting for people who are comfortable and experienced and well-trained to do it, support them still venting, but also still require the descending device, and we just need to figure out whether it's -- I don't know the answer to this, but whether or not it's correct to put it in the language in our preferred alternative, in some way, shape, or form, supporting venting or if it's just something that has to be part of the strategic messaging after this comes out. People will look at it from -- If they just glance at this and say, oh, well, the council right now is only supporting descending devices, and they intentionally did not choose venting devices, and so we just have to work on that messaging part.

MS. GUYAS: I think you all have heard about how the Gulf has been talking about descending devices and venting tools and the outreach regarding those tools for quite some time now. I wanted to let you all know that our council is going to be hosting a release mortality symposium about this topic on October 7 through 9, and it's going to be in St. Pete. If people can't attend, I think Emily would probably send over the report for you guys to see, but, as you're figuring out how to outreach this message, there are probably some lessons that you can learn from the work that our council is doing.

MS. MCCAWLEY: Thanks.

MR. CONKLIN: Perhaps we should send a staff member to that. That might be a good idea, but, anyway, when we started out down this road, three or four years ago, when we all started talking about the descending devices and hearing all the praises, the initial intent of using the descending devices was to change the discard mortality of large fish.

If we change anything in this, I don't support it. I support what we've already worked out, which is keeping Preferred Alternative 2 and the three sub-alternatives as our preferred and not adding or changing anything, because I foresee, and I think I remember right, the SSC said that venting tools would in fact increase release mortality if it's not done properly, and so I think that keeping this the way it is is a step in the right direction, and it's the intent of where we started at, and it's where we need to end up.

If somebody else wants to use a venting device, or a venting tool, that's fine, but, at least at the minimum, we need to stick to keeping the requirement of having the descending device onboard the vessel, to keep it enforceable. I don't know about rigged and ready, and that's -- But that needs to be the requirement, is the descending device, at least, at the bare minimum, be on the vessel, because we need to think about why we got to this point right now, and that's to change the discard mortality rates.

MR. BREWER: The way this is -- Let me go back and reiterate what Chris just said, and he's exactly right. The reason we started doing this, and we had descending devices all laid out in the middle of the table, and we were looking at them, and we did that, or we came down this road, because we were trying to figure out how to reduce bycatch mortality, primarily for red snapper, because that was the only way that we could see that we could get out of the vicious cycle that we were caught in.

I would, at some point during my lifetime, like to see a meaningful red snapper season, and so the idea of us now complicating this and not moving it forward is not something that I want to see. If we stay with our preferred Alternative 2, we're going to require that descending devices be onboard all vessels, and nowhere in this document are we saying that you can't use a venting device. I don't think we're discouraging it. I think, with the outreach, we can tell people that, yes, you've got to have one onboard, but, if you're more comfortable -- If you feel comfortable using a venting device, that is permissible.

That way, it would take care of a lot of the concerns that we've got here. Tony will tell you that he doesn't want to be a charter captain and have a grouper or a snapper floating away from his headboat flopping on the surface of the water, because you don't want your clients to see that. I think that the mates are all going to have these things.

With regard to hypodermic needles, if people want to use them, and I don't know that it's a safety-at-sea. You've got usually a rocket launcher of some sort that you've got on the center console boat, and you've got all kinds of knives and all kinds of implements that are in that thing that could really hurt you, and so a hypodermic in a sleeve -- I don't know that it's all that dangerous. I would personally rather be stabbed with a hypodermic needle than I would a j-hook. In any event, Chris is exactly right that we need to move this thing forward.

MS. MCCAWLEY: We've had a lot of good discussion. Chester, I'm going to go back to something that I think you said at the very beginning of this, that whole part about delaying the implementation, the part where it says within six months of implementation, and so would you like to see that language removed? The IPT recommended that it be removed, and, if we're going to remove it, I believe we need a motion to do that.

MS. WIEGAND: I just want to make sure that your motion is clear. The IPT recommended removing it. If you still want that six-month delay, it can still be there, but we just wanted the language removed from the alternative, and that can be dealt with in rulemaking. We can put it into the discussion. If you want to remove it completely and not have a six-month delay, that's fine too, but I just want to make sure that we're differentiating between that and the IPT's recommendation.

MR. BREWER: Christina, this is my thinking. We have been at this for quite a while now, and there has already been a -- The whole idea, and I think Mel was the one that expressed some initial concerns, was that we needed to have some sort of a period of time whereby there could be outreach and education.

Well, while we've been going through this process, there has been outreach and education, and so I don't know that the purpose of the -- I don't know that the six-month delay serves the purpose for which it was originally intended, and it's just another six months, and what we want to do, at least to my mind, is get this thing in place, and let's start doing the research on it, to see how effective it is, so that hopefully, again within my lifetime, it can be utilized in fishery management. That was the goal from the beginning, and I think it's still the goal.

**With that, Madam Chair, I would like to make a motion that we delete the language regarding a six-month delay from Preferred Alternative 2 and Alternative 3.**

MS. MCCAWLEY: All right. Let's get that on the board. Do we have a second for that motion, while it's going on the board? It's seconded by Chris. We have had some discussion on this. Is there any more discussion? This is about removing the within six months of implementation language from these alternatives. Do we need any more discussion on this?

MR. BELL: Recall that it originally started out at three years and went to six months, and the whole concept there was to basically provide a period of time where sort of acclimation for both fishermen and law enforcement to -- Yes, indeed, you don't have to have it on the boat, but there's a period of time, because -- Particularly since the definitions of what it is that they're looking for isn't going to be necessarily all that tight and we're going to require five specific things, and so that's why I thought that would be beneficial.

There's a difference between outreach and education now, when there is no requirement right in front of you, and you can blow it off and not pay attention, but, when the requirement is actually on the books, you've got people's attention a little better for outreach and education. I mean, it's not going to make or break it, probably, either way, in my opinion, and so, if you want to take it out, take it out, but it was designed -- I think there's also a lot of assumptions that, well, law enforcement will just not enforce the law right away.

Well, the law is the law the day it becomes the law, and so certainly agencies and departments can use discretion, in terms of how they approach violations during a ramp-up period, but the law is the law, and they're not going to tell you that. They're not going to say, hey, we're going to not write any hard tickets for six months. They can't do that. The law is the law.

It built in kind of an acclimation period, and then, on top of that, different agencies can do whatever they want to related to their approach for enforcing and how they do it, but that's why, originally, I thought the -- You've got their attention, and it's on the books, and it's coming, and that's the benefit I saw in that. If you don't see the benefit in that, that's fine, but that's where that came from.

MR. WOODWARD: Just to help my memory, if we take final action on this in September, it's likely to have the force of law when?

MS. SMIT-BRUNELLO: If you approve it in September, staff will still need to work on it a little bit before they submit it, and so the rulemaking will just depend on that and how many other things are in the queue and that sort of thing. Maybe, if you want to put in the discussion, or even at the meeting, that you would like to see a sixty-day delay in the effective date or something like that, and we can discuss that then, but I am thinking it would be effective sometime in the first half of 2020, if things are good and things are rolling.

MS. MCCAWLEY: Any more discussion on this motion? **Once again, this is a motion to remove from these alternatives the within six months of implementation language.** Let's take a vote on this. **Let me see a show of hands of those in favor of removing the within the six months language, ten in favor; those opposed, two opposed; abstentions, one abstention. The motion passes.**

Based on all the other discussion that we've had here, is there anyone that wants to change our preferred alternative or do something different here? Our preferred alternative is that it would require a descending device to be onboard a vessel fishing for or possessing species in the snapper grouper fishery management unit. Is there any desire to modify this? Okay.

MS. WIEGAND: If you guys still intend to move forward with your current preferred alternative, this is the definition that we have for descending device, and, since we would like to make sure we've got a final document, with codified text and everything for you in September, is this the definition that you guys are comfortable with?

MR. WOODWARD: I certainly don't want to complicate this thing, but the one thing that the definition doesn't necessarily speak to is -- You know, a descending device only works if it's in combination with weights and other components of it, and, as I read this, and correct me if I'm wrong, I could basically pull out a SeaQualizer in a box, in its package where I bought it, and, as long as I present that, I have complied with the law, as a descending device is defined here.

MS. MCCAWLEY: Well, it says the descending device should be rigged and ready. I wouldn't necessarily say that a SeaQualizer in its packaging is rigged and ready.

MR. WOODWARD: We heard some concerns from the Law Enforcement AP about what rigged and ready really means.

LCDR MONTES: I know that it was addressed earlier when you talked to the State of Washington, and it's kind of up to the best judgment of the law enforcement officer, and there is no real cases for them to reference. I think that, if we leave the rigged and ready in there, it is a little bit ambiguous, but I think it's ambiguous -- It's still clear enough that, if we say rigged and ready, still in its packaging, in its plastic bag, in a cubby somewhere, it's not rigged and ready.

Having it ready for use while fishing is occurring, a second part of that, I think that's -- I don't know that we're going to run into too many issues. I don't know, but maybe NOAA might be able to shed some light on whether or not they would take kind of a judgment call from law enforcement, saying that it was not rigged and ready, and so we're going to say that they're going to get the violation.

MR. WOODWARD: Just the reason I bring that up is do we need to improve the definition of "rigged and ready", to some degree, to at least have some specificity and to what rigged and ready really means? In combination with a weight and a line, or something that will help law enforcement not be in the position of having to make these judgment calls about -- Because, if it's sitting there in a five-gallon bucket with a weight attached to it, but it doesn't have a line on it, and it doesn't have anything else, that is not functional.

MS. MCCAWLEY: What I just heard was they think that they have enough judgement, but I will turn it back over to the Lieutenant.

LCDR MONTES: If I was doing a boarding and they said this weighted bucket is my descending device, but there was no line attached to it, that is not rigged and ready. A reasonable person wouldn't say that that's something that would be rigged and ready for use, and so it definitely would boil down to a case-by-case basis, but does anybody see a way that we can more clearly articulate what rigged and ready actually means?

MS. WIEGAND: While stuff in the discussion isn't necessarily going to be enforceable, the idea that staff had to sort of help this idea of rigged and ready without being so specific that it prevents fishermen from rigging things the way that it's going to work best for them is to include those examples in the discussion of both commercially-available devices and like the milkcrate device that can be made at home and what rigged and ready would look like for those devices, and so there will be examples included in the document to illustrate this idea of rigged and ready.

MR. BREWER: Christina just stated what I was going to ask or state, and I saw that in the discussion here, and I can't remember which group it was, but somebody say, hey, put some illustrations in here, and I think that's a great idea.

MS. MCCAWLEY: Spud, I'm going to come back to you. You were the one that mentioned the weight, and I didn't necessarily think that you were mentioning the weight in relation to the rigged and ready language, and so are you comfortable with this definition, or do you think that a phrase needs to be added about have the proper weight onboard or what?

MR. WOODWARD: No, I'm fine. I mean, I just wanted to make sure that we had some discussion about it, but I think the thing that is important is that these ongoing outreach efforts be communicating to people what this concept of rigged and ready is and that we give them some

guidance, so that they're giving consistent messages to the people they interact with at these symposiums and workshops and things to say what is rigged and ready, so you don't try to make us -- The last thing we want to do is have especially the private recreational boating community get so turned off on this, because they have some bad experiences, and their feelings hurt, because they didn't do it the right way, and so it's all about the message.

MR. CONKLIN: Do you think we should make this a joint amendment with the Gulf, so we can have consistent regulations on both sides?

MS. GUYAS: Well, we've talked about this, and we decided to go the policy route for the time being, and so we developed a policy about venting tools and descending devices and encouraging the use of those tools. In the Gulf, there is a pot of oil spill money that may be available for us to use to purchase these types of devices as part of outreach, and we can maybe do some research into understanding release mortality rates and so on and so forth, and so, long story short, that money is not going to be available to us, or at least my understanding, if we make this a requirement, and so that's not what we want to do right now. We at least want to be able to spend this money, should it be available to us, to be able to get anglers onboard with this concept before we require them to do it and spend a bunch of money to do it, and so that's where we are, and so I would not support that path forward at this time.

MS. WIEGAND: You guys had talked a little bit about the weight necessary, and perhaps I am interpreting this definition different than you all, and, if I am, then it's important that you let me know, but, to me, an instrument that will release a fish at a depth sufficient for a fish to be able to recover from the effects of barotrauma sort of gets at this idea that you have to have enough weight to descend the fish down.

I will note that your Snapper Grouper Advisory Panel did make a recommendation, and they were uncomfortable with this generally thirty-three feet language, and I believe they recommended specifically changing it to should ideally be released at the same depth that it was caught, and so they did suggest that revision, but, to me, that sort of gets at this idea of making sure there is sufficient weight to descend a fish.

MR. BELL: There is perhaps some value in simplicity in this a little bit, given that, if we make it too complex, it just confuses things, but I kind of like the wording that they're using, and it's sufficient to state what it is this thing needs to do, and so, when the young boarding petty officer comes onboard, or one of our guys or whoever -- Because this is what it's going to be. It's a judgment call on the part of law enforcement that, this thing that you're showing me, will it do that, take that fish down. Well, first of all, do you have it or don't you have it, and that's easy, but then the second piece is, what you're showing me, would a reasonable person conclude that, yes, that could actually do that, and simpler is perhaps better, sometimes, and so I like their definition there, myself.

MS. MCCAWLEY: All right.

MR. BREWER: How about a change in the language? I am working in this asterisk, where this thirty-three feet occurs, and it says, for the purposes of this requirement, a descending device means an instrument sufficiently weighted that will release a fish at a depth sufficient for the fish



to be able to recover from the effects of barotrauma, ideally at the same depth that the fish was caught.

MS. MCCAWLEY: We are getting it on the board, and so, Chester, if you wouldn't mind looking up there to see what Christina is typing. While she is typing that up there, I am going to call Erika up here to give us some information about some of the research about where you release the fish, and so this is about the language that the Snapper Grouper AP suggested that says that the fish should be released at the same depth at which it was caught, and so I'm going to let her talk about it, but this will get to the SeaQualizer only has two settings and some other things like that.

MS. BURGESS: Thank you, Madam Chair. I have looked at and read a lot of the research, and I want to present something for the committee to consider here about weighing the benefits of the current definition and the one proposed by the AP. Research has shown that releasing a fish below one atmosphere is effective, and you may not have to go all the way back to the depth of capture to effectively descend a fish and have high survival rates after post-release.

The SeaQualizer device, say someone purchases the one that can release at fifty feet, 100 feet, 150 feet, and that person chooses to fish in 200 feet of water, and they catch a fish, and they only have enough line to return that fish down to 150 feet, and that fish could still be effectively descended and released and have good survival rates, but, if law enforcement were to stop that vessel fishing in 200 feet of water, they would now be out of compliance with the council's regulations.

MS. MCCAWLEY: I agree with that, and so, of the language that Chester just suggested, I like the part that says "sufficiently weighted", which is in all caps there, but I would also tend to agree with what Erika is suggesting, that we get into another nuance here that people are trying to release it at the depth at which they caught it, and I think, in general -- I am just going to let it go. What does the committee want to do?

MR. BREWER: I have got no objection to a little wordsmithing here. I think we're all sort of on the same -- I was trying to go with what the AP had recommended. The idea of thirty-three feet - - Let's see. Ideally, released at a depth which would maximize survivability.

MS. MCCAWLEY: Maybe that's too squishy, and I don't know. While you're thinking about it on this side of the table, I am going to go over here to Lieutenant Montes.

LCDR MONTES: My thoughts on this is having some sort of clearly-defined minimum requirement, like thirty-three feet, where there is science-based -- It's based off of -- There are studies that say that, if you at least get it to thirty-three feet or deeper, then you're helping the fish out.

Then, also, if we want to go with what the AP said, and say, ideally, released at the same depth that it was caught, that then gives people the flexibility that, if they have 200 feet of line onboard, and they can drop it down to 200 feet, then they're good, but we don't discourage people from going into deeper water, by just setting that minimum requirement at thirty-three feet, and that also helps my guys out, where they say that line is not thirty-three feet. Well, how do you know? I measured it, and it's only twenty-five, and it didn't meet the minimum requirements. Then, from there, they can go as long as they want.

MS. MCCAWLEY: Okay, Chester, and so how can we fix that second part?

MR. BREWER: Okay. Let's say --

MS. WIEGAND: I think if we take this, if I understand the committee's intent correctly, if we take this "generally thirty-three feet" and move it up, and so it says something like that we'll release fish at a depth sufficient for them to be able to recover from the effects of barotrauma, generally thirty-three feet, and ideally released at the same depth that it was caught.

MR. BREWER: Perfect.

MS. MCCAWLEY: Yes, I like that.

MR. BREWER: That's exactly what I was going to suggest.

MS. MCCAWLEY: Yes.

LCDR MONTES: My only recommended change is remove "generally".

MR. BREWER: Yes, just take "generally" out.

LCDR MONTES: That way, it's a clear-cut thirty-three feet.

MR. BREWER: A minimum of thirty-three feet.

MR. BELL: The thirty-three feet, we're playing physics now, and it's Boyle's Law, and it's easy to do. You can do the computations for atmospheres and decreasing the volume of the bubble, but the problem with thirty-three feet is, if you've seen the example of the red grouper that was caught in fairly deep water off of North Carolina, and they put it on a descending device, if that fish had popped off at thirty-three feet, I don't think he would have made it, because you could watch what the fish was doing, in terms of recovery from the barotrauma, and so, if the minimum were thirty-three, if you turned that fish loose at thirty-three, for deeper fish, it probably wouldn't have had a recovery there, but the minimum of thirty-three is just simply using physics, and that's where you get a reduction in the size of the bubble.

MS. MCCAWLEY: Okay, and so we've got some new language there that's highlighted in yellow, and so we're tried to address two things here. One is the item that Spud brought up about the weights, and secondly is the comments from the AP. I feel like they are both addressed in there. Chester, can we get a motion to modify the definition, as described here?

MR. BREWER: Thank you, Madam Chair. **I would like to make a motion to modify the definition of "descending device" that was just set forth on the screen to reflect that the descending device must be sufficiently weighted to be able to descend the fish to a minimum of thirty-three feet, or twice the atmospheric pressure at the surface, or greater, and ideally released at the same depth that it was caught.** Thank you, Madam Chair.

MS. MCCAWLEY: All right. Thank you. Is there a second to that? It's seconded by Art. Any more discussion on this definition? **Any objection to approval of this definition? Seeing none, that motion stands approved.**

MS. WIEGAND: I did want to just note one more thing about this action. We didn't get a chance to go over the public comments that you all received during the public hearings, and I just wanted to note that, in general, there is broad-ranging support for this descending device requirement. A number of comments discussed the importance of education, and you had others that supported the use of descending devices over venting, because of concerns about damage that venting causes, and there was support for the SeaQualizer, support for the Fish Saver device, and then you had a number of non-profit organizations, including the Florida Wildlife Federation, the Council for Sustainable Fishing, Pew, ASA, and CCA, as well as the Nature Conservancy all discussing, in one way or another, support of descending devices.

I believe some requested to allow the use of venting devices, which you have already discussed, and then the CCA did note that it's important that there are quantifiable estimates of discard mortality as well, and so I just wanted to note that there was broad-ranging support for this descending device action, and I am now happy to move on to Action 2.

There are a couple of things that we need to go over with Action 2, and this is the action that will modify the requirements for the use of non-stainless-steel circle hooks, and your current preferred alternative would require the use of non-offset, non-stainless-steel circle hooks, and your preferred sub-alternative would have that requirement north of 28 degrees North latitude, which is just a little bit south of Cape Canaveral. It's where the current circle hook boundary is. There is also a sub-alternative under here that would require non-offset, non-stainless-steel circle hooks to be used throughout the South Atlantic, and you've got another alternative here, Alternative 3, that requires non-offset, non-stainless-steel circle hooks onboard, and so the difference between Alternative 2, your preferred, and Alternative 3 is Alternative 2 requires the use of these hooks, and Alternative 3 requires these hooks to be onboard.

Last, but not least, you've got Preferred Alternative 4, which is going to require the use of non-stainless-steel hooks throughout the EEZ, and, before we get into some of the nitty-gritty, there are a couple of sort of just minor editorial changes. You guys might want to consider -- Under Preferred Alternative 2, you can see this language of with hook-and-line gear and natural baits, and this language isn't included in Alternative 3 and Alternative 4, and we can add that in, for consistency, and then, in Alternative 3, and I will let Monica talk about this a little more if she wants, you've got fishing for and/or possessing species, and this idea of possessing species doesn't necessarily fit with the require the use language, and so you might want to consider removing the possessing species from Preferred Alternative and Preferred Alternative 4.

There is an IPT recommendation that we're going to have to have some discussion on, but, first, you have heard the Snapper Grouper Advisory Panel's comments. We didn't get too many comments on circle hooks. There were commenters that supported the requirement for non-stainless-steel hooks throughout the South Atlantic, but were a little unsure about how significant using non-offset hooks specifically were going to be. There was some comments requesting that you continue to allow the use of offset circle hooks, because they are more effective than non-offset circle hooks. The Council for Sustainable Fishing supported no action, and the American Sportfishing Association supported the current preferred alternatives you guys have.

To get into what the IPT discussed, Protected Resources has brought up their concerns about extending the circle hook requirement throughout the South Atlantic EEZ. If you all remember, in the 2016 biological opinion for the snapper grouper fishery, the terms and conditions did request that, if non-stainless-steel circle hooks are determined to be effective at reducing injury and mortality to Nassau grouper, that you consider revision of the regulations to expand the use of circle hooks south of 28 degrees North latitude. Currently, there is that option in there. We would need to modify the language of Sub-Alternative 2b and Sub-Alternative 3b to exclude the yellowtail snapper fishery, but that's a Protected Resources concern, and I can let --

DR. MCGOVERN: The other part of that is that it would make the regulations, if that was selected as -- If 2b was selected as the preferred, it would make the regulations consistent with what is in place in the Gulf of Mexico.

MS. MCCAWLEY: All right. First, I guess let's have some discussion about the with hook and line gear and natural baits that is in the preferred alternative, but it's not in Alternative 3 or 4. I am assuming that we want this in the other alternatives, but I am looking for some discussion on that.

MS. WIEGAND: Here, I went ahead and put this together, to show you what those edits would look like. If you want to remove the possessing from Preferred Alternative 2, since it doesn't fit with this idea of requiring the use of the hooks, and then adding the with hook-and-line gear and natural baits to Alternative 3 and Preferred Alternative 4, to make them consistent with what's under Preferred Alternative 2 and the no action.

MS. MCCAWLEY: Christina, wouldn't we also, in Alternative 3 and 4, need to remove the words "and possessing" in those alternatives also?

MS. WIEGAND: Yes, and so you would want to move it from Alternative 4, because that is require the use of it, and you wouldn't necessarily want to remove it from Alternative 3, because that just requires the hooks to be onboard.

MS. MCCAWLEY: All right, and so is there discussion of what Christina has fixed up here?

MR. SAPP: Just a discussion. One of the concerns that I brought up last time we were talking about this was our deep-drop fishermen that much prefer to fish the offset circle hooks, and the gut-hooking is not an issue with these, because the branch lines on them are so short that it can't get down the hatch. They have a much better hook-up ratio, and they always hook them in the corner of the mouth, and they would be highly offended by non-offset circle hooks being the rule, or I'm sorry, offset. I am getting confused here. It's getting long. They would like to be able to use non-offset circle hooks, please. Don't force them to use --

MS. MCCAWLEY: Who was wanting to use them?

MR. SAPP: Deep-drop fishermen.

MS. MCCAWLEY: Got it.

MS. BECKWITH: I remember that comment that you made the last time, and I chatted with some of our guys off of North Carolina, and most of them sort of thought that the non-offset was already the requirement, and most of them came back and said they were using a 12/0, a Mustad 12/0, and they weren't having any trouble with losing the fish or deep-hooking or anything like that, and so that was their desire. At least our North Carolina fishermen are okay with the non-offset and are not having any issues, deep-dropping or otherwise, and they legitimately think that that's still currently the requirement. They were a little bit surprised when I told them that we were cleaning that requirement up, and they were surprised by that.

MR. CONKLIN: So they were fine with using a non-offset, but were they -- They didn't have any opposition to if we used the offset still?

MS. BECKWITH: (Ms. Beckwith's comment is not audible on the recording.)

MR. CONKLIN: Okay, because I spoke to a fisherman yesterday, and he said that he likes to grouper fish for the big blue runners, and he can't get them on his hook unless he bends it over a little bit to make it easy.

MS. MCCAWLEY: I am going to suggest a ten-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We are on Action 2, and we have some language highlighted on the board. There is some suggested edits for these alternatives, and we were having some discussion about the possession language, and we were having discussion about the with hook-and-line gear and natural baits.

MS. WIEGAND: Just to sort of streamline things, if you guys are good with these sort of minor editorial things, I would like to have sort of a bigger discussion about the protected resources issue, and the Regional Office has submitted some language to change Preferred Sub-Alternative 2b and Sub-Alternative 3b so that it would read "throughout the extent of the South Atlantic Council's jurisdiction, except that other non-stainless-steel hook types may be used when fishing for yellowtail snapper with natural baits", and I can let the Regional Office explain that a bit more, but my understanding is that this would sort of meet the bi-op request to extend the circle hook requirement throughout the South Atlantic for Nassau grouper, while excluding the yellowtail snapper fishery, which is known to have some issues with circle hook use.

MS. MCCAWLEY: Before I go to Rick, I thought that the Gulf only did this for commercial.

MS. GUYAS: That is correct. It's only for commercial in the Gulf, and it's only to a line that is lower than 28, and I don't know what it is exactly, but it's kind of like a no-man's land off of like Chokoloskee off the Everglades, where, if you're fishing in the Keys, you're probably not going north of that line, and, if you're fishing north of Keys, you're not going south of that line, more than likely.

MS. MCCAWLEY: In other words, it's not throughout the entire jurisdiction, and it's just south of the line?

MS. GUYAS: Correct, and it's not even the entire jurisdiction where yellowtail are caught, because they are caught north of the Keys, and just the commercial fishery is centered in the Keys, and so that's where we tried to focus our efforts for this exemption.

MS. MCCAWLEY: Okay. Got it.

MR. DEVICTOR: I do have the Gulf regulations in front of me, and you're exactly right. It's in an area south of the line extending due west from 25 degrees North latitude off the west coast of Monroe County, Florida.

How this came about was Protected Resources staff on the IPT approached Sustainable Fisheries staff and Christina, and we brought it forth to her, and they were looking at the bi-op, and the biological opinion for snapper grouper says that NMFS must examine ways to reduce mortality of Nassau grouper and the potential effectiveness of non-stainless-steel circle hooks on reducing injury and mortality to Nassau grouper. If deemed an effective measure, NMFS shall consider revision of the regulations to expand their current use to include areas south of the 28 degrees North latitude for fishing activities that could incidentally capture Nassau grouper, and so that's a term and condition from the snapper grouper bi-op.

They brought that forward to us, and so we looked at the document, and, of course, that's an alternative currently in the document, and that's Sub-Alternative 2b and 3b that would extend the use of circle hooks throughout the EEZ, but we did point out to them that there's a history to this, and there are concerns for fishermen fishing for yellowtail snapper, and I think we even heard maybe gray triggerfish and mutton snapper, and that this would be hard to put in place, and there would be some opposition to these alternatives.

We suggested, at that time, to add the language that the Gulf Council has in there, as Christina has pointed out, and maybe that would be a more reasonable alternative to have in the document, and so Protected Resources recommends the addition of that language to 2b and 3b, and they also recommend that they be the preferred alternative, but that's something we can deal with in September.

MS. MCCAWLEY: All right. Now are we ready for a motion to accept that language?

MS. BECKWITH: **I would be happy to make that motion to accept the suggested language.**

MS. MCCAWLEY: It's seconded by Chester. All right. Any more discussion on these edits? We're doing a number of things here. We are addressing the Nassau biological opinion, and we're removing the possession language from a couple of alternatives, and we're adding in the with hook-and-line gear and natural baits language. Does everyone understand what we're doing? All right. **Any objection to this motion?**

MR. SAPP: Again, like I said, the non-offset circle hooks are an issue, and then there's also a jig fishery that does use natural bait in with that jig bait that has to be a j-hook, and they don't work with circle hooks. It's not common, but it's out there still, mostly in the Keys, and it's a problem.

MR. DILERNIA: It shouldn't be a problem. It's when you're fishing with bait, you use a circle hook. When you're fishing with artificial, you can have it on the jig, and you would have the j-hook.

MR. SAPP: I agree, but they adorn the jig with a ballyhoo or a Spanish sardine or a squid, and now we have the problem.

MS. MCCAWLEY: Let me be clear. This motion, which we technically haven't approved yet, is just to add this additional language in here. **It's not necessarily to choose the preferreds or vote that up or down, but it's just to add the language, and so is there any objection to adding this language? Seeing none, that motion stands approved.** Do we want to change our preferred alternative? Remember that we're trying to finalize this at the September meeting.

DR. MCGOVERN: **On behalf of Protected Resources, I will make the motion to select Alternative 2b as preferred.**

MS. MCCAWLEY: All right. Is there a second for that? It's seconded by Chris. **Technically, the motion is to de-select Preferred Alternative and select Sub-Alternative 2b.** Remember that we also have Alternative 4 as a preferred. While she is typing that up there, let's get some clarification.

MS. BECKWITH: If I heard you right, you are concerned about the jigs with the j-hooks and people putting natural bait on that, but I think that's different than having a circle hook with natural bait, and so I don't know that this would not allow that, and so, if you have a circle hook, and you're using natural bait, and you're just deep-dropping with a circle hook and natural bait, then it has to be a non-offset circle hook, but I think, if you're using a jig with a j-hook or whatever, with a piece of natural bait, I don't know that this would not allow that.

MS. WIEGAND: The Sub-Alternative 2b is going to require the use of non-offset, non-stainless-steel circle hooks when fishing with hook-and-line gear with natural bait, and so, if you're using hook-and-line -- Yes.

MR. BREWER: At the Fishing Club, we went round-and-round with this, and, if you are using any kind of natural bait, you've got to use a circle hook. If it's not natural bait, in other words a jig, you can use a j-hook, and you almost have to have that bright line between natural and artificial bait. From the standpoint of enforceability, I think that's the way to go. I realize there may be some people that are going to have to adjust their fishing techniques, or their rigging techniques, but I think that bright line is important.

MR. DILERNIA: Chester, what do you do with gulp? Is that artificial or that natural bait? What happens if I just put a gulp on a hook, like we do up north nowadays with the summer flounder or for black sea bass? You just put a piece of gulp on it, and is that natural bait, or is that artificial?

MR. BREWER: Well, what we do is we take our artificial bait, and we have a little tub of that nasty stuff, and we dunk our artificial bait in there, and that's still an artificial bait.

MR. DILERNIA: So you could put gulp on a j-hook, and it would be legal?

MR. BREWER: On an artificial bait, you can put gulp on it, and it's legal to use with a j-hook. Yes, sir.

MS. MCCAWLEY: Were there more comments on this?

MR. DILERNIA: The function of the circle hook is to hook the fish in the jaw and hinge and to prevent gut-hooking, and that happens with natural bait with a j-hook. The fish swallows your hook, and you will gut-hook in the esophagus and the stomach, but, with natural bait with a circle hook, when you go to set it, it slides out, and only when it hits the hinge of the mouth does it hook. That's the function of the circle hook, is to prevent the gut-hooking. Using the gulp on a j-hook defeats the purpose of the function and the concept of a circle hook. I am strong advocate of circle hooks, and I believe they are probably one of the best things that we can use. That's all. Thank you, and I promise to be quiet from now on.

MS. MCCAWLEY: I don't believe you. All right. Any more discussion on this motion? **Once again, this is a motion to de-select Sub-Alternative 2a and select Sub-Alternative 2b as the preferred. Let's see a show of hands of those in favor of this motion, which is selecting a new sub-alternative. Those in favor, hands high, nine in favor; those opposed, three opposed; abstentions, one abstention. The motion passes.**

MS. GUYAS: I just want to note that, if you want to be completely consistent with the Gulf here, you would probably want to say commercial yellowtail snapper, or fishing commercially, and I'm just putting that out there for you all's consideration.

MS. MCCAWLEY: I will look over there to Rick DeVactor.

MR. DEVICTOR: Our intention was to do it for both recreational and commercial, is what we were thinking, because that's what this action pertains to, correct?

MS. MCCAWLEY: Technically, it's not consistent with the Gulf, and I just wanted to put that out there. Okay. Got it. We're just being clear. Okay. I think that we're done with this action. Know that we have two preferreds. We have the one we just selected as well as Preferred Alternative 4. We are going to move on to the next action.

MS. WIEGAND: And last, but certainly not least, and it's the adjustment to powerhead prohibitions in the South Atlantic region. Currently, powerheads are prohibited in federal waters off of South Carolina, and your current preferred alternative would allow the use of powerheads for the harvest of snapper grouper species in federal waters off of South Carolina for all sectors, and this would make it consistent with other federal waters in the South Atlantic.

You have heard comments from the advisory panels already. For public hearings, we got a number of commenters that felt that powerheads were important for the safety of divers and that they are an efficient method of harvest with zero bycatch, and there was one commenter that expressed concerns about the impact that commercial diving was having on grouper and hogfish populations and that, if you accidentally powerhead an undersized fish, you can't really release it. Then another note that powerheads should be carried for self-defense, but should not be used to harvest fish, because it detracts from the skill needed for the sport, and so general support for the use of



powerheads off of South Carolina and then a couple of comments with concerns about sportsmanship and undersized fish.

Like I said, your current preferred alternative is to allow powerheads to harvest snapper grouper species in waters off of South Carolina, to make it consistent with other areas. If you are still comfortable with that, then -- We just wanted to make sure that we always go over it.

MS. MCCAWLEY: All right. Are we comfortable with that?

MR. GRINER: Well, I think the Snapper Grouper AP had a pretty robust discussion, and there were some interesting things that came out of it, and I don't want us to get lost on that. Nobody wants to take the powerheads away as a safety issue, and so that really shouldn't be an issue at all, because what we're really talking about here is just using them to harvest snapper grouper.

I am not so sure that there really is a place for the powerheads in the snapper grouper fishery anymore. I think that the powerheads are very disruptive to the ecosystem that they're being used in, and I think those percussions are pretty substantial, and I think it allows them to easily target fish that would not be targeted with a spear, and not many guys are going to stick a spear in a hundred-pound grouper, but they certainly will shoot one. Personally, I am leaning towards just taking the powerheads out of the fishery. You can have them as a safety factor, and that's fine, but, as far as going down there and taking grouper with them, I am starting to lean away from that.

MR. BREWER: Tim, I agree with you. I don't think they have a place in the fishery anymore, except for maybe banging a shark or something that's coming after you, but, for the time being, let's get South Carolina the same as everybody else, and then we can revisit it, and I will be happy to support you, but revisit the issue of powerhead use in general in the South Atlantic.

MS. MCCAWLEY: All right. Based on that discussion, someone either needs to make a motion to choose a different preferred alternative or we're moving on with the preferred that would allow the use off of South Carolina.

MR. BELL: I would move that we maintain what we've got and do what it was that we started to do in the first place.

MS. MCCAWLEY: Any more discussion? Okay. Any more discussion on this? Okay. Back to Christina.

MS. WIEGAND: This is all we needed for this amendment. I do want to make one note. You guys have talked a lot at this meeting about the outreach that is needed for descending devices and how many you should have onboard and when it's appropriate to vent and how to properly vent, and just sort of the importance of outreach associated with this amendment, and so I just want to let you guys know that, in September, we're going to be planning on having a pretty in-depth discussion with you all on what you would like outreach to look like that's coming from the council.

I would also encourage you all to look at some of the efforts that the council has already done, and we've been working with FishSmart, with the South Carolina Wildlife Federation, to put out information on descending devices and barotrauma, and there is also information on our website.

If you don't know how to access any of that, let me know, and let Cameron know, and we'll make sure that you know where all of that information is, but I encourage you to look at all of that in preparation for the outreach discussion that we're going to be having in September.

MR. BELL: I just looked at it briefly, but I think FWC is doing a good job there, in terms of talking about both of these tools and here's how you use them and the benefits, but you all are already doing that as well, but, I mean, you can learn from some of the programs that exist, but there is all kinds of outreach.

The other thing I would ask is that maybe it would be useful to come up with something that ends up being a brochure or something and include law enforcement, because law enforcement -- I heard them say, and everybody has said, that education and outreach is important, and a lot of -- When they encounter people, it's an educational, teachable moment sometimes, and so, again, we're not going to do the delay aspect, and that's fine, but, if they've got something that they can use as a tool to pass out, that might be beneficial, however that's developed, and I know that costs money, and maybe it's not there, but maybe somebody would fund that or something, but I think making sure that enforcement is included in the materials that are there for outreach, because they're going to be talking to the fishermen first, in some cases, when they have an encounter and either you have something or you don't have something and here's what you should know, and so I would just ask that maybe you include them in whatever we do.

MS. MCCAWLEY: All right. Any more comments right now about outreach? Otherwise, we will talk about it in September. All right. Thank you. We're going to move on to our next item, which is the red grouper rebuilding.

MR. HADLEY: I will start off the discussion of Regulatory Amendment 30, which is aimed at red grouper rebuilding, and this is just a quick overview of the amendment and tracks the material that's in the decision document. Just a refresher from what the council did it March, we reviewed actions and public comments and the Snapper Grouper AP recommendations, and this amendment is also scheduled for discussion and potential final review at this meeting, and this was pending the outcome of the SSC's review of the MRIP revision stock assessment, which we have discussed at the past several meetings.

In the meantime, between the March meeting and this meeting, the SSC met and reviewed the revised stock assessments, but they did not accept the assessments as the best scientific information available. The SSC deemed the assessments not useful for making catch level recommendations at the current time, and so the ABC recommendations based on the previous, or most recent, stock assessments still stand. With this guidance, we were able to use the projections from SEDAR 53 that we have reviewed and incorporate them into the amendment, where appropriate.

As a reminder, this amendment does have a statutory deadline, and this is specifically regarding the rebuilding schedule for red grouper, and this needs to be revised before September 27, 2019. Looking at potential timing of the amendment, at this meeting, we'll be reviewing the amendment and making a couple of changes to the purpose and need and some actions and alternatives, and the council may take final action at this meeting and send the amendment for secretarial review.

Looking at what needs to be done, we'll run through the decision document, and there is a couple of very minor edits that the IPT had suggestions for the purpose and need statements, and then

we'll get into the actions and alternatives, and there is a minor suggested edit to Action 1, and then there are a couple of items that we'll take a minute to request additional discussion on, and the first being the discussion of not extending the spawning season closure to Georgia and Florida for red grouper. Currently, it covers North Carolina and South Carolina, and so this covers Action 2 and 3, and we'll get into that in more detail at that time.

Then the second sort of discussion item is the intent of the commercial prohibition or retention of red grouper off of the Carolinas in Action 3, and the reason that we're going to ask for a little bit more discussion there is just making sure that the regulations are reflective of the council's intent, and, finally, there are additional updated analyses for Actions 3 and 4 that we will review, and, finally, consider approving the amendment for formal review.

As a reminder, there are four actions in this amendment, and the first one revises the rebuilding schedule for red grouper, and this is aimed at satisfying the statutory requirement that is driving this amendment. Actions 2 and 3 cover extending the spawning season closure, or modifying the spawning season closure, for red grouper in the Exclusive Economic Zone off of the Carolinas, and so North Carolina and South Carolina, and then Action 4 establishes a commercial trip limit for red grouper harvested, and this would extend throughout the South Atlantic EEZ. With that, are there any questions, or should I go ahead and jump into the decision document? All right.

With that, the first stop in the decision document is I will go over the purpose and need statements. As you can see highlighted here, it was the suggestion of the IPT to add the word "framework" in front of "amendment". Otherwise, it is the same purpose and need that you have approved at the previous meetings. With that, I will stop and see if there are any other suggested changes, and, really, at this point, what we're looking for is approval of the IPT's suggested edits.

MS. MCCAWLEY: All right. Are there any other changes here for the purpose and need? If you don't want any changes, I need a motion to approve the IPT's suggested edits.

MR. HAYMANS: **So moved.**

MS. MCCAWLEY: Motion by Doug and seconded by Chris. **Is there any objection to approval of the IPT's edits for the purpose and need statements? Seeing none, that motion stands approved.**

MR. HADLEY: Thank you. With that, we will jump into the proposed actions and alternatives, and so Action 1 would revise the rebuilding schedule for red grouper. Currently, the rebuilding schedule is set at the maximum time period allowed to rebuild, or T<sub>max</sub>, and this is equal to ten years. However, it ends in 2020, and 2011 was year-one. The red grouper stock will not rebuild by 2020. Therefore, we were looking at different alternatives to revise this rebuilding schedule.

Alternative 2 would revise the rebuilding schedule to equal the shortest possible time period to rebuild in the absence of fishing mortality, and so this is otherwise known as T<sub>min</sub>, and this would equal five years, with the time period ending in 2024, and 2021 would be year-one. I will come back to these suggested edits in just a minute, once I run through the alternatives.

Alternative 3 would revise the rebuilding schedule to equal eight years, with the time period ending in 2026, and 2019 would be year-one, and Preferred Alternative 4 would revise the rebuilding

schedule to equal the maximum time period allowed to rebuild, otherwise known as Tmax, and this would be equal to ten years, with the rebuilding time period ending in 2028. As with Alternative 3, 2019 would be year-one.

Here again, this action is aimed at satisfying the statutory requirement to revise the rebuilding schedule for red grouper, and, just as a quick reminder, Tmin and Tmax are set according to guidance in National Standard 1, and Tmin is defined as the amount of time the stock or stock complex is expected to take to rebuild to its MSY biomass level in the absence of any fishing mortality, otherwise known as F equals zero, and, under a long-term recruitment assumption, this is five years, and so that's where that Tmin was specified as five years in Alternative 2.

NS 1 also specifies the guidance for Tmax, and so, by default, if Tmin for the stock or stock complex is ten years or less, then Tmax is ten years, and so this is where Preferred Alternative 4 comes from, and so that's the upper boundary, and Alternative 3 is the midpoint between Tmin and Tmax.

The one suggested IPT change in Alternative 2, where 2020 is chosen as year-one, was made because, essentially, in this scenario, there would need to be no fishing mortality, and, in this circumstance, there would need to be a change implemented in the fishery to create the scenario where there is no fishing mortality. Therefore, the earliest that this could be implemented would be 2020, feasibly. However, with the revised ACLs that were put in place under Abbreviated Framework 1 that went into place last year, the current ACLs are below that of what would be necessary to rebuild the stock under long-term recruitment, under eight years or ten years, and so, in other words, these scenarios currently exist, and so that's why we have 2019 for Alternative 3 and 4, and so that's the rationale for the suggested change right here in Alternative 2.

Very quickly, in general, prescribing less time to rebuild the stock could result in lower ACLs. However, there could be greater long-term biological, economic, and social benefits from rebuilding the stock in a shorter timeframe. On the other hand, the red grouper stock has exhibited low recruitment in recent years, and lack of stock rebuilding may be due to ecosystem-related factors rather than fishery-related factors directly, and so a longer time period for the stock to rebuild, as is the case in your Preferred Alternative 4, better accommodates the uncertainty relative to stock productivity and gives some time where those ecosystem factors may change in a favorable manner.

The IPT-recommended changes were -- I showed you those in Alternative 2, and there were no public comments on this action during the public hearings of this amendment. However, at the subsequent meeting, at your December meeting, you did receive two public comments that were both in support of the council's preferred alternatives for all actions in the amendment. With that, we are looking for approval of the IPT's suggested edits.

MS. MCCAWLEY: All right. The IPT edits are in Alternative 2, and I would need a motion to approve the IPT's suggested edits.

MR. CONKLIN: **So moved.**

MS. MCCAWLEY: Motion by Chris and seconded by Doug. **Is there any objection to approval of the IPT's edits to Alternative 2? Seeing none, that motion stands approved.**

MR. HADLEY: Moving on to Action 2, there is a -- This action would modify the seasonal prohibition on recreational harvest and possession of red grouper in the EEZ off of North Carolina and South Carolina. Under Alternative 1, there is the current shallow-water grouper closure from January through April throughout the South Atlantic region, and this covers multiple shallow-water grouper species, including red grouper.

Under Preferred Alternative 2, this shallow-water grouper closure would remain in place. However, there would be a revision of the shallow-water grouper closure for red grouper only, and only off of the EEZ off of North Carolina and South Carolina, and your current preferred alternative would cover January through May, and so, essentially, you're adding the month of May to that spawning season closure for red grouper off of the Carolinas.

As a reminder, this action was moved in from Vision Blueprint Amendment 26, and I will get into it in a little bit more detail, but we have a table for you that graphically shows this, but, off of North Carolina and South Carolina, spawning activity of red grouper occurs from February through June, with a peak in April. However, off of east Florida, spawning activity occurs slightly earlier, and it occurs from January through May, and so there is some spawning activity into May. Under Alternative 1, it does capture a large portion of the spawning activity for red grouper.

In general, I will go into the tables here, and this shows some of that information. What we have here is Table 1, and this is the first row here, and it's the spawning activity for red grouper throughout the South Atlantic region, and you have it as January through June, with a peak in April, and then, under your different alternatives, the shaded boxes show which months would be covered. There again, the different spawning activities that are occurring in North Carolina and South Carolina from February through June, with a peak in April, and then east Florida is spawning occurring in January through May.

Looking at the projected changes for the recreational sector, we're looking at a range of forty to eighty fish. For Preferred Sub-Alternative 2a, you're looking at a reduction of forty fish, and it's a relatively small portion of the recreational landings of red grouper in the South Atlantic, approximately 0.2 percent, and the estimated consumer surplus value of this is approximately \$4,200, and so that's the economic value estimate.

I will remind the committee that red grouper is scheduled to -- According to the new ACLs that were put in place by Abbreviated Framework 1, there is likely going to be a season closure for red grouper, likely later in the summer, according to the projections, and so anything that may delay the harvest of those species may delay that closure as well.

Looking, again, at the Snapper Grouper AP recommendations, there was a motion passed to include all four states in Sub-Alternative 2d for red grouper only, and so extend that to the South Atlantic range.

Again, looking at public comments that were received, a commenter from the Florida Keys maintained that every grouper caught during the full moon in April is in spawning condition and consider extending the closure through May. A commenter from Wilmington stated that shallow-water groupers in North Carolina spawn in the May to June timeframe and consider adjusting the spawning season closure accordingly, and a commenter from Cape Hatteras expressed support for

extending the closure on red grouper through May, and one commenter from Florida said that the spawning season closure could be revised to incorporate the months of May and June, potentially dropping January and/or February. There again, no comments were received on this action during the public hearings. However, there were two public comments received afterwards that were in support of all of the council's preferred alternatives.

With that, there is no required committee action on this action. However, it is requested that we have a little bit more discussion on the rationale for not including Florida and Georgia from the extended spawning season closure, and I will scroll back up to the table here, noting that there is spawning activity noted for red grouper off of east Florida in the month of May. However, there is also evidence that spawning activity occurs earlier in Florida than it does further north in the region.

MR. HAYMANS: I can only add that the MARMAP stuff that Marcel presented us today and in times past just doesn't show the current red grouper in any kind of numbers off of Georgia, and add that to the fact that, in the last ten years, we have had them show up one time in MRIP, and no commercial landings in the last ten years for them, and I don't see the juice to be gained from closing it off of Georgia, for that one fish that may occur.

MS. MCCAWLEY: I agree, and so, off of Florida, I believe that we have four of the five peak months closed, and, to me, this action is also closing four of those five peak months off of the Carolinas, and so I consider it an equitable action for what's already in place in Florida. Does anybody want to change the preferreds or go with the preferreds that we already have? I don't see anybody that wants to change that. All right. On to the next action.

MR. HADLEY: All right. Moving on to Action 3, this is a similar action, but it would cover the commercial sector, and so it would modify the seasonal prohibition on commercial harvest, possession, sale, and purchase of red grouper in the EEZ off of North Carolina and South Carolina. You have the same alternatives and sub-alternatives for this action as well, with your preferred sub-alternative being 2a, which would extend the spawning season closure, in this case for the commercial sector, for red grouper off of the Carolinas.

Again, the background information is this was moved from the vision blueprint amendment, Regulatory Amendment 27, and, really, there is the same information, as far as spawning activity that is occurring, and so I won't go over that again, since we just discussed it, but, looking at some of the projected changes in commercial red grouper landings, you're looking at a reduction of approximately 6,800 pounds of red grouper, gutted weight, and this is approximately 13 percent of the total red grouper landings in the South Atlantic region.

Looking at some of the revenue estimates for Preferred Sub-Alternative 2a, you're looking at approximately a reduction of \$32,000 in gross revenue, and so this is the equivalent to ex-vessel value that has typically been shown, and then estimated change in net cash flow, and so this is sort of profit to the business, so to speak, of approximately \$13,000 and an estimated change in net review of approximately \$7,500, and this is looking at an estimate of economic value, and I will be happy to field any questions on that. You will get a presentation on where these numbers are coming from, and this is the application of the economic report on the snapper grouper fishery that the Southeast Fisheries Science Center recently completed. Just a reminder is there are no

projected closures for the red grouper fishery in the South Atlantic region under any of the alternatives.

The Snapper Grouper AP made the same motion, to include all four states in Sub-Alternative 2d, and so to cover the entire South Atlantic region. Looking at the public comments received, one commenter from North Carolina thought that red grouper should be managed as a bycatch fishery until the stock rebounds, suggesting no changes to the spawning season closure, but a hundred-pound trip limit and also noted that the spawning season closure for one species could result in increased regulatory discards. Two commenters from North Carolina stated support for the preferred alternative and suggested a small trip limit of approximately 200 pounds, to help rebuild the fishery. One commenter expressed concern over conflicting regulations between the Carolinas and Georgia and Florida and suggested no changes to the spawning season closure, but a hundred-pound bycatch trip limit, and a commenter from Florida said that the spawning season closure could be revised, there again to incorporate the months of May and June and potentially drop January and/or February.

The committee action here, we're asking for considering the updated analyses, to make sure that you're still okay with your preferred alternatives, and, also, it's being requested that we have a little bit more discussion on the intent of the commercial prohibition for red grouper off of North Carolina and South Carolina, and this is really in regard to the possession, purchase, and sale, and one of the reasons that we're asking this is we want to make sure that the codified text reflects the council's intent,

I will scroll back up to the actions and alternatives, but it was our understanding that the intent of the council was to prevent commercial harvest and possession of red grouper while in the EEZ off of North Carolina and South Carolina. However, there were some questions on the intent of the council in regard to transit, essentially, of red grouper legally caught in Georgia, but offloaded in South Carolina, and so circumstances like that, and I will turn it over to Shep, if he wants to weigh-in a little bit more on that aspect.

MR. GRIMES: Thank you. Just provide some detail, and the regs that are in your briefing book, and it's all about the sale stuff, and they prohibit the possession or sale of red grouper, and this is just red grouper, just the month of May, and so you have the shallow-water grouper closure, and so what do you want, in terms of the sale prohibition in May?

If you're not allowed to fish for, harvest, or possess fish in the Exclusive Economic Zone off of North Carolina, that's straightforward enough, but, if you're just prohibiting sale, which the draft regs do, and you're limited to the EEZ off of North Carolina and South Carolina, nobody is selling fish in the EEZ off of North Carolina and South Carolina anyway, and so we're going to have to change the reg text that's in your briefing book now, but what do we want it to say?

Do we prohibit the sale of all North Carolina and South Carolina red grouper, and so is it all fish that were harvested from or possessed in the EEZ or state waters off of North Carolina and South Carolina? Do we just prohibit that sale, or is it all South Atlantic fish, and so you're prohibiting all red grouper possessed or harvested from the South Atlantic EEZ, and are you following me?

The language in the alternative says basically extend the timing of these restrictions in North Carolina and South Carolina, but the existing restrictions are all South Atlantic grouper, and I

presume, and what it seems to me that you want to do, is you're worried about -- You don't want harvest of red grouper off of North Carolina and South Carolina, and you don't want those grouper being sold, consistent with the existing restrictions, and so you could still have a red grouper lawfully harvested off the State of Florida, for instance, during May that is brought to North Carolina or South Carolina and legally sold there, or do you, I guess is the question.

MS. MCCAWLEY: Good question, and so I'm going to go to Mel and then Tim.

MR. BELL: The concerns over the health of the red grouper were originally brought to us in North Carolina, primarily, initially, by North Carolina commercial fishermen, and the concern was the fishing off the Carolinas, and we were kind of fixing this, and it started out just as red grouper, and now it has contracted to specifically red grouper off of the Carolinas, but I don't think they were thinking about -- I would ask dealers in North Carolina, but I don't think they were necessarily thinking about -- They weren't worried about the Florida fish. They were worried about the fish that they were seeing.

If you catch fish legally in Florida, and you land them in North Carolina, I don't think that was part of kind of the original consideration. I mean, the original problem, if you will, that was presented to us was the condition of the fish in our waters up there, and that was how we got into this, and so I don't know what the thinking would be from folks that are kind of wheeling and dealing in the fish world.

Now we've drawn a line, and we've said, south of that line, we're going to allow the harvest, and I don't know that the fact that they might be landed in North Carolina really hurts the intent, the original intent, which was by the fishermen that brought it to us, and so I am kind of ambivalent, but I just wanted to state that for the purpose -- How this all started was a Carolina issue that we were brought, in terms of the condition of the stock up there, and that's how we started down this trail.

MR. GRIMES: I don't think it takes a great deal of discussion. I mean, it seems to me that the most logical thing, given what you're trying to do, is you do exactly what you have in place now for the rest of shallow-water grouper, April through May, except it's only in North Carolina and South Carolina, which means no fishing for, harvest, or possession in the EEZ, in federal waters, and then federally-permitted vessels, just like it is now, they can't harvest, fish for, or possess in state waters during May, because that's what you have in place for shallow-water grouper in January through April.

I mean, that just adds some added layers of complexity to it, but we're only talking red grouper, and we're only talking North Carolina and South Carolina, or for permitted vessels, federally-permitted vessels, in state waters off of North Carolina and South Carolina, which would make it exactly like the existing shallow-water grouper closure, except for the geographic limitations.

MR. GRINER: I have had a lot of discussion with some other commercial guys, and, in looking back at my own experience here during this past May, I have kind of rethought this a little bit. Originally, we did have the problem in May, and we were encountering a lot of fish in spawning condition, but we were encountering a lot of them, and we were actually targeting them, and we were doing 800 or 900-pound trips of red grouper. That is simply not the case anymore.



I am kind of thinking now that we may do ourselves more harm by shutting this down in May. We're still going to be scamp fishing. This May, we targeted scamp grouper, and we encountered red grouper. We didn't encounter a lot of them, but we were encountering them up to about 200 pounds a trip, and we were able to keep them, and so I'm really thinking now that the benefit you're going to get from that May closure, the 13 percent, or the small amount that you think you're going to get, we may lose some of that just in discards, and we're going to have discards, and so I'm not so sure that we're really gaining that much.

I really think now that, by implementing this 200-pound trip limit, we're really going to accomplish what we wanted to accomplish with the red grouper rebuilding, and no guys are going to target it, but they are going to be allowed to harvest them while we're scamp grouper fishing, because we're going to encounter the ones that are there.

We are not encountering them in big numbers, and I don't think this year we saw -- We did see some mixed sizes this year, and we actually didn't see every single fish in spawning condition, and so I'm not really sure that we're really going to do what we think we are with this and that Alternative 1, no action, really may be our best bet, if we're going to put a 200-pound trip limit, as we're going to discuss in the next action, and so I'm kind of leaning to go back to the closure as it stands now and implementing the 200-pound trip limit.

MS. MCCAWLEY: If that's the case, would you like to make a motion to change our preferred alternative?

MR. GRINER: **Yes, I would. I would like to make a motion to change our preferred alternative from Alternative 2 to Alternative 1, no action.**

MS. MCCAWLEY: Is there a second to that motion? It's seconded by Chris. It's under discussion.

MS. BECKWITH: I am going to struggle with this one, because -- I don't know what Mel said, but I'm assuming that he said a bit of the history that we got from visioning, that this was something that -- Really, it was the commercial guys that brought it to our attention, and so I can appreciate that those same folks may have changed their minds somewhere along the way, but I am just trying to conceptualize, because I didn't know this was happening, and I would have had some time to think about this, and I'm just kind of thinking out loud and trying to figure out what the reception of this is going to be if we have a recreational closure through May, but the commercial is open, and so does anybody have any thoughts on how that's going to go over?

MR. POLAND: I have some colorful thoughts about how that's going to go over, but I won't say them on the record. It involves a shirt, but I can't support this. I mean, I have had numerous folks call me from the commercial sector and advocate for a closure all the way to June off of the Carolinas, citing the same things that Mel said, as far as spawning condition fish, and I am sympathetic that there will be discards, especially in that scamp fishery, like Tim stated, but I look at -- What are we saving? Is it 6,700 or 6,800 pounds, just for the month of May, and, if we scroll down to the next action and look at the trip limits, a trip limit will help control harvest, but almost 81 percent of the commercial trips in the South Atlantic land less than seventy-five pounds, and going to a 200-pound trip limit -- I mean, what's the reduction? 8 percent? I don't think that that's really going to take care of that. That's my thoughts.

MR. BELL: Just for the record, this pre-dates visioning. We weren't even into visioning. This goes way back to the New Bern meeting, whatever year that was, and, at that point, both the fishery-independent and fishery-dependent data were scary, that long ago, and nothing has really gotten better. I mean, we saw the fishery-independent data from MARMAP today, and I couldn't support this at this point.

MS. BECKWITH: I am just trying to think if there's a way around this for me, and I agree with Steve that the 200-pound limit isn't going to do it, at least for May, but I'm sensitive to the potential discards for scamp, although scamp is not doing that great either, and so I don't know if it's worth considering a seventy-five-pound or a hundred-pound limit for the month of May, to deal with some of those discards and still reach that balance where we can have that discussion, where we're taking care of discards, but limiting catch on those fish. I am just thinking out loud, because, at the moment, I can't support this motion, and so, if there's a way around to a happy medium, I might be able to consider that.

MR. GRINER: I thought about that too, Anna, and I am not opposed to that either, and I think that may be a good happy medium. I think, if you're going to close it in May, I just don't want to see all of these discards in May, and that's what we're going to have. We're going to have discards, and so, if you did -- Instead of the 200, if you did 100 pounds, to make it an easy number to deal with, I think that would work as well.

MS. MCCAWLEY: Anna, just to follow-up with what you're saying, in order to get to what both of you were talking about, you would vote this motion down and leave May -- Well, it would actually be in the next alternative. We would have to modify the next alternative, and so you would not close May, and so you would support this motion, because you wouldn't want May closed, and then you would change the commercial limit in the next action during the month of May, and is that how this would work?

MS. BECKWITH: Yes, in theory, and I would consider -- I guess I am debating between the seventy-five and the 100 pounds, and I'm sure that it doesn't make a huge difference. What was the amount of the average catch, Steve? So 81 percent of the catch was under seventy-five pounds, and so I would support the seventy-five-pound gutted weight option for May, but they've got stuff.

MR. SAPP: Again, North Carolina problems are causing Florida major issues. There is a group of fishermen that --

MS. BECKWITH: This is only for North Carolina.

MR. SAPP: That's what I'm saying. Is that? Because, if we move down to the next one, it's not only for North Carolina, is it? The next one is everybody, the one where you're talking about Sub-Alternative 2d, where it's 200 pounds gutted weight. That's everybody, except North Carolina, who is closed.

MS. MCCAWLEY: Are there other folks that want to speak on this?

MR. CONKLIN: That's what I was going to say, that the next action affects the whole coast, and if we could just leave May closed and just stick with the 200, that we've talked about a bunch, but,

I mean, unless there is some sort of a way that you can do a lower limit just in May and then let us go back to -- If that's your intent, then I would be onboard with something like that.

MS. MCCAWLEY: Let me make sure that I understand what you guys are suggesting. It's that then you would go into Action 4, and, instead of changing the trip limit for everybody, you would just say, in the month of May, in the Carolinas, the trip limit is seventy-five pounds, and so it's another alternative added and a preferred chosen for the month of May in the Carolinas, and is that what you're suggesting?

MS. BECKWITH: If that's the route we went, if Mel felt comfortable with that as a happy medium, it would certainly delay this amendment.

MS. MCCAWLEY: We wouldn't be able to take final action at this meeting, if we do this, and, if we don't take final action at this meeting, we're not going to meet the statutory deadline, and is that right? What happens if we don't meet the statutory deadline? Let me look over here.

MR. GRIMES: Well, that's a bad thing. We have talked about this before, and there's been a lot of delay associated with this amendment, but what is additionally a little funky about this is, in terms of the rebuilding schedule and the statutory timeline, Action 1 is the only thing in this document that is directed towards rebuilding, right?

The other stuff that's in here, the spawning season closure and the trip limit, those are just additional things you put in, and you already lowered the ACL to a point where we should be achieving -- We should be on trajectory to rebuild within the timeline established within your preferred alternative, and so those other things aren't necessary to satisfy the legal requirements relative to rebuilding.

I hesitate to have these words even come out of my mouth, but I would rather see you move forward with Action 1 and do the other stuff on some other timeline than to delay this any further. I mean, there is clear legal risk associated with it. We're pressing it significantly as we stand now, and further delay is, I would say, ill-advised, at least.

MS. MCCAWLEY: Thanks, Shep. That's the kind of information that we needed, and I agree with you. I would like to see, at the very least, that item move forward, but remember, folks, that we grabbed some of these items from other amendments and dragged them into this amendment, because we thought let's put all the red grouper items into one and move that forward. I guess I am just unclear what the pleasure of the committee is about doing this, and maybe we work on this motion and figure out if we're going to vote it up or down, and then that determines whether we're sticking with this amendment on this timescale or not.

MS. BECKWITH: I can't vote up or down on this motion until I know -- I mean, I would have to vote this down, if I didn't have the rest of the plan forward, and so I don't know if -- I guess I'm looking to Mel. Do you have any thoughts on that seventy-five pounds? Is that worth pursuing, or are you just not in on that?

MR. BELL: My take on this is the New Bern meeting made an impression on me, because a bunch of guys showed up, and they were speaking very impassioned about what they were seeing, that long ago, and it hasn't gotten better, and Jack Cox isn't here, but I know Jack was on the council

at that point, and there was concern that we needed to do something, and we needed to do it now. What I guess Shep is saying is Action 1 simply keeps you street-legal, on paper or whatever, but what are we doing to really reduce harvest at particularly the guys were telling us that we needed to back off of these fish? It just seems like, if we're kind of backing away from that, we're not addressing the original intent. Action 1 may keep us legal, but I don't want to slow this down. If you've got a compromise, then fine.

MS. BECKWITH: All right. I'm ready to vote, and I'm going to not support this motion. If we find that we are having a discard issue with the scamp fishery, we can always come back and change that trip limit through framework. Having not been given enough time to think about this, I cannot support the change in our current path. Sorry, Tim.

MR. POLAND: Anna made a good point. You know, if we're seeing that there is a discard issue in this fishery, and, as Tim said, it's primarily occurring in the scamp fishery, and we've got a scamp release app out there now, and so I can't remember when that goes live, and I know we've already provided names, at least from North Carolina, of fishermen who could potentially participate, and so I'm just kind of throwing this out there, that maybe encourage them to report red grouper releases when they are using their scamp app, especially -- The whole time, but especially during the months of May and June, so we can kind of get an idea.

MS. MCCAWLEY: Any more folks want to weigh-in on this discussion before we take a vote? **All those in favor of the motion, which is to change the preferred alternative from Sub-Alternative 2a to Alternative 1, no action, in Action 3 -- If you are in favor of that motion, raise your hand, one in favor; all those opposed. We don't even need to count. That motion dies.** Any more discussion on this particular action?

MR. GRIMES: I got drawn in, and my wandered into that discussion, but did we get some affirmation that, yes, the stuff I talked about, in terms of where we apply the prohibitions on sale, that that is what the council intended?

MR. HADLEY: I believe that we had affirmation. Mel, I know that you seemed to be in agreement of that stated intent, and I didn't know if anyone else wanted to weigh-in on that.

MR. POLAND: I think Mel said it well. The intent was to just not harvest red grouper off of the Carolinas during May, and so I think you've got it correct, Shep.

MS. MCCAWLEY: Okay. I think we're ready to go to the next action.

MR. CONKLIN: So the intent was to not harvest and not land them, or you can still -- Shep was saying that you could still land them if they came from Georgia, and is that right?

MR. GRIMES: No, there is no sale, harvest, or possession in North Carolina or South Carolina. You can have -- Of grouper in or from the EEZ off of North Carolina and South Carolina. If you're federally-permitted, those same restrictions are going to apply to you in state waters off of North Carolina and South Carolina, but everything is just North Carolina and South Carolina. You could still have a legally-caught red grouper in Florida, and it's brought in and sold legally in North Carolina or South Carolina.

MS. MCCAWLEY: Does that answer your question, Chris? Okay. All right.

MR. HADLEY: I meant to mention this, but we're aiming to have updated codified text to you before Friday, so you can review that before the final vote on this amendment.

MS. MCCAWLEY: That sounds great. Thanks, John. All right.

MR. HADLEY: The last action in this amendment, Action 4, would establish a commercial trip limit for red grouper harvested in the South Atlantic Exclusive Economic Zone, and so this would cover the entire South Atlantic region. Currently, under Alternative 1, no action, there is no commercial trip limit for red grouper harvested in the South Atlantic EEZ. Under Preferred Alternative 2, this would establish a commercial trip limit for red grouper harvested in the South Atlantic EEZ, and you have trip limit increments from seventy-five pounds to 200 pounds, and your preferred sub-alternative is 2d, which is a 200-pound gutted weight trip limit.

I will jump into the analysis, looking at the distribution of trips in the South Atlantic region, as you can see here the percentage of trips, and, then on the bottom, there is bins by the different weight increments that were chosen for the alternatives, and so this was what Steve was referencing earlier, showing that the majority of the trips land 200 pounds or less of red grouper in the South Atlantic region, and approximately 4 percent of the trips landed more than 200 pounds of red grouper in the South Atlantic region.

Looking at some of the expected reductions for Preferred Sub-Alternative 2d, you're looking at an additional 3,800 pounds, approximately, gutted weight, and this is about 8 percent of total commercial landings in the South Atlantic region, and I should mention that this analysis is inclusive of the spawning season closure for May, and so this is your kind of additional incremental change on top of that.

Looking at some of the estimated economic effects of this, for Preferred Sub-Alternative 2d, the estimated change in gross revenue, again equivalent to ex-vessel value, is approximately \$18,000, and the estimated net change in net cash flow is approximately \$7,500, with an estimated change in net revenue of approximately \$4,200.

Looking at the public comments received, the commenter from North Carolina, as mentioned, thought that red grouper should be managed as a bycatch fishery until the stock rebounds, and he suggested no changes to the spawning season closure, but a hundred-pound trip limit, as extending the spawning season closure for one species could result in increasing regulatory discards. Two commenters supported the preferred and suggested a small trip limit of 200 pounds, to help rebuild the fishery, and, again, there was the comment expressing concern over conflicting regulations between the Carolinas and Florida and Georgia. This commenter suggested no changes to the season closure and a hundred-pound bycatch trip limit.

Looking at the Snapper Grouper AP recommendations for this, the Snapper Grouper AP did pass a motion recommending that the council consider a bycatch commercial trip limit for red grouper, and, also, in discussion of this action, while there was no motion that was passed, at the October 2018 meeting, some AP members noted that the trip limit for the commercial sector may not be effective overall in reducing harvest, since that sector is already harvesting a small portion of the ACL. However, a low trip limit would may disproportionately affect fishermen who sort of

specialize in red grouper, particularly at certain times of year and in certain regions, and it was mentioned the Florida Keys in particular. There is no required committee action here. However, you do have updated analyses, and I will stop there.

MS. MCCAWLEY: All right. Is there discussion or concerns or desire to change the preferred alternative? I hope not. All right.

MR. HADLEY: With that, we're just looking for a motion that would recommend approval of Regulatory Amendment 30 for formal review. The draft motion is stated below.

**MR. HAYMANS: Madam Chair, I would recommend approval of Snapper Grouper Regulatory Amendment 30 for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make necessary editorial changes to the document and codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.**

MS. MCCAWLEY: Thanks, Doug, and we have a second by Steve. This will be a roll call vote at Full Council, but are we good to move this forward?

MR. GRIMES: I guess I don't know that it really matters, but I was going to advise that you not deem the codified text, because the codified text that's in your briefing book is not correct, and we just talked about it, and we need to make the changes to the sale provision. You can get those before Full Council, I'm sure, and then, when Full Council approves it for submission, you would have that text available.

MS. MCCAWLEY: Okay.

MR. HAYMANS: But we have the option to re-deem the text.

MR. GRIMES: With that in there, that's why I said that I don't know that it really matters, but I feel like, when somebody is looking at just the written record, and they see this discussion, and they know that you just voted to submit and deem something to reflect what's in the amendment, when you just had a long discussion about how that's really not the case --

MS. MCCAWLEY: **Well, we could hold our vote on this until Full Council, after we see the codified text, and so the motion is on the table, but no vote.** Okay. All right. Thank you, John. Next up is wreckfish, and I don't know how much we can get through that before we go into the next item. Let's take a break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We're going to get a short presentation by Dan Namur, and he's going to be talking to us about the Saltonstall-Kennedy Research Program, which is going to be a little preview for what's going to be discussed down the way in the Elliott Amphitheater, and so I'm going to turn it over to Dan to give us a presentation.

MR. NAMUR: Thank you, Madam Chair. As she said, my name is Dan Namur, and I work for the National Marine Fisheries Service. I am the Chief of the Financial Assistance Division, which

essentially means that I oversee all of the grants for Fisheries. Today, we're going to talk about one of those programs, the Saltonstall-Kennedy Research Program, and there's been a lot of interest and political interest in this program over the last recent years, and, from that, we've started to look a little closer at how we're running it, and we're going around to each of the councils to give presentations and get feedback and thoughts and concerns from you guys. I will go through this fairly quickly, and I do open it up, if it's all right with Madam Chair, that, if people want to ask questions as we go, feel welcome. If you want to do it at the end, that works as well.

As I said, I oversee all of the grants and financial assistance for the National Marine Fisheries Service, and, to put things in context, Fisheries is about a billion-dollar agency. We do between \$400 and \$500 million worth of grants each fiscal year. S-K, within that pot, is about \$10 million most years, and so between forty and fifty grants for that particular program.

I am not going to spend a lot of time on this slide, but you can see that areas that we put grants out, the different program areas and the different drivers, and we have a lot of work in our Sustainable Fisheries, and we put a lot of energy into our Protected Resources, and, of course, our corals and habitat conservation, and then a lot of data collection, with our Fisheries Information Networks, and we put a lot of energy and grant workforce behind that, and then, more and more, and I'm sure that you guys are very aware of this, aquaculture is becoming a bigger and bigger issue as we move forward.

Specifically, the S-K program was signed into law -- The original law was in 1939, but S-K became formal in 1954, and, really, what it is is it sets up grants and cooperative agreements to do research and development that address U.S. fisheries, and, if you boil that down, and I've got a slide for objectives, but I normally don't really use it or read from it, but, essentially, what it is, it's that the U.S. imports a heck of a lot of fish, and what we're trying to do is get more and more energy into the U.S. fishing, more of the economics coming from the U.S. fishing, and so we want more fish caught U.S. and more fish sold U.S., and that will support our communities around the coast.

The way I think of it is the taxes and the tariffs that come in from imports are used to run this program. If this program worked perfectly, it would put itself out of business, because we would no longer have imports, and we would be buying 100 percent U.S. fish, and so that's really the objective of this program, is to strengthen U.S. fishing.

I mentioned that this is not like other programs. We are not based off of the Appropriation Act each year. What we're based off of is duties and tariffs that come in based off of the sales of imported fish, and so, each year, and this is one example, there is about \$500 million worth of tariffs that come into the United States Department of Agriculture, and the S-K Act says that 30 percent of that will come over to NOAA, and that goes into what is called the Promotion and Development Account, and so, for example, that's about \$150 million.

I would love it if that were the S-K program. Unfortunately, it's not. What ends up happening is, during the appropriations process, Congress does what's called an offset, and they take a chunk of that and send it over to support other portions of NOAA, specifically expanded stock assessments, Fisheries Information Networks, surveys and monitoring projects and our cooperative research, as well as our interjurisdictional fisheries grants.

What's left in that account, the Promotion and Development Account, is what's left for the S-K program as people know it, and that is normally \$10 to \$12 million. From that, we run a competitive program each year, and we normally put about 80 percent of that money out through the competitive program, and then we also run what's called our national program, and that's used to address those priorities that weren't adequately addressed through the competitive process, and, like I said, historically, over the last ten years, most years we're around \$10 million to that program.

You can see here that what we're looking for is projects that demonstrate the benefit to U.S. fishing, and I mean not just the industry, but that's recreational fishing, industry fishing, communities, for those selling ice or processors, and the restaurants, and so we're looking for applications that come in and strengthen that U.S. fishing industry.

Each year, we do set priorities, and we're quite flexible. The intent of the S-K Act is to promote and develop U.S. fishing, and, from that, we mold these priorities, and you can see here that -- This slide is supposed to depict the fact that we get a lot of input from the outside and that the regional councils each year do have the ability to weigh-in on what our priorities should be. NMFS leadership around the country, all the regions and science centers, the Headquarters leadership, and then we also do lean on our three interstate commissions as well to help us write those. In recent years, we've also been leaning on the MAFAC committee.

From that, we write our priorities, and we put out a solicitation, and we get proposals, and our proposal process is in a couple of phases. We have a pre-proposal process. Each year, we get quite a few. We get between 500 and 600 pre-proposals each year, and that is a two-pager, just giving us the general idea of what they are trying to accomplish. From that, we whittle it down, and we encourage about 150 proposals to come in and do full proposals, and every one of those proposals goes through three technical reviews. From that, we take the top technical reviews and send the very best on to our panel review. That is normally about eighty proposals, and, at this phase, we're saying, look, we've come from 600 to 150 and 150 down to eighty, and everything that's going to the panel should be pretty solid in the technical aspect.

What we're looking for here is for our panelists to look at relevance and need, and so, at this phase, we actually lean on our panelists to give us their final recommendations, and we ask for panelists that are non-feds and non-academics, and so we really want constituents to sit on that panel and say, look, it may be the most technically-sound project in the world, but is it really needed in that particular region. From that, we take the final rankings out of panel, and we make our selections, and, like I said, most years, it's between forty and fifty applications that we're able to fund, and applications are typically around \$250,000 to \$300,000.

We are trying to address all portions of the fisheries supply chain in this particular program, and so grow fish, aquaculture, catch fish, and that's better ways to catch fish and reduce bycatch and new gear and those kind of things, and then processing fish, making sure that we're doing a good job marketing and selling our fish, and then, of course, eating our fish, which, of course, we all love to eat the fish, but also bolstering the sales in restaurants and in stores and so on and so forth. Then the last bullet there is use fish, and so, if there are people coming up with creative new ways to use fish outside of the normal ways, and so, in one example, aquaculture waste has been used in agriculture, and that's one example of one of the projects we've done, and so we're trying to address all areas of that.



Over the last several years, we have been adapting. We went from four priorities down to three in 2019, and you can see here that Priority 1 is kind of the crux of the intent of the S-K Act, and that's promotion, development, and marketing of U.S. fisheries. Priority 2 was marine aquaculture, and then Priority 3 is a mouthful, but, essentially, that's science that leads to the promotion, development, and marketing of U.S. fishing.

This year, we went down to two priorities, and the reason for that is we're trying to streamline our priorities, while allowing our applicants to tell us what they think the most important issues are, and so, instead of listing a million examples, we're saying, look, here's what we're trying to accomplish and you tell us the best way to address those issues, and so we still have promotion, development, and marketing, but we also have science and technologies that promote U.S. fishing.

From that, we're looking for science projects that come in but can still draw that direct line back to how is it promoting and increasing the U.S. industry, and the FY20 competition is actually open right now, and so I would lean on the council and the people in the room today to help spread that to our constituents, so we get as many good applications as possible, and the pre-proposal process is open. It opened on May 30, and it's open for sixty days, and so that means that pre-proposals are due on July 30. Then, after that, we will encourage a chunk of those, and, from that, we'll open up our full proposal process, and those are due by November 12, and that's all on grants.gov.

That's the down-and-dirty on the S-K program and what the intent of it is. From this, and because of the increased scrutiny and visibility of the program, two years ago, I put out a solicitation for contracts to come in and make a review of the program, and there were two things that I wanted looked at. One was basically the process. This is a huge, robust process, and you've heard me say that over 600 applications come in during the pre-proposal, and that equates to over 1,500 reviews in that part of the process.

Then we get 150 full proposals, and, again, we're looking there at 300, 400, or 500 reviews to get through that process, plus the panel, and so we said can you come in, and we think we're doing a good job of running a robust project plan, but are we doing it the most efficient way possible, and so we had them come in and take a look.

The other thing that we had them look at was, for lack of a better term, bang for the buck. We put out about \$10 million a year, and what is the U.S. fishing industry and the communities getting for that money? They went through and looked at what we're doing and are we addressing the right priorities, what are our constituents saying, and how are those results being used.

From that, there were quite a few recommendations that came in. The contractors that are here today that we're going to ask those that are interested down in the Elliott Amphitheater, they went around and they visited all the regions around the country, and they conducted over 100 interviews, for over 150 people, and, from that, a final report came back to me.

One of the things that came out of that report, consistently from every region, was, look, yes, we think the program is pretty good, and we love that you guys are addressing U.S. fishing, and we think that the selection process is really robust, but, once that happens, really nobody knows where the money goes and what is happening with it. Are there major results? Are there regulatory changes? Are there fishing industry changes?

One of the recommendations was to streamline the selection process, and keep it robust, of course, but take some of that energy and put it into more site visits and then, most importantly, into the dissemination of results, and so that's what we're looking for today, and I did this fairly quickly, because, originally, we only had ten minutes on the agenda.

JRD & Associates will be down in the Elliott Amphitheater, directly after this meeting, and we're asking folks to go down there and put some feedback to us, saying here's how you would like us to give the results, whether that's in the form of databases or more presentation or workshops, and they're going to collect a lot of data from you and then be able to hopefully let me know how best to disseminate results to you guys, so you know what's happening with your money. I will cut it off there and then open it up for folks, and you can ask me questions about the S-K program, about the review, or, if we have time, about other grant programs as well.

MS. MCCAWLEY: Thanks, Dan. Just to be clear, you guys are only down there tonight, or are you down there tonight and tomorrow night?

MR. NAMUR: We are down there tomorrow after the meeting as well.

MS. MCCAWLEY: Okay. Great.

MR. NAMUR: The presentation that JRD & Associates will do is about forty-five minutes, and it collects input from you guys and then, from all those demographics, hopefully I've got a really good idea of how to go home and put together a plan to disseminate results.

MS. MCCAWLEY: All right. Great. Thanks for that.

MR. BELL: Aquaculture is an area of interest. Would that include state waters, non-federally-managed species?

MR. NAMUR: Absolutely. Great question, but absolutely, and so we've been presenting at councils, because we think it's one of the best ways to get to all of the constituents, but it's not just for managed species here at the councils.

MS. MCCAWLEY: Any more questions?

MR. SAPP: In our region, and I'm just going to pick a fish like mahi, or dolphin, or whatever, and we're at or near our ACL, and I would assume it's quite similar in the Gulf, though I don't know, and how are we going to increase domestically-caught fish if we're at or near all of our limits in so many of the species that we market?

MR. NAMUR: That's a good question, and, obviously, I'm not here to say let's increase the ACLs. What I am saying is, when we say we want to increase the sales of fish, it's decrease imports. Then, if we're at the limit for one fish, one of the sets of projects that we encourage are projects where bycatch that's normally not sold, fisheries that haven't been utilized to their full extent, those kind of things, and so to increase the sales in the region, and maybe not for that one specific species.

MR. BREWER: One of the answers to the questions that was just asked is aquaculture, and I know that the Gulf Council had a program that was -- I don't know if it was encouraging, but it was to regulate aquaculture, facilitate aquaculture, and there was a lawsuit filed that said, nope, not in Magnuson, and it's not your bailiwick, and are you all constrained by Magnuson with regard to your work?

MR. NAMUR: That's a new wrinkle, because that just happened, the fact that they came in and said that that wasn't part of Magnuson, and we are driven by a different authority, which does help us, and so the Saltonstall-Kennedy Act is our driving authority. Of course, the National Marine Fisheries Service, the overarching, is MSA. Right now, we're still trying to figure out exactly how that's working, but our intent is that we still will be a major driver in increasing aquaculture around the country.

MS. MCCAWLEY: Other questions? All right. Thanks, Dan. Do you have anything else for us, or just an invitation to come visit you in the Elliott Amphitheater?

MR. NAMUR: Yes, absolutely, and please join, if you're interested in letting us know how you want to see the results, or if you're feeling like we're not doing a good enough job. Then, of course, if there are other questions that you guys didn't think of right now, or you're just too burnt-out, because it's the end of the day, feel free to reach out to me anytime.

MS. MCCAWLEY: Thank you so much, Dan. All right. We're going to take a short five-minute break, and we're going to get prepared for the informal comment session tonight.

(Whereupon, the meeting recessed on June 11, 2019.)

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June 12, 2019

### WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Marriott Hutchinson Island, Stuart, Florida, on Wednesday, June 11, 2019, and was called to order by Chairman Jessica McCawley.

MR. BELL: The Snapper Grouper Committee has reconvened, and we're going to start off with wreckfish, and we've got to basically provide any final comments or recommendations, and Brian will take us through the Attachment 9, I guess is what you might want to look at in your folder, but we will have to -- This is our opportunity for any final comments or recommendations on this, and it has gone before the Law Enforcement and the Snapper Grouper AP, and we received comments in the past on that.

DR. CHEUVRONT: Thank you, Mel, and good morning. As Mel was saying, where we are right now is we've been working on this for two years, and this is the penultimate meeting on this. What I'm planning to do here is that we're going to give you a quick refresher on what's going on with

the wreckfish ITQ review, where we are, and you have the full document in your briefing book, and the document that you have there is probably, with the exception of one section, which will be written after this meeting today, it's probably about 98 percent done.

There is a few edits and things that we still need to do. The IPT that is working on this, a few clarifications that we need to work out, but we assume that there is going to be absolutely no problem bringing back the full document to you in September, and it will look essentially like it's going to look when it gets sent in, and so let me get started here.

Just to give you a quick refresher on the wreckfish management timeline, this fishery is different than a lot of the other snapper grouper fisheries that the council manages. A two-million-pound TAC was introduced in 1990, after a very quick boom happened in the fishery. Then, in 1991, bottom longlines were banned, and a permit system was started. In 1992, prices started to decline, and the council got concerned and started working on an ITQ plan. In 1993, this became the first finfish ITQ program in the country, and it started with forty-nine shareholders and a two-million-pound quota.

In 2011, and so it chugged along there for eighteen years, the SSC set the ABC to 235,000 pounds and established a sector allocation of 95 percent commercial and 5 percent recreational, and this was done in response to the reauthorized Magnuson Act from 2006, I believe. In 2012, the inactive shares were reverted, and there were a lot of shares that were just simply not being fished, and so those got put back into the program, and they were redistributed to the active participants in the fishery, and a 49 percent share owner cap was put on the fishery.

Then, in 2012 and 2014, there was an independent stock assessment review by the SSC, and they set the ABC to 433,000 pounds. Now, understand though that, over the years, that ABC has gradually gotten smaller. It has been reducing, but, according to the status of the stocks from the fourth quarter of 2018, the stock is neither overfished nor undergoing overfishing, and, like I said, the most recent stock assessment was Rademeyer and Butterworth in 2014, and then the council staff conducted an initial ITQ review in 2009, just to find out the status of what was happening with this ITQ plan.

Since then, NOAA has issued a policy and guidance to assist councils and Regional Administrators in reviewing ITQs, and one of the recommendations was that subsequent reviews should be conducted at least once every seven years, and so this review is the first subsequent review of the plan.

There were a few issues that came up, you all might remember early on, if you were here in those days, and we had problems with confidentiality. Now, there are so few participants in the fishery that we needed to try to get confidentiality waivers from everybody, but we had to go back through the entire time series, and not just the current participants, and now remember some of those people who were former participants were people who got booted out of the fishery by having their shares reverted, and so they didn't look too favorably on this program, and so, consequently, there were a number of former participants in the fishery who were not willing to sign the confidentiality waiver.

What that did is it resulted in limiting some of the information or how some of the information could be presented, and this most clearly affected the community-level analysis that could be done.

We couldn't do any community-level analysis, and let's put it that way, because we couldn't get at least three participants in any single community, or all the communities, and so that was a bit of a problem, a hurdle, that had to be dealt with pretty early on, and there are four data sources that were used for this review, which made it all rather confusing, because some of them were digital, and some were paper, the coupon system and all of that, and all four data sources were used, but they were not able to be easily linked together, and so that created some issues for us as well.

Juts to give you a quick history to where we are now, it was two years ago at this meeting that the council directed the staff to begin the subsequent review. In August of 2017, we had a shareholders meeting, and the SSC and the IPT and the council were updated on these confidentiality and data issues all through the fall of 2017, and they were mostly resolved by early 2018, and, in February of 2018, the SEP reviewed the issues that were in the plan, and they provided substantial input on that.

In July of 2018, the shareholders had a second meeting, based on some of the findings that were starting to come out, and now, at this meeting, we're going to review basically the full document, and, in September of this year, we are going to bring it back to you for the council to consider for final approval. Now, all along, through the whole process, the council has met numerous times and discussed the review, as it's been developed.

Now, in this review, I am not going to walk you through every detail of the review. You've got the document, and you can see all of the analysis. It's a different kind of document than you typically see for an FMP. There are no actions and alternatives. This is a review of the program, and there is going to be some recommendations and conclusions that come out of it, but, just to give you the highlights, these are the main areas that were considered in the review, and these areas come from the guidelines that were provided by NMFS, and so we're following along with what they have said.

Now, because of the age of this ITQ program, some of the requirements are not necessarily requirements in this program. They are still suggestions, or things that should be considered, but they were not required, and so you can see all the different areas here, like eligibility participation, share caps, safety-at-sea, allocation, price analysis, dealing with new entrants, subsequent distribution of shares, share transferability, catch sustainability, monitoring and enforcement, and cost recovery and royalties.

What I am going to do now is I am going to jump to the very end of the document, and I have summarized the findings that have come out of the report that has been prepared. Ideally, what I would like from the council today is -- I still have to write the council's conclusions and recommendations for this program, and there are no actions, and there are no alternatives, but everybody else, from the AP, the SSC, shareholders, the Law Enforcement AP, they have all looked at this, and this is the combination of the conclusions and recommendations from all of those melded together, and so the piece that we need now is what does the council think about this, and I will write that section and bring the whole document back to you in September for your final review and approval.

One of the main conclusions that came out of this is that, yes, the program is continuing to achieve its goals and objectives, and so the program seems to be working fine. When you talk to the shareholders, there was not a single one of them who are currently involved in it who wanted to

get rid of the ITQ. As you will see, there are some suggested changes and recommendations that they have that would improve the program, based on what they think are the current needs.

The big one that came out of the recommendations from basically everybody was they need to migrate to an electronic catch reporting system, and we have talked before, in the past, about the current system of using paper coupons, where you have to sign a coupon and fill out the information by hand, and every single one of those coupons is either in 100 or 500-pound increments, and, when you have a 10,000-pound trip, and you have run out of 500-pound coupons, that's a lot of coupons, when they would much rather prefer to just go online and enter the poundage and all that, and it makes the recordkeeping for everybody that much easier. We can talk more about that, if you would like to.

There is a recommendation to eliminate the wreckfish permit requirement, and the reason of that is because it's basically redundant, because, to participate in the fishery, you must also have a snapper grouper permit, and you must own shares, and then now it's coupons as well, and so the wreckfish permit that's required really doesn't do anything.

There is a recommendation from basically everybody that the allocation for this fishery needs to be reconsidered, and we've talked about that some at council meetings, and I believe we had looked at this, I think, and thought about it during the -- I think it was in the recreational AMs amendment, and there was actually an allocation action at one time in there that quickly got removed that was going to deal with this, but this is something that the council probably will want to look at in the future. Currently, it's 95 percent commercial and 5 percent recreational, and there have been no MRIP reported landings since 2012, and, at that time, I believe it was one or two fish, and there were no reported landings before that in MRFSS or MRIP. Clearly the systems that we use to track this are not adequate for this fishery on the recreational side.

There is a recommendation to modify the offloading sites and times requirement, and I'm going to tell you right off that not everybody totally agreed with this. Law enforcement had some issues with some of these things, but this was originally implemented in the program for enforcement, but now there are many fewer participants than there were then, about 10 percent of the participant numbers, compared to when it was instituted, and certainly the shareholders would like to have them removed.

They talk about -- I believe they have to offload -- It's either by 5:00 or 6:00 p.m., and, if they come in after that, the boat has to sit at the dock with the fish overnight, and they would like to see a consideration of having that be removed. There is an idea that this offloading site and time can be captured if the ITQ program migrates over to an electronic catch reporting system, and so some of that could be captured there.

There is a recommendation to institute a mandatory economic data collection program so that more can be known about this fishery, so that, in subsequent reviews, there is actually some additional hard data that can be used in looking at the economic effects of the fishery, and, cost recovery, this is something that the guidelines require to be considered, but it's not something that is required in the program. However, in talking about cost recovery, if it was done, it could help with the cost of electronic reporting, and, as I said, it's simply not required, but this is something that the council may want to have more detailed discussions about.

Then, simply, more research is needed. There is a lot of things about life history that is not known. Clearly, if there was a way to do stock assessments, that would be helpful. The problem is that this is potentially an Atlantic-wide stock, and that complicates things, when you're talking about stock assessments that would need to be done that involve other countries.

That's all I have for the presentation, and there's not a whole lot there, but, really, what we're looking for at this point is what the council's recommendations are regarding this report, and that doesn't mean that you have to say, oh, we need to have an action on this. Actions and alternatives come later. They would have to come in a separate amendment later on. What we want and need for this report is your reaction to what's in the report and some of the other conclusions and recommendations.

MS. MCCAWLEY: Thanks, Brian, and thanks for reiterating the procedure, because it's still a little blurry to me exactly what we're doing here and then, if we were going to take the actions, they would have to come in an amendment, and maybe that would start after we finalize this document at the next meeting, and so, this time, are you intending to get information, such as, yes, we want to look at that recommendation, or, no, I don't think we would consider that, and is that the type of input that you are seeking?

DR. CHEUVRONT: That's appropriate, if that's what you want to do, but, more importantly, I think, if there's anything else that you think should be considered with this program, and we're looking at big-picture items and not specifics.

MR. DILERNIA: I have a question or two, if I may, Madam Chairwoman. Currently, the Mid-Atlantic Council is undergoing its excessive shares amendment review for the surf clam and ocean quahog fishery. That was the very first ITQ fishery, and your wreckfish was the first finfish ITQ system, but, in 1991, the very first ITQ system in the U.S. came in in the Mid-Atlantic Council, and, at the time, we were assured by the agency that the National Antitrust Laws would be sufficient to prevent the accumulation of excessive shares. Since then, we have received advice from the agency that they would prefer that we, in a sense, tighten up the -- Take a hard look at the excessive shares and the accumulation of excessive shares by individuals in the fishery. I see here that you have a 49 percent cap on shares that could be owned by a particular individual, and is that correct?

DR. CHEUVRONT: That is correct.

MR. DILERNIA: Okay. Now, regarding the 49 percent, can you tell me if that's by one entity, or can there be a number of LLCs that -- In other words, if a particular individual owns or is a principal of more than one LLC, can -- Is the 49 percent a combination of all the LLCs and individual quota that's owned and all, up to 49 percent, or is that for each -- The 49 percent, is that for each individual corporation or individual?

DR. CHEUVRONT: I cannot answer that question, because I'm not a lawyer, and so I'm going to kick it over to Shep and see if he wants to take a whack at it.

MR. DEVICTOR: I do have the regulations in front of me, and so I can read that. The ITQ share cap, no person, including a corporation or other entity, may individually or collectively hold ITQ

shares in excess of 49 percent of the total shares, and so it says no person, including a corporation or other entity.

MR. DILERNIA: Thank you. I think that language may still be a bit vague, but that's what the language is, and so thank you.

MS. MCCAWLEY: Brian, is there any way that the document can have more information on why the people in the fishery are not harvesting their full allocation, because I don't know if I understood that or could really glean that from reading the document, and maybe there is confidentiality issues at play here, and I don't know, but it just seems like kind of a gap in the document.

DR. CHEUVRONT: Madam Chair, we can certainly go back and look at that some more, but there is some information in there, and it's largely based on some research that was done by one of our IPT members and SEP members, Scott Crosson and Tracy Yandle, who have done research in this fishery, and they looked at that very specific question. I can tell you that some of the reasons why the landings dropped off include things like -- You know, this is a deepwater fishery, and you have to go to a fair expense to get out there to catch these fish, and, in the early 1990s, there was a price drop, and so some of the participants in the fishery were also able to participate in other fisheries, and so, for some folks, it was an economic decision at that time, and they wanted to hold on to their shares, so they could fish them later, when it was more economically feasible.

A couple of high-liners left the fishery, and I believe one actually passed away, and so there were a few of these sort of meta-data type things that affected those landings, and it wasn't because people were no longer interested, but it was simply that there were other circumstances that affected their participation. Now, if you would like us to, we'll go back and look at that again and see if there's more that could be added.

MS. MCCAWLEY: Yes, I think that would be great.

MR. CONKLIN: I know that the reels that they use to go out there and -- They are custom and heavy-duty, and they cost like twenty-grand a reel, and they're very specialized, and a lot of the boats that started in the fishery were shrimp boats, and, when the price dropped, they went shrimping instead of fishing, and, in other instances, sometimes shares become available, and you want to jump on them, and, if you want to get into the fishery, you want to jump on them, and, after that, it could take you a couple of years to get going, as far as purchasing the reels and building them and all.

DR. CHEUVRONT: I can tell you that, since the review of this program began, there has been -- Even though there's only a few participants in it, there's been a lot of shifting going around, in terms of people getting in and out of the fishery. There was more of a participation further south of here than there is now, and there is more participation further north.

MR. BREWER: Brian, are these shares redistributed, or is there a situation where one shareholder can lease to another shareholder, or can sell to another shareholder, or do the shares go back into a pot, so to speak, to be redistributed by the agency?

DR. CHEUVRONT: Are you speaking specifically in terms of redistribution?



MR. BREWER: Let's say somebody wants to get out of the fishery. Can they sell their shares to someone else, or do their shares go back into the pot to be redistributed by the agency?

DR. CHEUVRONT: They are sold.

MR. BREWER: I would like to see that looked at, please.

DR. CHEUVRONT: Could you give us some direction? When you say I would like to see you looked at, what do you mean by that? What would you like us to look at?

MR. BREWER: Yes, and I would like to -- My thought is that these folks didn't pay anything for these shares to begin with, and to allow them to be monetized and then -- I am not going to use the words "make a profit", because they worked hard, I'm sure, but it just seems like, to me, that for the -- What's the right word to use? The equitable distribution of the resource. That those shares should go back into a pot that's controlled by NMFS and purchased or redistributed, either one, by NMFS.

DR. CHEUVRONT: That is the kind of thing that you would take up in a subsequent amendment, if you wanted to look at changing the program. There's not really anything that we can do about this now. I can tell you that, other than the redistribution that was done at the direction of the council, any transfers, permanent transfers, of shares and things are basically done through sales.

MR. BREWER: I understand that we would have to take that up later, but it's just something that was kicking around in my head.

MR. BELL: Just for information related to the recommendation about research and life history, and Marcel informs me that there is a life history -- Some work being undertaken now, and so we're working on that.

MS. MCCAWLEY: Brian, it's also unclear to me -- I know that this ITQ program pre-dated some things that are in place in other ITQ programs, and I guess, for all of them, we don't have to implement any of them, or are there certain ones that they want us to go back and look at? That part is also still a little confusing to me.

DR. CHEUVRONT: Madam Chair, as I understand it, you don't have to change anything in this program if you don't want to. These are the recommendations and the reviews of the people who have looked at it, and there is no requirement, for example, that the council has to institute a cost recovery program, because I know that's one of the things that is controversial. You don't have to institute an electronic reporting system if you don't want to, but what this is about is presenting to you essentially an update from the last time this was reviewed ten years ago and say this is what the people who have been looking at it think are issues with the program now that the council should consider, or at least talk about, and then decide it's fine as it is or I think we want to change it.

MR. GRIMES: Just one difference on that. We're not subject to the 303A provisions in Magnuson, because the program pre-dates those, and there is a grandfather clause, if you will, that exempts us, or exempts the program, from most of those requirements. It doesn't exempt from the

five-year review, which is why you're doing this review, but, also, in terms of fees, it reverts back to Section 304(d) of the Magnuson Act, which was in existence prior to 303A, which says the Secretary is authorized and shall collect a fee to recover the actual costs directly related to management, data collection, and enforcement of any limited access privilege program.

MS. MCCAWLEY: Yes, and that's interesting to me, because if we were going to go to this electronic reporting system, it seems like yes, you would need the money to do that, and a cost recovery type fee, at the very least, to cover the cost of the electronic reporting system would be something that we might want to consider.

MR. SAPP: I'm curious as to why they were restricting these fishermen as to when they were allowed to land, and I've got a few theories, but I would love to know if folks who were around then know.

MS. MCCAWLEY: I would say because it was easier for law enforcement to meet the boat to see the offload and compare it to the coupons, is my guess.

MR. SAPP: The fish are getting reported numerous times already, and why aren't we just comparing the coupons to the fish that are reported ex-vessel and in the market?

MS. MCCAWLEY: Yes, but I think those are coming in through two different systems, two different data collection systems. The coupon is through one system, and the electronic reporting is through another, and then you would compare those two, but law enforcement is going to want to see that at the offload.

MR. SAPP: Do they do that with any other species?

MS. MCCAWLEY: Yes, and so that happens for the Gulf IFQ. They have specific sites, and, of course, Martha can speak to this more, but they have specific sites that they are supposed to offload, and they also have hail-in and hail-out. That way, law enforcement can meet the boat and do some checking and look at the offload, but I'm going to let Martha talk about that more.

MS. GUYAS: The Gulf IFQ program, and so it's for red snapper and then grouper-tilefish, and it's a little more, I guess, it sounds like sophisticated, and we're not on a coupon system. These boats all have a VMS, and they have electronic reporting that they are doing at-sea, and they have to provide a landing notification before they land, and so between twenty-four and three hours before they land, and they can only offload between 6:00 a.m. and 6:00 p.m. What else? They can change the landing notification, once they do that, but they do have to land at approved sites, and the point of that is so that they're landing at private property with a killer dog and a big fence, so that, again, law enforcement can actually check those fish and make sure that they can reconcile what's coming in with what's being reported, and so that's kind of, in a nutshell, I guess, how that works.

DR. MCGOVERN: I have two things. Going back to what Chester was talking about, I think there is some discussion in the document, under Adaptive Catch Share, referring to selling shares and returning them to NMFS, and I don't exactly remember where it is in the document, and the other thing I wanted to mention is there was a recommendation for migration to an electronic catch

reporting system, and the Science Center has some funding to look into that and develop an electronic reporting system, in case that's the direction that the council would want to go in.

MR. BELL: I was just going to say that Brian was saying maybe we didn't have to do anything, but then Shep said, well, maybe we do need to address something, but certainly the characteristics of the fishery are a little different than they were in the last century, and so we need to bring things up-to-date, and so a lot of the recommendations make sense, and so I guess what we do is finalize the report, and then we consider how we want to proceed, in terms of a plan amendment or whatever, but there are some thing, I guess, we do need to do, but it makes sense to bring the fishery up-to-date, and they have captured a number of things, and I don't know of anything else to add to it myself, but I think that makes sense.

MR. CONKLIN: Printing those coupons every year is probably real expensive for the Fisheries Service, and so I would imagine that that would be a substantial amount of extra money saved on that to go towards the building of the electronic reporting, and it's needed. I mean, it's pretty silly.

MS. MCCAWLEY: Any more comments or suggestions? Once again, we would look to finalize this document at the next meeting, and then we would figure out what we're going to do next from there, whether it's start a plan amendment or what, to address a number of these recommendations or ideas that have been surfaced as part of this review process.

MR. DILERNIA: Before you leave this topic, just to Chester's question, let me remind folks that this is an ITQ system, individually transferable quota, and so the system is designed for quota to be transferred amongst individuals. Regarding the sale of the quota, or of the ITQ system, it's fully allowed in the Mid-Atlantic, and I don't think there's any difference between the sale of that quota and someone who could buy say a snapper grouper permit. You are buying a permit to harvest, and so, when you review that issue, keep those two points in mind. Thank you.

MS. MCCAWLEY: Thanks, Tony.

MR. BREWER: I have a question for Tony. What kind of numbers are you looking at on sale of quota, say of a per pound or a hundred pounds or whatever, because, really, what my thought is, and my reason for asking, was not to be punitive to the people that are participating in the fishery, but rather the ability of younger people to be brought into the fishery, so that it can continue, and, of course, you're going to be selling these what sounds like incredibly expensive -- If you want to get out, you're going to be selling these incredibly expensive reels and boats and whatever, but the thought is that, if the cost to buy quota is prohibitive, you might be keeping some people out of the fishery.

MR. DILERNIA: That's a very good question. The answer, I guess it's a two-part answer to this. The first is the cost of how much per pound is what the market will bear, and folks will consider that, the same as becoming involved in any other business that you're purchasing. When you're purchasing a business, you look at what are the assets of the business and what's the turnaround time for the profit for my investment, and so we have to get away from thinking of this as fishing and looking at as strictly a business transaction, and so, the cost per pound, I don't know what the market will bear on a particular day, and I'm sure it varies from year to year and season to season.

While I have the microphone also, I saw earlier that it looked like a number of inactive shares were somehow seized by the agency or the council or whatever and then redistributed, and I thought that was curious, because, if folks had shares, and they started to remain inactive with them, either to save them, to sell them at a later date or whatever, and then simply to have them seized, I thought that was curious, how the government could just come in and take that away, and so I will just let it go at that, but, once you have your quota, it's your quota to do with as you please.

In the ocean quahog and surf clam fishery, you can lease your quota, and I don't know if leasing of the quota is permitted in the wreckfish fishery, but, if you have quota and you're holding it and you choose not to fish it, some people might say, well, that's a conservation move, and then also to lose your quota, because you didn't fish it, and I'm not so sure that I would consider that fair, but, again, I'm not going into the full details of how they were seized or what was going on there, but that's just my first look at it. Thank you.

DR. CHEUVRONT: I believe, and, Shep, jump in if I'm saying something wrong here, but the nature of the system, the way it's set up, is that, through the council, the service has the ability to revert shares, and that's just built into the way that it's designed, as a way to redistribute the fishing. Part of the issue that was happening was that, when the ABC was reduced so low, suddenly there were going to be -- The active participants in the fishery were now suddenly only allowed to land roughly 10 percent of what they were able to land before, and so now it was set up so that they were going to have a substantial business loss, and, if I remember the council's logic at the time, it was to help those who were still active in the fishery to be able to remain active in the fishery.

MR. DILERNIA: There's a lot that I could go into with that, but, for the sake of time, I will forego it at this point, and, if folks would like to have this conversation once we're break, or we're off mic, I would be happy to, but there's much I could say to that. Thank you.

MS. MCCAWLEY: Thank you. Are there more comments or suggestions? Brian, I thought it was a wonderful document, and I know that you weren't the only one that worked on it, but I thought it was very well-written, and I enjoyed reading it, and I learned a lot about the fishery. I thought that I knew a bunch about wreckfish until I read the document, and I guess I'm wondering -- At the next meeting, in addition to the document, are you going to have maybe a separate recommendations summary, because I felt like the recommendations were somewhat sprinkled throughout the document, and will you have it all in one place kind of for us to look at and figure out if we want to move some of these things forward?

DR. CHEUVRONT: There is a chapter, towards the end of the document, just before you get to the references section, that summarizes -- You're right that it is sprinkled through the document. There is a summary section there at the end, and the very last of those sections is the council's conclusions and recommendations, and so what I would like, if you all would be willing to be clear and state whether you support these other conclusions and recommendations, are there others that you would like to make, but I would like -- If I could get a clear statement from you all on that, that will help me when it comes time to writing that final section.

MS. MCCAWLEY: You're wanting that at the next meeting?

DR. CHEUVRONT: I would like to have it now, because I need to write that section prior to the next meeting, if at all possible.

MS. MCCAWLEY: Just for me, I think that I would like to at least have further council discussion on all of these recommendations that I saw in the document. I mean, is that the kind of recommendation you're looking for?

DR. CHEUVRONT: I was kind of hoping you would have some of that discussion here, and so I don't know how you want to proceed, and so, if you want something more, if you can just -- Can you give me an example of what more it is that you're looking for?

MS. MCCAWLEY: Well, so I don't know if I need anything more, but like Chester brought up something that he wanted looked at as we moved forward, and we talked about how that would be in an amendment that would come later, and I guess I'm not understanding what kind of discussion that you want now, and like whether or not we intend to think of implementing a cost recovery program, or are we going to consider electronic reporting and removal of coupons? How specific are you wanting? At the beginning of this discussion, you said you weren't really looking for specifics, and so I'm just not understanding where we're supposed to be right now.

DR. CHEUVRONT: When I was referring to specifics, I was talking about what your preferences were for the actual changes that you wanted to see, and I think those discussions are probably more appropriate to have in a formal amendment, where you're looking at actually making the changes. It would be great if you all agree with the idea that these are things that need to be considered in the future, and, if that's what you can give us, that would be great, and I can write a section based on that.

MS. MCCAWLEY: I agree that all of those things are something that we should definitely consider. At this time, it doesn't seem like we have anything else to add or anything else in addition to the list that you already created.

DR. CHEUVRONT: That is perfect. That's exactly what I need. Madam Chair, unless there's some other business that you all have on this, I don't have anything else that I need to bring forward to you at this time.

MS. MCCAWLEY: I think we're good, and I really appreciate all the great work on this. I know it's taken a long time, and I know there was a meeting of the AP, and I attended that meeting, and that was very interesting and very helpful, to be attendance in that meeting before reading this document, and great work. Kudos.

DR. CHEUVRONT: I will just jump on that bandwagon. This group of people has really worked very hard on this, and it was a big effort on the part of both the SERO and council staff to make this happen, and it was a really good experience for everybody working together, and I think everybody learned a lot in going through this.

MS. MCCAWLEY: Thanks, Brian. All right. We're going to move into our next item, which is the Economic Performance of the Snapper Grouper Fishery.

DR. LIESE: My name is Christopher Liese, and I'm an economist with the National Marine Fisheries Service in Miami, down the street, and I'm here today to talk a little bit about the economic performance of the snapper grouper fishery. The Science Center, the Social Science

Research Group, has been putting out this new series of reports, and it's based on data we've been collecting for a while, and it's economic reports on the snapper grouper, the Gulf reef fish fishery, and the mackerel reports.

These reports are really reference manuals, and they're not -- There is economic financial statements in there, but they're very low -- In order to make them timely and get them out repeatedly, we are pretty low on interpretation in the reports themselves. Today, I would like to talk a little bit about the method that is behind these reports, and I already presented that in April to the South Atlantic Council SEP and SSC, and then I will talk a little bit about the quantitative results for the snapper grouper fishery, and then I want to focus mostly on sort of the qualitative results and what is the interpretation and the meaning behind the results and look at how the economics and the regulations in the snapper grouper fishery interact.

Finally, a little bit more speculative, I want to bound sort of what is the economic impact cost of the regulation, in terms of what we economists call resource rents, and so this is a little bit -- Scott, who has been working with me on some of this, and it's sort of a cumulative economic impact of the regulations, and I should say the last two headings on my talk, I will be using sort of a comparative analysis, where I will be looking at the reef fish fishery IFQ, because it's a comparable fishery, and it helps to sort of provide context.

Quickly, on the data and methods, the snapper grouper fishery and the reef fish fishery and the mackerel fisheries, they've had a logbook since 1993, and it collects catch and effort and it is a very nice, as logbooks go. For all the research, we assume it's census data, effectively.

Since about 2002 or 2003 in the South Atlantic, started by Jim Waters, there's been an economic section on the report, and it's at the bottom of the logbook, and it collects sort of variable trip costs, and we sample about 20 percent of the vessels each year, and it's a stratified sample, and they are asked to report on all trips for the following year on that data, and then, after the year is over, we send them a supplemental annual costs survey that is targeted at getting the fixed costs of the vessel operations, but, because these vessels are dabbling in all kinds of things beyond just the snapper grouper fishery, we have to be a little bit more holistic and recollect, at a more aggregate level, the trip costs, to the great annoyance of the fishermen, and so that's that survey.

We use all that to create financial statements for these industries, balance sheets and income statements and cash flow statements, and I don't want to get into the details. It's in the tech memos. The data is quite overwhelming. It's a relational dataset, and it's been collected for quite a few years, and we have been -- In the past, we always pulled out data and cleaned it and used it and reported it, and my goal, with a contractor for the last four years, was to create a system that would clean it more or less automatically the programming language R, and we clean it as a whole and then pull out -- After we've done the cleaning and processing, bringing in other data, like permit data and ALS price data, we would then pull out those segments of interest, what we call SOIs, from that overall North Carolina through Texas logbook system and generate both the context, the logbook data, and the sample economic data for that.

We've built this interface in R, where any type of logbook variable we can define on, and we can pull out sort of the black sea bass fishery from off of North Carolina and then generate, based on that, six pages of standardized reports, and so those six pages are always the same, but we can define the SOI and get it.

The first page is just a summary at the trip level of the logbook data, and so that's Dave Gloeckner's data, and the second page is the economics, and it's the sample at the trip level, and then we have it at the annual vessel level, and the annual vessel level economics, and then we have two pages of time series, where you can see it in that context, and so that's the method.

Now a little bit about the snapper grouper fishery, mostly in 2016, and the report has these eleven different SOIs, and, in the appendix, it has a little bit on gears. What we noticed when we did this is that, for different analysts, any one of these -- If you're doing triggerfish, SOI Number 6, the triggerfish SOI, might be interesting, but, really, the qualitative insights can all be gained by the overall what I call the mother SOI, just the snapper grouper fishery as a whole, and so any trip that catches one pound of snapper grouper is in that SOI, in that segment of interest, and that's all the numbers that I will be reporting on for the rest of the presentation.

This is the snapper grouper fishery as a whole in 2016, and there were about 11,000 trips by 500 vessels, and they generated, on those trips, about \$18.7 million, of which about \$17 million was from snapper grouper species, and you can see it's a fairly specialized fishery. Most trips catch just snapper grouper. In terms of revenue, it's 92 percent. That's the page 1.

The second page of those 11,000 trips, we have economic data for about 2,600 trips, and the system processes them, and they're stratified samples, and so it is extrapolating, and so these are the economics for basically a representative trip with confidence intervals, and, again, it's in the tech memo, and I don't want to say much more on that.

We have some other results. The hired crew wage implicitly in this fishery is about \$247 per day, and that's not too bad. It's much better than the Gulf shrimp fishery. The productivity, we have some productivity measures, and then there's a time series, where we look at three years of this data, in percentage terms, and then do a three-year average, which some of the regional economists like to use, because, with a sample survey, you always have some random fluctuations.

Then we do the same thing at the annual vessel level, and so it's the same 500 vessels that do snapper grouper, but these vessels also do other fish, probably mostly mackerel trips, and so it adds another 4,000 trips. At the vessel level, we also have permit data and vessel characteristics, and then, for those 500 vessels, we have an annual survey for about ninety-four of them in 2016, and we generate annual economic data for that.

Again, we have time series for the annual economic data, and, if you look at the net revenue from operations, it's been fluctuating a little bit, but, over the last three years, 2014 to 2016, the fishery has a net revenue from operations of about 4.5 percent, and so, in summary of the sort of quantitative economics, the fishery catches about five-million pounds of snapper grouper and generates about \$70.5 million of revenue. A quarter of that revenue the fishermen spend on fuel and supplies, and about 40 percent of that revenue goes to labor, and then about 30 percent is for overhead and the vessel maintenance and depreciation, and all that is, again, in the report.

The one thing that I added in this presentation is, as an economist, there is another cost associated with the fishery, which is about -- You have to prorate it down, but there's about \$40 million of vessel capital invested in fishery at one point in time, and so we need to have an opportunity cost of that capital. I used 3.5 percent, and there's lots of discussion, and it doesn't make a big

difference, but, if you add those \$800,000, in terms of revenue, that's 4.5 percent, and you're left with a resource rent, or a rent in this fishery, of roughly the fishery breaks even, which, in a normal industry, is exactly what we economists would like to see.

If we have gas stations or barber shops, or shops of any type, if we saw a number here systematically higher, if people were making a profit beyond their costs of labor, because we're accounting for the opportunity costs of labor and the opportunity costs of capital, it would be some sort of failure of the market, a monopoly or something, which we economists generally don't like to see, but we are not in a normal industry when we're in a renewable resource situation, and so renewable resource is sort of a gift of nature.

You walk through the forest hiking and you come across a bush of berries and you eat them, you're just better off, and there was no cost or anything, and that's this gift of nature, and we economists call that resource rent, and it's generally a good thing, but, in an open access, or regulated open access, that resource rent is sort of what we call dissipated away, or it's just not realized, because that competition between the fishermen is making -- It doesn't get created in the process.

To look at what this fishery might look like with resource rent, what is sort of being lost, or not gained, by the open access nature and the regulation as it is, we had to go outside of the fishery, because that's a counterfactual, and so we're doing a comparison with the Gulf of Mexico reef fish fishery, and this fishery, in general, they are pretty comparable, because they are both, for economists, embedded in the same markets in the south, and so the price of fish and the price of labor and these things are not very different.

The species are fairly similar, and climate and latitude are similar, and the gears and the boats are not too different, but, as you know, the fisheries have, for the last ten years, been managed very differently, and the Gulf of Mexico reef fish fishery is what we economists would call pretty much rationalized, and so we expect that, through the IFQ system, for it to generate resource rents, and so what I'm going to continue doing is do a comparison between these two fisheries.

On this slide, you can see that the Gulf of Mexico reef fish fishery is about three-times as large, in terms of landings. It's fifteen-million instead of five-million, but you immediately see that the cost structure is very different. They spend much less on fuel and supplies, a little bit less on labor and vessel and depreciation, and so the net revenue from operations is insanely high in a competitive industry, and it's 34 percent. If we add the opportunity costs of capital, it's down to 31 percent of revenue, which is about \$19 million a year of this resource rent, or most of it is resource rent.

That is a windfall gain to the participants, and the participants, obviously, are the shareholders who have gained this resource rent. For them, it's like winning the lottery, but, for us as a society, it's effectively much better than winning the lottery. A lottery is transfer of wealth from people who are bad at math to some lucky few. In terms of like a resource rent, this is a gift of nature, and so our society is wealthier, because -- It's \$19 million wealthier, and that money is not being spent on extracting oil or making it and refining it into diesel and burning it.

It is a good thing, but, when this \$19 million is per year, when the shares are handed to the fishermen -- I should say, as a disclaimer, I am not here advocating for IFQs, and I just want to



look at the economics of the South Atlantic fishery, and this comparison is just to help me compare a situation where there is a rationalized fishery with a non-rationalized fishery.

This 31 percent is basically the earnings, the \$19 million, and the shares themselves would be the price-earnings ratio, and so they would probably be -- Which is over ten, and so they would be worth more than \$200 million, which were given to the shareholders at one point in time. It has led, the trading, to these economics, and so, to look at this a little bit more in detail, on this slide, we're looking at the effort and then doing the ratio of what's in the snapper grouper fishery with the reef fish fishery, in terms of a pound basis.

They both catch one pound versus one pound, but, in the snapper grouper fishery -- They gained about eighty-cents on the dollar for the reef fish fishery, and that shows up in the price and the revenue. When you look at effort, they both have about 500 vessels, which means that, in terms of poundage landed, the snapper grouper fishery almost has three times as many vessels as the Gulf of Mexico. In terms of trips, it's even more. There is 11,000 trips in the snapper grouper fishery and less than 7,000 in the reef fish fishery, and so there's almost a ratio of five-to-one.

If you adjust that these trips are longer and take more crew, it's not as dramatic, but you can still see that the Gulf of Mexico reef fish fishery is about 30 percent more efficient, in terms of crew days, than the snapper grouper fishery. Looking at trips themselves, you can see that the average trip is over four days in the Gulf and under two in the South Atlantic. The crew size is larger, and the magnitude is about four-times bigger in the Gulf. There is a little bit more owner-operators in the South Atlantic on the boats, and the Gulf uses more fuel, but definitely not proportionally more, and so they're much more efficient, when you look at -- In terms of landings per gallon, the Gulf is about 68 percent more efficient. In terms of landings per crew day, it's only about 20 percent more efficient, and so labor doesn't seem to be used too wastefully.

What is the process, and why are these two fisheries so different? Take a look at these two scatterplot diagrams, and the dots are all vermilion snapper trips, which are both quite big species on both coasts. On the X-axis, it's the total revenue from vermilion snapper. On the Y-axis, it's the share of vermilion snapper revenue on the trip, and so the top is the Gulf of Mexico, and you can see it's a sort of natural cloud of dots, and this somewhat long line at the bottom is probably the longliners that just have a bigger magnitude.

If you look at the South Atlantic fishery, by comparison, you immediately see these sort of clouds of dots, these thresholds, at about \$2,000 and about \$4,000, and that is basically the trip limits in the snapper grouper fishery. It's a split season, and it opens in January and again in July, and there's a 1,000-pound trip limit, and that drops down to a 500-pound trip limit. In this year, the price for vermilion was about \$3.80, and so that's why you get those lines about 500 times \$3.80, and so it's about \$2,000 and \$4,000.

Fishermen hit the trip limit, and they have to come back, regardless of whether it's inefficient or not, and, if they catch more, they might be discarding, and we don't know. One other thing that I would like to point out in this graph is that, if you see the mass of the dots in the Gulf, they're further down, and so there is -- Most trips where vermilion is caught, vermilion is just a small fraction of the catch. It's 25 percent, or under 30 percent, here. In the South Atlantic, especially on the trips that hit sort of the trip limit, you see that the vermilion is often 50 percent, or, in these 1,000-pound trip limits, it's actually 75 or 80 percent of the trip limit, and so either the South

Atlantic fishermen are much better at targeting vermilion snapper or they are possibly discarding a whole bunch of other species, and, as the next slide will show, that is quite possible, and so this is why there is so many vessels, because there is so many little races to fish.

Like we said, this is the landings, the share of each species landed across the month of the year, and I think it's the year 2016, and vermilion snapper opens with a 1,000-pound trip limit in January, and it drops down to 500-pound trip limit, and so people want to fish when it's open with a 1,000-pound trip limit, and then it's exhausted by April, May, and June, and it reopens in July, and so the gag and scamp caught on those trips cannot be landed, and so it has to be discarded. There might be biological side effects of discarding, but, economically, it's terrible, because you're going through a production process, and you're producing product, and, at the end of the day, half of that, or whatever share it is, you just throw back in the sea, and so it's obviously not good for the economics.

As an economist, when I see a product with the regulation determining when the product hits the markets, obviously we're worried about a price effect on those markets, and so I eyeballed at this point, and this is preliminary, but I eyeballed the data, and I did not see much price effect in the vermilion snapper fishery, and so this is just more as an example.

The golden tilefish, it seemed that the prices over the last five years were like \$3.00 in January and February, when the longliners are bringing this species in, and then, in the rest of the year, it goes up to \$4.00, and so this is the sort of thing that we economists would be worried about the price of fish if it's not the market driving the demand for fish, but the regulation determining when you are bringing fish to market, but, again, there is more advanced methods that can be used on this, which I did not do at this point.

If you're fishing these seasons, there will be gear that is inefficiently used, and I will just leave it at that, and so the question is, cumulative, what might be lost overall in this fishery, and so I generated -- Again, this is a ballpark exercise, some general scenarios, of what we might see in the South Atlantic fishery if, in Scenario A, we rationalized the fishery, you guys rationalized the fishery, and it would be as efficient in production as the Gulf of Mexico fishery. In Scenario B, it basically adds the idea that, if it was efficient, and we would see the same price increase that we saw in the Gulf of Mexico reef fish fishery after the introduction of IFQs, if that price increase happens as well, what rent would be generated, what would the cost savings and the price increases be.

Those are the three columns, the current state, in millions of U.S. dollars, and then Scenario A is sort of the supply side, and Scenario B is supply and demand side changes, and so I circled -- On fuel and supply, there could potentially be something like \$900,000 of savings, in a fully-rationalized fishery, and that would be over 300,000 gallons of fuel that would not be burned. In terms of labor, there would be about a quarter-million dollars of savings, and so it's actually much less, again, because labor is not being used all that inefficiently, and there would be less savings there.

The big one would be -- I should say both of those probably would occur fairly quickly, both the fuel, the supply, as trips were sort of consolidated, and the longer-term one, which would take a couple of years to sort of manifest itself, would be less operations and less vessels, and so there's probably about \$2 million in savings there, and then this is just a guesstimate, but, if prices

increased, like they did in the Gulf, there would another \$3 million in terms of there, and so for a total possible rent of maybe \$6 million, which is 31 percent of \$17 million, and so roughly that's how it worked. It was a comparative analysis.

There is a lot of caveats, and so, in summary, that economics, sort of the management structure, especially the species quotas and the closures and the seasons and the trip limits, they really drive the behavior and determine the economics in the snapper grouper fishery, and it's sort of a rough ballparking. There is probably about \$3 to \$6 million of annual resource rent being dissipated, and there is probably twice as many vessels, and not three-times, but twice as many, once you make the comparison, one-to-one, and they are probably using 300,000 gallons more of fuel, and there might be 20 percent too much labor, and the price of fish that they're getting might be lower, and there might be a lot of discarding. I think that concludes my presentation. Thanks.

MS. MCCAWLEY: Thanks, Christopher. I feel like that was jam-packed with information, and we also learned a little trick about the lottery. Are there questions?

MR. BREWER: Thank you for the presentation. Can you think of any other rationalized industry in which the resource rent gets anywhere close to 33 or 34 percent?

DR. LIESE: I remember like Microsoft has profit margins of 50 percent or something, because it's a natural monopoly in operating systems, and they've been -- No one has ever done anything about it, because what are you going to do about it? Is that what you're asking, or are you asking specifically --

MR. BREWER: What I'm really asking is, when we look at -- Let's take something that depends upon processing of natural resources, oil or timber or gas, and in which the producers are having to lease gas rights, oil and gas rights, either from an individual or from the United States government, and I don't know of anything in which a resource rent gets up anywhere close to that kind of number, and are you aware of anything?

DR. LIESE: To be honest, I haven't looked, but it doesn't seem -- It doesn't strike me as necessarily too high. If you have some way of -- Again, one thing to realize is this profit margin goes to the shareholders. If you're a vessel captain who has to buy the share, or buy the allocation, and the share is the permanent or long-term right which spawns the allocation per year, then you're going to be breaking even, like you did before, if you don't own the share. The rent is going to accrue to -- It's the property right, the fishing privilege, for using the resource.

MR. BREWER: Then one other thing that I noticed is I have been told, but don't know this for an actual fact, that, when it comes to red snapper shares in the Gulf of Mexico, they lease for between \$3.15 a pound and \$3.25 a pound, and am I correct that you showed an ex-vessel value of around \$4.10, something like that, a pound?

DR. LIESE: The shares get sold for -- If memory serves right, and I haven't looked in the most recent reports, for something like \$20 to \$35. The share is -- That's in terms of pounds in this year, and the council changes the MSY, and your share is a percent of the quota. Each year, the quota is determined, and that share becomes pounds, and so, when I say \$20 to \$35 per pound, it's in equivalent pounds at the current time, but the -- Each year, that share spawns allocation, and that allocation is in terms of pounds, how much can you fish this year.

That allocation sells for about \$3, \$2 to \$4, and the fish is worth \$5, and, in red snapper, it's very lucrative, and there's research opportunities, because some of the grouper-tilefish is a much larger margin, and so the fish is worth \$4, but the allocation is going for \$1, and so is that production costs, but they are all co-harvested, to a large degree, and the share price especially is also a speculation about what's going to happen to the stock in the future, and so, if you think your share is going to become less and less pounds, then the price is going to be lower for that share.

MR. BREWER: Then, if you have allocation that was given to you, if you were one of the original participants in the program, your profit is -- If you are leasing that on a yearly basis, it's astronomical.

DR. LIESE: As I said, it was a -- You can see it -- I wasn't here to discuss the IFQ, and that wasn't my task, but I wanted to just show the economics of the snapper grouper fishery and what we think would be possible if it was rationalized, and there is many different ways of rationalizing a fishery, and sort of a pure IFQ, what the Gulf did, is just one way. Some areas have put it into communities, and I don't think you necessarily have to give away the share.

You could just auction off the quota year-by-year, and there is other models to rationalize, sometimes just reducing effort, and so I am not advocating shares, and my personal opinions are it is probably a big giveaway, to a certain degree, because, when you give away the shares, you are giving away not just this year's rent, but you are giving away -- Again, these are fishing privileges, and it's not exactly the same thing as land rights, where our society accepts that, if I want to buy a house on a piece of land, I have to buy that from someone, and I am going to pay them the value of that land for eternity, basically, and that's the idea.

The councils, I believe, in the U.S. have the right to change these IFQs anytime, and so I don't think that exists with land. The government can take it, but they have to compensate you, and so it's a different scenario, and it's not the same thing as those property rights, but, generally, if people -- When you look at the price-earnings ratios in the Gulf, people seem to be treating this as property rights that they don't expect to lose.

MR. BREWER: They expect to inherit and they expect to will or gift within their family, and it's a -- But the point I guess I'm trying to make, and maybe I shouldn't be trying to make it through you, is, if you give away these rights at the beginning of the program, the people who get them have got a, in this case, in the Gulf's case, a tremendous windfall.

DR. LIESE: Yes. In the Gulf of Mexico, probably more on the order of -- It's not the \$19 million per year. They got the rights to that \$19 million forever, or until the council changes their mind, but the point is they are valuing that at -- I think, the last time I looked, it was like twelve, price-earnings ratio. If the earnings are \$19 million times twelve, you're over \$200 million worth of value, and that's how you get those sea lords, but the design of IFQs, there is many different ways.

Sea lords could be dealt with by saying you have to be an active captain on a boat in order to own share, and that would get rid of consolidation, unless people build really, really big boats, but there is limits. There is all kinds of tweaks that can be done, and there is also other methods to possibly harvest some of these resource rents, or generate some of these resource rents, without fishermen competing and all these races to fish.

MR. BREWER: Thank you.

MR. CONKLIN: Thanks, and so this definitely was a pretty good representation of how inefficient our fishery is managed in the South Atlantic, and there was a couple of things that maybe you missed, and that would be certain times of the year when were almost completely tied to the dock for two or three months, where it's almost never economically viable to make a trip anyway, except for certain times of the year, but, other times, I have to pull out of my pocket to support my captains and their families and still make the boat payments and stuff like that, that I don't report on the trip tickets and the economic part, but, other than that, it basically shows how poorly we manage this fishery, with trip limits and stuff like that, and how we have pretty much socialized the same limit for everybody, and so, if we have one fisherman that is really good, he can go out and fill up his little 1,000-pound limit on vermilion in a day or two, and then you have somebody who is not good and it takes them four or five.

Meanwhile, the guys that are efficient and could stay longer, where I make one trip and catch 5,000 pounds, instead we're making five trips to catch 1,000, and so your display of the extra fuel and all that is pretty accurate, and I thought it was good. It just basically shows that we're sucking, and we're barely getting by, and I appreciate you showing that. Thank you.

MS. MCCAWLEY: Anybody else have questions or comments?

DR. PORCH: Thank you. I just also wanted to highlight sort of one of the hidden benefits that come on with these sorts of programs, whether it's IFQ or limited entry, in that, when you move away from that derby effect, and people have a sense of ownership of the resource, it actually tends to foster more cooperation. I mean, our relationship with the commercial fishing industry in the Gulf is far better now than when I started in this, and a lot of that is because they went to IFQs. It just changes the dynamic completely. Thank you.

MS. MCCAWLEY: Anything else? All right. Thank you so much for that presentation. All right. We have a couple of items for Other Business, and we'll cover them -- The two items that I know about, we'll punt those to Full Council and talk about them in Full Council, but are there other items for Other Business to come before the Snapper Grouper Committee? All right. Thank you.

(Whereupon, the meeting adjourned on June 12, 2019.)

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Transcribed by:  
Amanda Thomas  
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