

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **SNAPPER GROUPER COMMITTEE**

**Hilton Garden Inn/Outer Banks  
Kitty Hawk, North Carolina**

**December 4-6, 2018**

### **SUMMARY MINUTES**

#### **COMMITTEE MEMBERS**

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Dr. Kyle Christiansen  
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Myra Brouwer  
Dr. Chip Collier  
Christina Wiegand  
John Hadley  
Roger Pugliese  
Amber Von Harten

#### **OBSERVERS/PARTICIPANTS**

Shep Grimes  
Monica Smit-Brunello  
Dr. George Sedberry  
David Moss  
Mike Larkin  
Dr. Marcel Reichert  
Dr. Erik Williams

Dr. Jack McGovern  
Dr. Clay Porch  
Dale Diaz  
Erika Burgess  
Nik Mehta  
Rick DeVactor

Other observers and participants attached.



The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at the Hilton Garden Inn/Outer Banks, Kitty Hawk, North Carolina, Tuesday afternoon, December 4, 2018, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: Our first order of business is Approval of the Agenda. Are there any modifications or changes to the agenda? Any objection to approval of the agenda? Seeing none, the agenda stands approved. The next order of business -- Also, on the agenda, there is a presentation, now that we just approved the agenda, there is a presentation that was supposed to happen towards the end, and it's the Item 12, and we are not going to be getting the presentation at this meeting, and we're going to discuss that under a different committee, but that was the presentation by Marcel.

The next order of business is Approval of the Minutes. Any changes or modifications to the minutes? Any objection to approval of the minutes? Seeing none, the minutes stand approved, and next up is the Status of Commercial and Recreational Catches Versus ACLs. I am going to turn it over to Rick.

MR. DEVICTOR: Thank you. This is Tab 5, Attachment 1a in your briefing materials, and we have updated landings on the screen, and so I will go through some of the species. For black sea bass, we are at 35 percent of the annual catch limit, about, and you can see, if you move on to the right-hand side, you can see where we ended up in 2017, and that's 44 percent.

Blueline tilefish, you can see what the 2018 ACL is, and we closed down on August 22, and we're at 106 percent of the ACL, and so we went over on blueline tilefish. Golden tilefish, hook-and-line component and longline component, we have the interim rule in place, and we'll talk more about that when we go over the status of amendments and Regulatory Amendment 28, and we closed down the hook-and-line component on August 14, and we're at 94 percent of the interim rule quota. For the longline sector, we closed down on March 25, and we're at 103 percent of the interim rule quota, and we have proposed ACLs. You saw a Fishery Bulletin today about Regulatory Amendment 28, and that published today.

Gray triggerfish, we have a split season and so two six-month seasons. The first season, we're at 102 percent, and we closed down on June 13, and the second season closed down on November 6, and we're at 103 percent. Hogfish, there is two stocks, the Georgia/North Carolina and the Florida Keys/East Florida stock, and you can see when we closed down, but we're at 99 percent of the Florida Keys/East Florida stock.

Jacks, we closed down on August 22, and we're at 101 percent on that. We ended up at 100 percent last year, and it closed down just around the same time, August 4. Red snapper, we're at 89 percent, and it closed down on November 7, and, as you saw in the Fishery Bulletin, we're opening up for ten days, starting tomorrow at 12:01 a.m., December 5, and we're going to close on December 15 at 12:01 a.m.

Snowy grouper, we're at 103 percent, and we closed down on July 24. Last year, it closed down on June 22. Moving to vermilion snapper, of course, we have the 1,000-pound trip limit that steps down when 75 percent of the annual catch limit is met, and so, in the first season, the trip limit was reduced, but we did not close, and we ended up at 92 percent for the first season, and so, as per the regulations, we rolled over the unused portion of the first season annual catch limit into the

second, and so this second season, which started on July 1, 2018, the trip limit was reduced on October 26, and we're currently at 93 percent of the revised annual catch limit, and so we're keeping an eye on that one for the rest of the year. Finally, yellowtail snapper, we're at 35 percent right now, and that's an August 1 start date, and you can see where we ended up last year. Then, again, we have Dr. Larkin, who is going to run through the recreational annual catch limits.

DR. LARKIN: I will go through the snapper grouper recreational landings. I just want to follow-up real quick for Anna's last question. There is, under the NOAA recreational statistics website, where you can compare the MRIP landings from the mail survey, and it applies a conversion factor, and you can compare that against the MRIP landings from the phone survey, and so I will have to find a way to get you guys that website, but anyway.

The landings are summarized using MRIP or MRFSS, because we still have, I believe, a couple of the stocks in the South Atlantic that are still monitored with MRFSS, and so, really, it depends on how the ACL was calculated, and the same story as before. These are updated up to Wave 4, and the 2017 are final, and the 2018 are preliminary, from January 1 to August 31, and then the Waves 1 through 4, and also the poststratification, and so there are several stocks, for example, where we take the Monroe County landings and apply them to the South Atlantic, and so they're included in the ACL monitoring.

As we talked about before, now we're doing -- Currently, in 2018, we're doing a mail survey to get the effort component of the recreational landings, but the ones I'm about to show you have been converted to the phone survey, which is called the Coastal Household Telephone Survey. Just to keep that apples-to-apples comparison to how the ACLs were defined, I'm going to show you the equivalent of the phone survey landings. These landings that I'm going to show you are going to include the MRFSS or MRIP and also the headboat landings.

I am really just going to highlight the overages, and I'm not going to go through each one, and so like, for example, these are the 2017 landings, and blueline tilefish had a big overage in 2017, and then they had a closure. They actually have a fixed closure starting on September 1, and that closed the first part of the year, too. They were only open, I believe, from May through August, but, anyway, they had an overage in 2017.

Gray triggerfish had an overage, and that's one of the ones where we -- There is a delay in the recreational landings, and so, by the time we get it, a lot of times we summarize it up, the final landings for the year, and then we find out that it went over, and that was one of those examples, when we got the final 2017 gray triggerfish landings. They were over the ACL. Hogfish went over, but, that one, the ACL was lowered, and then the size limit was also increased, and so that kicked in on August 24, and so that explains the overage there, a big drop in the ACL midway through the year for hogfish in 2017 from East Florida and the Florida Keys.

Then, for these ones, in 2017, we didn't have any overages. I am not going to spend much time on this, and then, for 2018 landings, we have from Waves 1 through 4, and so, for the blueline tilefish, we had another overage. That one is currently closed in federal waters right now, because it has a fixed closure on September 1. That should say 2018, and I'm sorry about that typo, but that's should say September 1 of this year is that fixed closure.

Golden tilefish also was closed on August 28. That's only at 80 percent right now, but keep in mind that we're still waiting for Waves 5 and 6 of 2018. Then, for red grouper, we had an overage there, but that was another one where during 2018 the ACL was reduced, and, when it was reduced, it also had a -- With the new ACL, which was implemented in 2018, it had an overage, and you can see it was by 36 percent there. That one, we're actually closing right now, or pushing through a closure package right now, and so we just got these landings on last Friday.

Then, for the ones with the fishing year that don't follow the calendar year, greater amberjack, for 2016/2017, that was one of the ones where, by the time we get all the landings for the full fishing year, there was an overage, and you can see it was about 5 percent for greater amberjack. We got ahead of it the following season and closed it on October 31. We closed it early, but we still had an overage there, you can see, by 4 percent in 2017/2018 for greater amberjack. Then, currently, the 2018/2019 landings, which are not final yet, or not complete yet, that's what we've seen so far.

Then this is the same format that I showed you before, with the landings broken up by charter, headboat, private and shore, and then total, and the gray is when the ACL was defined in MRFSS, and then it switches over to MRIP in the non-shaded area, and so this is black sea bass. Then the same format again. It's got the years there on the X-axis, and the Y-axis over on the left is the landings, and the effort is over there on the right, and then the ACLs are the black dashes. You can see in recent years that these landings are pretty low, the black dashes there, and so they're under the ACL.

There is it looking at gag grouper, and I'll give you a few seconds to look at it. Again, it's broken down by mode. Then here is in the figure, and, again, you can see that -- It looks like all of these, since we've had the ACL, have been below the ACL. Then the colors there are -- You can see that the green is more dominant there, more of the private landings, and so you can see which modes dominate the recreational sector by the colors there.

Greater amberjack, this one is still in MRFSS, and that's why it's all gray, because the ACL is still defined in MRFSS, and then, for greater amberjack, you see the figures there, and we've had some overages in recent years. This is mutton snapper, and, recently, that one changed over to MRIP, and so you can see in 2018 the non-shaded area there.

Also, it switched from pounds to numbers, the ACL, and that's why I put that little special bar there in 2018. You can see the big drop in the ACL and the big drop in the numbers, but keep in mind that's really kind of like an apples-and-oranges. You're looking at pounds all the way up to 2017, and then, in 2018, the landings are in numbers, and so just keep that in mind when you look at that figure.

Yellowtail snapper landings are still in MRFSS, and, also, in 2016/2017, we changed the fishing year to be different than the calendar year, and so that changed a bit, 2016/2017 and 2017/2018. Then you can see there the landings relative to the ACL in the different modes. Then this is red porgy, and it switched over to MRIP in 2013, and then this figure, and I will give you guys, again, just a few seconds to look at it. Then vermilion snapper switched over to MRIP in 2013. Then there's a figure of it.

Snowy grouper, keep in mind this one is in numbers, numbers of fish, and it switched over in 2015 from MRFSS to MRIP. Then it had a big peak in 2016, but, in recent years, the landings have

been below the ACL, as you can see there. Then tilefish, this is another one where the ACL is defined in numbers, and it switched over to MRIP in 2018, and then there's a big peak in 2016, but the recent years' landings have been lower, for golden tilefish, or tilefish. Then, for scamp, this is one that you recently added, I think a year ago, by request from the council, and so you can see that it switched from MRFSS to MRIP in 2013, and there is the landings by mode. Then there it is relative to the ACL and the different recreational sectors.

Then this is another one that you requested, and I think I missed it the last council meeting, but someone else requested from the council to add blueline tilefish. I just started it in 2014, because, before that, it was included in the deepwater complex, and so it essentially separated in 2014, and that's when I started the table, and they're all in MRIP. Then, using the same figure, I just put in the ones started in 2014, and, with this one, we've had some overages in recent years, as you can see there. Any questions? I'm happy to take any questions.

MS. MCCAWLEY: Are there questions on either the commercial or the recreational landings? All right. No questions. Thank you, both, for that excellent presentation. We're going to move to the status of amendments and back to Rick.

MR. DEVICTOR: Okay. I will briefly report on the status of three amendments that have been submitted to National Marine Fisheries Service. Abbreviated Framework 2, this would change the ACL for black sea bass and vermilion snapper, due to the results of recent stock assessments and ABC recommendations, and it would actually lower the ACLs for black sea bass and raise them for vermilion snapper. This was submitted from the council to NMFS in late November, and we are working on the proposed rule package right now.

Next up, I already alluded to Regulatory Amendment 28, and there are interim values in place right now, and they are effective through January 3, and so the timing worked out really nice on this. As you saw in the Fishery Bulletin that just went out today, the final rule published today, and the regulations are effective on January 4 with the ACLs.

Finally, Vision Blueprint Regulatory Amendment 27, and this has to do with the commercial sector, this considers management measures. It splits fishing seasons for several deepwater species, modifying trip limits and a trip limit reduction for several species and changing minimum size limits, and this is one that you all took final action on at the last meeting, and that's when you approved it, and that one also was submitted to NMFS in late November, and we are working on a proposed rule package right now, and so that concludes my report of the three amendments that we're working on.

MS. MCCAWLEY: Thank you. Any questions on the status of amendments?

MR. GRINER: Rick, how long do you think it will take for 27 to get moved the next step down the line?

MR. DEVICTOR: Well, we're working on it right now, and so the next step is for us to publish the proposed rule on that, and so we got it on November 20, and so we are working on that package right now, and so it's hard to predict a date. It's in the queue right now. Perhaps in the next couple of months we can get the proposed rule published.

MR. GRINER: Thank you.

MS. BROUWER: That amendment actually -- We're still putting the finishing touches on it, and so it hasn't been officially submitted, and I believe it's still under review by the Chair, and the codified text was received with some revisions, based on your changes to some of the preferred alternatives. Remember that you changed your preferred on amberjack, and I believe vermilion snapper, at the October meeting, and so we had to do some tweaks to the amendment, but we're close to having it done and sending it over to the Regional Office.

MS. MCCAWLEY: Any more questions on the status of amendments? Next up on our agenda is the Snapper Grouper AP Report.

MS. BROUWER: David Moss, our Snapper Grouper AP Chair, was not able to be here with us today, and so he's going to deliver the Snapper Grouper AP report, and he's on the phone right now.

MR. MOSS: Sorry I'm not there, although, when I saw the weather up there, I'm not that sorry that I'm not there, and I'm not going to lie. The Snapper Grouper AP met back in October, and Charleston, and the first two things that we went over had a lot to do with Regulatory Amendment 29, best fishing practices, and I will just kind of run through the highlights of that, and one of the things that a lot of people brought up was the issue of liability when using venting devices, as opposed to descending devices, and that's one of the reasons that a lot of the -- I guess a comment from the AP was the preference for descending devices and that we didn't want to limit people to just using that, and the thought was, again, carrying around sharp needles and whatnot on particularly for-hire vessels, like headboats and stuff, and it just exposes businesses to liability, and so, again, a preference was noted for descending devices versus venting devices, but we didn't want to limit anybody to using either, when it comes to best fishing practices.

We do like -- Everybody agreed that the description of the devices that are listed are very good, but mostly what's listed are the commercially-purchased devices, and many people are being very successful with homemade devices, like milk crates and hooks upside down and various other devices that they have come up with, and, again, the thought was just to, I guess, influence the use of them overall, rather than sticking with one commercially-purchased device over another.

We were also hoping for a better definition of what "rigged and ready" was, and it was also noted from quite a few people that the venting tends to work better for smaller fish, and the descending devices work better for deeper fish and larger fish, but, again, both options should be available. It was -- Almost across-the-board, most stakeholders are very likely to support all these practices. It was suggested retaining information on the price of available devices, but clarify that these are just commercially available and anything that anybody can find that works well is acceptable, and I will hit that again later.

The AP reiterated that yellowtail snapper should continue to be excluded from the requirement for circle hooks. When discussing, again, best fishing practices, circle hooks are often brought up, and so it was just noted on the record that yellowtail should still be excluded from that. Then gray triggerfish were also brought up when using circle hooks. It can sometimes be difficult to de-hook gray triggers, due to the size of their mouth and the teeth and whatnot, when using circle hooks.

Again, consider adding information to amendments on how circle hooks are likely to benefit a stock, and so it's kind of that buyback thought that, if we're going to make an amendment, or propose an amendment, I should say, to use a circle hook, what is the net benefit of that. Alternative 4 under Action 2 is also -- They did find that as useful. Then we discussed the use of powerheads, which, again, we'll get to here in a second. The AP was concerned over potential localized depletion of some species, which they have seen particularly off the coast of, I believe, North Carolina, and somebody can correct me if I'm wrong there, just due to what it can do to a fish population. It's like 100 percent mortality when you're using them, and you can just really deplete a reef area when using them.

One of the things brought up with circle hooks, again, was the regulations based on species and/or size of the hook being used, but, again, concern about the enforcement on that was brought up, but it was a suggestion made, and then powerheads can often be used for protection by divers, and so we need to watch the restrictions, if implementing restrictions on that, and, again, this was brought up mainly by the North Carolina boys, just watching the restrictions on that for some of the commercial spear fishermen and whatnot, because a lot of those guys use them as a shark deterrent.

Then it was also noted that fish that have been harvested with a powerhead are more difficult to market, because of really aesthetics, to a great degree, and the AP also urged that any consideration that we make for such regulations would be the same for both the commercial and recreational sectors.

For the circle hooks, the AP recommended Alternative 1, no action, and that when we discussed the latitudinal location of the circle hook requirement, which, as of right now, is set north of 28 degrees, and a lot of people state that that's due to kind of the hard line that we draw for yellowtail, and particularly commercial yellowtail, and so, again, the AP recommended no action for that.

The AP recommends Alternative 3, Sub-Alternatives 3a and 3b, for the powerhead prohibition, which was prohibiting the use of powerheads for recreational and commercial harvest of species, for both recreationally and commercially-permitted vessels, and that passed with one in opposition.

Then we moved on to speaking about Regulatory Amendment 30, which was red grouper rebuilding, and everybody agreed, along with the science, that the red grouper stock is not rebuilding the way that everybody would have liked, and so there was quite a bit of discussion about that. One of the first things brought up was how much lionfish predation and algae blooms have affected the juvenile populations of the red grouper and what that has done for obviously the rebuilding of the stock.

We had discussed modification of the spawning season, which, again, I will hit again a little bit lower, and the AP stated that Sub-Alternative 2d would be punitive for fishermen in North Carolina, as they have a much shorter fishing season, due to weather restrictions, really North Carolina and South Carolina, and they have a much shorter fishing season, due to weather restrictions, than us boys down south, and so there was some concern about that. The AP recommended conducting an analysis to apply the closure in federal waters off of the entire South Atlantic, as opposed to just making a regional closure through January and June.

Then we expressed concern about access to other shallow-water groupers possibly diminishing in the future, due to regulatory actions aimed at red grouper, and so we didn't want the precedent to

be set to affect the other shallow-water grouper species, black, gag, et cetera. It was noted that a research study published in 2007 found that red grouper don't spawn in January, but rather from February through June, and so, again, take that into consideration when thinking about these seasonal closures. Again, it was brought up that no evidence of distinct stocks between the South Atlantic and Gulf of Mexico, and so it's all just one stock.

The members of the AP noted that trip limits for the commercial sector may not be effective overall in reducing harvest, since the sector is already only harvesting a small portion of the ACL. However, it may disproportionately affect fishermen, particularly in the Keys, who specialize in red grouper in some areas at certain times of the year. Then the motion was made to, again, include all four states in 2d for red grouper, which was the January to June closure, and just, again, being aware of how that's going to adversely affect the other grouper species, as you might have some targeting concerns, and then setting a precedent if we go down that road.

Regulatory Amendment 32, which was yellowtail snapper ACL and accountability measures, and this was brought to -- It's looking at the accountability measures for yellowtail snapper to alleviate socioeconomic impacts to the commercial sector, and they have experienced a couple of closed seasons recently, and the AP felt that the, and this is coming from particularly a lot of the recreational/charter fishermen, that the yellowtail snapper fishery is actually very well managed down south.

The current fishing year is working well for the commercial sector, in terms of marketability, and the summer months are not always the best, and the price of the yellowtail diminishes substantially during this time, for a variety of factors. Yellowtail snapper fishermen on the AP say that their preference is to wait until after the stock assessment is completed to make any management changes.

Our concern is that the commercial catch rates have been up in recent years, but we may see that peak go back down coming up shortly, and we also mentioned that discarding small yellowtail in the summer months, which affects everything overall, and we all know survivability of released fish and how that affects things. Another reason to support taking no action is time to allow recent changes in management to play out.

Those that were affected by the 2017 hurricanes that hit everybody in Florida, but particularly the Keys, have kind of started to stabilize a little bit, and it was suggested that a bycatch trip limit could be established once a certain percentage of the ACL is met, to minimize discards when they are taking mangroves. It was also suggested that historical landings of mangroves could be examined such that a possible yellowtail bycatch trip limit would be implemented, and we'll hit that in a second.

Again, regarding this, it was recommended by the AP, almost unanimously, with just two abstentions, that no action for yellowtail be taken at this time and that we leave the ACL divisions the way they are, and then another motion was made that we explore bycatch allowance of yellowtail snapper in the mangrove snapper season, which is particularly June and July and into August, when they spawn. Again, that's mostly the commercial sector.

Input for the biennial evaluation of the 2016 through 2020 vision blueprint, I will, again, just kind of hit on a couple of these. Species-specific quota-based management, management elements for

sub-regions set quotas, these are all the long-term items that you guys can see up there, obviously, and regulations by sub-region not based on quota allocations, state-by-state regulations for either sector, adaptive management to slowly increase the almaco and rudderfish ACL, and consider a permit bank to address new entrants into various fisheries.

Short-term items, staggered spawning season closures, which are some of the things that I know we're all considering right now, use a bag limit step-down as a post-season accountability measure for the recreational sector, charter boat limit instead of per-person limit, when considering charter fishing, and alternative management approaches for multiday boats, and some of the things that were brought up were permit stacking, multiday endorsements, sector/community shares, evaluate the retention of the bag limit when the commercial season is closed, use multiyear ACL catch specifications, and that's to help with some of the peaks and valleys that you might see due to weather consideration or weather events, things like that, where you might have one year that is kind of kooky that might affect an ACL, moving forward.

Consider non-traditional stakeholders in management decisions, i.e., restaurants, ecotourism, bait tackle, things like that. Consider diversity of harvest operations, consider number of days allowed to fish for the recreational sector, consideration of a time-out period of no fishing for the recreational sector, which I will get to in a second.

Then the remaining long-term and short-term items for the communications strategic goal are to incorporate a real-time calendar for fishery closures for both sectors, so that everybody can have a very real picture of what is open and what's closed, as you all well know that the snapper grouper encompasses such a wide array of species. An advertising campaign highlighting council activities and success stories, outreach strategies related to connection between habitat and fisheries. Then the short-term items were working with agency partners to provide notification of ACL monitoring updates, website analytics to evaluate effectiveness, targeted outreach about the council process, including role of SSC. Expand use of educational webinars on stock assessment, data collections, et cetera. Then develop training for new AP members, and that was something that was brought up a couple of times and I know even myself experienced when I first joined the AP, is it just kind of rolls right off the back if you don't have much council experience.

Then, again, just more comments on that were the pursuit of research on life history of managed species is critical. While staggered spawning season closures is an attractive concept, it's complicated from a regulatory standpoint, and we would need more information to consider the feasibility of that. More information also on the possibility of a bag limit step-down, but it could work for the recreational sector, as opposed to just hard closures.

Of course, everybody kind of rolled their eyes at the time-out period of no fishing for the recreational, and it's not feasible and should be removed from consideration. The needs of non-traditional stakeholders are already being addressed by the needs of the commercial and recreational sectors. Multiyear ACLs is an interesting concept and should be considered.

Multiday trips would be a good way to address carbon footprint, and permit stacking would also be economically beneficial and alleviate the cost to fishermen when a vessel requires maintenance or is otherwise unable to fish. Permit stacking may improve professionalism in the fishery, but, again, we would need to kind of evaluate the pros and cons. Weekly trip limits or multiday

endorsements could be considered. Instead of referring to large vessels capable of making multiday trips as “traditional bandit boats”, suggest using the term “trip fishing vessels”.

Fishery performance reports for yellowtail and golden tile, with the input from the AP, they have been developed for several snapper grouper species, and the intent is to assemble information from the AP members’ experience and observations on the water, which is why we’re all there, and they’re going to be provided to the SSC and the Socioeconomic Panel and the council to assist in discussions. Then, obviously, you have a link there.

Citizen science scamp release app, we had a presentation on the progress of the development of the app, and that went really well, and we got to actually use it, and it was pretty neat, and it was very user-friendly, I might say, which was nice. The one thing we suggested using was no release instead of no encounter.

We had a discussion to inform a request for a Southeast Regional Permits Office presentation in the spring of 2019, and this was an interesting one. We had a lot of comments and concerns, I guess is a nice way to say it, but provide an overview of the permit program. When was the program established, how many permits are being managed, and these were suggestions that the AP had for the Permits Office, and I guess I should clarify that.

- Clarify how the renewal process different in the for-hire and commercial permits. Clarify process for incorporating and, particularly, the time it takes to do it. Explain the process for permit application and renewal. Request feedback from the Permits Office for streamlining the permit application and renewal process, and so what would be best for them for the stakeholders to be able to get their permits quickly and easily. Explain how changes could be made in terms of governance and explain how permit leasing works.

Then the AP suggested the following to improve SERO Permits operations. Work to improve customer service and answering service. The renewal process is lengthy, especially for those who have multiple permits, and it could be streamlined. Contact fishermen in a timely manner when permit issues need to be expedited. Much of the required information on permit renewal forms is duplicative from year to year, and, if there’s any way to streamline that, so that you can kind of type in a user name and have all of your information pop up, and then SERO Permits Office could streamline the system so fishermen don’t have to spend a lot of time filling out the same information they have already provided. Forms could be pre-loaded in the system so that fishermen only have to edit their application at the time of renewal.

Improvements in coordination between the Permits Office and improvements to avoid issues such as sending fishermen’s information to the wrong recipient. We had a couple of times where that happened, where it was some of their actual personal information sent, and thank goodness they were friendly with the other fisherman that received it. Consider assigning permits agents by customers’ last names, permit numbers, et cetera, to create some continuity in service, and allow fishermen the option to submit forms electronically to minimize the cost.

Some of the stuff for the Other Business section was to recommend removing almaco jack from the other jacks complex and recommend evaluating whether African pompano could be included in the Snapper Grouper Fishery Management Unit. That was from up north, again, where they have a decent amount of encounters with that type of fish.

A couple of the motions that were made were to recommend that NMFS address descending device usage and release treatment through existing programs and include information on compliance rates and type of device used. That was approved unanimously. Request that staff obtain information for the AP to send a letter to request additional funding for the SEFSC to advance the science and research needs in the south. Alternatively, the AP could develop a form letter that each member could send to their congressman as a private citizen, and it was also discussed if we could send one as an AP, but some of the legalities and stuff kind of -- We decided that it would be best for everybody to send it as a private citizen.

Recommend that the council consider restarting development of Amendment 47 in December of 2018, or soon thereafter, and that was fifteen in favor, with just one opposition to that one. Recommend that the council consider separating the for-hire component from the recreational sector to improve accountability. Request that a referendum be held for the for-hire component for limited access and sector separation, and that was voted for with just one opposition. That is everything, and sorry I went through it really quickly. If you guys have any questions, I will do my best.

MS. MCCAWLEY: Thanks, David. That's a great report. I am looking around the room to see if folks have questions about the discussion or the motions or anything about the AP report. I know we're not talking about best fishing practices at this meeting, but I think we're talking about it at the next meeting, and so, some of the items that the AP covered, we're not necessarily looking at those particular amendments this time, but Myra will paste their comments into the amendment when we look at it next time. Any questions or comments or concerns?

MR. HEMILRIGHT: I have a question about the -- Did the AP get any feedback from the Permits Office on some of their recommendations?

MR. MOSS: We were asked to kind of give, I guess, suggestions to the Permits Office, and, admittedly, it did kind of spiral a little bit out of control and into some horror stories, which we've had, I'm sure, in various levels of everything, and so I guess, Dewey, the answer is, no, we didn't get any feedback from that, and this was just really for us to kind of give recommendations to them of some things that maybe we would like to see or get better clarity on and information and so forth.

MR. HEMILRIGHT: I just wondered kind of what's happening with the Permits Office going in the future, and how are they going to look to expedite something, like, for instance, and I just use this for one instance, when I renew permits in the Northeast, they send me a one-pager and ask me if anything has changed from the previous year, and, if not, sign it and send in your documentation and a couple of others.

When I go to renew my permits in the Southeast, I have to lease my corporation to my vessel, and I have to fill out about seventeen pages, and it never changes for me in fifteen years, and it's a lot of pages, a lot of paperwork, a lot of different things, and I just don't understand, for the life of me, why it couldn't be simpler. I understand there's a lot of different moving parts in the South Atlantic that has to do with all types of permits, but there should be an option of where just has anything changed, yes or no, and send in your -- I've got a litany of stuff to send it, but whatever it is to send in and get your permits renewed, because it is very frustrating.

I know another thing is -- I had a recent incident where, for three days down there, the fax machine in five different offices down there, none of them worked. I tried to fax in my stuff and fax it in to different numbers and stuff, and none of them worked, and so I was able to go email something and get it walked over there, but the part of having to fill out these massive amount of paperwork is just -- You almost have to print it off from the previous year, if it worked successfully and then go back and print it off, but there's just got to be some way easier or faster or cut less trees down or something that's not so time-consuming. Thank you.

MR. GRINER: Well, I've got some good news and bad news. Actually, and I just learned this, actually, all of our permits, with the exception of golden crab and one other, can be renewed online. There is actually an online renewal system. It's unbelievable that none of us knew about that, and so, supposedly, when we got our renewal letter, there was an activation code on that letter, and you would go to this portal, and I've got the portal opened up, and we can put it up on the screen, but you plug in your activation code, and you get a password, and you now have an online account with the Southeast Fisheries permit system, and you can do everything online and pay with your credit card.

I went back and looked at my renewal letter that I just got in August, and there was no activation code on my letter, and that's why I didn't pick up on it. I thought that maybe I had just overlooked the -- You know, didn't read the letter all the way, but the activation code was not there, but the system is in place, and you can renew every single permit online, and it will fill out the forms for you, once you've done it once, and next year it's the same thing. You pull up your account, put your credit card in, and you are done. However, it doesn't work, because I have no activation code.

DR. CRABTREE: I believe the plan is, at the Jekyll Island meeting, we're going to have our Permits Office come make a presentation, and I think what you will see is a lot of all of these issues you're bringing up have been and are being addressed and changed, and there are big changes going on in how you renew permits and in the Permits Office, to try and address a lot of these kinds of comments, but, not for all permits, but for the majority of permits now, you are able to do all the renewal online, and we are trying to get away from paper, so we don't have to deal with it, but there will still be complicated cases, with documents of incorporation and those kinds of things, that complicate some of these things, but the system is changing and getting better.

MR. MOSS: Kind of going on the back of what Roy just said, that was the purpose of us bringing that up at the AP, was having the -- It was, I guess, recommendations for what we would like to see presented at the Jekyll Island meeting, when they were going there, and so just to kind of clear that up.

MR. HEMILRIGHT: I hope I've got more good news in the rest of this meeting, but that sounds really great, because I haven't lost any sleep, but it's been really frustrating of having to do that, but, as far as going online, and I guess I will have to look at that, how does it work with where you've got paperwork that you've got to provide to the SERO, documentation and all these other different things? How does that -- I will talk about it offline to somebody. Thanks, but that's good news, and maybe it is going to happen then.

MS. MCCAWLEY: All right. Any other questions or comments on the AP report? Okay. I don't see any. Thank you so much, David, for this report. We really appreciate it, and thank you for your willingness to do this over the webinar.

MR. MOSS: Absolutely. Thank you, guys, for being flexible with it. I appreciate it.

MS. MCCAWLEY: All right. Next up on our agenda is the SSC report, and I believe that Dr. George Sedberry is going to give us that.

DR. SEDBERRY: While we're bringing up the PowerPoint, just so you know, there is a PDF of the PowerPoint in the late materials folder in the briefing book. The actual SSC report is in the briefing book in the main folder, kind of the root folder, there. The SSC met for their fall meeting from October 15 to 17 in Charleston.

One of the first things we reviewed was the FWRI study of trap comparisons and selectivities for comparison with using video cameras to compare what the traps catch versus what the video sees, and the SSC looked only at the red snapper part of the report, but the entire report is available to you. We felt it was a well-designed and well-executed study with valid analyses of relative selectivities between gears, and so it gave the relative selectivity between the video and the traps, but not absolute measures of selectivity, and it assumed that the stereo camera system captures the true population, and the other gears, the hook-and-line and trap gears, were compared to that video.

The study findings were that the traps and videos may have different size selectivities, and the chevron trap selectivity may not be flat-topped, as has been assumed in previous assessments. The extent of doming cannot be determined from the present study. The SSC thought that they had found some uncertainties in the study, and, as I mentioned before, it's a relative study, and the true selectivities remain unknown for red snapper and other species. The study was restricted temporally and spatially off the east coast of central Florida. The effect of the camera setup on catchability is unknown. The camera setup on this chevron trap is different from the camera setup on the fishery-independent survey, and so that may affect the catches, but it's just unknown.

The video survey provided information on size selectivity and not age selectivity, and it may be possible to do some conversions there, as there was some removals samples done at the same time that could be aged and compared to the lengths of what we've seen on the video, but that is a concern, because of the way that red snapper grow very quickly in their early life.

The SSC recommended some additional research, including continuation of selectivity studies, and particularly to address true selectivity versus relative, to investigate age selectivity of the different gears, rather than just size selectivity, to address temporal and spatial issues, for example inshore and offshore differences in length distribution that are found in red snapper, and to investigate areas outside of Florida.

The results of this study should be considered for upcoming assessments for red snapper, and the study might be useful for other species as well, particularly black sea bass and vermilion snapper, and tomtate were caught in sufficient numbers to where the results might be useful in future assessments for those species as well.

Regarding the interim analysis that the SSC received a report on last May, the SSC is not recommending including the trap selectivity findings in the interim analysis at this time. The interim analysis is based on a benchmark assessment, and any change would have to be incorporated back into the original assessment before inclusion in the interim assessment. A standard assessment should be conducted to address the selectivity issue in red snapper. As the interim analysis is the SSC's preferred method for setting the current ABC for red snapper, the ABC recommendation from the May 2018 SSC meeting still stands. Do you want to take questions about these individual topics before moving on?

MS. MCCAWLEY: Sure. That sounds great. Questions about red snapper? Remind me, when is the next stock assessment for red snapper? I can't remember.

UNIDENTIFIED: 2020.

MS. MCCAWLEY: 2020? Okay.

DR. CRABTREE: Is that a research track full deal?

DR. SEDBERRY: No, I don't believe it is.

DR. CRABTREE: Is John here?

MS. BYRD: It's on the schedule for 2020 as a research track. However, I know there's been some discussion on whether some of the changes can be handled in an operational assessment, and so I think that is up for discussion by the Steering Committee. I am looking to Erik and Clay if I've got that wrong.

DR. PORCH: Yes, that's our understanding as well.

DR. CRABTREE: Yes, that was my memory of it, and it seems to me that's appropriate. I would prefer it to stay as a research track and re-think the whole thing.

MS. MCCAWLEY: More questions? All right. Back to you.

DR. SEDBERRY: Okay. Moving on, the SSC also reviewed the MRIP data revisions, and our action item was to review the MRIP estimates for all South Atlantic stocks and to identify any stocks that the SSC would like to investigate in further detail and to develop a process for conducting such investigations.

One of the things that popped out at us was red porgy, and the various outputs from the MRIP estimates were categorized into various categories, and red porgy ended up in a category where the catch estimates were very similar pre-calibration and post-calibration, and that category contained mainly species of very low intercept rates, and red porgy had a relatively high rate of intercepts, and so it didn't kind of fall into the category that was expected. We would like to examine potential causes of this observed pattern and the lack of effective MRIP calibrations on red porgy, given the large number of intercepts that occur in that species and its pattern of looking like a species with low intercepts.

Again, identifying any stocks for further investigation, we also thought that black sea bass needed additional investigation. There is a large increase in discards in recent years, and we would like to examine the potential causes of that and possibly incorporate into the upcoming revision webinar, which we'll be having next month.

To conduct these investigations, we would like to look at sources of information to help interpret the patterns that are seen, including the MRIP intercept data and the effort expansion data, add a term of reference to upcoming assessments to evaluate calibrated MRIP estimates and how the new versus the old estimates affected the assessments or analyses.

Another SSC action was to identify biological, social, or economic concerns that the council should be aware of. Some problems that the SSC identified in the original MRIP estimates remain in the revised estimates, for example low number of intercepts for certain species or certain areas of interest, and we see the need for an increase in effort expansion, due to MRIP catch calibration, or the increase in effort expansion due to MRIP catch calibration may exacerbate problems seen in the original MRIP catch spikes. Spikes in the original MRIP data were amplified, and that amplification was even further amplified by adjacent low points not increasing proportionally, and so the spikiness in the data increase magnified the difference. The acceptable data amounts and variability are still open for discussion relative to use in assessments and in ACL monitoring.

The SSC recommends reviewing the years used for the ORCS versus decision tree ABC recommendations to evaluate the appropriateness of the years, in light of the MRIP estimate changes. Another action was to discuss the procedure for updating ABC recommendations for unassessed stocks, and the SSC felt it needed dedicated time and an SSC workgroup for this. The workgroup will do preparatory work for a workshop, and we hope to involve the Science Center and former experienced SSC members in this workgroup and to contact neighboring SSCs that are dealing with the same issues in the revised MRIP data.

The workshop will be prior to the SSC spring meeting to discuss ABC recommendations, and we're looking at the timing of implementation of new values of ABC based on new MRIP estimates as well as the revised ABC control rule. We will investigate variance of landings estimates with respect to setting ABCs and tracking the ACLs, and we'll determine if some species can be designated an ecosystem component species and would therefore not need an ABC. Any questions or discussion?

MS. MCCAWLEY: Questions for George on this part?

DR. CRABTREE: I guess, George, with respect to the MRIP revisions, and we don't know what's coming with that, whether you're going to make new ABC recommendations based on those or -- Am I right? I mean, we're just standing by now until the March meeting?

DR. SEDBERRY: Yes, we're standing by, because of -- I think the SSC felt like they needed further discussion of the revised assessments that have been done to further understand those assessments and then also to see what happens with the ABC control rule revisions that will happen -- Those will be discussed in the future as well. Does that answer your question?

DR. CRABTREE: Well, I'm just trying to understand the timing of some of these, because we have a number of things going on with red grouper now, yet we have an MRIP revision assessment

of red grouper, which potentially causes us to have to redo everything, and so it's just a lot of unfortunate timing, I guess, with all of these, and I'm trying to piece together where we go or what we should do.

DR. ERRIGO: For the revision assessments, there is a call to further review those with more information at the beginning of January. The idea is, if the SSC feels comfortable with those assessments, after the call, to ask for whatever additional information or projections or whatever that they need, in order to make ABC recommendations at the spring SSC meeting in April. For the unassessed stocks, they're going to take a look at those. There is a workgroup that's going to take a look at those, and I'm not sure how long that work will take. The idea was to come back at the spring meeting with whatever they could come up with, and hopefully, if they had enough, if they were able to do enough, we would come back with ABC recommendations for all the unassessed stocks at the April meeting for the entire SSC to discuss.

DR. CRABTREE: I guess I am more, at the moment, concerned with the -- I think it was four MRIP revision assessments and where we're going with those. It sounds like we're not going to know until after the spring SSC meeting, which is that before or after our March meeting? I believe it's after.

DR. ERRIGO: It's after. It's in April.

DR. CRABTREE: We're going to meet in June, and one of the concerns with the MRIP revisions is already that the terminal year wasn't updated, and, the longer we go, the further we get away from that, and so a lot of these issues tend to exacerbate as time goes by. I don't know what to do about any of this, but it just seems like we're going to be June before we know where we're going with that, and, again, I'm talking about those assessment revisions.

DR. SEDBERRY: The SSC considered the assessment revisions as a separate topic from the data revisions, and I have a few slides on the assessment revisions coming up, but I'm not sure that they will clarify what you're asking.

MS. MCCAWLEY: Any more questions on this before we move into the next section that may answer some of these questions? All right. I will turn it back to you, George.

DR. SEDBERRY: At our spring meeting, we had a presentation from the Science Center regarding those revised assessments on black sea bass, blueline tilefish, red grouper, and vermilion snapper. The way those revised assessments were done is the models were identical to those applied previously, and the sole difference were the MRIP recreational landings and discards. The report provided to the SSC did not provide details of the analysis and model outputs. On average, the adjusted MRIP estimates were, as we've heard, about twice as large as in previous estimates, with a general upward trend.

The results of the revised assessments indicate that black sea bass are overfished and undergoing overfishing, which is unlike the most recent SEDAR for both overfished and overfishing. Blueline tilefish south of Cape Hatteras is not overfished, which is similar to the previous SEDAR, but undergoing overfishing, which is different from the previous SEDAR. Red grouper is overfished and undergoing overfishing, as SEDAR 53 showed, but to a greater degree with the revised data.

Vermilion snapper is not overfished or undergoing overfishing, which is the same result as SEDAR 55 for both.

The SSC concurred with NMFS and peer review that the new MRIP estimates are the best scientific information available, and the SSC would like an evaluation of the impact that the low levels of sampling have when changes in MRIP estimates result in a major change in stock status or model diagnostics. These MRIP estimates did not go through a SEDAR data workshop process, and a data review could have resulted in modifications of some estimates, such as occurred with the MRFSS estimate changes. Although the same intercept data was used as was used in the past, the revised effort data may have amplified the effects of low intercepts in some cases.

The SSC felt that the level of detail and information provided in the revision assessments did not allow us to evaluate if the new MRIP estimates may warrant data decisions that differ from previous SEDARs or if estimates of key parameters and model inputs may have been affected. Previous data decisions coming out of the data workshop may no longer be applicable, and the SSC would like the opportunity to examine all typical outputs before making an ABC recommendation.

The SSC requested additional information, for example full output and diagnostics, and recommends that this be discussed in a webinar, and this webinar has been scheduled for January 25, to review the revision assessments and additional information to make a recommendation about best scientific information available on the assessments and to review what projections will be requested to formulate ABC recommendations. The SSC recommends a consistent approach for using MRIP estimates in assessments, and the SSC will re-evaluate these assessments in light of the new MRIP data.

We looked at the impacts on uncertainty regarding the MRIP revision assessments, and we may have a better idea of what the uncertainty might be after the January 25 webinar. The trends in discards may cause differences in proportions at age, because size and age composition of discarded fish often differ from those in the landings, due to minimum size limits, et cetera. For example, during the open season, discards may consist mostly of smaller, younger fish. Trends in discard changes the proportion of younger fish in the population, therefore changing proportions at age, and so the age information that came out of the original data workshop may change with the new MRIP estimates. This can affect age compositions and apical F. The new PSEs are higher, but more realistic, for historical data.

MS. MCCAWLEY: All right. Are there questions?

DR. CRABTREE: Just one thing, and, George, I don't want to get into the weeds on this, but it has to do with blueline tilefish south of Cape Hatteras. When I look at the fishing mortality estimates, there is a big spike in the landings, in I believe it was 2013, that's way out higher than anything else we've ever seen, and you get a big spike in the F estimate from that year, and the status determination is based on a three-year average, and the Fs come back down in the last two, and so I look at it as a case where using the three-year average may not be the best approach, and it may be something for you guys to give a little thought about.

I think that landing estimate did come up, and it was one of the issues that you talked about, and it seems to me that you could say that the stock is undergoing overfishing even though that's largely

caused by one year that was -- Well, it's 2019 coming up, and so 2013 is quite a ways back in the past.

DR. SEDBERRY: Thank you.

MR. WAUGH: George, did the SSC get into much discussion about the fact that actual new MRIP numbers weren't used and it was an index-based methodology, since the revised MRIP numbers were not available?

DR. SEDBERRY: I am not sure.

DR. ERRIGO: There was discussion on how that would have affected blueline tilefish, because the blueline tilefish was unavailable, and so they had to use a proxy species, and also how Monroe County was unavailable to make a separate index for that, and so they had to make assumptions about how Monroe County broke out, and so the SSC is going to look at that specifically at their January meeting.

MR. WAUGH: One of the hopes out of this was that the MSYs were going to be bigger, the pie was going to be bigger, when we looked at allocations, and, from these four, assuming that the outcomes are reflective of the new data, some of them go up and some go down, and so stock status didn't change for everything, but I think virtually all of them went down some, and so this hope that the pie is going to be bigger when we get into reallocation appears to be the case in some and not in others, and so maybe not as happy a picture as we had hoped.

MS. MCCAWLEY: Good points. Are there more questions or comments?

MR. HEMILRIGHT: I guess this is a question for the SSC, and it has to do with blueline tilefish, and it has to do with MRIP estimates. When you look at the map from Key West, Florida to the Virginia/North Carolina line, there is only so many places where you catch blueline tilefish, and so how does the extrapolation, or the phone surveys, or all this stuff -- If you look at this chart, and hopefully in the future I'm getting ready to do it from all the surveys that we've done and put up there, where the fish are caught at, you only have a certain area from Key West, Florida, off of South Carolina, off of south of Cape Hatteras, up here, and you work further north where you catch bluelines. You don't catch them nowhere else. This is the only spots, and so how is it, when we do these estimates and these revision or extrapolations and everything, that these numbers get so high, when there ain't but so many places that you can catch these fish?

DR. ERRIGO: If you want an explanation of how MRIP works, I can give you that. There are two pieces to MRIP, and the effort piece is why they get so big, and so we intercept at the dock, and we only intercept blueline tilefish where they are caught in these places, but, when we expand based on effort, we expand based on all fishing effort and not just blueline tilefish effort and not just snapper grouper effort and not just offshore effort and not just deepwater species effort. It's all fishing effort. If you happen to intercept a blueline tilefish in an area where there is very high fishing effort, you get very high estimates of blueline tilefish landings, and that's how it happens.

MR. HEMILRIGHT: So that's the problem. When you look down off of Hatteras, or you look at off of Morehead City, the guys that snapper grouper fish, they catch -- They will be lucky if they get a hundred pounds mixed in with their stuff, and so I guess the recreational fishermen -- In that

area, there's a lot of fishing going on, and they catch one tilefish, and they go to the dock in Morehead, and that's sampled, and, because there's a lot of effort in there, it gets expanded out, and that's where we arrive at these astronomical numbers.

I know blueline tilefish, and I know, in 2008, when we first did the stock assessment, we had that there was 33,000 discards of blueline north of Cape Hatteras off of our coast here that got expanded out, and I think it got smoothed out in SEDAR 50, but some of this -- I mean, it's just -- I don't know at what point or time, and maybe probably not in my venture around here, but just there's got to be something better, man, than these phantom estimates, and I guess I don't have the solution for that yet.

DR. CRABTREE: Well, I mean, I don't disagree with you, to that extent, Dewey, but it's not -- I mean, we've talked about this for years, and the fact is we have some species, like blueline tilefish, that are seldom encountered by the dockside sampling, and so, if they happen to encounter a vessel that brings several of them in, it does get expanded with the effort estimate, and that was part of what I brought up to George.

When you look at the blueline tilefish recreational estimates, they are five-times higher in 2013 than in any of the surrounding years, and that caused a big spike in the landings and the F to go up, but I share your skepticism. I look at that estimate, and we looked at it, and it's largely driven by, I think, one intercept, or possibly two intercepts, that were off of Florida.

Now, is it real? I don't know, but somebody caught some blueline tilefish, but it's just an inherent problem in a lot of these deepwater species that are relatively uncommon, and the solution to it, I think, would be extremely expensive. They are looking at -- There is a working group, and I think Erik is on it, that is looking at better ways to stratify the survey and better ways to come up with estimates of this, and so hopefully some of that will be dealt with, but the fact of the matter is the recreational landings for these relatively uncommon species are highly uncertain, and so the question, to me, really is how much do we let those highly-uncertain estimates drive our management activities and how much do we let it drive these estimates, and I'm not convinced we have come to at all a good solution of that, and that's why I bring up the issue of using the three-year average to do stock status, because it's being influenced by that one year. Now, I know you all used a geometric mean, which is less sensitive to outliers and things, but, nonetheless, I think it's still a problem that I agree with Dewey that we need to find a better outcome to.

DR. SEDBERRY: Hopefully, with this workshop webinar that we're going to have, and our discussions at our spring meeting, we can resolve some of this anyway.

MS. MCCAWLEY: Any more questions? I feel like this is hogfish all over again.

DR. PORCH: I just want to be a little bit careful, so we're clear here. The MRIP, it's not that you have local intercept rates multiplied by the entire effort for the southeastern United States. They are sub-divided, and I forgot exactly which strata they are broken down into, and we can find it, and I see Mike is nodding his head yes.

DR. ERRIGO: I was giving Dewey's very shortened version of --

DR. PORCH: All right, and so it's not as bad as it sounded, where you have the intercept rates -- They certainly aren't sub-divided as well as we would like, and that's very much a cost-benefit type of thing and the amount of funds they have to do these sorts of things, but I don't want you to come away with the impression that we have like effort for the southeastern United States times the intercept rate off Monroe County or something like that.

MR. BELL: That's where we've talked before about the concept of a permit or something, or an endorsement or something, that could define deepwater snapper grouper people, or your snapper grouper people, down to a smaller group. Then, if you could use those numbers, then your expansion wouldn't be even as large as the sub-units or whatever, but we've talked about that a lot.

MR. HEMILRIGHT: I understand that, and I guess it's just because I used to fish for blueline tilefish, but the thing here is we'll use this analogy of parts of the blueline we don't like, but yet we'll use it to set the allocation 50/50 commercial and recreational, but, at the same time, you will take that recreational number that I think, in the piece of paper here we've seen, or in some of the different things, that it's 150 or 200 percent of the catch, but we're not going to use that or believe it for management options when a certain entity goes over their ACL. We will use it to set the quota, and we'll split the quota, and we believe it then, but we won't believe it when it comes time, at 250 percent of somebody's ACL, and which one is it? Are we going to use it for both, or we're going to throw out the baby with the bathwater?

I mean, my frustration on this blueline is -- I sit here and read reports, and I read a bycatch analysis report for Amendment 27, and I went through that bycatch analysis report, and it said in there that there was 5,000 discards of blueline tilefish, and how they arrived at that number, because I read the whole thing. If I would have read this much in school, I probably wouldn't be sitting here today.

I read the whole thing, and how they came about that number is they took effort up here off of North Carolina, north of Cape Hatteras, where we don't have no discards of blueline tilefish, based on three different surveys and an exempted fishing permit with North Carolina, and this report extrapolated out all the areas and come up with this bycatch analysis, and it came up with 5,000 blueline tilefish, and so we don't have no discards up here.

You can't use our effort up here to further your cause in this bycatch analysis. You can't use the supplemental discard logbook, where we don't have no discards up here, to further your thing, but yet, here, when we look at the -- When we look at the allocation, we will use that to split the allocation, but we're not going to use the ACL that the recreational did of 250 percent. We don't believe that, but we'll believe that, and so, I mean, it's all over the page. I might not like the answers, but at least do the work.

MS. MCCAWLEY: Thanks, Dewey. More questions or comments before we go to the next section? All right. Back to you, George.

DR. SEDBERRY: Okay. I have a couple more items here. The first was the review of the new bag and size limit analysis methods and the SSC recommendations on that. The bag and size limit workgroup completed its efforts, and it supports the method developed. The workgroup and the SSC considered the method and the analysis as best scientific information available. The analysis

method will work as long as the assumptions are met, and the SSC will review, through amendment reviews, as the method is developed for other species. The method was developed for black sea bass.

MS. MCCAWLEY: Questions? All right.

DR. SEDBERRY: Then the last item for the Snapper Grouper Committee was the South Atlantic ecosystem model update. We heard the presentation that was talked about this morning on the latest developments in the model, and we considered forming a workgroup for input and review of the model. The static model was not completed, which made the review by the SSC difficult, if not impossible, but, once the static model is finalized, the SSC can then form a workgroup and discuss terms of reference and charges that the model may be used to address.

Time series and spatial models will be built on the static model, so that, once it's developed, we can have more dynamic models developed. The model needs to be re-balanced with new diet data and new MRIP estimates. The SSC felt it did not have enough current understanding of how the model could or would be used to provide fisheries-specific advice to managers, including how can the model be ground-truthed to ensure that its outputs correctly inform the management process. The SSC has requested the modeling group bring examples of model analyses and outputs and how these outputs could inform management to the next SSC meeting, hopefully with examples from stocks in the South Atlantic region.

MS. MCCAWLEY: Questions? All right.

DR. SEDBERRY: That is all I have. We discussed some SEDAR things, but that will come up during the SEDAR Committee, but that's it for snapper grouper.

MS. MCCAWLEY: All right. Any more questions for George? All right. Thank you very much for that report. That was excellent.

DR. SEDBERRY: Thank you.

MS. MCCAWLEY: Next up on our list is Regulatory Amendment 30, red grouper rebuilding, and so I think we can get started on this, but probably we can't finish this today, because we're going to try to end at five o'clock.

MR. HADLEY: I have a brief presentation here, just to orient everyone on where Amendment 30 stands at the moment and what we did at the last council meeting. What the council did in October was received public hearing comments during the meeting, at the public comment session, and they reviewed preliminary analysis and selected preferred alternatives, and they scheduled the amendment for final approval at this meeting.

In the meantime, we ran into some issues, after the October meeting. An error in the 2017 commercial data was identified that really affected the entire region, and it really wasn't just red grouper, but it did impact red grouper, and the take-home point being that it hindered the ability to provide final analyses in a timely manner, and so we couldn't bring final analyses for you at this meeting. As such, the amendment is now scheduled to be approved for secretarial review in March

of 2019, and, assuming it all goes well, this is still expected to meet the statutory requirements and the statutory deadline that are driving this amendment.

As a reminder, the MSA requires the council and NMFS to implement a plan amendment within two years of the notice to end overfishing immediately and rebuild the red grouper stock. Overfishing was addressed through Abbreviated Framework Amendment 1, and the work that still needs to be done and that is under a statutory deadline is the rebuilding plan needs to be revised and in place by September 27, 2019.

Looking at the potential amendment timing, at this meeting, we're looking to review the amendment document and make any desired final changes to the purpose and need and actions and alternatives. Then, as I mentioned, at the next meeting, the council will take final action on Amendment 30, and the amendment will be sent for secretarial review, with the intention of having a revised rebuilding schedule in place prior to September of 2019.

What still needs to be done at this meeting -- There is still work to be done, and the idea is to get the amendment in as good shape as possible, and so we'll be reviewing the decision document and review, modify, and approve any actions and alternatives. Some of the notable changes in Action 1 is T<sub>min</sub> changed by one year, due to updated rebuilding projections at F equals zero, and, essentially, it went from six years to five years, and that's not a big change there, but I will go over that.

Also, in Actions 2 and 3, just, very simply, approving the wording. As you recall at the last meeting, you wanted to add a sub-alternative to Alternative 2 which would extend the spawning season closure for red grouper off of the Carolinas from January through June, and, in general, just reconfirm any preferred alternatives and make sure those are still what the committee would like to go with. As I mentioned, review the timing of the amendment, and, there again, we'll be looking for final approval in March of 2019.

This amendment has four actions: revise the rebuilding schedule for red grouper; modify the seasonal prohibition and recreational harvest and possession of red grouper in the EEZ off of South Carolina and North Carolina; Action 3 is a similar provision, but for the commercial sector, which would modify the seasonal prohibition on commercial harvest, possession, sale, and purchase of red grouper in the EEZ off of South Carolina and North Carolina; and Action 4 would establish a commercial trip limit for red grouper harvested in the South Atlantic Exclusive Economic Zone. If there are no questions, I will jump into the decision document.

MS. MCCAWLEY: Any questions? All right. Let's start on the decision document.

MR. HADLEY: All right. I went over most of the background, and so I won't go over that again from the presentation, but, really, there again, just to explain and reiterate that we were supposed to have this for final approval at this meeting. Due to the data issue, we weren't able to provide final analyses in time. However, we do have that data, and that data is now available, and so the IPT can certainly work on kind of a final number-crunching that needs to occur for this amendment, and, there again, reviewing it at the March 2019 meeting.

This is just what we're going to do at the meeting and looking at the timing of the amendment, but, looking at the purpose and need statement, just to have one more look at this. The purpose of

this amendment is to modify the rebuilding schedule for red grouper based on the results of the most recent stock assessment, minimize regulatory discards, and extend protection for red grouper during the spawning season. The need of this amendment is to rebuild the red grouper stock and achieve optimum yield, while minimizing, to the extent practicable, adverse social and economic effects, and so there is no required action here, but, if anyone has any suggested edits, it's a good time to speak up.

MR. GRIMES: I have recently been designated the lead for this, and I don't see it in the document, and you may have some discussion in the record, but we need some rationale to support the T rebuild, the time period for the rebuilding. Right now, the current preferred alternative is identified as ten years, which is T<sub>max</sub>, which is the maximum amount of time the law provides you to rebuild.

The law requires that rebuilding be as short as possible, taking into account certain factors, and so our baseline, as short as possible, is T<sub>min</sub>, and our rationale for T rebuild needs to explain, or justify, extending the time period beyond T<sub>min</sub>, and so I'm thinking that the choice for this will be driven, in large part, by the desire to minimize the associated social and economic impacts, but I think we would be very well advised to go beyond that type of universally true and sort of amorphous rationale, and, in this case, I think the inability to rebuild within the original time period wasn't a result of failing to achieve the management targets, but rather it was a result, presumably of inaccurate assumptions and/or estimates associated with stock productivity, and that's why we haven't seen the rebuilding, at least as I understand it.

I think perhaps that argues for a lengthened rebuilding period, as we face continued uncertainty relative to that stock productivity, and so I offer that as sort of a segue for you to discuss and explain why we're going to go with the period of T<sub>max</sub> over the T<sub>min</sub>, and, since this is, after all, really a second rebuilding plan for this stock, and we didn't rebuild the first time, I think it's important to have a solid rationale for this.

MS. MCCAWLEY: Okay. Good questions. Can someone remind me, but didn't we base the original rebuilding schedule on a low-recruitment scenario, and now this is based on a different recruitment scenario?

MR. HADLEY: Yes, and so the projections are under a normal recruitment scenario, which is normal -- It's not the low recruitment, but it's a higher level, and the reason that that was chosen was because that was used in the stock assessment itself, and so, when you were setting your ACL, you set that based on a low-recruitment scenario. However, the stock assessment itself used a normal recruitment scenario, and so that's where the projections that resulted in the T<sub>min</sub> originated.

MS. MCCAWLEY: Okay. Is there more discussion, based on what Shep said?

DR. CRABTREE: Well, I think Shep makes good points, and that all makes sense. The part of this that I am struggling with is this is -- This is back to the MRIP revisions. If you look at the MRIP revisions for red grouper, I don't believe the stock can recover within ten years, and so we would be looking at a much longer rebuilding period, and I don't know how long.

The thing is we really don't know where the SSC is going to be with that. We could vote this up in March, and, really, this is the only action in this amendment that is directly related to the

rebuilding plan and the constraints we're under timing-wise, but it is possible we'll get to the March meeting, and maybe we'll have a better inkling, after the webinar, where this is going, but it could well be that none of this is appropriate, depending on what changes with the science.

The difficulty is, if we wait until the June meeting, when we, in theory, will have an answer, we can't get it implemented in time to meet the statutory deadline. Now, we have already adjusted the catch levels that should take care of the overfishing and be consistent with the science that we have now, and this is really just an exercise to define the rebuilding period, but there's an awful lot of uncertainty in terms of knowing whether any of these are going to be okay, and I don't have a clean solution to how to resolve that, and, at least the way the timing has been laid out, I'm not sure we'll have the answer to that question until June, and so that leaves us with deciding to hold off, in which case we're not going to make the timeline that the statute requires, although I think we have a lot of reasons for that, or potentially voting something up in March that clearly we're going to have to come in and change.

Presumably, if the MRIP revision is accepted, and the projections, then we're going to have to change the catch levels, and not just  $T_{min}$ , but we'll have to change the catch levels, and we're going to have to redefine the allocation and a whole host of other things that are going to require a plan amendment, and so this is kind of why I brought up some of these issues earlier, because we're really in a difficult position right now, and there is no real clean way of knowing exactly how we ought to proceed with it.

MS. MCCAWLEY: I agree, and it was my recollection that we weren't going to use those new numbers when we were talking about finalizing it at this meeting, because there was just no way that we were going to be able to get it in, but, now that we're talking about finalizing it in March -- Yes, there will be this webinar, but will we have final answers? Maybe not, and so it's a conundrum here, and not meet the deadline is also at play.

MR. BELL: The problem is the SSC needs to advise us, and they're not meeting until April, and we're talking about doing this in March, but then what was the webinar about in January that they were having?

MS. BROUWER: My understanding is that the SSC workgroup is going to meet via webinar on January 25 to revisit these MRIP revised assessments and then look at some more information to see whether they will have what they need for April to make ABC recommendations for those species.

MR. WAUGH: My recollection of part of our rationale for this was whatever is going on with red grouper is not due to fishing impacts, and so we have done everything we can to put in -- To reduce the ACLs. Our ACLs weren't being exceeded, and so this delay is due to some non-fishing impact that we don't have control over, and so the idea was to pick the  $T_{max}$  to give the maximum amount of time for some recruitment event to occur and have the population start to rebuild.

In addition, we've taken action and put in one of our spawning MPAs, spawning SMZs, that was to target red grouper, and that's not -- The benefits from that are not factored in, and so we've done a number of things. We have reduced our ACLs from a level that wasn't being exceeded before, and so whatever is going on is not due to fishing, and so part of the rationale was to pick that  $T_{max}$

to give us time to try and sort out what exactly is going on while already having appropriate limits on fishing mortality.

MS. MCCAWLEY: Thanks for that reminder. That was helpful.

MR. GRIMES: Just one parting remark, and I know we're close to five o'clock. I didn't realize that we're talking about T<sub>min</sub> changing, and it seems -- You have a legal deadline looming, right? We're all aware of that, and we're working to try to meet that, but, going forward, I think there would be challenges, or we would have a sloppy record, if we moved forward with a rebuilding plan based on a ten-year time period and the council took final action on that and then, within a matter of months, you get an update to the assessment that shows that ten years is no longer even an option, and, given the way the law is structured, we could have a much longer time period, and you're going to have to revise the rebuilding plan, and then we would have to justify going from ten to conceivably twenty or more years, and that makes me uneasy.

MS. MCCAWLEY: What I heard was it's okay to delay and not meet that deadline, based on all these other factors, and is that what I heard?

MR. GRIMES: I didn't say that, no.

DR. CRABTREE: Well, if I could, Madam Chair, this is one case where, yes, we have requirements, but we have reality that we have to deal with, and the reality right now is very difficult, and we can't be sure where we're going to wind up on this, and so there is some vulnerability to waiting, and I understand the reluctance to not say we have to follow the letter of the law, but, in some cases, reality has to trump, and I think this is a case where, to me, it makes more sense to wait on that particular action until we see what the SSC is going to do and where we're going to go with it.

Then, like I said, if we are going to be working off these new projections and everything, then it's a whole different ballgame, and we're going to have to deal with that, and we have to make a number of other corrections, but, as Gregg pointed out, a lot of what's happening here appears to be ecosystem-related somehow. We have taken action to adjust and re-specify the catch levels, based on the best available science that we have before us, and that remains the case. It's really all about this rebuilding timeline issue, which is very unsettled right now, and I agree with Shep that making an abrupt about-face on that timeline would be hard to explain, and so that's the best guidance I can give you on it.

MS. MCCAWLEY: Okay.

MS. BECKWITH: They covered most of the points that I was going to ask, and I was going to ask about the timing and what sort of happens if we do wait until June to vote this up and miss that deadline. Could the council put forth a letter to National Marine Fisheries Service laying out why we might consider waiting, to have something on the record in advance of missing that deadline? Would that be helpful?

DR. CRABTREE: Well, it might be. I suppose, if we got to the June meeting, and we were deeply concerned about the timeline, and if the SSC did not accept the MRIP revisions, I suppose the council could ask for an emergency rule at that point to change the timeline. I am not advocating

that, and it seems a little overkill on us, but I think a letter or an explanation of the issues we're facing might be worth doing. I would want to talk more with my counterparts in the agency and GC as to whether there is any need to do that or not.

MS. MCCAWLEY: All right. I'm going to go to a couple other folks, and then we're going to wrap up this discussion for today, and then we'll pick it back up in the morning.

MR. CONKLIN: Just a little more justification for putting it off. We're going to close the fishery for four months in twenty-six days, and it will only be open for about a month until the June meeting, and so think about it like that. We're not going to be taking those animals anyway.

MR. DIAZ: I am sure that some folks around the table know this, but some may not, but we're also experiencing problems with red grouper in the Gulf of Mexico, and, for the last few years, we have been landing well below our ACL, and there is a good chance that there is environmental factors that is also influencing us. In the Gulf also, we've had some extreme red tides in the last five or so years, and that could be part of the problem, but maybe not all.

At our last meeting, we did institute an emergency rule to roll our catch levels back to no more than what was harvested in the 2017 season, which brings our ACLs down, and we are in the process of doing a framework action to actually reduce our ACLs, and it will be done by the time the emergency rule expires, and so I just wanted to make sure that folks that might not know that -- We are experiencing problems in the Gulf, also.

MR. WAUGH: Just one quick point to think about, in terms of timing. This also affects other plans and amendments that you want your staff to work on, and so we can have this finished up and done in March and out of our hair. If you wait, then -- Well, maybe we get something from the SSC by our June meeting, and so then there's going to have to be staff time spent on it there. If we go ahead and submit it in March, even if it needs to be changed, we'll have time that we can change it, and so you could work on it at a more leisurely pace than if you don't do something in March and there is nothing in place. Then there's going to be a lot of pressure, timing-wise, to do something quickly, and so it can disrupt your work on other amendments.

MS. MCCAWLEY: Thank you. All right. We're going to adjourn for today, and we're going to start back up at 8:30 in the morning, and we're going to pick this discussion back up.

(Whereupon, the meeting recessed on October 2, 2018.)

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December 5, 2018

### WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Hilton Garden Inn/Outer Banks, Kitty Hawk, North Carolina, Wednesday morning, December 5, 2018, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: This morning, we're going to talk a little bit about Former President Bush and have a moment of silence, and I'm going to first turn it over to Roy, who has a story that he is going to share with us.

DR. CRABTREE: Thanks, Jessica. I did want to take a minute this morning just to recognize that President Bush's state funeral is today, and the government is closed, in a Day of Mourning, and I wanted to just make a little personal couple of stories. It turns out that I met President Bush, and, in fact, I spent, I think, a total of four days with him fishing on Florida Bay.

President Bush loved to fish, and, when he was Vice President, he would come down to the Keys, once a year or so, and he would book several back-country fishing guides, and we would go fishing, and I was fortunate enough to be one of the back-country fishing guides that was booked to fish the Bush party, and I never actually fished with Vice President or President Bush. The first time I went, he was Vice President, and the second time I went he was President, but I did fish with some of his parties, and I remember that I fished with Secretary of the Treasury, Nick Brady, and I fished with Senator Alan Simpson from Wyoming.

I remember the first time that I fished his party that we had gone bone fishing out in the back, and it was a beautiful day, but there weren't really any bonefish. We found one school of fish, and I broke one fish off, and we all met on the middle of the flat and put the four guideboats kind of bow to bow and sat there and had lunch, and I remember making a comment about we broke off a bonefish, and Vice President Bush was really interested in that.

Anyway, we spent a lot of time just sitting there with these guys and talking, and I can tell you that you hear a lot about what a kind, respectful man he was, and that was certainly my experience with him, and I think he also deeply cared about fisheries and natural resources, and he loved the outdoors. We had lunch, and we decided to make a game-plan change, and we went tarpon fishing, and I had Senator Simpson and Treasury Secretary Brady onboard my boat, and we tore them up. I mean, we hooked tarpon after tarpon, and, if you have ever followed Alan Simpson and his career, he was a larger-than-life figure, and I can tell you that he had a lot of choice comments and things to say about tarpon fishing out there.

The next year when I went, and President Bush was then President, I got the job of taking the Secret Service agents around in a boat about thirty feet behind the President's boat on the flat, and I heard a lot of interesting tales from the Secret Service, and I'm pretty sure we had the nuclear bomb plans on my boat, and I did look, by the way, but I can't tell you what I saw.

At one point during the day, President Bush wanted to make a phone call, and so we pulled up next to him, and they set up a satellite dish on my boat with a big scrambler, and they had this fold-out big dish, and these were the old days, right? The President got on my boat, and he made a call to an ambassador in Africa, and they talked a while, and I remember that it was Earth Day, and I remember that during the call that President Bush wished him Happy Earth Day, and, while he was on my boat, the Press Secretary who was out there took a picture of me and President Bush on my boat, and I have it in my office now, and President Bush wrote, "To Roy Crabtree, best wishes, George Bush", and I've had that ever since.

The funny thing was that President Bush got back on his boat, and he fished with George Hommell, who owned Worldwide Sportsman back then, and they went poling off, and so I got on the -- We put the stuff away, we thought, on my boat, and the guys said, all right, let's go, and I run it, and we realize the satellite dish was still sitting on the poling platform, and over the side that went.

Anyway, that was my experience with President Bush, and, whatever your views on politics were, he was a statesmen, and he was truly a gentleman, and maybe that's a bygone era, but I hope it's not, and I think he set a fine example of -- Whether you agreed with his decisions or not, but how a President ought to comport himself, and so I just wanted to take a moment of silence, if we could, in memory of President Bush and all of his service to this country.

(Whereupon, a moment of silence was observed in memory of President George H.W. Bush.)

DR. CRABTREE: Thank you.

MS. MCCAWLEY: Thank you, Roy. All right. We're going to back into where we left off yesterday, and we were having a discussion about red grouper. We're on Action 1, and we were talking about what we were going to do, and we were talking about the timing conundrum that we're in, based on the new MRIP numbers, and when we will have those and when the SSC will have met a couple of times to make some decisions, and so the actual SSC meeting is in April, which will be after our March meeting, but there is a webinar in January where they might make some decisions, but it would not be the full SSC, and it was just a sub-committee that was meeting in January. We're trying to figure what to do here and what we need to do on this action. I am going to look to John. What specifically do we need to change this time, other than accepting the IPT edits to this action?

MR. HADLEY: Based on the projections that we have now, those are really the only changes at this time. This is really the only information that we have at the moment, as far as the changes, and, really, there are two major changes. One was the change to Tmin, which went from six years to five years, based on updated projections that we got from the Southeast Fisheries Science Center.

Also, the other change that was made is year-one was changed to 2019, and this was kind of an internal discussion that we had, but, really, 2019 is when the revised rebuilding plan would be going into place, and so that was the rationale for changing that to 2019 instead of 2018. Other than that, just a reminder that this action is part of the -- It's necessary to satisfy the statutory requirement that the council revise the rebuilding schedule for red grouper, and so that's really what the main driving point is behind this action, and, as I mentioned, those are the two major changes.

MS. MCCAWLEY: All right. First, let's get a motion to accept the IPT edits.

MR. BELL: **So moved.**

MS. MCCAWLEY: All right. It's seconded by Steve. **Is there any objection to approving the IPT's suggested wording to Action 1?**

MR. BELL: Just a quick question. Nothing that will transpire with the SSC and all will have any impact on that? This is just -- We're fine to approve that?

MR. HADLEY: Right, and so, at this point, we're, for lack of a better word, stuck with SEDAR 53 projections. Until we get a revised stock assessment that is approved by the SSC, we don't have any other projections to go off of, as far as setting T<sub>min</sub>.

MS. MCCAWLEY: All right. Is this before we approve the IPT's edits?

MR. GRIMES: I just wanted to say I think that -- Not the IPT edits, but some of this, the timeframe and all that, it may very well change, but probably will change, based on the outcome of the next SSC meeting and revisions to the assessment.

DR. CRABTREE: I mean, to me, we need to resolve this issue before we take final action on this amendment, and so my recommendation to you is that we not vote this up and go final on it until we have some resolution with this. Exactly where we're going to wind up is not entirely clear to me, and I don't think it is a cut-and-dried case of whether you go with the MRIP revisions or you don't go with the MRIP revisions. I can tell you, in the Gulf, they are not doing MRIP revisions. Their SSC recommended against moving forward with those, and their decision was to incorporate those in through the normal process.

Things have transpired, and I'm not really sure why, but along a somewhat different sequence over here, but there are issues with how out-of-date the terminal year of the assessment may be and some other things that I think the SSC was struggling with and where to go with it, but, at any rate, it doesn't make sense to me to vote on something when you're weeks away from knowing that it all may completely change, and you could be right at it, and so I understand the various constraints, and it's not an ideal situation, but, in my view, our best course of action is to get this resolved and then deal with it once and be done with it.

MS. MCCAWLEY: Then, just to be clear, that was not speaking against the motion to accept the IPT edits?

DR. CRABTREE: No. At this time, I don't have any further suggestions.

MS. MCCAWLEY: Okay. **Any objections to approving the IPT suggested wording based on the information that we have now? Seeing none, that motion stands approved.** Gregg, did you want to say something on this action?

MR. WAUGH: Thank you, Madam Chair. On the red grouper, the timing issue that was discussed a little bit there, Brian and Rick have talked, and they've gotten with John as well, and, yesterday, the point I was making was, looking at our workload, it might be better to get it done in March, but we have to balance the Region's workload too, and, if they have to do the same action over twice, that is double the work on them, and it slows down the throughput for our other actions, and so I think our recommendation to you would be to hold off until we get the final resolution of this from the SSC's review and then do whatever needs to be done once, even though that may put us beyond the statutory deadline, and I think there's a good rationale for doing that.

MS. MCCAWLEY: Even with that good discussion on timing, we're going to keep moving through the amendment for some additional IPT-suggested edits and to talk about what the Snapper Grouper AP discussed.

MR. HADLEY: Okay, and these are more just kind of housekeeping items and just to give direction to staff, as far as what we need to be analyzing, moving forward. Looking at Action 2, this would modify the seasonal prohibition on recreational harvest and possession of red grouper in the EEZ off of South Carolina and North Carolina.

Under Alternative 1, red grouper are part of the shallow-water grouper spawning season closure that occurs from January through April. Preferred Alternative 2 would modify that spawning season closure specifically for red grouper and only off of the Carolinas, North Carolina and South Carolina. As you recall, last meeting, you selected Preferred Sub-Alternative 2a, January through May, five months, and you also added Sub-Alternative 2d, January through June, and so that was the motion made last time. However, the wording has not been accepted to that.

The other major point on this is we do have a revised analysis. Overall, the sub-alternatives are estimated to reduce landings of red grouper, from a recreational perspective, by less than 1 percent. Based on the preliminary analysis, this equates to approximately a change in 300 to 600 pounds, or about forty to eighty fish, and here is the updated analysis, and, really, for Sub-Alternative 2d here at the very bottom, really what you're picking up there is that closure in June, and so it's really the same expected change between Sub-Alternative 2c and 2d, looking at a relatively small change, approximately 0.3 percent, and here is the expected change in consumer surplus, and so that's from the economic effects.

The other outstanding issue on this action is the Snapper Grouper AP, as mentioned yesterday during the AP report, approved a motion to include all four states in Sub-Alternative 2d for red grouper only, and so, essentially, the suggestion from the Snapper Grouper AP was to extend this consideration beyond just the Carolinas and also include Georgia and Florida in that potential six-month spawning season closure for red grouper.

As a reminder, we went over the public comments last time, but there was one commenter from the Florida Keys that maintained that every grouper caught during the full moon in April is in spawning condition and consider the spawning season closure through May. A commenter from Wilmington stated that shallow-water groupers in North Carolina spawn in May and June, in the May/June timeframe, and consider adjusting the spawning season closure accordingly, but potentially give fishermen an alternative to pursue during the closure, such as two gags per person. A commenter from Hatteras expressed support for extending the closure on red grouper through May, and a commenter from Florida expressed that the spawning season closure could be revised to incorporate the months of May and June and potentially drop January and/or February.

Really, the only major changes, as I mentioned, to the wording of the alternatives was just to -- This is the new wording, per the guidance from the committee during the October meeting, and then, otherwise, consider the AP's -- Whether or not you want to take up the AP's recommendation.

MS. MCCAWLEY: All right, and so we need a motion to accept the IPT's suggested edits to this action.

MR. BELL: **So moved.**

MS. MCCAULEY: Motion by Mel and seconded by Chris. **Any objection to accepting the IPT's suggested edits? Seeing none, that motion stands approved.**

I guess let's have some discussion about what the AP brought up about adding in the other states. I am going to go to Tim first.

MR. GRINER: If we add June in there, and we go all the way through June, what happens if we start having a lot of discards in the discarded reds. How will that affect the scamp fishery?

MR. HADLEY: I mean, essentially, you would end up having increased discard mortality on red grouper. I don't think it would directly affect the scamp fishery, but, obviously, there is some areas where those two species do occur, and, if there was the closure in May and June, when people are targeting scamp, then you're going to have -- You would have discards of red grouper under the spawning season closure.

MR. GRINER: But it wouldn't close -- If the discards got too high, it would not close scamp fishing down, and is that correct?

MR. HADLEY: No, it shouldn't directly affect the scamp fishery itself.

MS. BECKWITH: This originally came as a request from North Carolina fishermen during our visioning, and there was a lot of support for the five-month closure extending into May. I have not -- I feel like I haven't received a lot of feedback for extending it into June, and I would be cautious in doing that. I would not vote in favor of that. I think we have a lot of public support for extending, for the obvious reasons, into May, and I think I'm happy with that as a first step, and this, along with the other steps that we're taking for red grouper, is a step in the right direction.

If we need to reconsider this at some future, but I'm not comfortable, and the public is pretty well aware that we're going to be extending this into May, and then also adding in June without enough input from our folks, I think they may take it as an unpleasant surprise. In terms of extending out to the southern states, I mean, that's -- I have no opinion on the extension.

MR. BELL: If I recall, I think the rationale for extending it into June was that we did get some feedback from folks that, particularly up this way, the spawning progressed on into June. Perhaps not so much to the south, and it was perhaps over with by June, but I -- It was some I thought North Carolina guys that were -- It was based on observations that suggested that might be a little more beneficial, in terms of an action that would help rebuild the stock quicker, and so it's just in there as an option, but I thought we had kind of gotten some feedback from folks that, if you really wanted to help, taking it into June would give you some additional benefit to assist in the rebuild, but it may be we get down the road and they don't like that, but I think it's good to have it in there as an option at this point.

MR. POLAND: Our state biologist, he reached out to me before the October meeting, to let me know that we were seeing roed-up fish in June, and I have had a few commercial guys contact me over the last month or month-and-a-half, and I brought this issue up with them, and they felt

comfortable with a June closure. I mean, not jumping up ecstatic and doing back-flips, but they said they could live with it, and the commercial guys that I talked to were pretty adamant that they could avoid red grouper.

The recreational guys, the few I talked to didn't really have a sense one way or the other. To them, it was just an extended closure, and they didn't like it, but the facts are that there are roed-up fish in June, and we're seeing that, and so I know we're probably not going to take final action on this, given the discussion with timing and everything, but certainly we can take this back out and just get a little bit more comment from our guys up here.

MS. MCCAWLEY: Just to be clear, the preferred right now is just the January through May, the five months that Anna was talking about. In thinking about the AP's suggestion to add the southern states to this, I hadn't really thought about it. I mean, I didn't really want it, and I feel like we got only a small amount of comment from Florida about this, because we weren't originally in this particular action, and it was just the Carolinas. I have some concerns about adding it. I do believe there are some issues with red grouper, and you heard Dale mention that, at least off of Florida, it's in the Gulf and the Atlantic, especially in the Gulf, and we've heard concerns for a number of years about red grouper. I am not really inclined to add it, but I will look over there to maybe Art or Chester, to see if they have anything to say about whether or not to add Florida, and it would be to this action and the next action.

MR. SAPP: Obviously, a concern, and my phone is blowing up right now from people listening, because they didn't think that the southern states were going to be involved, and so a little time to get some of this information would be great and work on it, but we're not a big fan of including the southern states at all.

MS. MCCAWLEY: I look to Georgia, because the AP's motion was to add Georgia and Florida to this particular action.

MR. WOODWARD: Since this hasn't really been contemplated, we haven't received a whole lot of feedback from any of the affected fishermen in our part of the world either, and so, if this is something we are going to include, then we're going to need to make sure that we have an opportunity to get the necessary public comment to determine what the impact of this really would be.

MR. SAPP: A quick study here. I've got three guys telling me right now that the belief is that the fish spawn earlier down there, as the water temps obviously get warmer earlier down there, and they're already closed for the first part of the year, and we kind of feel like we're covered.

MS. MCCAWLEY: Yes, I kind of felt the same way. I am not seeing a lot of hands in the air with a desire to add this to this particular action. Are we okay to leave it at just the Carolinas? I see some heads nodding yes, and so it doesn't appear that we want to add Florida and Georgia at this time. Is there anything else though that we need to do with this particular action, John?

MR. HADLEY: No, that's all. I appreciate the input, and that clarifies what staff needs to analyze, and so I certainly appreciate that. Moving on to Action 3, this is the sort of last housekeeping item that we have. It's a similar action, but this covers the commercial sector, and so modifying the

seasonal prohibition on the commercial harvest, possession, sale, and purchase of red grouper in the EEZ off of South Carolina and North Carolina.

There again, you have Action 1, where red grouper is part of the shallow-water grouper complex spawning season closure from January through April. Under Preferred Alternative 2, the spawning season closure would remain in place for all shallow-water groupers, with the exception of red grouper, where it may be changed.

Preferred Sub-Alternative 2a would be January through May, and then, as you will recall, at your last meeting, you voted to add a sub-alternative that would be inclusive of the January and June, but you have not seen the wording for that, and so that wording would need approval. There again, a lot of the discussion was just covered from the action covering the recreational sector, but, looking at some of the preliminary analysis, I will mention this will be updated.

We had the 2017 data issue, and so you will be seeing this again with updated landings information, but, looking at the change in landings, you're looking at approximately 8,000 pounds to approximately 4,000 pounds, depending on the sub-alternative. There again, we haven't updated for Sub-Alternative 2b. That's to be completed once we have the 2017 information.

You are looking at a change of approximately 9 percent to upwards of 17 percent. For Preferred Sub-Alternative 2a, you're looking at a change from a decrease of about 6,725 pounds, and that's a difference of about 14 percent overall, and a change in ex-vessel value of around \$30,000. There again, we had the same -- The AP made the same motion for this action, to be inclusive of all four states under Sub-Alternative 2d, for red grouper only, but I think we've covered that in a lot of the discussion just now.

As far as public comments, you had a public commenter from North Carolina that thought that red grouper should be managed as a bycatch fishery until the stock rebounds, suggesting a change in the spawning season closure and a hundred-pound trip limit and extending the spawning season closure for one species -- But acknowledging that extending the spawning season closure for one species could result in increased regulatory discards for legal grouper.

Two commenters from North Carolina stated support for the preferred and suggested a small trip limit, approximately 200 pounds, to help rebuild the fishery. One commenter expressed concern about conflicting regulations in the Carolinas versus Florida and Georgia and suggested no changes in the spawning season closure and rather a hundred-pound bycatch limit, trip limit. One commenter from Florida said that the spawning season closure could be revised to incorporate the months of May and June, there again potentially dropping January and/or February. I went over the minor change in wording from the IPT, and we're really just looking for a motion on this, on whether or not to approve the IPT's edits.

**MR. BELL: I move to approve the IPT's edits to Action 3.**

**MS. MCCAWLEY: All right. Motion by Mel and seconded by Chris. Any objection to approval of the IPT's edits to Action 3? Seeing none, that motion stands approved.**

Is there discussion on this action? So this is similar to the previous action, in thinking about whether or not we want to add Georgia and Florida, and you just heard some other comments that have come in on this particular action. Any discussion that folks would like to have?

MR. SAPP: I might add that we also did reduce the trip limits substantially for this species at our last meeting, and so I think we've done quite a bit already, and it's just not necessary, really, down there.

MS. MCCAWLEY: All right.

MR. BELL: I am fine with Georgia and Florida being different, but I think the really, really compelling arguments we heard about the need to do something with red grouper, I have heard it more from the commercial industry, and I think this would be in keeping with what we're talking about, is trying to rebuild the stock, and so I'm good with it.

MS. MCCAWLEY: All right. Any more discussion on this action? Seeing none, I am going to pass it back to you, John.

MR. HADLEY: All right. Just very quickly, I will go over Action 4, and this would establish a commercial trip limit for red grouper harvested in the South Atlantic EEZ. Currently, there is no commercial trip limit for red grouper in the South Atlantic EEZ. Under Preferred Alternative 2, this would establish a commercial trip limit, with sub-alternatives ranging from seventy-five pounds to 200 pounds.

As you recall, at your last meeting, you selected Sub-Alternative 2d, 200 pounds gutted weight, as your preferred. Looking at potential changes in commercial landings, you have several trips that are landing relatively small amounts of red grouper. Approximately 77 percent have landed under seventy-five pounds, looking at 2015 to 2017. Under Preferred Alternative 2 and its sub-alternatives, the commercial landings of red grouper would be reduced by approximately 11 to 36 percent, and that is in addition to the spawning season closure, which is Preferred Sub-Alternative 2a in Action 3. There is no in-season closures expended for South Atlantic red grouper under any of the proposed commercial trip limit alternatives.

There again, this analysis will be updated once we have revised 2017 commercial landings data available, and you saw this last time, and this is the distribution of trips by landings category, in Figure 1, and you can see there are some trips that do harvest over 200 pounds. Looking at expected change in landings overall, under Preferred Sub-Alternative 2d, you're looking at an additional reduction. There again, this is on top of the change in landings from the spawning season closure, and it's an additional approximately 4,500 pounds gutted weight. This is approximately 11 percent of the landings and with an ex-vessel value of approximately \$20,000.

Public comments, we had -- I went over many of these comments, where you had suggested no changes to the spawning season closure and a hundred-pound trip limit, and this was from a fisherman in North Carolina, and two commenters from North Carolina also stated support for the preferred in Action 3 and suggested a small trip limit, approximately 200 pounds, to help rebuild the fishery, and, there again, one commenter expressed concern about conflicting regulations in the Carolinas versus Georgia and Florida, and they suggested no changes to the seasonal closure, but a hundred-pound bycatch trip limit.

As you will recall, the Snapper Grouper AP had approved a motion to recommend that the council consider a bycatch commercial trip limit for red grouper, which you took up at your last meeting, and there was no additional motion passed when the Snapper Grouper AP reviewed this in October. However, some AP members noted that a trip limit for the commercial sector may not be effective overall in reducing harvest, since that sector is only harvesting a small portion of the ACL, and a lower trip limit may disproportionately affect fishermen who specialize in red grouper in some areas, such as in the Florida Keys, and so there is no action required on this, but just to reiterate that your preferred is Sub-Alternative 2d, a 200-pound gutted weight trip limit for red grouper.

MS. MCCAWLEY: All right. Any additional discussion on that action? We don't have anything that we need to do here. We already have a preferred and no IPT edits, and so no additional discussion? All right. I'm going to pass it back to you.

MR. HADLEY: That's all, other than a timing and task for this amendment, but I believe that will be handled at potentially a later date, or maybe during Executive Finance.

MS. MCCAWLEY: Based on our discussion, it seems like this amendment would definitely be coming back to March, and we would be deciding at that time what we would do based on the meeting that the SSC, I think, is going to have in January. All right. I think we might be done with the red grouper amendment.

MR. BELL: Just a comment related to something Jessica and I talked about earlier. Yesterday, David gave the Snapper Grouper AP report, in which he touches on all of these different things, and it's obvious that the AP has some input on different amendments, and so we didn't ask any questions or say anything yesterday, but we certainly could have, but the way this kind of tends to work for these things is the staff does a good job of incorporating any recommendations or motions that the AP makes pertinent to amendments within the context of the decision document, and so we had that discussion today, and so, if anybody was listening yesterday, David gives his report, and we don't ask any questions, and that shouldn't ever be interpreted as we're not interested in their feedback. We deal with it at a later point in the meeting, and that will be the same for other amendments, too, and so I think that's the way it tends to work, with snapper grouper, in particular.

MS. MCCAWLEY: Yes, those are all good points, and, as I mentioned, there were a lot of really good comments, especially on the best fishing practices amendment that the AP went through, but we're not actually covering that amendment at this meeting, and so, all of those items that came from the AP meeting, Myra will paste that into the document, and it will be available at the next council meeting when we're going to be taking up that amendment, and so I appreciate all those comments, and, just because we don't talk about it immediately, or even at this meeting, it doesn't mean that we didn't find it helpful. All right. The next item up on our list is the Vision Blueprint Regulatory Amendment 26 for recreational, and I'm going to turn it back to Myra.

MS. BROUWER: Thank you, Jessica. Good morning, everybody. I have for you a short presentation, as we always do, to try to orient you for what we're going to be talking about for this amendment, and so this is the vision blueprint recreational amendment. In October, you selected a preferred for the deepwater species aggregate, and you modified some sub-alternatives under the action that is considering a recreational season for that aggregate, and you selected an additional preferred, and so I will be going over those when we get into the decision document.

You also selected a preferred for the action that would modify the aggregate bag limit for the twenty-fish aggregate, and you directed the staff to update the analyses accordingly and prepare the document for you to consider approving it for formal review at this meeting, and so here is the timing, as you had modified it back in June, and so we are on track, as I said, to recommend this amendment for approval.

What we'll be doing is just quickly reviewing some of these modifications and the updated analyses and consider selection of preferred alternatives, as appropriate, and then one thing I'll be asking, as we go through it, is for you to provide additional rationale for your preferred alternatives. That helps us put together the council conclusions, which gets put at the very end of your discussions before the amendment is submitted.

Consider modifying the title of Action 4. This is the action that removes the minimum size limit for those three deepwater snappers, and the wording is a little weird, and so we'll talk about that, and then, of course, recommend approval for formal review, and so the actions are, as I said, establish a deepwater species aggregate, specify the season for the deepwater species aggregate, specify the bag limit for that aggregate, remove the minimum size limit for certain deepwater species, reduce the recreational minimum size limit for gray triggerfish off of the east coast of Florida, and then, finally, modify the aggregate bag limit for that twenty-fish aggregate.

The other thing that I was going to point out, and I still did include in the decision document an appendix that shows you the existing in-season and post-season accountability measures, just so that you have that sort of in the back of your mind as you make changes, particularly to the recreational season and how those changes might affect the existing accountability measures.

With that, I will direct you to Attachment 4a, and so this is the decision document, and I left a little bit of background in there, so everybody understands why we're doing this, the actions that I just explained, the objectives for the meeting that we just went over, the timing, and the purpose and need, as you've approved it, and so this is there for you to just review it, in case you want to modify it, and I believe we've gone over it several times, and so I'm going to leave it up there for a second, so everybody can make sure they're good with it.

MS. MCCAWLEY: All right. I'm looking around if everybody is okay with the purpose and need statement. It looks like they are.

MS. BROUWER: Here is where we get into Action 1, and so we have some edits for you. These edits don't need to be approved, but it's the no action, and you have already given us editorial license to tweak the no action alternatives, as needed, to make sure that they comply and that they are compatible with the regulatory language. In yellow, you see highlighted the things that we are changing, and we're calling -- What we were formerly calling the species without bag limit aggregate, the IPT felt it would be better to just refer to it the way that most people refer to it, which is the twenty-fish aggregate, and so we changed that.

Then recall that, at one point, we had considered actions that would affect species that are outside of the existing aggregate, and so that has been removed from the no action, and so you have a table that shows the current aggregates for species that you are considering in this action, and your preferred, which you selected back in October, is to establish the deepwater species aggregate, and

that would include snowy grouper, misty grouper, yellowedge grouper, blueline tilefish, golden tilefish, and wreckfish, and then we added, for clarification, that other species would remain in their current aggregates. Here is the preferred setup with the various aggregates, and so here on the far-right you have the aggregate that would be created and how the other ones would end up looking.

Alternative 3 is another one that you considered, and this is the one that was not selected as a preferred. This one is different from the previous one, in that it includes those three deepwater snappers, silk snapper, queen snapper and blackfin snapper.

Just for your information, the SSC and the advisory panel, in October, discussed this amendment at their respective meetings, and they did not have any additional comments on this particular action or any subsequent actions, and so I've left out those sub-headings.

Public comments, remember, when we had public hearings for this amendment, it looked substantially different than it does now, and so, when folks refer to a particular action or sub-action, that is no longer the way it is structured, and so we just extracted comments that were still relevant to these various actions and put those in the decision document for you to consider, and so the only relevant comment, back from May, when we had public hearings, was from somebody who felt the aggregates needed to be simplified and that we definitely don't need to have a fourth one.

The IPT's recommendations are just to make the changes that we just went over. One thing I wanted to remind you is that, when we talk about potential actions in the recreational accountability amendment, wreckfish may be considered as *de minimis*, because the landings are so low, and so we just wanted to make sure that you were aware of that, and, again, we would need motions to approve the edits, and, if you would, please provide a little bit more rationale for your preferred.

MS. MCCAWLEY: All right. Is there a motion to approve the IPT's suggested edits to this action?

MR. BELL: **So moved.**

MS. MCCAWLEY: Motion by Mel and seconded by Chester. **Any objection to approving the IPT's suggested edits to Action 1? Seeing none, that motion stands approved.**

Right now, we have Preferred Alternative 2 is our preferred, and I think we're looking for a little bit of additional rationale here, and so the preferred that we picked does not include queen snapper, blackfin snapper, and silk snapper, and I think that one of the things that we were trying to do here is, in creating the deepwater species aggregate, to leave those particular snappers out of this, which I think is something that we had heard a while ago when we were trying to figure out which species go into which category here, but would other folks like to comment on our preferred?

MS. BECKWITH: I think we had originally intended that to be the preferred, to include the snappers, but, amongst discussion between the council members and input from the public, it seemed like it was going to be reducing access to those species, since our bag limit would have to be small enough to be appropriate for those grouper species, and, if we only had a three bag limit for that complex, then access to those deepwater snapper species would be significantly reduced,

and so, by maintaining them in the snapper aggregate, then they would be able to go out and get their three groupers, as appropriate, and, if they did have access to those snappers, they would still be able to keep a fair few snappers and make a good day out of it.

MR. SAPP: You nailed it.

MS. MCCAWLEY: Yes, I agree, and so I don't think there is any desire to change our preferred alternative here on this particular action. I am looking around the room. Is there anything else that you would need on this action, Myra?

MS. BROUWER: No. We can move on to Action 2. Action 2 specifies the recreational season for the deepwater species aggregate, and we made changes to the no action alternative to reflect your preferred, in terms of the species composition of that aggregate, and this is where you added a sub-alternative, and you have currently two preferreds, and so Preferred Alternative 2 would establish a recreational season for species in the deepwater species aggregate, and Preferred Sub-Alternative 2b would make that from May through August, which is the existing season for two of those species, for blueline tilefish and snowy grouper, and then an additional preferred would establish it from January through the end of February.

You also asked us to analyze Sub-Alternative 2d, which would make the recreational season be from December through January, and so Preferred Sub-Alternative 2b is the one that, by itself, would result in the smallest decrease in landings of the deepwater species aggregate, compared to landings of those species from 2014 through 2016. Recall that those are the years that we are using for the analysis in this amendment, and so you have a table that shows you, over here, 2b by itself results in an average 49 percent reduction compared to the landings for those three years. In combination, Sub-Alternatives 2b and 2c, which is your current setup, has the lowest reduction in harvest, at about 35 percent.

Again, the decision document includes important things to note for you to correctly interpret these reductions in harvest. There were, as you know, many regulatory changes for blueline tilefish during 2015 and 2016 that may have affected landings, and the recreational landings of golden tilefish exceeded the ACL in a couple of those years, and the same thing with snowy, and, also, you should consider that harvest of some of these deepwater species occurs in state waters, where regulations are different, sometimes, than those in federal waters, and so all of those things need to be considered when you look at these percent reductions in harvest.

We also have some information for you on the economic effects, and so you have a table showing you the relative ranking of the various alternatives, in terms of short-term economic benefits, and so you see, over here, that the combination of Preferred Alternatives 2b and 2c ranks number two, in terms of the short-term economic benefits.

As far as public comments, relevant comments have been that there's been concern about a development of more focused effort if a recreational season were to be implemented for the deepwater species, and this is of particular concern in south Florida, as deepwater species are more readily available to fishermen in that portion of the council's jurisdiction.

IPT recommendations, one thing that is currently not included in the amendment that we will make sure gets discussed is that this action would affect the commercial spawning season closure that is

currently in place for wreckfish, and so, for the commercial sector, there is a closure from January 15 through April 15, and so, under your current Preferred Sub-Alternative 2c, you would be allowing recreational harvest of wreckfish during a time when commercial harvest is closed, and so you need to take that into consideration. Again, what I'm looking for is just to consider the updated analyses and provide additional rationale and then make modifications to your preferreds if you want to.

MS. SMIT-BRUNELLO: On this last point about the wreckfish spawning season closure, we didn't point that out to you at the last meeting, when you came up with those months, because it was -- When we went back and started looking at everything, then we realized that there was a conflict a little bit between the commercial sector and the recreational sector if you went ahead with this preferred alternative, and so I don't think any of us brought that up at the last meeting, and so it's good for you to note that now and discuss it, if you want to keep that preferred.

MS. MCCAWLEY: All right.

MS. BECKWITH: I wasn't super comfortable with the January to end of February addition during the last meeting, but I did want to have the opportunity to look at the analysis. What I don't see is -- Do we have an analysis on if those additional January -- Like what the closure dates would be for the different species, depending on those openings, like if we added the January to February, and I didn't see that analysis, but I also assume that would be extraordinarily difficult.

MS. BROUWER: I don't believe that we have the information that we would need to predict -- To make predictions on closure dates.

MS. BECKWITH: Yes, that's what I assumed, and so my concern is, of course, that, if we added that January to end of February, these fish are clearly more accessible to south Florida, and I understand that that's the reason why this was added, and I would be concerned that that would -- By the time that the opening did happen in May, if there was a sort of directed, concentrated effort to fish for these species those first two months of the year in the southern portion of the region, that we might end up having quite a few closures on some of these small ACLs, and, of course, the small ACLs are one of the reasons why we started moving forward to this sort of reduced season and concentrated effort, to manage discards and bycatch and concentrate effort during a time of the year that the entire region would have at least some access to it.

Of course, for our guys offshore, January and February is not really going to happen, but it's better for you guys. South Florida certainly would have access to these species in May, June, July, and August as well, and so I think my personal preference, and I will put this in the form of a motion, would be to de-select 2c as one of our preferreds and just maintain Sub-Alternative 2b, May 1 through August 31, as our preferred, for the reasons stated, and just because it's -- We don't know how this is going to go.

We don't know how much concentrated recreational effort is going to be focused on this new deepwater species. This is a new concept that this council is sort of starting with the recreational component, and, if we find that we're not having additional closures and everything is going well, and south Florida feels like they like they need additional access later, we can always come back at a later date and add in additional access for an extended season, but I don't have a second, and so I will stop talking.

MS. MCCAWLEY: Is there a second to this motion? Seeing none, that motion fails. I think that we probably still need some rationale on the -- There is two preferreds, 2b and 2c, and so 2c has the January through the end of February, although Anna kind of made the arguments that it was important to Florida, and I can tell you that this particular season in the winter months for deepwater species has been talked about all the way back to when we had the special South Florida Committee. This is very important to them, and this is why the alternative was added to the document at the last meeting, and I really think it's imperative for Florida, because of weather and tourist season, et cetera, to have this particular item in there, but I'm going to go Art to add to this.

MR. SAPP: Precisely. Tourist season, I mean, we're in our major swing there, and also, in the winter months, is -- Last year, we had some North Carolina boys come down and sailfish with us, and it gets horrifically rough, and so we're limited greatly by that weather, but the current comes down a great deal during the winter for us. The Gulf Stream lays, and it allows us to fish on those few calm days that we get effectively, where, in the summer months, the Gulf Stream is raging, and we're up closer to five knots almost the entire summer, and the deep-drop fishing becomes more difficult in the zones where we catch those species, and so we're limited by weather and current on both seasons, and so it would shock me to see great catches that would affect you all in the summer, but I'm not saying that it couldn't happen.

MS. BROUWER: I just wanted to go back, if I may, to this business of the closures, and so, when you have a recreational season that's so short, the data don't come in in time for there to be an in-season closure, and so this is why -- I don't want to say this is the reason why, but we are seeing overages of those small ACLs, because we simply just don't have the data in time to close when those ACLs are projected to be met, and so, when you're doing these seasons, your accountability measures for in-season closures essentially can't work, and so that's another thing you might want to consider.

MS. MCCAWLEY: All right. Any more discussion?

DR. COLLIER: For some of these species, the deepwater species, you guys do have a short season already, for blueline tilefish and snowy grouper, and the ACLs have been exceeded in the past with just that four-month season, and I did want to make sure that was pointed out, and that was included in the analysis.

MS. MCCAWLEY: All right. Any more discussion?

MR. SAPP: Seeing that we are exceeding them, but we're still catching them -- I mean, if they're in so much trouble, how are we still catching them pretty readily, when the conditions do finally allow for us to do it?

MR. BELL: I don't have an answer to that, but I think the concerns that Anna brought up about - I guess what we're potentially setting up here is the ability to have a -- Well, we'll call it early, but the season would be down in Florida, and it could be -- Again, given the proximity -- Like, up our way, it's not that big of a deal. We've got to go so far offshore that there just really isn't a fishery for us, but, with close proximity, I could see how you could get to those -- You could basically blow through that ACL pretty quickly early in the season, and then there is -- Well, whenever we finally react to that in the accountability measure, and there isn't, maybe, a season

later on, but then you've still blown through the -- We're setting up the potential, I guess, to have overages over a very small ACL early on, but I don't know how to accommodate both needs here, but I certainly understand the desire, and, again, this gets to some of the differences we just have, given the differences in our latitudes and given the differences in our distances offshore, and one size fitting all just doesn't work, a lot of times, very well.

MS. MCCAWLEY: All right. We've had good discussion on this. Any additional discussion on Action 2?

MS. BECKWITH: I mean, it's just -- This is a struggle, for me, because we're basically voting this up for final approval today, and this was an addition that happened at the last council meeting, after we've been discussing this for a long time, and I'm struggling moving something forward where we're sort of knowingly going to create overages, and, as we discussed the accountability measures, and this is a really -- I think we're setting ourselves up for a problem, and, given that we're already having overages within a four-month season for some of these species, I think adding to that and then assuming that we're going to get some concentrated effort, because we are setting up seasons, is going to be a real problem.

MS. MCCAWLEY: I hear that, and so I do agree that we added it at the last meeting, although it has been discussed for years that this was needed for Florida, all the way back to the South Florida Committee and the original intent of that and looking at those seasons. Also, I guess my concern, that somewhat speaks to what you're saying, is I don't think we really know how the new MRIP is going to handle the deepwater species. It could be better, and it could be worse, and it's really hard to say, and so I guess that's why that gives me some comfort in moving forward with this. It's just another unknown. We don't really know what's going to happen with the new MRIP.

MR. GRINER: I kind of share Anna's concern, but part of me goes back and looks at what are these overages that we're currently having, and so they exceed the 35 percent that you would reduce by selecting 2b and 2c, or are these overages closer to the 49 percent, from just selecting 2b? How would they offset each other?

MS. BROUWER: Well, I'm just thinking back to the presentation that you all got from Mike Larkin yesterday. The overages are pretty big, and sometimes -- I think, tilefish, my recollection, was 232 percent, at some point, and so it's an artifact of the data, as you know, and, also, one thing to think about is sometimes -- For example, for blueline tilefish, when harvest occurs in state waters, obviously that's still counted towards the ACL, and, when you have a couple of intercepts in state waters, where the regulations are different, that's going to create -- It's going to get expanded to a very large number, and so that's just the situation we're in.

MS. MCCAWLEY: All right. Is there more discussion?

MR. BELL: At this stage, where we are with this document, there's not the ability to add -- What I'm trying to do is -- Is there a mechanism or something else we can do differently to accommodate some of Florida's issues related to having a fishery, but still try not to put ourselves where we're kind of taking an action where we're going to end up with 200 percent ACLs, or are we kind of too far along in the tweaking to do that?

MR. SAPP: I think Dewey touched on it a little bit, as to how these numbers occurred, yesterday.

MS. BECKWITH: I mean, I hear you, Art. None of us love our current situations with some of these numbers, especially with these rare-event species, but it's not a great position for us to knowingly take actions that we recognize we're going to blow our ACLs, regardless of what they're based on, and so I think we've got some other things coming into play about how we handle our accountability measures, if our PSEs, our percent standard errors, are above a certain percentage, and that's discussions that this council is having in a couple of other amendments, and so our accountability measures -- You know, we've had some discussions where, if accountability measures are above 50 percent, or whatever the case might be, then maybe we don't consider implementing certain accountability measures, because the error has the potential to be so high, and that would be a lot of the cases in these rare-event, deepwater species, but we also have to balance the fairness concerns, as Dewey has pointed out, that, at some point, the recreational community does have to be held appropriately accountable, as we hold our commercial entities, and so I'm just struggling with that, and I hear you. I think the numbers are certainly skewed, for the deepwater species in particular, but that is the information that we are sort of somewhat mandated to us, and so we have to find a balance.

MS. MCCAWLEY: All right. We are at the final stages of this amendment, and that is the conundrum that we have here. Yes, I will say that it's a conundrum. Any more discussion on this action?

MR. HEMILRIGHT: So what does happen? You use the MRIP or MRFSS to decide allocation, as I said yesterday, and that was set in stone for blueline tilefish, but you're still kicking the can down the road to decide what to do when you have to come back with MRIP estimates of the accountability of blowing your quota, blowing your ACL, of 250 percent, 200 percent, and so what is the accountability measure?

On one side, to set the quota, you were firm that this is it, and the PSEs don't matter if they're 50 or whatever they are, but, when it comes time to do the accountability measure, I'm just wondering what is going to happen. Where is the accountability? You used it for one side, and why not use it for the other? Why is it so hard to do that?

DR. CRABTREE: Well, we do, Dewey, and we've closed golden tilefish down recreationally, and we've closed a number of these down recreationally. The problem is we close them down based on a projection, and the catches are hugely uncertain, and we don't get compatible state closures, and so you end up with it's closed outside of three miles and open inside of three miles, and sometimes you're over and sometimes you're under, and you don't even know if the over or under is just sampling variability, and so we do exercise the accountability measures, but sometimes we go over anyway, because we project that we think they're going to catch their quota, based on the data we have, and then we find out, at the end of the year, they went way over, or they didn't even catch it, and that's just how it is. It's much more difficult than it is to track the commercial quota, where you can be fairly certain that you're pretty close to it. With these recreational fisheries, you just aren't able to do that, and that's why we end up going over and under a lot of times.

MR. DILERNIA: It's my understanding that there's universal agreement that MRIP is not very accurate for rare-event species, many of which these deepwater species are. I have been an advocate, a very strong advocate, in the Mid-Atlantic to have the Science Center examine the

possibility of using our vessel trip reports, VTR, data as a proxy for MRIP estimates. I believe the VTR data is more accurate than the MRIP estimates could be, and I think that, if the Center could find a way of using the VTRs as an estimate, or as a proxy for the MRIP, I think you would have better, tighter management. I think the projections that Roy was talking about, we narrow that down a lot more, and so, if there's some way that the Center could look at those VTRs, I think it would be useful. Thank you.

MR. HEMILRIGHT: They don't have VTRs.

MR. DILERNIA: Well, they don't have VTRs, and that's the first step in the -- You can't manage -- Dewey is right that they don't have VTRs, and so, to manage these fisheries accurately, the first thing you have to do is put VTRs in place, so that you can actually count them, and then I would try to use them as a proxy, but you need the VTRs. The estimates on the rare events are just -- They're all over the place, and I don't think that's a very good way to do things. Thank you.

DR. CRABTREE: Just that we don't have the VTR, but we do have a charter boat electronic reporting program that's going to come online at some point, but, even then, the private catch of these things is still MRIP, and so the problem is not solved from that. The fact that they're such rare events though -- I think part of our problem is how much do we want to worry about something that is such a rare event?

MR. DILERNIA: I understand what Roy is saying and how much of it is a rare event. I have to say though, in the Mid-Atlantic, much of the recreational fleet, in recent years, has moved from the beach to offshore, and so the amount of offshore effort we see in the Mid-Atlantic is increasing almost exponentially with the advances in weather predictions and boat building and motor refinements and navigation systems and everything. I remember, in the early 1970s, being the only boat out in the Hudson Canyon and looking around and saying, wow, if anything happens, I've got to rely on myself. You go out there now and you have to watch out that you don't bump into someone in the middle of the night.

MS. BECKWITH: I'm just trying to figure out a way forward and out of this that accommodates everybody. In the next action, we're going to be talking about bag limits, and this council could consider doing a different bag limit for that first season, which would be possibly in the range of stuff that we've analyzed, and maybe doing a one per person per day with the existing restrictions for that first January/February season and then going up to the normal three fish per day with the existing regulations for the May through August season. That would at least give access to Florida, but since those fish are more accessible, it would potentially allow for some catch, but not the full bag limit, and would that be something that might be acceptable, as a compromise?

MS. MCCAWLEY: In my opinion, not here at the last minute, no. If we want to finalize it at this meeting, no, in my mind, for going back and trying to get that input for Florida for that early season. I feel like we've had a lot of discussion on this particular action. Are we ready to move on to the next action? All right.

MS. BROUWER: The next action, as Anna just said, would specify the bag limit for this deepwater species aggregate, and, again, some edits to the no action to remove current regulations for the snapper aggregate, since your preferred is to exclude those three deepwater snappers, and so you can see that highlighted. Your preferred currently is to establish a three-fish per person per

day bag limit with existing restrictions on golden tilefish, snowy grouper, and wreckfish, and those are one per person for golden and one per vessel for both snowy and wreckfish.

You have already seen the analyses for these, but we applied the proposed season to the analyses for the bag limit, and so, even though some deepwater species have a bag limit of three per person per day, or less, most folks are catching one to two per person, as you can see on this table, and this is based, of course, on data from 2014 through 2016, and so there still -- People are not catching their bag limits, and this includes those three deepwater snappers for which the bag limit is ten per person per day, or that are included, I should, say in the ten-snapper aggregate.

In addition, here is a table that shows you the various recreational season sub-alternatives across the top and then the aggregate bag limit over here on the left, and you can see the predicted levels of landings and the predicted harvest reductions on the bottom, and so the combination of 2b and 2c, the recreational season sub-alternatives, and your three-fish per person aggregate bag limit with those existing restrictions for those three species puts you over here, at about a 34 percent reduction in harvest. Then you have all the economic information in the following table, showing you the consumer surplus numbers and the economic rank, and so you see here that your Preferred Sub-Alternative 2f ranks fourth, in terms of short-term economic benefits.

The public didn't have any specific comments. This is still maintaining what they're used to, and nothing much is changing, other than it's just being applied to this aggregate of species, and, again, here we just -- If you have any additional rationale for us to include in the council conclusions for the document, that would be a good thing.

DR. CRABTREE: Just what I see, looking at the bag limits, is three per person is so high, and virtually no one ever catches it, and so we're not constraining anybody with the bag limit.

MS. BECKWITH: The idea wasn't to constrain access to the fish. It was to reduce discards, is one of the reasons we were concentrating on this aggregate, and I guess I personally don't feel like we have to -- If delaying this one meeting, so we can consider a different bag limit the first season versus the longer season, would get us somewhere, then I don't have a personal problem delaying approval of this by one meeting, but that would be up to you, Madam Chair.

MS. MCCAWLEY: I don't necessarily mind delaying either, except for the thing that is important to Florida is the triggerfish, which is at the end of this amendment, and triggerfish size limits and bag limits have been different between state and federal waters for some time. I mean, I also have some concerns about establishing, which is basically for Florida, a smaller bag limit in that first season and then you go up to a larger bag limit in the season that is really for everybody else. I just feel like we're creating somewhat of an inequitable access to the fishery by doing that.

DR. CRABTREE: Just one thing to think about with the way you've got your seasons now. It will open in January and February, and that's Wave 1, right, and we'll likely get Wave 1 landings before it opens in May. If they're high, it could be closed then. If Wave 1 is not high, and there is fish left, then it will open May 1, and we won't get any landings to do anything with until August has come and gone, and so it will either be that we get Wave 1, or we get some state water landings or something, and we project a closure early, or it will run all year, and then what will be caught will be caught.

MS. MCCAWLEY: Yes, and I think that was Anna's point when we were discussing the last action.

MS. BECKWITH: Yes, and, since we're moving towards getting rid of in-season closures for recreational, we could get that Wave 1 information and knowingly be going into a season that is already over, based on the Wave 1, which I think would be pretty junky, and so --

DR. CRABTREE: But I would be careful saying we know anything, because we will get the Wave 1 numbers, and they will have 80 to 90 percent CVs on them, and I will say that we'll look at them, and there is a number, but we don't really know anything, because the variance is so high.

MR. SAPP: Here's the snag we both run into. The fish is terribly unimportant until it's the most important fish of the day. They are day-makers when everything else the charter captain has tried failed, and so that's why, for people that don't really understand why Anna and I are so concerned about this, it's we've got a whole bunch of guys at home that, if they're told they can't go do this at the end of the day, they are scratching their head hard, and they likely aren't going to get tipped and aren't going to get paid a decent day, and so, as unimportant as the fish seems, it truly is very important to both North Carolina and south Florida charter captains, much of Florida charter captains.

MS. MCCAWLEY: All right, and so what does that mean relative to this action on the bag limit? Right now, our preferred is Sub-Alternative 2f. Do we want to change that?

MR. BELL: Does going to two or to one, in terms of the bag limit, mitigate some of the concerns we had? I mean, like Roy said, we're not catching three now, I guess, and would that be a -- Would that help any?

MS. MCCAWLEY: I guess my dumb question is I don't know if the bag limit matters. If we're talking about rare-event species, and you intercept two boats in the range while it's open that have the fish onboard, then you have blown through the quota, just because you had two intercepts, because it's a rare-event species, and so I would say the bag limit doesn't really matter, or, two versus one, does that really matter? I don't know.

DR. CRABTREE: Think about it this way, though. If MRIP intercepts a vessel that comes in with a three per person bag limit, and there are four guys onboard, and they all limited out, that's twelve fish, and it's going to -- That's going to have an effect. If you go to one fish per person, that same vessel is going to have four fish instead of twelve fish, and so it would tend to reduce the potential for a vessel to come in way up.

Now, I am sure that Art is going to say that we need the extra fish and all, but you see the table, and it's very seldom that anyone is coming in with it. These are pretty big fish, really, right, and so -- This includes snowy grouper, a number of these grouper, and wreckfish, and some of these are big fish.

MR. SAPP: Yes, but they're not in the same spot, generally. Wreckfish are way, way outside of where you're going to catch a blueline. Snowy and blueline generally could, though the blues prefer to be in mud and the snowy wants to be on a harder bottom, and so you don't generally mix those species. Now, they're in a similar depth, is the only relation they really have, and they aren't

big. A two-pound blue tile is a decent fish, and a good-eating fish for us. They're not that big for us. I mean, occasionally, if you catch a six or eight-pounder, you're a king, but the average are smaller.

MS. BECKWITH: Well, because of the Wave 1 issue, that's one of the reasons that I was suggesting having a one per person limit in that first season, because it would sort of mitigate those huge intercept potentials, and it's also a distance thing. I mean, one of the reasons why I was in support of a larger bag limit during the summer season is because, at least for North Carolina, our guys are going out much further to catch those fish, and they're mahi fishing or tuna fishing and coming back afterwards and actually in that area, but they are going out a fairly large distance.

For Florida, the south Florida isn't really going out that distance, and so, to me, it doesn't set up an inequity. I think it takes into consideration the regional differences, and so I think it is reasonable to have a lower bag limit when the fish are more accessible and closer to shore than when you have to make a greater effort to go out there, and so I think my suggestion, if we were willing to push this back if you guys need it, is I would do a one fish per person per day, with the existing restrictions, for the January/February. Then I would even be willing to drop down to two fish per person per day, with the existing restrictions, for the May through August season, if that was a compromise that sort of appeased everyone, but I just -- This is going to suck.

MS. MCCAWLEY: Let me ask. Based on that comment, then why would you not just pick a preferred on this alternative, on this action, that was two fish per day within the existing restrictions? Why would you just not pick that for both seasons? Do you see what I mean? Then the amendment could still be finalized, and why would you not do that?

MS. BECKWITH: Because I am still worried about the Wave 1 intercept issue and then having the Wave 1 information come in and then sort of going into the May season already with high catch numbers, which may happen or may not. We don't know, but it would be a way of avoiding that. If that is a compromise that folks are comfortable with, and that's what somebody else -- I won't put that motion up, because that's not what I think is the right thing to do, but, if that's what is voted up, then maybe that's a way forward. I am just going to hold out with my concerns, and I don't --

MS. MCCAWLEY: Okay. I'm looking over to this side of the table for possibly changing this preferred alternative to two fish per person per day, with the existing restrictions for golden tilefish, snowy grouper, and wreckfish, and then Anna has talked about another alternative that does not exist in the document at all, which would be to set one bag limit for the early season and a different bag limit for the second season.

MR. SAPP: **I am happy to compromise at two, just to get us moving forward here. We're stuck right now.**

MR. BREWER: I second.

MS. MCCAWLEY: Is that a motion?

MR. SAPP: **Sure.**

MR. BREWER: Well, yes, but let's word it as a motion.

**MS. MCCAWLEY: All right, and so what I think I heard was a motion to de-select Preferred Sub-Alternative 2f and select Sub-Alternative 2d as the preferred.**

MR. BREWER: You can go back up to check it.

MS. MCCAWLEY: All right. There are the alternatives, and so she has it highlighted which particular one we're talking about, and so, right now, we're at Preferred Sub-Alternative 2f, which is three per person per day, with the existing restrictions on golden, snowy, and wreckfish. You are suggesting, and made a motion, for the two fish per person per day, with the existing restrictions on golden, snowy, and wreckfish. All right. We have a motion, and was there a second to this motion? All right. It's seconded by Chris. It's under discussion. We have already had some discussion, and this is not Anna's favorite. She wanted two different bag limits for the two different seasons, and she said she might be able to live with this, as a compromise.

MR. BELL: So then what this would allow us to do is to move forward now, and it somewhat reduces the chances of that earlier season closure, but it kind of pinches the folks with the longer trips later on, if there is a season still going on, but it's kind of moving towards the middle. The only comment I would make is if it's at two, that's fine. If it had gone to one, I guess it would be better, but then it sounds like folks would tell us they can't do it, they can't get a trip with one, and Anna sure doesn't want to go one later on, driving all the distance, basically, offshore, and so maybe this is the best spot to be in.

MS. MCCAWLEY: Right, and so my suggestion would be, if we do pass this motion, that between now and Full Council that folks go back and talk to other people and see if this is a workable solution for those two different seasons. That way, we can get more input on this when we come to Full Council. Are we ready to vote on this motion?

MR. GRINER: Just for my information, and maybe Art or Anna can help me here, but, on a charter trip, or maybe just a private recreational trip, when you go deep-water fishing, what are you going there as your main target? You're going out there, and, regardless of what you select, you're going out there for a species that you know you can only have one of, correct?

MR. SAPP: Generally, we went dolphin fishing, or we went sail fishing, or whatever the case may be, and it's just dead. It's not happening, and you want the people to be able to bring something home, and, generally, it's a pretty reliable -- As long as the current is not blazing a million miles an hour, it's a reliable fish to target, and, if we're tile fishing, we're fishing in bottom that that's where they are. You might catch some rosy rockfish or something, but, frequently, it's tilefish that we're targeting, and that's what we catch.

MR. GRINER: So then, really, whether it's two fish or three fish, what you're really just talking about is tilefish, because you're really just back to your one fish that you went out there to get anyway, or that you stopped on the way in or whatever else you were doing, and you're only going to get one of those fish anyway, which is your goldens, your snowy, and your wreckfish, and I still, to this day, can never believe any recreational guy has caught a wreckfish, but maybe they have. Really and truly, what you're really talking about is the difference between catching two or

three two-pound blueline tiles, if that's what you're catching, and I just can't see that that makes the difference of a trip for anybody.

MR. POLAND: First off, Art, come up here, and we'll show you some bigger blueline. I do prefer the one fish per person in that first part of the season, and I would be -- I mean, I know we've got a motion on the board that we're going to vote on, but I just -- I want to say that I do support Anna's notion of one fish for that January/February time period and then bumping it up to two for the rest of the year.

I just wanted to point out that, even if it is one fish, Florida will still have access to the fish in that second half of the season. Looking at MRIP landings, there is still substantial landings from that second half, and there might be some access to North Carolina fishermen in that January/February time period, but the weather up here is -- I mean, look outside today, this week, and it's tough. If this is what we move forward with, I will support it, with just a little bit of caution.

MR. BELL: I would like to make a substitute motion. **I would move to substitute -- To make our preferred alternative Sub-Alternative 2b, one fish.**

MS. MCCAWLEY: All right. Is there a second to the substitute? It's seconded by your good buddy David.

MR. BELL: I think that's -- It's trying to balance two needs on both ends of the region here, but I am more comfortable with one, in terms of even further lowering the probability of an early closure. It allows for a fishery to occur, and it's not that -- When we get to the fishery that North Carolina would have, it may not be the optimal fishery, but both people have a better chance of having some kind of fishery.

I know nothing about this from a standpoint of the business model that the charter boats work around, in terms of what your customers' expectations are, but at least they are -- You can have a trip, and you're going to catch something. The fact that they could have one, and instead of two it's one, and I get the size difference thing or whatever, but it's not really -- It's not about a meat run, perhaps. It's about -- This is recreational, and it's the satisfaction of the trip and the ability to bring something back, and so I just think one kind of moves back towards the middle.

MS. MCCAWLEY: All right, and so we have another motion, and it's been seconded. It's a substitute motion on the board. Let me also say that my recollection is that blueline in Wave 1 -- That those landings had been low, and so I'm thinking that, if Wave 1 is primarily blueline that we're worried about, that we're unlikely to exceed the quota in that first chunk of time for blueline, or blueline tipping it over.

MR. POLAND: To add another layer, as far as just regional differences, that one fish is not going to work up here in the Outer Banks. I mean, that is the only thing, really, that these Outer Banks guys have up here, and that's why I would be more in support of one fish in that first part of the season and then two fish in that second part of the season, to accommodate these guys north of Hatteras. I know Dewey can speak to this as well, but that's going to hurt our charter guys up here immensely.

MR. BELL: Then that might be the best thing, but, at this point, that would not be something we could move -- We can't move this forward to the point we wanted to today, right? We don't have the analyses done, and I guess that's not an option today, and that's the problem with that.

MR. HEMILRIGHT: Given the distance, to catch a blueline tilefish out of Oregon Inlet, and that's the only thing you would catch, as far as the bottom fish, per se. There might be a scintilla chance of a sea bass or something else, but you've got a thirty or thirty-five-mile run, and these aren't small vessels, and they burn some fuel, and I just don't see how one fish is -- You don't have a fishery. It's not apples-and-oranges as far as that.

Another thing is, off here, even though the season -- I know tilefish -- You get sharks coming in here, and there is times where they are just so thick that you don't have a fishery, and so it is that main part for the charter fishermen here, where the three fish per person -- If you look on social media, there's quite a few, and I guess this goes back to the MRIP, of the analysis, where most of them don't catch but one fish, and that's simply not the case up here, when you go look at the landings on the docks and the pictures. I do understand that, when they take the pictures, they spread the fish out further, to make it look like it's more, but that's just part of, I guess, the enhancing part, but one fish up here does not work. There is no fishery for charter fishermen if that's the case.

MS. BECKWITH: I agree, and I think it will increase discards atrociously if we have one fish up here for the charter guys, but, also, I would like Monica to weigh-in. I do think we can move forward with those options, because I do think that all of this is within the range of what has been analyzed, which is what the NEPA requirement is, and so we could absolutely do one fish per person for the first season and then two fish per person for the second season, and I would need Monica to weigh-in on that, but I'm fairly certain that we can move that forward.

MS. SMIT-BRUNELLO: Well, I would have to talk to Myra, to see, and maybe I could do that at a break or something, to see whether she thinks there is sufficient analysis in the document to cover that.

MS. MCCAWLEY: All right.

DR. CRABTREE: I am sympathetic to you, Mel, but I am going to be pragmatic here. I don't think you've got the votes to pass your substitute motion, but I think the first motion at two fish might have the votes to pass, and so I'm going to vote against your motion and vote for the first motion, and we cut the middle and go to two fish and move forward.

MR. GRINER: I was just going to say that I can't imagine a lot of deep-dropping with just one hook at a time anyway, and so I think you're -- I don't see how you could just limit it to one fish. I think two fish maybe, but certainly not one fish.

MR. HEMILRIGHT: I was just going to mention the point about how many hooks on a rig and the different ways of fishing. I know, with one fish, if you had a one-fish bag limit, you probably wouldn't put two hooks on there, and you might put two hooks, and, if you catch one bigger, you throw one back and you keep the other, and I don't know.

MS. BROUWER: I guess one thing that I would ask is, in these discussions you're having, and I've heard it mentioned a little bit, but I wanted to bring your attention back to your purpose for the amendment, which states to address recreational stakeholder input to increase predictability for the deepwater component of the recreational snapper grouper fishery, minimize regulatory discards, and improve regulatory compliance and consistency, and so I think the whole discard issue needs to be beefed up, perhaps, on the record. We're going to need a little bit more rationale on that.

MS. MCCAWLEY: All right. Are we ready to vote on this motion? **All those in favor of the substitute motion to select Sub-Alternative 2b as preferred, and, just as a reminder, that's the one fish per person per day, with the existing restrictions on golden, snowy, and wreckfish, all those in favor, raise your hand, I saw one in favor; all those opposed. The motion fails.**

We're back to the previous motion, which is the main motion, which is to de-select Preferred Sub-Alternative 2f as the preferred and select Sub-Alternative 2d as the preferred, and that sub-alternative is two fish per person per day, with the existing restrictions on golden, snowy, and wreckfish. All those in favor of that motion. I saw hands in the air. Go ahead, Anna.

MS. BECKWITH: Thank you. **I would like to make a substitute motion where we select a one per person, with the restrictions, in the first season, and a two per person, with the existing restrictions, in the second season.**

MS. MCCAWLEY: Just to help Myra write this, I believe that you are selecting Sub-Alternative 2b for the first season and then Sub-Alternative -- Did you say two fish for the second season? Okay. Then 2d for the second season. It's seconded by Mel. All right. It's under discussion.

MR. BELL: Since we kind of started talking about this, and maybe a conversation needed to happen with Myra and Monica, and maybe we take a --

MS. MCCAWLEY: Yes, there is a motion on the board, but let's take a ten-minute break right now. Come back prepared to discuss/vote on the substitute motion.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: I am not sure who to go to first. Maybe Myra? I guess the question that was being asked before we broke was has the substitute motion been analyzed?

MS. BROUWER: Over the break, we talked with Chip, who conducted the analyses for this amendment, and he is coming to the table, and he can pull something together, and he can have some information by Full Council. However, as you know, the data are very uncertain as it is, and, when you start parsing it down into small little chunks, they become even more uncertain, to where it's -- Another thing I would mention is, if we delay this amendment, the data are already a little bit dated, and we're looking at 2014 through 2016 information. If we delay it to March, you may want to include 2017 data, which is going to change the analysis, and then we've got MRIP revisions as well kind of looming, and so I'm just throwing that out there.

MS. MCCAWLEY: All right, and so let me bring up a couple of points, and then I will go to Art. I am still concerned about the first season for Florida being one fish, and I feel like folks would -- We would want them re-tool their gear, and so, only dropping one hook, I don't think they're going to do that, and so then you've got some discards that are happening here. I think that there are certain parts of Florida that having the two fish is definitely preferred over the one.

We had been looking at some landings, and so the problem wave was not the first wave, where the fishing would start, with the first season that we've indicated, and, really, the landings went way up in Wave 2, and Wave 2 would not be part of this deepwater season anymore, because that's not the months that we chose.

Really, it wasn't necessarily Florida starting to fish on these fish at the three-fish bag limit, but it was really when North Carolina started fishing that it really went up, and so, as I mentioned, it appeared that the significant increase in landings was happening in Wave 2, and that will not be part of this season anymore, and so I can't support the motion. I could get onboard with the two fish, but this particular motion I don't really think is what's best for Florida, but I'm going to go to Art.

MR. SAPP: We begrudgingly agreed to compromise with the two fish deal, and everyone said, okay, yes, we'll do two fish. Well, bang. Now we're going to whop you one with going to one fish, and, while the money isn't being spent in the vessel to travel that shorter distance, the charter is earning less money, but the population of people that are coming to charter fish with these guys in south Florida are traveling great distances.

This is a tourism season, and they travel to Florida to fish for the species, and they spend a great deal of money getting there, and it's a part of their vacation, and now we're going to tell them that, well, sorry, you're only allowed one fish per day per charter per person, after having made that great quantity of effort to get there, and it's similar in North Carolina. It's a tourism fish. It's their charter fish, a saving fish, and so it's got to be fair and even, especially given that information that the majority of fish were caught in Wave 2, and that doesn't even exist anymore, and it seems very fair at the two-fish limit, and that two fish is a compromise from the three.

MR. HEMILRIGHT: Can you refresh me and tell me that the Wave 2 -- I know it's discontinued now, but where were these Wave 2 fish caught to begin with that went away? If it was in North Carolina, in Wave 2, that simply didn't happen.

MS. MCCAWLEY: Florida.

MR. HEMILRIGHT: Okay. Thank you.

MS. MCCAWLEY: But remember that Wave 2 is not part of this anymore. All right. Are there more comments? Okay. Are we ready to vote? **All those in favor of the substitute motion, raise your hand, and so let me go back to what the substitute motion means. The substitute motion is selecting two different sub-alternatives. It is selecting 2b, which is one fish for the first season, and it is selecting 2d, which is two fish for the second season.** That's what the substitute motion is. Mel, did you have a question?

MR. BELL: If you went this route, it would potentially slow the whole thing down?

MS. MCCAWLEY: We would have more about that at Full Council, but that is a possibility, and I do have some concerns with continuing work on this amendment, because the data would be old, and they would need to add 2017 data. By the time we got to March, the data is fairly outdated, and so I am concerned about holding up this amendment another meeting.

MS. SMIT-BRUNELLO: As to your last point, about holding it up, I don't -- I think you could select this as a preferred alternative, given the analysis in the amendment, and you haven't heard from Chip, and you could see what he could bring back to the Full Council, but you're going to be scheduled to take public comment on this I think later today, or maybe tomorrow, but I think it's today. Anyway, legally-wise, I think you could probably do it without having to bring it back, and so I wanted to put that out there.

MS. MCCAWLEY: All right. Any more discussion before we vote? Do we understand what we're voting on and what the substitute motion is? All right. **All those in favor of the substitute motion, raise your hand, five in favor; all those opposed, six opposed; one abstention. The motion fails.**

I believe we're back to the main motion, which was to de-select 2f and then select 2d, which is two fish everywhere in both seasons as the preferred. Do we need any more discussion? We've had a lot of discussion on this.

MR. BELL: Just a question, again, kind of. When we started discussing this document, there was some mention made of the -- There is kind of a disconnect between the -- The commercial wreckfish guys are abiding by a spawning-based closure from January to whatever, and we're talking about opening up a lot of -- So we've got a recreational fishery occurring when a spawning season closure for commercial is in effect, and is that a problem with anybody, or does anybody see -- It seems a little -- How do we justify that, or how do we --

MS. MCCAWLEY: What are the closure dates for wreckfish? Let's start there.

MS. BROUWER: January 15 through April 15.

MS. MCCAWLEY: I'm just going to throw this out there, but I don't know how relevant that is to the bag limit discussion. That sounds like that would have been more relevant to a season discussion, or it would be a new alternative to exclude wreckfish, and I don't know how -- I'm not sure it's super relevant on the bag limit, but maybe more on the season.

MR. BELL: Right. I understand. It was just kind of left hanging.

MS. MCCAWLEY: Okay. We can maybe come back to that after we dispense with this motion.

MS. BECKWITH: Couldn't that be added under the "with existing restrictions" portion of the bag limit?

MS. MCCAWLEY: But he's talking about a season closure and not a bag limit, and so Mel threw a monkey-wrench in there, and so relevant information to the whole amendment, but not maybe this particular motion. Sorry. Okay. More discussion on the bag limit? Okay. Does everyone

understand what we're voting on? We're voting to select two fish per person per day, with the existing regulations on golden, snowy, and wreckfish, and this would be for both seasons. All right. **All those in favor of this motion, raise your hand, eight in favor; all those opposed, three opposed; any abstentions, two abstentions. The motion passes.**

All right. Now I'm going to come back to Mel and his wreckfish. Once again, Myra, the closed season for wreckfish is January through April? Is that what you said?

MS. BROUWER: January 15 through April 15.

MS. MCCAWLEY: Okay, and so let's back up to the season action.

MS. BROUWER: What we need here is if you want to continue with your preferreds as they are and some rationale to explain how it's okay for recreational to be allowed during a spawning season closure for the commercial sector.

MS. MCCAWLEY: Okay. Then the flip side of that would be, if we wanted to maintain a recreational closed season for wreckfish that matches commercial, which is January 15 through April 15, then, in this motion, we would say that, even though we're selecting these two preferreds, we're suggesting that the wreckfish closure that had applied to recreational and commercial would still apply here, and is that right?

MS. BROUWER: I believe so, yes. As long as you give us the guidance to make sure that that's explained in the amendment, I think we're okay, and Monica has got her hand up.

MS. SMIT-BRUNELLO: Right, and so that should be in the form of a motion, and we could even bring exact wording back to you at Full Council, if that's what you want, but the whole idea is remember I said that we discovered, after the last council meeting, that there is this wreckfish spawning season closure, and so it wasn't addressed in the document that you have before you right now, and so there should be some discussion as to if you wanted to keep the January through February opening for the recreational fishermen, at least for wreckfish, as to why that would be appropriate, since there is currently a spawning season closure. It's just not discussed anywhere in your document.

MS. MCCAWLEY: All right, and so we're trying to figure out what to do with wreckfish. Let me also bring up what Myra brought up earlier about wreckfish, that we had talked about with considering wreckfish in the recreational AMs amendment and possibly making them *de minimis*, because the recreational catch is so small. We had talked about that, and so that's in a different amendment, and I'm thinking maybe we want to retain the existing wreckfish closure that is January 15 through April 15 that's in place for both sectors, and I think we want to retain that here, but, Spud, what are your thoughts?

MR. WOODWARD: Could we do the same thing that we did with the bag limit, by adding the statement "with existing restrictions on wreckfish"?

MS. MCCAWLEY: I think we certainly can, and it seems like that would be next to Preferred Alternative 2c, but I will let staff and Monica figure out exactly how to word it, but, yes, I believe that that's what we're talking about here, is maintaining something that's already in existence, and

so it seems like maybe we want to do that, especially if we're going to be talking about *de minimis* in the recreational accountability amendment. I am looking around the table.

DR. MCGOVERN: I think wreckfish right now, recreationally, is only open in July and August, and so would that be the intent, just to keep it with the existing regulations, just open to those two months?

MS. MCCAWLEY: I believe so, but I am looking around, just to make sure that that's what people are wanting, because it's not addressed in the amendment at all right now. To me, that speaks to what Spud said, that would say to maintain the existing opening, or the existing closure, for wreckfish within this particular action for season, but, Myra, do you have another idea?

MS. BROUWER: No, but I just want to be clear. Wreckfish, currently, recreationally, as Jack just said, is open July and August, and so are you saying that you would prefer to maintain that as the recreational season for wreckfish, as opposed to applying this preferred to wreckfish?

MS. MCCAWLEY: Let me try to restate what you said, because I think my brain just exploded. All right. With these two alternatives that are on the board, it seems like we would be suggesting, based on what you just said, that, really, the only time that you would be able to fish for wreckfish is in the second season, May to August, but not even the whole part of that season, but just the existing season that we have right now, which is less than May 1 through August 31, and so you would be suggesting that, even if we pick these two preferreds, we would maintain existing regulations for wreckfish, including the open and closed months, I guess.

DR. COLLIER: There is not going to be much analysis for wreckfish. With the years that are selected currently, from 2014 to 2016, there were no reports of wreckfish in the database, and so that's not going to change much, and it looks like, based on your preferreds, with the following action, Action 3, you guys select the current restrictions on wreckfish, and, if you are selecting current restrictions on wreckfish for Action 2, you could actually go into Action 1 and remove it from the deepwater aggregate, or that deepwater grouping. Because it's not counted, we have no information during this for all the analyses for wreckfish.

MS. MCCAWLEY: Well, that just threw another monkey-wrench in there. Let me go over to Roy.

DR. CRABTREE: Yes, because, when I look at wreckfish, I don't see anything that shows up, except for 2012, and so it seems to me that you could go to the action where we set the season, Action 2, and, in our preferred alternative, just strike the word "wreckfish". We're setting a recreational season for -- If we just make it clear for except for wreckfish, or something like that, and leave wreckfish as status quo, if that's what you want to do, and couldn't we just do that, Myra?

MS. MCCAWLEY: I have an idea, but let's go to Brian first, and then I have an idea.

DR. CHEUVRONT: I am kind of liking what Roy is saying, because I was going to throw another monkey-wrench into this. When we get to the recreational AMs amendment, which is the amendment that has the action in there to consider wreckfish as a *de minimis* species for the recreational sector, there has been a recommendation by the IPT to consider moving that action

into another document, because it is substantially different than the other actions that you're considering in that amendment, and, originally, your plan was for that amendment to be a regulatory amendment, but, if you keep that *de minimis* status action in there, that might make it a regular plan amendment, and so that was something that I was going to wait until we had that discussion to bring up, but it seems relevant now to mention it here.

MS. MCCAWLEY: All right, and so we talked a lot about the mechanism to do it, but let me step back and say, do we want to do it? I am thinking, based on everything I heard around the table, that we do want to do it to -- Whether it's exclude wreckfish, but, really, what we are doing, whatever procedure we use, we're basically just saying keep the existing open and closed months on wreckfish, which is a small season within Preferred Sub-Alternative 2a, the May 1 through August 31. It's inside a piece of that season. I am looking around the room. Is that what our intention is of doing here? I am seeing nothing from North Carolina. Let me go to this side of the table. A thumbs-up or something, a nodding of heads, anything. I will take anything. All right.

DR. CRABTREE: I have no desire to change anything about wreckfish.

MS. MCCAWLEY: Thank you. That's what I was looking for. All right. I think that you know our desire, and I think that I liked Roy's idea of deleting wreckfish from Preferred Alternative 2, but I will let you guys figure out what is the best way to do this, and then maybe bring that back in Full Council, or do you need a vote on it right now that we -- That our intention is to maintain the existing wreckfish season? What would you like, Myra?

MS. BROUWER: I think guidance is fine, as long as -- Let me just restate what I think you're saying. I guess my preference would be to remove wreckfish from Action 2 and just strike it, as Roy suggested, from the parenthetical. That way, none of Action 2 actually applies to wreckfish, but do you still want to leave it within the deepwater species aggregate? Even though it doesn't change anything about the way that wreckfish is managed recreationally, it puts it in a group with other deepwater species, and I think that is meeting some of your state intent with this amendment to simplify things and kind of make more sense of these aggregates.

MS. MCCAWLEY: I agree with that, Myra, and I saw some heads nodding in the affirmative that, yes, we want, in Action 1, for it to remain in the deepwater grouping. Then I think -- Maybe let's do a motion that we would like to remove wreckfish from Action 2, which is the bag limit action.

MR. CONKLIN: **So moved.**

MS. MCCAWLEY: Motion by Chris and seconded by Mel. We've had a lot of discussion on this.

MS. BECKWITH: I am just thinking, and what about the second season that is unaffected?

MS. MCCAWLEY: Let me try to say what I think is happening here. If we remove wreckfish from Action 2, maybe we need to indicate that the wreckfish season remains as-is, or keep existing -- Remove wreckfish from Action 2 and keep existing open and closed months or whatever, because I see what Anna is saying. She's saying we are establishing a bag limit for the rest of the complex that is defined in Action 1, and so it seems odd to remove it, because it's not indicating exactly what our intent for that season is if we remove it from Action 2.

MS. BROUWER: Yes. Now that you put it that way, it is correct, and we would in fact also need to change -- We would need to edit the titles of these actions, because they all refer to the deepwater species aggregate, and so then we would have to spell out which species they apply to.

MS. MCCAWLEY: Then maybe that's not the best motion. Maybe we go back to what Spud was suggesting, that says, for this particular action, retain existing wreckfish season. Is that the better way? It sounds like this motion -- Would you like to make a different motion, Chris?

MR. CONKLIN: **Sure. Whatever you type up there, I will make that motion.**

MS. MCCAWLEY: Are you okay with the -- Hold on one second, Monica. All right. **What we've typed up there for a motion is to clarify that Action 2 would retain the existing recreational season for wreckfish.** I think that's what we mean. Chris, is that your motion?

MR. CONKLIN: **That is my motion, yes.**

MS. MCCAWLEY: Okay. Mel, as the seconder -- Okay. Let me go back to Anna. Anna, do you think that that fixes it and we can still keep the same purpose and need for the amendment?

MS. BECKWITH: I think this sort of gets there, although I still thing we're going against our purpose and need and overly complicating this, and the thing that would be the least complicated would be getting rid of the January/February season.

MS. MCCAWLEY: I appreciate your enthusiasm on that. All right. Is there more discussion on this particular motion that would clarify that, in Action 2, which is the season action, that we would retain the existing recreational season for wreckfish, which is July and August, which is inside the second portion of the season that we've already chosen as the preferred? **Are there any objections to this motion? Seeing none, that motion stands approved.**

Go Team Mel and Chris over there on wreckfish. I am going to turn it back to Myra to go to -- We will fast-forward to the next action.

MS. BROUWER: Action 4 would remove the minimum size limit, and, currently, the action states for certain deepwater species, and this is sort of a remnant from how the amendment was structured prior to all the modifications that were done earlier this year, and it was pointed out that it no longer makes sense, and so one of the things that eventually I would ask is that you consider modifying the title of the action to simply state the names of the three species that it would be applying to.

In terms of analyses, this hasn't changed much, and you've already seen this. Your preferred is to remove the existing twelve-inch total length recreational minimum size limit for queen, silk, and blackfin snappers, and so removing the size limit is expected to increase the landings of these three species by 334 fish, and this is, again, based on data from 2014 through 2016, and that would be about 111 fish per year, and your stated intent with this action was to curb any kind of discarding losses.

There is very little information that really shows you whether these benefits would be realized, but we do have whatever little information is included in here, and here is a table showing you the economic results of the analyses. If you do decide to change the title of this action, I just wanted to point out that there is a sister action in Regulatory Amendment 27, and that one would remain the way it's been approved, which says "certain deepwater species", and so there's a little inconsistency there, but no big deal.

MS. MCCAWLEY: All right. There is a recommendation to change the title of this action from "certain deepwater species" to specifically queen snapper, silk snapper, and blackfin snapper, and so then the title would be remove the recreational minimum size limits for those three species. Is that something that we would like to do? This is an IPT recommendation. I see a funny look on Mel's face, and I see thumbs-up by a bunch of other people.

MR. BELL: It just seemed like the same thing, but, if that's their recommendation, I'm fine with it.

MS. MCCAWLEY: All right. It seems like we are fine to modify the title of Action 4 to specify these species. Mel, was that a motion?

MR. BELL: Yes, ma'am, it could be. **Yes, that's a motion.**

MS. MCCAWLEY: All right. It's seconded by Spud. **Any objections to changing the title of this particular action? Seeing none, this motion stands approved.**

MS. BROUWER: Moving on to Action 5, this is the one that reduces the minimum size limit for gray triggerfish. Again, you have a preferred, which is to reduce it down from fourteen inches to twelve inches fork length off of east Florida, and this would make it consistent with the minimum size limit in the rest of the South Atlantic states.

I believe the analyses for this one are unchanged from what you saw in October. The preferred alternative is expected to increase landings of gray triggerfish by 67 percent, and this change is averaged over the years 2015 and 2016, because remember the regulatory change there took place in 2014, and so that year was not included, or not considered, in that predicted reduction.

I will also point out that this increase in landings may cause the ACL to be exceeded, and these predicted increases do include landings that would occur in Monroe County. However, gray triggerfish is unassessed, and so Monroe County landings would not be counted towards the South Atlantic ACL. The predicted closure may occur towards the end of the year, in Wave 6, which is the last wave of the year, based on the average landings, as I said, from 2015 through 2016.

You've got a couple of tables here showing you those percent increases in landings, using just the last two years, and here it is in terms of pounds, and then you've got your changing consumer surplus in this Table 10.

Relevant comments, there was one commenter from Cape Hatteras that supported reducing the minimum size limit to make it consistent with the rest of the South Atlantic states, and I believe the AP has repeatedly supported the preferred as well, and so we don't have any recommendations at this point.

MS. MCCAWLEY: All right. Any discussion of this action? This is what Florida has been waiting for, to take this back down to twelve and to establish the ten-fish bag, and so we've already done this in state waters, and it's been in place for some time, I think since 2015, and so, yes. Any questions or concerns? We already have a preferred, and I think we're ready to move on.

MS. BROUWER: Action 6 would modify the aggregate bag limit for the twenty-fish aggregate, and so you can see the edits that we've made there to Alternative 1. Your preferred is to specify that no more than ten fish would be of any one species within that twenty-fish aggregate, and so this analysis took into account the reduction in the size limit of gray triggerfish, and so you've seen some of these results.

Your Preferred Alternative 4 would result in a net increase in recreational landings, from about 10 percent to 12 percent, for this group of species, and so we also have some economic information there for you, and so I will just scroll down to the tables. Here is Alternative 4 highlighted, and then your short-term economic rank over here, and so your preferred ranks lowest, in terms of the short-term net economic benefits.

As far as public comment, there were two commenters, back in May, from Cape Hatteras that expressed support for retaining the ten gray triggerfish within the aggregate. Any additional rationale that you would like to provide for your preferred would be helpful.

MS. MCCAWLEY: All right. First, are we good with accepting the IPT's suggested edits to this particular action?

MR. BELL: Well, there is sort of one -- I guess the changing the name to the twenty-fish, that goes back to Action 1, where we changed the -- Remember that originally it was called the -- We were calling that twenty-fish aggregate something else, and now we're calling it the twenty-fish aggregate, and so the only kind of odd thing if you've got spadefish, which you're talking about a ten-fish limit, within something we're now calling the twenty-fish aggregate bag. That's just what it is, but --

MS. MCCAWLEY: Yes, that's a good point.

MS. BROUWER: Well, and I guess I can offer just a little bit more rationale for why the IPT felt it was -- The twenty-fish aggregate is how fishermen refer to this aggregate, and we felt that it was important to keep consistency, even though it may create some confusion, but that is just how fishermen know that aggregate. They just call it the twenty-fish aggregate.

MR. BELL: Right, but they may only be able to have ten spadefish, and as long as they can sort that out, but that's just kind of interesting.

MS. MCCAWLEY: To that point, Mel, are you suggesting that, with the preferred alternative right now that's no more than ten fish within the twenty-fish aggregate, and we haven't selected to add -- Spadefish is in a different alternative, and can you speak to that?

MR. BELL: Okay. Yes, we're good, because it's ten spadefish and ten whatever else. You just can't have any more than ten spadefish is what we're saying, but you can -- Whatever else is in there, you can go up to twenty, right?

MS. MCCAWLEY: No, we're saying, any species that's in there, ten is its max. If you look at Preferred Alternative 4, specify that no more than ten fish can be of any one species within the twenty-fish aggregate, and so everything that's in there now would have a ten cap on it, if we picked the preferred.

MR. BELL: I am fine. Just the grand total of all that is twenty.

MS. MCCAWLEY: Correct, and, if that was only two separate species at ten each, then that's what it is.

MR. BELL: That's perfect.

MS. MCCAWLEY: Okay. All right.

MR. GRINER: I just want to say this one more time, but, coming back to this no more than ten of any species, again, I think you're setting yourself up for a problem with these white grunts, and I will give you a perfect example. The white grunts, the black sea bass, and the gag grouper, they're all living there together, and somebody who is good could literally go out and make one -- Drop their anchor one time and make one stop, and they could get their limit of gags, and they could get their limit of black sea bass, and they could get twenty white grunts and be back home by noon and watch the football game and never move.

I think to sit there and say that you're going to have to start throwing back white grunts while you're trying to get your one gag grouper and you're catching black sea bass, and now you're discarding white grunts just because you can only keep ten of them, when you have a twenty-fish aggregate, it just, to me, doesn't make any sense. They're white grunts, and we don't have a problem with white grunts, and so why limit yourself to ten of them when you're going to sit there and catch them and throw them back?

MS. MCCAWLEY: A couple of things to respond to that. I think that, if we go back to the purpose and need of this amendment, to try to simplify and make it more understandable, which I think we're partly there on some things, and maybe more complicated on others, but, also, I think that we started down this path partly for gray triggerfish, because gray triggerfish, in Florida, in state waters, we have already dropped the size limit, and we instituted a bag limit when we dropped that size limit, and so that's why there's another alternative here that was specific to gray triggerfish, and I think we've had a lot of discussion about other species, including spadefish, and possibly not wanting any more than ten of any one of these species, and we also had a discussion about how ten within the twenty might be easier for recreational anglers to remember, but, if I'm misremembering some of our reasons, then, folks that have been around the table on this amendment, please raise your hand and add to this.

MR. BELL: I understand what Tim is saying, but I understand it the way you just explained it.

MS. MCCAWLEY: All right. Is there more discussion on this? Any desire to change the preferred? All right. I think we're good on this action, Myra.

MS. BROUWER: The last thing for you to do then is for you to consider recommending approval of this amendment for final review, and I have a draft motion up on the screen. I also should remind you that the codified text for this amendment was received late, and there were some revisions that needed to happen, and so it was included in your late materials folder.

MS. MCCAWLEY: I am just going to throw this out there, and I think Chip is going to try to do some more analysis here, and I don't know if we want to make this motion right now, or if we want to just wait until Full Council. It looks like people are saying Full Council, and so I think it's the intent that we do want to approve, but let's wait until we have the rest of the items at Full Council.

MR. POLAND: I just want to say that I want to hear the public comment tonight, especially from our North Carolina guys on this, before we decide to take any action.

MS. MCCAWLEY: Great point, Steve. Great point. All right. I think that we might be done with this vision blueprint, and maybe -- Next up, I think, is the sea turtle release gear. Let's move into that one.

MS. WIEGAND: Now we're going to talk about everybody's favorite protected resource, sea turtles. Last time you guys saw this amendment, it was in June, and you approved all the actions and alternatives that you wanted analyzed, but, if you looked at the document, you're going to have noticed that there are no longer formal actions and alternatives or a purpose and need in that amendment.

The quick of it is that NMFS received new NEPA guidance that allows this amendment document to be simplified, and, if you want a lot more details on that, I will look to Shep to give you more details on why that is, but the point is that it's simplified now. It doesn't change the intent of the amendment. This amendment was always set up in sort of a do-or-do-not format, and so the original intent of the amendment, with the actions and alternatives in it, remains.

This is sort of where we are with the timing. Here, we're looking for you guys to review the draft amendment, and, since you haven't seen it since June, I'm going to go back over what's included in this amendment and the changes we're looking at making, and then we would be looking for you guys to approve it for public hearings, which could occur either via webinar over the winter or at the council meeting in March, where you would review those comments and then consider final action on this amendment.

Again, at this meeting, you guys are going to review the new amendment document, and I will go back over the list of proposed changes, and then we're looking for approval for public hearings, and so, recently, the Southeast Fisheries Science Center approved a couple of new release gears that can be used in place of release gears that are currently required. The point of these gears is they are a lot more compact, and so they're easier for fishermen with smaller vessels, and there are also some clarifications to regulations that are going to make it easier for fishermen when they are trying to purchase gear and easier for law enforcement when they are trying to enforce these regulations.

The first of these is the collapsible hoop net. This can be carried onboard in place of the currently required dip-net, and it's used for bringing incidentally-caught sea turtles onboard to remove fishing gear, and, when it's folded over on top of itself, it reduces to about half of its original diameter. We have also got the sea turtle hoist, again used to bring incidentally-captured sea turtles onboard, and it can be used in place of the dip-net. It's typically used on vessels that can't carry a traditional dip-net, due to a high freeboard or limited space.

They also recently approved a new de-hooker, and this is, again, just an additional option to remove externally-embedded hooks that can't be removed using the needle-nose pliers or the bolt cutters, and these are appropriate for removing the types of hooks that are used in the snapper grouper fishery, and it can be used in place of the short-handled de-hooker for internal hooks and external hooks.

Then we've got this table here, which details some clarifications that are going to be made to current dimension requirements, and we had talked about this at the meeting in June, but this lays it out a bit more formally, and so we're looking at removing the term "approximately" from the regulations and either setting a minimum size or an appropriate size range, where applicable, and these changes should not require fishermen to purchase any new gear. They should already be in compliance. For example, the long-nose and needle-nose pliers, right now the regulations say they need to be approximately twelve inches, and law enforcement has a hard time enforcing that. Fishermen have indicated that twelve-inch needle-nose pliers are hard to find, and so that will be revised to say a minimum of eleven inches, flat out. This is sort of a brief summary, but all of the changes are detailed in the full amendment document, and we can go over that, if you would like.

The Science Center also approved a new grade of stainless steel that fishermen can now use for the short and long-handled de-hookers. The monofilament line cutter is going to be specified as allowed to be one inch or longer, as opposed to requiring it to be just one inch, and the tubing that used to be required to cover mouth openers and gags is no longer going to be required. The Science Center found that it can cause slippage and perhaps more damage to sea turtles, in the long run.

For the cushion and support device, fishermen are allowed to use a life jacket as that cushion or support device, and so we just want to clarify in the regulations that the life-saving device that's used for the turtle cannot also be used to satisfy any Coast Guard requirements, and then, last but not least, and you guys have brought this up a couple of times, once this regulation is approved, fishermen will be allowed to carry an electronic copy of the release protocols, as opposed to that 130-page hard-copy document.

MS. BECKWITH: I'm sorry, and so am I hearing that we need to carry an extra life jacket for the turtle?

MS. WIEGAND: Yes, a special life jacket just for the turtle.

MS. BECKWITH: I'm pretty sure no one knows that.

MR. DILERNIA: I think the life jacket is a cushioning for when you have to un-hook the turtle to let it go, and so, if someone doesn't mind putting on a jacket that has been slimed-up by a turtle, then you don't need a separate jacket just for the turtle.

MS. MCCAWLEY: I don't know. The rule seems pretty clear that you need a separate jacket for the turtle.

MR. DILERNIA: Really?

MS. MCCAWLEY: I am going to go to Shep.

MR. GRIMES: That is correct. It came up that the Coast Guard said the safety requirements are there, and you carry the life jackets for passengers, and the life jacket intended for the passenger cannot also serve as the cushion for the turtle. Anything that's required under these sea turtle release gear requirements is in addition to Coast Guard safety requirements, and, again, you don't have to carry the life jacket. There are other devices you could use, including a tire and whatever else.

MS. MCCAWLEY: All right. You heard it here, Tony.

MS. BECKWITH: For another clarification, most of the guys think that the life ring also works instead of the tire, and so are you telling us that the life ring now doesn't take the place of the tire?

MS. WIEGAND: If you have an extra life ring, correct, one to satisfy the Coast Guard requirements and one for the turtle.

MS. MCCAWLEY: Good question. That was a thumbs-up from Shep, that, yes, you would have to have two life rings.

MR. BELL: I think the point is, from the Coast Guard perspective, is separating what's there for the humans for safety requirements and this thing that you're going to use, whatever it is, but just separate them. Jeremy can weigh-in on it.

LT. MONTES: This is not an official policy, but I would advocate that, if you had an old life ring or an old life jacket that was no longer in service, that you could write "turtle" on it and keep that available as the cushioning device, and that would easily allow the law enforcement officer that was conducting the boarding to differentiate between what is there for passengers or for the crew and what is there for use as a cushion, in the event of a hooking.

MS. MCCAWLEY: Thanks for that clarification.

MR. DILERNIA: It's my understanding that, if a life-saving device is no longer approved for use aboard a Coast Guard vessel, it must be removed from the vessel, to prevent an accidental use of that device in the event of an emergency. Therefore, you cannot have a discarded life-saving device onboard to use as an alternative to the cushion for the turtle.

MS. MCCAWLEY: Any response on that?

LT. MONTES: My only other recommendation, at that point, would be to not use a life ring or a life jacket and go with one of the other alternative cushions, like was noted as a tire or anything else that's available, just to avoid the -- If there's a potential for confusing and making life difficult,

where, all of a sudden, you've got a Coast Guard boarding officer discussing whether or not it's an approved life ring for use with a turtle during a boarding, I would rather not have that happen and that something else that's not part of Coast Guard regulations be used.

MS. MCCAWLEY: Thanks for the explanation. All right. I'm afraid to ask if there are more questions. I am just going to let Christina proceed.

MS. WIEGAND: All right, and I do just want to note that, with these three new gears, these are not new requirements, but they are simply new gears that can be used to comply with the current requirements, and so, if fishermen already have all this gear, they're not going to be required to go buy new gear. They're good. This table is in both the decision document and the draft amendment.

MR. SAPP: Sorry to get involved in this one, but I'm being asked if a couch cushion would work.

MS. WIEGAND: I believe yes.

MS. MCCAWLEY: I am going to look to Shep to answer that question.

MR. GRIMES: I don't know, off the top of my head. It's what is identified on the list.

MS. WIEGAND: All right. I will continue on. This amendment would also modify the snapper grouper framework procedure so that changes to release gear and handling protocols for protected resources can be done through the abbreviated procedure, as opposed to a full plan amendment, like we're doing now, and this -- What I've got on the screen here is an abbreviated version of what would be going into the framework.

The full text is, again, both in the decision document and in the draft amendment, but, essentially, what would happen is, once the Science Center or Regional Office has authorized the use of new release gear devices or handling techniques, the council would receive those recommendations and convene its Protected Resources Committee to consider those changes.

At that meeting, when the Protected Resources Committee is discussing these changes, the council would also hold an opportunity for public comment on the changes, and then, if the council determines that those modifications are necessary and appropriate, then they would notify the Regional Administrator and go through the process of putting together the abbreviated amendment and sending it off. However, if the council chooses to deviate in any way from the recommendations from the Science Center and Regional Office, then this abbreviated process doesn't apply, and it would have to be done through a framework amendment or through a full plan amendment.

That is a brief summary of what is in this amendment. Since there aren't any formal actions and alternatives or purpose and need, you guys don't need to approve that. I did want to briefly go over the Snapper Grouper Advisory Panel comments. They get an update on all of the amendments that the council is considering at their meetings, and, any time they have been updated on this amendment, this has sort of been their general opinion.

They don't encounter sea turtles, and they don't really have issues with them becoming entangled in their fishing gear and hook-and-line gear. There were some questions about why charter vessels

and commercial vessels are required to comply with these gear and handling requirements, but private recreational fishermen are not required, and I believe that's because we require permitted vessels to carry this gear.

They did note that bringing sea turtles onto a vessel can cause some liability issues with injuring individuals onboard, especially for charter and headboats that have paying customers onboard, and they noted that release gear is expensive, and it often needs to be purchased regularly, because it gets lost or damaged. They did note that the detailed design specifications for certain release gears can make it challenging to find them, which is one of the things this amendment is working to remedy. It's the same with the comment that most vessels don't have enough storage, and so a lot of the new gears approved are more compact and should be easier to store. Then just a note that there is a lot of effort and money spent on sea turtle release gear regulations, which are burdensome and unnecessary.

We did take this amendment out for scoping back in April of 2018, and we received similar comments from the public that we received from the AP. Fishermen rarely encounter sea turtles, and the release gear gets rusty and unusable, due to lack of use, and so it has to be purchased often. Propeller strikes and disease and water quality are really the cause of sea turtle mortality and not fishermen. De-hooking devices are really all that fishermen use when they do encounter a sea turtle. Regulations should be simplified. Another note that hauling sea turtles onto a vessel can create some safety issues for those onboard. More comments about limited storage, and then support for expanding the sea turtle gears to include additional compact and useful tools, when possible. That's where we are with this amendment, and we can go through anything in more detail, if you would like, and then we would be looking at approving for public hearings.

MS. MCCAWLEY: All right. Are there questions, comments, or concerns?

MS. BECKWITH: If this council were to move forward with some kind of permit to help identify our snapper grouper or deepwater complex use folks, then, all of a sudden, these would apply to those recreational fishermen?

MS. WIEGAND: I am going to look to Shep for that. Right now, in the regulations, it specifically specifies commercially-permitted and charter-headboat-permitted vessels, and it does not -- It's not vague, and it doesn't say "permits".

MR. GRIMES: I think you would address that when you implemented a new permit, whether or not the requirements should apply. This all stems from an underlying requirement in a biological opinion. Whenever the biological opinion was redone, in the next iteration, I guess they would look at whether or not incidental catch of these things was an issue for that new type of permit.

MR. HEMILRIGHT: When this amendment gets finished and it becomes a law, who has to follow this? I guess it's up to the council to decide if it's a charter boat, a snapper grouper boat, or something to that effect?

MR. GRIMES: Yes, and, the way it is right now, any commercial snapper-grouper-permitted vessel or the charter-headboat-permitted vessel would have to have it.

MR. HEMILRIGHT: With this gear, do you have to take any type of classes to learn how to operate to use this gear?

MS. WIEGAND: No, not for the snapper grouper fishery. Courses are offered, and fishermen can take them. They are offered regularly, but it's not a requirement for the snapper grouper fishery.

MR. GRIMES: Yes, and they carry the manual that is supposed to -- I guess, if they have the turtle, then they can look up in the manual how they're supposed to handle it, and I understand that you, as an HMS-permitted vessel, have to take the class.

MR. HEMILRIGHT: I'm trying to get to the parity here. The same equipment, I spent half a day on Monday, right over here at this pier, taking all these tools that you all have here and learning how to use them. Every three years, I have to take a day of my time and go get recertified, and what was interesting about this particular class is there was a lady there from Hawaii, because she missed her class out there, and she had to fly over here to take this class, because she had to renew the permits, and ours is tied to renewing our permits.

What is interesting is it don't -- You know, it's kind of like a new piece of equipment. You can have a new piece of equipment, but, if you don't know how to operate it, reading that book ain't going to help you, and I was wondering where is the parity here for the pelagic longline industry? Why couldn't I just read the manual and save myself a day and not have to come to no class every three years to get certified?

How does these agencies work together to reduce all this stuff that's put on other permitted fishermen? Why couldn't that be the same, or -- You know, you're given this equipment, but you don't know how to operate it, and so it's almost like what good is the equipment if you don't know how to use it and how to de-hook it and how to place this and how to do all these other things, and it's pretty -- It's not very good, and so I'm just wondering, why is that?

MR. GRIMES: As to why they're different, I guess it's a policy decision and a different policy decision by HMS versus the councils when the councils implemented it. To be a defense attorney for a minute, I would say there are reasons for that. For one, when the requirement first came into place in the HMS fishery, there was a jeopardy opinion on one of the species of sea turtles, I believe, and I think the encounter rates in the pelagic longline fishery, or the rate, is much higher than it is for certainly any charter/headboat vessel, and I believe commercial vertical line, and so, given that you're going to encounter more turtles, it's more important that you be more familiar with the use of the release gear.

MR. HEMILRIGHT: That's a great defense attorney point, but the fact of the matter is you're looking -- If you have the gear, you need to learn to how to use it, and there is no requirement or nothing by reading a book of doing it, and so pretty much it's a useless amendment, because, if you don't know how to operate it and use it, it doesn't meet the standards of biological opinions or something to -- You're looking to give them the best chance for survival of a turtle. Not knowing how to use the gear, and it is very costly, this amount of gear, and I agree with all the different things about the rust and everything else, but it's just kind of frustrating that one set of a group has got to use something and the other set doesn't.

MS. MCCAULEY: All right. Thank you for those comments and questions. Any more comments and questions? With that being said, we need to approve this for public hearings, right? All right. Are we ready to approve for public hearings?

MR. BELL: Do you need a motion to that effect?

MS. MCCAULEY: I would love one.

MR. BELL: **I move that we approve this for public hearing.**

MS. MCCAULEY: All right, and it's seconded by Chris. **Any objections to moving this amendment to public hearing? Seeing none, that motion stands approved.**

I will just ask Christina -- Are you wanting us to determine whether we want a webinar or whether we just want to have a public hearing at the meeting at March, and is that something that you want us to have some discussion on?

MS. WIEGAND: At some point, yes, we would like some guidance on that, whether you want to do that now or during Executive Finance, and I will leave that up to you all.

MS. MCCAULEY: Okay. Discuss now or in Executive Finance? I'm going to go with Executive Finance. People are on to other things. All right. I suggest that we go ahead and take a lunch break and come back at one o'clock, instead of 1:30, and so be back here at one o'clock.

(Whereupon, a recess was taken.)

MS. MCCAULEY: Let's get going. We are moving on to allocation review and triggers policy, and I am going to turn it over to Brian. I think we're going to use Attachment 6d.

DR. CHEUVRONT: Thank you, Madam Chair. Yes, and, actually, this is the document that I am referring to, but what I have done is I have taken this document and made it into a presentation, and so I'm going to jump to the presentation here in just a moment, but I want to explain to you Attachments A-6a, 6b, and 6c, and those are the actual policy statements and guidelines, and so, if you really want to get into this, that's where all the information for Attachment 6d came from. 6d is based on 6a, 6b, and 6c, and now this presentation that I am going to show you was based on A-6d.

Some of you have heard about this already, and some have asked questions about it, but what we're going to be doing is -- You say, why this and why now? Back in 2011, NMFS began work on an allocation policy, and there is some concern that -- NMFS and the CCC worked together on the procedural directives, and the idea was that, if the council can come up with a plan on -- Each individual council can come up with its plan on how they're going to review allocations, and we're talking sector allocations here primarily, and sometimes gear allocations, that it might prevent such a thing from being mandated through the MSA reauthorization.

The idea was thinking that, if we did it this way, if the councils did it this way and could show Congress that they're looking at allocations in a systematic way, it might prevent sort of a one-size-fits-all in MSA, and I can tell you that, in the last six months, I have been contacted by Senator

Wicker's office inquiring about our allocations and when they went into place and things like that, and so clearly it's being looked at.

Anyway, NMFS and the CCC agreed to those guidelines, those Attachments 6a, 6b, and 6c, and the councils need to respond with their plan of how they are going to look at allocation triggers by August of 2019, and so the council has, in essence, three meetings, including this one, to come up with their plan. We're not talking about how you're going to allocate between sectors, and we're not even getting into that. All we're going to look at here are the things that would cause the council to look at allocations, and it doesn't mean that you have to change them or revise them or anything, but you have to have a plan in place for when and how you're going to look at allocations.

Since this is kind of a new topic, and we have a number of new folks here on the council, I wanted to give you all a few definitions. The first is a fisheries allocation is a distribution of opportunity to participate in a fishery based on user groups or by an individual, and so catch shares would fall under allocations, although we're not talking about catch shares here, but I just wanted to put that out there, that this is the broad topic.

Then a fisheries allocation review is evaluation of those allocations that leads to the decision of whether or not the development and evaluation of allocations options is warranted, and then fishery allocation review triggers, and it just gets piled on a little bit longer, and so it's the guidelines that are going to be established by a council to decide when a fishery allocation review is done, and that is all that this document is going to look at, is decisions on when a fishery allocation review is done.

It's a good idea to get this in place first, and I know we've been talking about allocations for a number of years now, and let's get the policy done first, and then you're going to decide on looking at allocations, and there is a lot of things there that probably should be revisited at some point, but that's not going to happen in this document. That's a little further down the road.

Going through those three policy and guidelines documents, they recommend using an adaptive management approach. Basically, it's an ongoing process to evaluate the management objectives and see if they're being met and adjusting them as necessary, and so management objectives are each of the FMPs that the council has has management objectives, and so we are going to see one of the things later that the council probably ought to do is decide when and how they want to go about looking at the FMP objectives for all of their FMPs, particularly ones that have allocations in them, to make sure that they are up-to-date and accurate for where they are now. The allocations policy review involves that updating.

The allocation review triggers, based on the guidelines that were worked on jointly by NMFS and the CCC, is the councils are going to be responsible for setting them, and that's the way probably the councils would prefer that it be done, as opposed to it being prescribed in the MSA reauthorization, and, in going through the different kinds of triggers in these documents, they could basically fall into three categories.

There could be a fishery indicator that would lead you to think about allocations, meaning something has happened in the fishery, and it could be a change in stock status, and there may be a huge swing in a fishery that had been primarily commercial, and now it's more heavily recreational, things like that.

There is also public interest. Public interest could be somebody, either in public comment or whatever, but the council is approached by the public that says that we think that you ought to consider allocation in this fishery, and here is why and things, and then, lastly, is a period of time, a finite period of time, in which the council has decided that they're going to decide and look at an allocation between sectors and decide is that appropriate for where we are right now.

What this policy that we need to put together does is it lays out the process to determine whether a trigger has been met or not, and, now, one of the things that I want to point out here is that the council is not bound to any specific type of indicator or trigger mechanism, but the council can choose what it wants to, and we're going to go through each of these types of triggers and talk about the pros and cons, and then I have several kinds of questions that I want you all to think about to help give guidance, because what I imagine is going to happen is you will give us guidance here, and we will come back to you in March with a draft document based on what you tell us today, and then we'll refine that document, and think of it as a rough draft, and then what we hopefully will do is bring you back a much closer to finished version of your policy in June. You can give us further guidance, and then the idea would be that the council staff and SERO staff will work on this policy, and we will get it sent in by August, based on the direction given to us by the council.

Don't get too scared by this graphic here, but, anyway, I just want to -- This is the steps in adaptive management of allocations, and so, if you look at the first row that is labeled "1", you can see indicators and triggers, and that is like a fishery indicator, if something in the stock, whether it is -- This one right here is fishery indicators, and that is like stock status has changed or something has happened in the fishery that has made the council think that maybe our allocation needs to be revisited here.

The next two are related to public input, and it can be solicited or ongoing, and when we talk about solicited, we're saying that the council makes a public announcement saying that, okay, we want the public to weigh-in on the fact that we're thinking about looking at allocations, and we want to hear what you have to say, or ongoing is, for example, what you're hearing in public comment, whether it's written, online, in-person, whatever, and then there's a petition, and a petition can come from -- It's a number of people basically signing a petition.

Then the last thing is the time trigger, for example a specific interval, and this example says ten years, but I think the recommended time range, if you're going to use an interval, is five to seven years, and the reasoning behind that is because it kind of fits with where we are with ITQ reviews. Those need to happen every five to seven years, and, when we talked about it earlier, when you're looking at allocations, an ITQ, or a catch share program, is a type of fishery allocation, and those have to be reviewed every five to seven years, and so the thought was is that's probably an equivalent kind of timeframe to apply in this case.

Getting back to Row 1a, that is based on, when you're getting public input, is what the council then needs to do is listen to that public input and look at it and then decide if there is a need for a review of the allocations, based on that input, and so the council can then look at it and say, no, we think that's fine, and we understand your concern, but we're not really sure that we can change those and that it's warranted to change those allocations at this point.

Now, if you look at the left axis here, or the Y-axis, if we're going to put it in graphic frame, those two, the brown one and the green one, those refer to the two policy statements that lay out how this is supposed to work, and so, if you're trying to cross-reference and get more information on any one of these parts, look at those policy statements, and those are included in a, b, and c, and I forget which order they actually are, but they're there.

What the council then needs to do is there is going to be an allocation review, and so what the council will do then is review the FMP objectives and revise them, if needed, and then determine are the objectives being met and have other relevant factors changed that would impact allocation, and that's the basis of review of what you will do, if you decide to go through and look at whether or not you need to consider reallocation.

Number 3, which is the bottom row here, it basically says, if the objectives for the FMP are not being met, or other relevant factors have changed that would impact allocations, then you need to go through the FMP process, in essence, and you start to do an allocation review for that FMP, based on whatever species is in the FMP.

Now, getting back up here though to Number 2, when you look at it, if the allocation review is -- If the objectives are fine and you don't need to change those objectives, and they are being met, and the council determines that there aren't any factors that warrant a change in allocations, then, basically, this thing with the circle on the right-hand side -- Basically, you don't have to do anything. You can say, no, these allocations are fine, and that counts as an allocation review.

The idea here is not to set an allocation and just let it go. The idea is to periodically, based on whatever triggers you decide to use, is to look at those allocations and just make sure they are still relevant, and that's all it is. That is the bottom line, and, if they're not relevant, or if something needs to be changed, then you start the reallocation process.

That's part of the reason why I said earlier that we need to get through this policy part here that the council is going to state how they want to go through and do these allocation reviews before we jump into looking at allocations for the future, and there has been discussion by the council, and we have a few actions going on right now that do look at allocations, and that doesn't mean the council has to stop doing those. That's fine. This is for setting up the stage for the future, and it's a way to ensure the public that the council is looking at, at least periodically, what's going on with the allocations in the fisheries. Before I go any further, does anybody have any -- This is a key part of this whole discussion.

MR. BELL: Just the indicators triggers, that's basically sort of data driven, where we're looking at data or landings or something, and we would determine -- The other two are more sort of socially driven, I guess, by outside, in terms of initiating, but there would be something as an indicator in landings data or something we're looking at that would --

DR. CHEUVRONT: Well, it's an indicator that the council could be -- Through a stock assessment or something, but the council is aware that something is going on in that fishery, and it could be triggered by landings, or it could be fisheries are -- One sector, for example, and I'm not trying to be specific about any fishery, but one sector is exceeding its ACL by a large amount and the other sector is underperforming towards its ACL, and that kind of thing might be kind of an indicator that the council might think that we need to look at allocations for this fishery and try to figure out

what's going on, and so it's not specifically tied to a stock assessment. It can be caused by other things that are happening in the fishery.

MR. BELL: Yes, but some sort of objective data that we're looking at or an indicator that we then -- We decide that.

DR. CHEUVRONT: Right. Yes.

MS. MCCAWLEY: I guess I'm a little confused, and maybe we just haven't gotten there in the PowerPoint, but so this process -- Now we have this meeting in March and June, and it looks like we also need to review FMP objectives. Do we review that after we develop the process, or does the FMP objective get reviewed when we're determining what the triggers are going to be? I am kind of confused about the order of operations.

DR. CHEUVRONT: That's a really good question. It's up to the council to decide how they want to do this, but I think, to change objectives in an FMP, it has to be done through a plan amendment, and so, if you have something ongoing right now that is appropriate to put in actions or changes to those objectives, you might want to consider that. I will need some help from some of the SERO folks, because, in all the years that I've been involved with the council, I don't remember the council changing objectives. The actual mechanism for making that happen, the NMFS folks will help us out with that, but my recommendation is this should happen pretty quickly, just to make sure that they're up-to-date.

MS. MCCAWLEY: My next question is, whatever we determine right now -- So let's say that we decide that we're going to use some time triggers and then maybe some other combo of other types of triggers, and then this gets submitted, and can we go back later and decide that we didn't really want to use this trigger or we have decided now that we can't really get the data to use that trigger, and can we change that policy after it's already submitted?

DR. CHEUVRONT: I don't see why you couldn't. I think you would just need to publish that it's a revision to your policy, and so this is the initial guide to get you in the door, saying you're doing this, but, if you're finding that something is not working, you just change your policy. I mean, I see this as really not being that different than say like SOPPs or something like that. You modify them as needed, but it goes through a public process for how you change that policy.

MR. GRINER: Right now, we've really just been focused on whether we think a time trigger is the most appropriate or an indicator is the most appropriate or some combination of time and indicator, not necessarily what that time is going to be or what that indicator is going to be, but just which direction we want to head in?

DR. CHEUVRONT: I think, if you do use time, and you're getting a little bit ahead of where I am, and that's okay, but it seems like the time trigger is your fallback. If a period of time has elapsed and you haven't done anything within the fishery to look at allocations, that your last resort, as such, to look at allocations might be specifically time, because you don't want the allocations to get too stale without looking at them again, and they may be perfectly fine, because you've got, right now, I believe, king mackerel -- The allocations that we have now were put in place in like 1986.

MS. WIEGAND: 1985.

DR. CHEUVRONT: 1985. Okay, and so people are looking at that and saying, oh my gosh, look how old that is, and the council doesn't have the evidence to show that we set that in 1985, but it still works just fine and we don't need to change it, because the council has not specifically done, that I am aware of, and there may be something in an amendment that happened many years ago, and I don't know, but the council hasn't specifically said we looked at this and we decided that it's okay and we're moving on.

MS. MCCAWLEY: Okay, and so then, I know that we're in Snapper Grouper right now, which is also the committee of the whole, but the ask is that we do this across all the FMPs, and I'm assuming that we would just have one policy that would go across everything, or are you thinking that, depending on the FMP, the policy might be different? For, I don't know, mackerel, it's a time trigger, but, for snapper grouper, it's some other trigger, or it's just the same for everything?

DR. CHEUVRONT: That's one of my questions for you all to decide, but you're right that this does cut across all of our FMPs where there is an allocation, and, basically, what we're talking about here is -- I mean, there is no sargassum, and there shouldn't be corals, and there isn't going to be for golden crab, and not for deepwater shrimp, and we're basically talking here about Snapper Grouper, CMP, and Dolphin Wahoo. There isn't an allocation for spiny lobster.

You could very well just decide that this is the policy that we want to follow across all of our FMPs, and that's fine. You can do that. It's up to the council to decide how they want to do it, and you don't even have to use all three of these. You could decide -- I have a slide coming up that has pros and cons of each type, and there definitely are some pros and cons that you might want to consider, and so, before you start getting your minds set on what kinds of triggers you want to consider, let's get through some more of the PowerPoint, so you can see what those pros and cons are and then have that discussion. I have, towards the end, a recommended timeline and steps that you take and some thought questions that it might be helpful to move on you on through the discussion, if that's okay.

MS. MCCAWLEY: Mel, did you have a question?

MR. BELL: I was just going to say that it dawned on me with public input -- Well, it needs to be kind of a definition of when the public input has reached a point that you move, because you could get a petition at every single meeting.

DR. CHEUVRONT: Well, there is actually -- If you read the policy, and I allude to it some in here, the public input one is the most difficult one to deal with, partially because, if the council goes out and solicits -- If they say we're thinking about doing this and ask the public for their opinion, what do you do when you get that opinion? That can be a bit of a problem. That doesn't necessarily mean that the public shouldn't be weighing-in on what allocations ought to be, or that the council ought to think about this, but it's does the council want to formally adopt that as a trigger or not. Let's get through a little more of the discussion, and you will see it get a little murky, with that one especially.

Moving on, we have talked about some of these things, and so I'm going to move through a little bit quickly here. The fishery indicator triggers, they can be socioeconomic or ecological, and we

haven't really talked about the social or economic triggers, and that there's a problem in a community or vulnerability changes that are happening in the fishery or that the fishery -- There is a change in the efficiency or cost benefit of the fishery, as well as stock status or increase in discards, lots of different things that could happen here, and it could be any or all of the above categories, and it doesn't have to be all of them. They can be just one.

The public interest triggers, we take comments a lot, and it can be through not just the public hearing process, but we get a lot of comments on everything from Facebook to formal input on the comment page, and we go out and do scoping, lots of different opportunities for the public to provide input, and there always is an opportunity to do that.

The council can always put out a specific solicitation and say we want the public to comment on allocations, and that can be really tough. Like I had mentioned, what are you going to do if you get that? The guidelines don't come out and say don't do it, but they do say this is the toughest way to deal with it, because you're going to -- You're sort of opening Pandora's Box, and you could have lots of problems and issues to work with with that.

Then there is the period of time triggers, and so the recommendation is that the council establishes it on a set schedule, and I had mentioned that five to seven years, because it kind of lines up with how often the councils are to review ITQ programs, and the nice thing about doing a timeframe is that it's less vulnerable to political and council dynamics, and so, whatever the current politics are, the current pressures are, it's like, if the council says we're going to do it every five years, that's when we're going to look at allocations, and that's fine. You could decide time allocations are the way you're going to do it across all FMPs. You could choose that as your mechanism, if you wanted to, and that would probably make you less vulnerable to criticism, because you are going to follow this strict schedule, and you know it's going to happen.

That doesn't preclude you, however, from, if there's a stock issue or some other thing, to modify those allocations, and a time-based trigger is really good for those fisheries where there is a lot of conflict among the stakeholders, and that's what is -- The ones that will make the reviews rather contentious, I think some of the things that we've talked about now with the council, and the bit of allocation review and changes we've looked at recently, they're pretty contentious, and so time triggers take the politics and council dynamics and the changes in the makeup of the council out of the equation, but it's just that it's going to be done.

Here are some pros and cons, and I've got -- In the left-hand column is the three different kinds of triggers, and the middle column is the pros of each of those, and the right-hand column is the cons, and so the pros for the public-based one is it's making you responsive to the public and their concerns and their wishes, and the public are the ones who see the changes in the dynamics of the fishery that may come up that they would come and talk to you about before it ever appears in a stock assessment or landings reports and things like that.

The problem with doing it is that it sets up public expectations. The public is going to expect that, if we come to you and tell you that there are issues going on in this fishery, we're going to expect that you're going to look at it, and, if you choose not to, for whatever reason, that opens the council up for different kinds of criticisms and things.

Time-based, like I said, they're simple, and they're unambiguous. Everybody knows what it is, and they know when they are going to occur, and they are not vulnerable to dynamics, but they are not sensitive to competing council priorities, and the idea also is that they could come at a time when it's difficult for staff to be working on them, because there are other things that the council has set as priorities, and then this gets added on top of it, and so the workload for the council, as well as for staff, gets to be pretty heavy, but we've always dealt with those sorts of things in the past.

Then there is indicator-based, and the issue is that those reviews are not conducted until some kind of thresholds are met, and the council would need to do something about helping to determine what those thresholds would be and how they want to state what those thresholds are. You don't have to give a specific amount, but you need to give some kind of guidelines on how you want those thresholds to be considered, because then they would force the council to then look at the allocations.

They can be really complicated, just like I said. If you have to set those thresholds, it would be complicated to develop, and they require a continual quantitative and qualitative monitoring of whatever thresholds you use, and so that requires a fair amount of ongoing work, which adds to the workload.

The FMPs that are likely affected, like I said, are Snapper Grouper, Dolphin Wahoo, and CMP, and the full document has -- I guess it's 6d that has a table in there that shows every species that has allocations between sectors and then, also, for golden tilefish, there is a gear -- Within the commercial fishery, there is gear allocations in there. That list is in that document and provided for you. I am not giving that to you here in this presentation, but, basically, all the species fall under Snapper Grouper, Dolphin Wahoo, and CMP.

Here are some steps. Some of these we would like to try to get done today and then get some more guidance from you all, so we can help bring you back a document in March to do further work on this, and so identify which FMPs have allocations and require a trigger, and then Step 2 says reassess the relevance of FMP objectives for fisheries identified in Step 1. Well, that doesn't necessarily have to be completed before your policy is done.

You could initiate that action, and that probably would be a good thing for the council to look at anyway. I believe, even in the Dolphin Wahoo FMP, it still says that the commercial fishery is a bycatch fishery, and clearly -- That's something that has come up several times, and Chester reminded me of that the other day, that that was in there, and that's probably something that needs to be revised, because that is clearly not the way the fishery is operating at this point right now. The thing is that you might want to look at all of those objectives.

Then the Step 3 is to discuss and decide if a trigger already exists, and, if there isn't one, select an appropriate trigger. I'm not sure that we have any specific triggers already established. In going through stuff, I didn't see anything for our FMPs that had established specific triggers in which the council would look at allocations between sectors.

Step 4 is to create a policy document or an FMP amendment, and I think, in the South Atlantic Council's take on this, probably just a policy document, because we're dealing with three different FMPs, and I'm not sure that you want to go down that FMP route to do this, and you certainly can

do it through a policy document, and that's what -- We need to get through Step 4 by the end of June.

Step 5 is what would happen after the June meeting, where a letter will be sent to NMFS documenting the fisheries that are subject to the policy and the triggers associated with those fisheries, and so, basically, we would send them a copy of your policy, and that's what would document how the council intends to deal with allocations and setting allocations in the future.

MR. BELL: (Mr. Bell's comment is not audible on the recording.)

DR. CHEUVRONT: I've just got like one or two more slides, and let's finish that up, and then we'll jump into all the detail. Here is what I have as a proposed timeline for you all to get through now through August of 2019, and so discuss the allocation review policy and guidelines, which we're doing now, and determine which fisheries are subject to the policy, and that's probably fairly simple, and then to weigh the pros and cons of triggers by species types and then give some direction to the staff, so that we can bring something back for you that is substantive for you to discuss in March.

It's not going to be a finished document, and it won't even be close to that, but I want to make sure that what you have in March will reflect the guidelines that you're providing us now, and, if you change those in March, that's okay, but we need to have a document that is tailored to the South Atlantic Council and start working on that as soon as we can, and so, in March, we would discuss and review perhaps the FMP objectives, and I will pull those together for you all, probably for March, if that's what you would like me to do, and then you can say, okay, we need to modify these objectives for these FMPs, and then that can take off on a different track, and that becomes part of what the council is doing as part of their process.

I would then imagine that, whatever committee is associated with a given FMP, then they would start working on changing those objectives, through whatever mechanism needs to be done to do that. Then give additional direction to the staff on the development of the policy statement, and that's what we would do in March.

June is then we review the allocation policy statement, because, by that point, in March, hopefully you're going to be able to tell us to use these approaches for these FMPs, and here is what we're thinking about it, and it might be just one approach across all the FMPs, but that's part of the discussion that we need to have. Then give the staff final direction on how to tighten it up in August, and I'm assuming it would probably be handled very similar to an FMP. Before it gets sent in, the Chair would review the final document, to make sure that it included everything that the council had directed at the June meeting, and so that gives us probably close to two months, and I think it's August 19, I believe, is the date that it's due, and so we have close to two months after the June meeting to get this thing done.

Then, after that is done, then the council would continue to review a revision of FMP objectives, because you're going to have to find whatever that mechanism is, and that's not on the same deadline as the policy for triggers is on, and that really doesn't have a deadline. Then you would implement your allocations policy, starting in September of 2019, and then you can then decide, all right, which FMPs do we want to start looking at allocations, and then the council can then start

figuring out, if you all decide that you want to look at allocations for specific species or FMPs or whatever, then we get into all that of how do we do it.

This policy has nothing to do with how do we do allocations. This policy statement has to do only with when do we look at allocations, and so we need to keep that distinction straight here, that this is when and not how, and we'll deal with how after the when is taken care of, and that might help the council to keep from getting bogged down in the development of this policy, and I believe that was all I had.

MS. MCCAWLEY: Do you mind backing up to the slide that has what we want to do at this meeting, the December meeting? Okay. Mel, I'm going to come back to you. You had your hand up earlier. Are you good?

MR. BELL: Well, I was just going to kind of start working at the simple stuff, which is in terms of the plan, and so I would think the three FMPs that we have identified are the logical -- All three of them, and so I totaled up the species for everything that was in the document here, and it totals up to like fifty-four different species or something, but then, obviously, the bulk of that is in Snapper Grouper, in terms of the breakdown by numbers of species.

Some of them -- This is what I was going to ask about, and I didn't realize this, but some of them, like tomtate and scup, the allocation is 100 percent recreational, and saucereye porgy is ninety-nine-point -- I see you've got the particular amendment that that occurred in, but I didn't know that.

DR. CHEUVRONT: Yes, that was a fun exercise, because we didn't have that all captured in one place, and so I spent the time -- We have a document, an internal document, in the office that keeps track of the allocation percentages. In some cases, it was easy to figure out when that allocation occurred, but, in others, I had to go through the history of management of each of those things, to find out when it happened, and it was interesting, because I don't think anybody in the office or the council had requested that before, and so it was part of the request that I had gotten from Senator Wicker's office, and so some of that information was there and some of it wasn't, but I just had to add to it.

MR. BELL: Where I was going with that is that, okay, then we need to ask ourselves, all right, do we want to do all of the individual species in the snapper grouper plan, or is that on the table, or is there some of them that we don't really worry about, like tomtates and scup? I mean, that's what we've got to decide, but I would say, for starters, all three -- Include all three FMPs, logically, and then we're going to keep in mind, under CMP, that we're going to lose the Atlantic portion of the cobia. We'll still have the rest of it, I guess, to deal with, and so we can knock one off, I guess, and maybe that takes you to fifty-four.

MR. BREWER: Brian, I was just going to say thank you for this chart that you put together. I had not seen anything like that before, and it's really informative, and I think it can really help sort of guide us, but, with regard to what we want to use for indicators, I think you've got to have the -- You have to have the fallback of the timeline.

There is going to be something that comes out of -- Well, there may be something that comes out of MSA that is going to set forth specific timelines, and I don't know whether we can override

that, through this, but I think we've got to have some kind of timeline, and what they were talking about last time -- Last I heard, they were talking about like a five-year timeline in MSA, and I don't know that we need to look at every one of these species every five years.

The other thoughts would be that a public, quote, initiated allocation request is -- That's pretty worrisome, to me, and let's say that we say if you've got 200 signatures on a petition to do a reallocation review then we're going to do it, and I don't want us tied up like that. I think, also, that if we go with -- What was the other one, the indicators? We'll spend a month trying to figure out what those indicators should be, and so I have a little bit of a problem there.

I am wondering if we can have some sort of another trigger that is sort of broad and general that says that the council will closely monitor or follow public comment on these issues, because I think what you would see happening, or would see happening, and I think what we do see happen, is the guys that are out there on the water have got a pretty good idea about what's going on and who is catching fish recreationally and who is catching them commercially, and it seems to me that the trigger would be if the council becomes aware that there is a public sentiment, a public-generated reason, to take a look at allocations, that that would be one of your triggers. That gives us enough wiggle room that we have got some wiggle room, but I do think -- What I was going to say is I think you're going to be forced to have some sort of time trigger.

MR. CONKLIN: My thoughts on it is pretty black-and-white. I mean, if you have a fishery that's closing down for either sector, or both of them, then maybe that could be a trigger. I also think that if a fishery is in a rebuilding plan that we shouldn't look at reallocation or review the allocation at all. If we do have to do a review every five or seven years, it seems like we could just say do we need to look at the allocations in this FMP, yes or no, and keep going. I don't think it has to be a big go through everything every five or seven years.

It doesn't even have to be as in-depth as what the wreckfish ITQ was, and I think that was very in-depth because it was a boutique-type of fishery, but those are my thoughts on it, but I definitely don't want to see, and nobody wants a crowd of people in here telling us that they're signing a petition and yelling at us, because that's not how we do business, and I don't think we should even consider that, and so time-based, rebuilding, and there is obviously problems with allocations or something going on if a fishery is closing down, or if it's not getting met, if it's way underutilized, then that needs to be a trigger as well, and I don't know what thresholds, but there is certainly some problems with allocations on both sides, and so, if we could do a little better, that would be great. I also, if I could have one more second, I would like to know if the Gulf or the Mid-Atlantic has visited any of these kinds of issues lately, and, if so, maybe they have some helpful information for us.

DR. CHEUVRONT: To get to your last point, yes, the Gulf is actually a little ahead of us, and I have been working with them and finding out where they are going, and some of the things, the materials, that they developed helped inform what I have put together here, and so we're sort of on the same track they are. They got started in this, I think, last August, and so they've already had two meetings where they have had opportunities to talk about some of this stuff, and so that's going on, but all of the councils are working on this together.

The thought is that, if the councils can have a robust policy in place, all the councils do, then maybe we'll avoid Congress prescribing exactly how it's going to be done through MSA, and there is no

guarantee, but, if the councils can show that we're handling it, that might help soften that kind of a blow, and you all can be responsive to your fisheries, as opposed to Congress doing something that may work great in New England or in Alaska, but, as we've seen often, those federal policies sometimes don't apply real well in the South Atlantic or in the Gulf or Caribbean.

MS. MCCAWLEY: Thanks, Brian. I am going to go to Dale, our Gulf Council rep, to tell us a little bit about what the Gulf is doing, and then I'll go back to my queue here.

MR. DIAZ: First, I want to say that I think Brian did an excellent job laying this out in a good way for you all to have some discussions, and you all's discussions so far sound very similar to discussions that we had at our last meeting. We're not that far ahead of you. We first introduced this in August, and it was just something real short. This is coming, and this is basically what we're going to do at the next meeting, and we basically did, at our last meeting, what you all are doing right here right now, and so we're just a little bit ahead of you.

We have not made any decisions, but we did have some good discussion, and, from reading the minutes, I think we're kind of moving in a general direction, but we haven't made any motions, and so we might wrap this up at the next meeting, or it might be the following meeting, and I don't know, but I did want to speak anyway, just to mention a couple of things that we discussed that you all haven't discussed yet.

We looked at anything that was allocated, and so we have some king mackerel zones that have specific allocations to those zones, and I think you all might have some king mackerel zones, and we also talked about what would we do with allocations between the Gulf and the South Atlantic also, because there are some things, like yellowtail and hogfish and maybe some other things, that are allocated between both councils. Like I said, no decisions have been made, but those things were included in our discussions, and I don't really know where we'll end up with that.

I think Chris's point about rebuilding and what to do with stocks in rebuilding -- We had those discussions, and, again, no decisions, but we kicked those things around some, too. Anyway, by the time you all meet in March, we'll have had another meeting, and there may be more progress, and whoever comes in March can fill you all in. Thank you, Madam Chair.

MS. MCCAWLEY: Yes, that's great. Thank you, Dale.

MR. GRINER: I was going to say that -- It's kind of the same things that Chris was saying. Time-based is definitely going to be the simplest and most straightforward, and I think it makes a lot of sense. I think that definitely needs to be included, but I also think you need to use some types of indicator, an indicator-based as well, a combination of maybe an indicator over a time period. For example, Chris alluded to some percent of an unharvested sector ACL, and, when a sector is way below their ACL over some period of time, then absolutely that should trigger us to look at the allocation, and so I certainly think time-based, a combination of time-based, maybe, with some indicator trigger is definitely the way to move forward.

As far as the public input, I agree that you don't want to be mandated by that, but I'm not so sure that you couldn't use some type of public input process as maybe a secondary trigger that doesn't obligate you to do anything, but it gives you the option of doing something, and that's kind of what I was thinking, but definitely time and some indicator of unharvested ACL.

MS. BECKWITH: I have a few thoughts. I think this is -- It should be treated a bit similar to the way we handle our stock assessments. We focus the most attention on like our ten or fifteen top economically-important species, and so I think those -- We can have a different timing to review allocations on those more economically-important species, and then, the ones -- Out of those fifty-four, we might have thirty that never really have stock assessments and are unassessed. We're doing them through ORCS, and they're just not that -- They don't have particularly high catch levels, and they're just not that significant to our fisheries, and maybe those are reviewed in one bulk once every ten years and we have the more economically-important species being reviewed on some version of a five to seven-year cycle.

I like Chris's idea about not messing with anything that's in a rebuilding plan, and I'm okay with consideration of stuff that's sort of overharvesting their sector allocation. I am a little weary of the idea of automatically thinking of underharvest as a concern, and I think one example is our gag fishery. The recreational doesn't achieve their gag fishery, but we've also had that discussion over and over, where we've never allowed the gag bag limit recreationally to go up to two, but that's considered an underharvested fish, and so then that might be one that the commercial sector would want to consider reallocation, although we've never given the recreational a true opportunity to catch them, and that's been done a bit as a conservation savings or a break.

Certainly, of course, there is the discussion that we continue to have on the goals of recreational fisheries and commercial fisheries can be different. Recreational fisheries don't necessarily want to harvest 100 percent of their allocation. They want to leave some in the water, to allow for abundance and ease of interactions and accessing, and so I think this goes back to the earlier discussion on what is optimum yield and how is that different for recreational fisheries and commercial, and so I think I want to be sensitive to that when we consider these triggers, because, again, the goals of our recreational fisheries and our commercial fisheries can be different on a species-to-species basis. Those are my thoughts, for now.

MS. MCCAWLEY: Thanks. Before I go to the next person, I've heard a couple of people talk about not reallocating on a species that's in a rebuilding plan, and so let me just throw something out there. I think that we're in a rebuilding plan on red snapper that is not set to be completed until 2035, I think 2032 in the Gulf and 2035 in the Atlantic, and so, really, are we not going to look at allocation on some species that is going to be in a rebuilding plan for that kind of length of time? They definitely have been looking at -- Or not look at reallocation when it's rebuilding, and they definitely have looked at reallocation in the Gulf, multiple times, on Gulf red snapper, and it is in a rebuilding plan that is not set to end until 2032. I just wanted to throw that out there.

MR. BELL: We are freakishly on the same -- That was my -- When Chris brought that up, I was just thinking, and so I can see the logic is, if you've adopted this plan, and the plan is based on certain factors, you might want to let that carry through and not sort of tinker with the fishery as it rebuilds, but then you might have, for instance, something that takes decades to rebuild, and that's why I wanted to ask about that.

The other thing that I thought of, when Anna was talking, was just somehow getting the fifty-four species down to some reasonable number, whether it's ones that are assessed or grouping them or something, because I am sensitive to load on staff and load on us. If it's fifty-four species every five years, you could see where that could get rather cumbersome, in terms of the load, but

somehow we need to get that list down to a reasonable level, but I agree that the time-based approach, or having definitely time as a factor, it makes some sense.

It's certainly simple, and you can respond to it, yes or no, boom, and move on, and I have sensitivities about how we -- If we are going to use sort of a public-input-based way to initiate, there has got to be some parameters on that, because we might get emails on a regular basis requesting that we reallocate, and that could happen a lot.

MR. DILERNIA: Allocation is probably the most difficult activity that a council can engage in. It always ends up with winners and losers. There is going to be haves and have-nots. I strongly recommend, coming out of the Mid-Atlantic Council, and I will give you an example in a minute, I strongly recommend that this council develop a strict policy regarding the review of allocations. The reason I say that is, coming out of the Mid-Atlantic Council, and coming from the State of New York, the State of New York was very unhappy with the original allocations in the summer flounder quota in the commercial fishery.

That quota division amongst the states, and it was a state-by-state quota division, allocations, was made on data from 1980 to 1988, and so the most recent data is thirty years old, and it is still the data that is used for the quota allocations amongst the different states, thirty-year-old data. Despite the fact that we have climate change, and we have evidence that stocks have redistributed themselves and moved, every time the State of New York asks for a re-examination of the quota, the State of New York loses, because there are states that will in fact have their quotas reduced on a re-examination, and there are states that will have their quota increased as a result of re-examination.

Without a solid, rigid policy regarding the re-examining of the allocations, the issue continuously gets punted down the road by the potential losers, and the potential gainers end up frustrated and losing. It's gotten to the point now where the State of New York is seriously considering litigation regarding this allocation process and the current allocations amongst the states.

It's my understanding also that the CC, a couple of years ago, developed an agreement, so to speak, or an understanding or a recommendation that allocations be re-examined approximately every ten years, and we in New York hoped that the Mid-Atlantic Council would follow that, but they didn't, when it came to summer flounder.

Finally, let me say the Mid-Atlantic Council is attempting to re-examine the allocation of bluefish, and, in that fishery, the division is 83 percent recreational and 17 percent commercial, and there's been a recent desire and recent work on an amendment to reallocate the underharvested recreational to the commercial side, and so there is discussions going on regarding that, and those numbers are also about thirty years old.

As a recreational fisherman, I'm unhappy that I am seeing, perhaps, the potential loss of recreational bluefish in the commercial sector, but as a -- I'm not so happy about that re-examining of allocation, but I have to support it, because it would be hypocritical of me not to support any re-examining of allocation, being someone who has strongly advocated for the re-examination of the allocation for the summer flounder quota amongst the different states.

The bottom line is this. Until you have a definite allocation process in place, folks that -- The potential losers will fight back, and the potential winners will advocate for it, and you need to eliminate that, and you need to put it down as part of your policy of what exactly you're going to do regarding the reallocation, re-examination of allocations, and I would suggest that it be a minimum of every ten years. I hope I wasn't too long-winded, but I feel very strongly about the subject. Thank you, and I would be happy to answer any questions that folks may have now or after we adjourn this evening. Thank you.

DR. CRABTREE: Some of what I was going to bring up had to do with the species in rebuilding plans. We are in year-seven of a thirty-five-year rebuilding plan for red snapper, and it's difficult for me how you can say we're not going to re-look at that for the next twenty-five years. I know red snapper has been the main driver of allocation fights in the Gulf, and it's often things that are in rebuilding plans that are the things that produce the most urgency to look at the allocation. I would also be careful about saying any fishery that closes that we're going to look at the allocation. I mean, we have quotas and catch limits, and closures are an annual thing to be expected to happen, and they don't really mean that we need to take a look at allocation.

MS. MCCAWLEY: Thanks.

MS. BROUWER: I just wanted to remind the committee that, for at least the snapper grouper plan, you engaged in a rather thorough review of the objectives of that FMP back in 2014, when you started down the visioning process. Kari MacLauchlin had put together sort of a review of how those objectives morphed over time and how they became what they are today, and I would assume that, at least for snapper grouper, the objectives that are in the blueprint are in fact the current objectives of that FMP, and so I just wanted to make sure -- If that helps you in your discussions when it comes to timing, but, for snapper grouper, I think there's been a lot of evaluation already.

MS. MCCAWLEY: Thanks, Myra.

MR. WOODWARD: A couple of comments and then sort of a hypothetical situation for Brian. I like the idea of on a predictable time basis, because that's quantitative, and it takes out some of the qualitative aspects. Particularly my concern is, if you've got a sector, particularly the recreational sector, that is underperforming, so to speak, that doesn't necessarily mean those are wasted fish. That may mean those people are choosing to voluntarily restrict their catches because they want abundance to be higher, to increase the rate of encounters, and, thus, satisfaction of their customers, and so it's an element that needs vigilance, but it doesn't automatically necessarily mean that there is an inequity there, or a waste of fish.

I agree with Roy about the rebuilding. I think we need to be careful about just categorically disqualifying anything under a rebuilding schedule, because sometimes your best gains can be in a situation where you do have rebuilding and address some issues.

Now, my hypothetical would be -- I guess maybe it's addressed under indicators, but, if we were take action in a fishery, like let's say deepwater grouper, and we instituted a permitting system, where now we're going to shift from relying on inaccurate, imprecise catch estimates from MRIP to something that is much more accurate and much more precise. Would something like that be a

trigger to do an allocation review, because now you have a much more accurate and precise measurement of what one sector is catching vis-à-vis its ACL?

DR. CHEUVRONT: I mean, that certainly could be, and you all can decide. You can decide if that is something that you want to include, and, while some other people were talking, one of the things that we haven't mentioned yet that you might want to consider is the maximum frequency in which you will look at the allocation for a fishery, and so you don't want something to get triggered because of some kind of indication in the fishery, say twice in a five-year period or something, and you would hate to find yourselves in that kind of a situation as well, that you're allocating it once and then, two years later, you're reallocating it again. You might think that there might be appropriate times that that could happen, but you might want to avoid having to look at it too frequently, and so you might want to consider those kinds of things as well.

MS. MCCAWLEY: In thinking about what you just described, couldn't the look be -- Let's say that two triggers were hit in a calendar year, or in a 365-day period, and then could the look be that we just looked at this and we don't want to start it, or you're saying that, once that trigger was triggered, you would have to start? I guess that's my confusion.

DR. CHEUVRONT: I think it depends on how you put your policy together, but, yes, you need to be careful, because, if you say, if this happens we will look at allocations, then, without putting some kind of a time bound or something on there, but it could be that you look at it and you say, well, we just did this two years ago, and we're not going to do it again, but at least you're fulfilling the obligation to look at it, and that might be a way to do it. There is some questions, and I don't have all the answers to all of this either, and so we're still working on this.

MR. GRINER: Just to follow-up on kind of Anna's concerns, and I guess some of Spud's too, I am sensitive to the differences between recreational and commercial and wanting to have that abundance and not necessarily looking at it as your objective is to get to totally get to bump against your ACL, but, at the same time, I think there is a balance point that you can find there, where, if you have a sector that is way below their ACL, and there is always going to be abundance there, because you're so far below the ACL, but another sector is running up against the accountability measures, because they're running over their ACL, then I certainly think that's worthy of a look, and that could go both ways, and so it's not just a one-way street.

MR. DILERNIA: To Tim's point, Tim makes a very good point, and what we did with the bluefish plan, when we revised the bluefish plan a number of years ago, and it's probably maybe almost twenty years ago, in that bluefish plan, as I mentioned a couple of minutes ago, the division is 83 percent recreational and 17 percent commercial, and the recreational sector has not taken their allocation in a number of years, but what we've built into the plan was a voluntary review, annual review, and transfer.

We didn't make a permanent transfer of recreational quota to the commercial quota, but, when it became obvious, as we made our annual allocations, that the year before the commercial sector was going to run up against their total catch, and we saw that the recreational sector was going to underperform, based on what they were allocated, we have a formula in there in which we could transfer up to I think it's about ten-million pounds of fish to the commercial sector.

We voluntarily reallocate to the commercial sector, but we don't have a permanent transfer, and so we let the commercial fishery proceed, and, at the same time, we do preserve the recreational community's ability to harvest those fish if they wish to, but they haven't done it in a number of years, and so we have a voluntary transfer, and that works out very well for -- As far as I'm concerned, it works out very well. Thank you.

MS. BECKWITH: Two points. One, I remember having a similar conversation a couple of years ago, and I will never forget, and I think Roy made a really valid point that made sense to me, which was, because of the uncertainties in MRIP, we really should be trying to manage the recreational fishery to 50 percent of their ACL, and so, when there is one of these intercepts, we don't automatically blow the ACLs and we have a big buffer in there, and so not necessarily setting an accountability measure to hit that 50, but, really, that's sort of the goal, is we should be managing to reach about 50 percent of the recreational ACLs to mitigate these huge swings due to these MRIP numbers, and that always resonated with me for species like cobia and other ones. To Tony's point, we have discussed that idea, and I know the Gulf has the Bosarge plan that they've discussed, and it is an option within some of our amendments that we're discussing now.

MR. DILERNIA: What I just described, where we annually review the bluefish distribution, quota distribution, between the commercial and recreational, that, in effect, is an annual review of the allocation, and so we look at it each year and we say, okay, how much -- We have the reserve, we have the division, but it's almost an annual review where we make the transfer.

DR. CRABTREE: I am trying to think of what Anna is referring to that I may have said, but all I can think is -- That, I think, was in the context of, if you want to be guaranteed that you're never going to trigger recreational accountability measures, that you probably would have to do that, and I'm not advocating for that at all.

MR. CONKLIN: Just that we've talked about a soft allocation sort of sharing idea for a number of years, and we can already kind of see where this is going to go, and nobody is going to be friends after this, and so I think we ought to start work on like a framework, where we can come up with some triggers, and, if we need it, then we can use an in-season or year-by-year allocation shift, soft, or for a period of years, and do it like that, because, sorry, but we're all different, and we have conflicting views, even though we're supposed to be going -- It's going to get real personal, and I don't think we can do it. I don't think we can do it.

DR. CHEUVRONT: I just want to remind you, at this stage, what we're talking about with the triggers and the policy is that -- What you're setting up now is what's going to say that we're going to look at it, and it doesn't mean that you're going to do allocation revisions, but it says, if this happens, we will look at allocations and see if they need to be revised. You could look at that. If you remember that graphic I showed that had the red circle around it, in your review of the allocation, you could say, no, we don't want to deal with this. Boom. Then move on, but then you get to tick-off that box that says we reviewed the allocations for this fishery.

MR. BELL: Brian said this earlier, but a trigger could be sort of a two-part thing, where, if data are looking a certain way, and you're within a certain period of time, or you haven't looked at this in five years or whatever, and so it's Question 1 and then Question 2, and, if it meets both, it's a trigger. If not, it's not, and then you defer to maybe the time-based one or something, and I don't know.

MR. GRINER: Brian, for now, I guess would it suffice to say that we could decide now that we want to move forward with time-based and indicator-based and that would kind of move us forward for what information you need right now?

DR. CHEUVRONT: Thanks, Tim. I think that would help, because, if we know that the public input is kind of off the table, and, frankly, that's probably one of the most difficult ones to work through the details of how that would work, there has been a lot of discussion of the different kinds of things that you would like to see happen, either in terms of time or in indicators, but what we could do is go back through the minutes of this, once they're transcribed, and pull some of those things out and put them into a document, so you can see them all next to each other, and then, maybe in March, it would be a good time for you then to hash it out and say this one yes and this one no, or, if this happens, then that. You would start getting into the meat of it.

Maybe the good thing that would be most helpful to the staff right now is if the things that you can think of, and it doesn't mean that you can't add something later, but the things that you could think of that might be one of these fishery triggers or thoughts about timeframes. I mean, I threw out that five to seven years, and that was only suggested by NMFS because of the catch share review triggers and that they think that they should be somewhat similar, but you're not bound to that timeframe, and so you could do that however you want to do that.

If you have any of these fishery indicators that you want us to consider and/or specific timeframes that you would like for us to look at, that's great, and, if it's clear that you don't want to look at the public-initiated ones at this point, that would be good too, to get that on the record, so that, as we develop this policy, we can say we considered it, and we discussed the pros and cons, and the council decided they wanted to go with these two forms of triggers, and that's what you have to do.

MS. MCCAWLEY: I like the idea of five to seven years as the timeframe. The public-initiated triggers do concern me as well. One that we've had a lot of discussion about is about possibly not looking at allocations for species that are in a rebuilding plan, and I mentioned that that concerns me, and I would still like that to be on the table, and I'm not sure what the trigger looks like, whether it is in rebuilding or it isn't, but I don't want it off the table and that if it's in rebuilding that we're not allowed to look at it.

I guess a question that I have is so we have the three FMPs up there that we think we want to modify, but Anna brought up a point earlier about species that are assessed versus species that aren't assessed, and so I'm confused as to whether we're instituting this at the FMP level or we're instituting it at the species level within the FMP, and I'm a little confused about that. Like so let's do a pretend here. Let's say that we hit a five-year timeframe, and that triggers a look at every single allocation in the Snapper Grouper FMP, or it only triggers certain species to look at for allocation in the FMP? That's my confusion.

DR. CHEUVRONT: I would think that you would need to set a policy for every species, and it could be -- When I was listening to what Anna was saying, between assessed and unassessed stocks, you could have different triggers by species within an FMP, if you wanted to, and say you have triggers that are based on stock assessment results. Then clearly those would only apply to

assessed stocks, and then you could also have triggers for unassessed stocks within the same FMP that may -- Perhaps only the timeframe one would only be applied to those.

I mean, there's lots of different ways you can go about it, and so, if you want to look at individual species differently because you have more information about them, there is more public interest in them, whatever your reasons are, you can do those triggers -- You can modify those differently, if you would like, or you could just lump all the species in one FMP to one set of triggers, or you can lump all of your species to the same set of triggers. It's up to the council to decide how they want to set up that policy.

MS. MCCAWLEY: That was a helpful explanation. I am looking around to see what other direction we can give you before we complete this discussion.

MR. BELL: I was just responding to -- I think the snapper grouper unit itself could wear you out if you had to do that every five years or something, if you committed to that, and so I think shrinking that down somewhere would --

DR. CHEUVRONT: But what it could simply be is you're looking at tomtate, for example, and you could -- Some of these that -- You could just say, oh, that's not an issue, bam, move on to the next species, and you could just go through the whole list, and it doesn't mean that you have to have a document or something that -- We don't have any reason to believe, at this point, that we need to modify the allocation for tomtates. You have looked at the allocation, and you have discussed it, and you have moved on.

MS. MCCAWLEY: Okay. Any more comments or direction to staff here on this topic? Brian, do you think that you have enough to come back with something in March, or do you have more specific questions for us that you don't feel like we've answered yet?

DR. CHEUVRONT: No, I think I've got enough to come back in March, at least with a strawman document that pulls together some of the things that we talked about here. I will listen to these minutes again, to make sure I've captured your comments, before I start writing. One thing I do want to point out is that a staff member at SERO, Mike Travis, actually worked on developing some of these policies, and he and I have been in contact about some of these things, and so Mike will be a great help in making sure that we're headed in the right direction, and I'm sure, if I have said something wrong, Mike is going to straighten me out. He's probably listening right now, but the thing is that we can make this happen.

We will bring you back what amounts to a strawman document that you can look at and say, oh, we like this one, or we don't like this one, and let's discuss the intricacies of, for example, the no allocations for rebuilding stocks and what does that really mean. Well, maybe you don't have to throw that out completely. Maybe it's stocks that will be rebuilt in less than ten years. You could do that if you wanted to. What the idea is, it's that your policy is to develop the set of parameters around each of these different things and how you want to look at triggers.

MS. MCCAWLEY: Thank you.

MR. CONKLIN: Once we come up with the triggers, what's the next step? Is there like formulas that we make up or that you guys give us some stuff, or is the toolbox open and unlimited? What is the next step, as far as our options on --

DR. CHEUVRONT: This policy document is just the triggers. That's all we've got to get together by August, and then Pandora's Box gets opened, and you all decide that eventually, based on whatever your triggers are, you're going to have to look at some of these things, but you can look at it however you want to from there on out. The council has discussed, in the past, in recent years, wanting to do what amounts to another comprehensive allocation review, and my thought and recommendation at this point is wait until you get your policies done.

You've got a lot of MRIP numbers that are changing, and let's let all that settle out, and then you can see how big is your pie going to be, how big is your total ACL going to be, and then figure out how do you want to reallocate, once you've got all that additional information, which at this point you don't have yet.

MS. MCCAWLEY: Any more questions or comments before we leave this discussion?

MR. BELL: Dale, any words of wisdom, or are we kind of catching up with you all? I mean, anything we missed?

MR. DIAZ: There is no right and wrong here. I think you all might have passed us quite a bit at this meeting. No, but I'm hoping that, at the next meeting, we start winding our stuff down, but it might possibly be the following meeting, and so we'll report back to you all in March. Thank you.

MS. MCCAWLEY: Thank you. All right. Next up on our agenda is yellowtail snapper. Let's go ahead and take a five-minute break, and then we'll go into yellowtail snapper.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: Before we get into a presentation, I want to talk a little bit about what happened at the AP meeting, and so we got a report from David yesterday about the discussions on yellowtail snapper, and I believe that there was a motion, and John can correct me on what the specific motion was, and I could look it up, but I believe that the motion was to stop work on this amendment until after the next stock assessment, I believe was the motion.

MR. HADLEY: Yes, and the motion itself was to go with Alternative 1, no action, which is essentially the same thing, but, yes, that was part of the discussion, is waiting until after the next stock assessment before making management changes to the yellowtail snapper fishery.

MS. MCCAWLEY: Thank you, and so I think we ought to talk about that particular action, or motion, that came out of the AP and figure out how we want to handle that in regard to this particular amendment.

MR. SAPP: The Snapper Grouper AP has recommended we delay further consideration of Amendment 32, for the following reasons, uncertainty about the impact of the MRIP recalibrations, status of the yellowtail fishery after the impacts of Hurricane Irma, and the potential for management changes resulting from SEDAR 64. **Therefore, I move we table the**

**Amendment 32 until we are presented with additional information about or after stock assessments.**

MS. MCCAWLEY: We've got a second from Anna.

DR. CRABTREE: A point of order?

MS. MCCAWLEY: Yes.

**DR. CRABTREE: It would more appropriately be a motion to postpone further consideration until whatever the time is. It's not a motion to table.**

MS. MCCAWLEY: All right, and so the motion is going up to postpone consideration of Amendment 32 until after the stock assessment.

DR. CRABTREE: That does require a second, and it is debatable.

MS. MCCAWLEY: All right. Anna, you're the seconder, I believe.

MS. BECKWITH: Cool.

MS. MCCAWLEY: So it's under discussion.

MR. GRINER: I just want to kind of throw this out there. We heard a lot from some of the guys down in the Keys that this was important, and they really kind of wanted to get this done, knowing that a stock assessment was coming, but still it could help them immediately, and I am thinking -- Since we've had this here, and we've got public comment tonight, maybe we should wait until Full Council and address this after we've heard some public comments tonight. There might be guys that show up here that have something to say about this.

MS. MCCAWLEY: Well, it will come back to Full Council for a vote, no matter what happens to this vote, and let me speak a little bit about what I heard at the AP meeting. The discussion -- Let me refresh your memory here on why we started this particular amendment before the stock assessment was completed and then a little bit more about the fishery.

We started this amendment following Hurricane Irma, and there was already a discussion about yellowtail and dolphin that occurred a while ago, and we had started working on an amendment, and you guys voted to stop work on that until the next assessment, and that amendment was talking about things like trip limits. We had already changed the fishing year, but it was looking at trip limits, and it was talking about combining the Gulf and South Atlantic ACLs and reallocation and all sorts of things.

We had already stopped work and said that we weren't going to look at anything until after the stock assessment, and then, following Irma, since that area was hit hard, and these particular fishermen were hit hard, we started this amendment to try to give those folks some relief before the stock assessment was completed, since they had been meeting their commercial ACL for the past three years, and two of those years even after we had changed the fishing year start date.

I will also remind you that there is really kind of two components to the yellowtail snapper fishery. You have the component with the people that do it full-time year-round, pretty much, and then you have another set of fishermen that are yellow snapper part of the time and trap fishermen another part of the time. That particular interest wasn't necessarily represented at the AP meeting, and so what you heard at the AP meeting was really from a full-time fisherman as well as a number of charter captains, and we talked about, at the last meeting, concerns on the recreational side about going forward with this amendment and how it might affect the recreational in the future, and so I just wanted to bring out a couple of points on why we started this and then some nuances about kind of what was happening at the AP and that it really was representing one piece of the full-time yellowtail snapper fishermen, but the other piece, which is part-time yellowtail snapper and part-time trap fishermen, the rest of the time, wasn't really represented at that particular meeting.

MR. BELL: I was at the AP meeting as well, and I would just add to that. I think -- Again, the yellowtail fishery up our way is not really a fishery, but they had a lot of discussion. Jessica is right that it was kind of weighted one way, but I never really heard that perspective explained that well, or discussed that well, and so, for me, it was an eye-opener, kind of finding out about this other component of the fishery, which I really didn't know that much about until the meeting, and so I think -- That took them, of course, then to the recommendation that we basically just kind of hold off here until we've got the assessment complete, and it made sense to me, and so that's why I would support that.

DR. CRABTREE: Can you remind us when we expect the -- Is the assessment expected to be completed towards the end of next year?

MS. MCCAWLEY: November of next year.

DR. CRABTREE: The things about it, to me, is, one, it doesn't really look, to me, like the alternatives we have in this amendment change the issue very fundamentally. We changed the fishing year, and there was a significant increase in the quota, but they continue to catch more fish almost every year, and so we tried to set the closure up when it best -- When it had the least disruption to the fishery, and they, I think, were closed less than two months, as I recall, last year.

I'm just not sure there is much more we can do with it, but, when I've looked at the analysis in the amendment, the current preferred, it's still closed anyway, and it doesn't make that much difference in the closure date, and so I don't think this amendment really has a solution to this at this point, and it seems to me that we'll spend a fair chunk of time working on this and trying to hash that out, and then we're going to get to a point where the assessment is right around the corner, and we'll end up waiting anyway, and so my inclination is to support the motion.

MS. MCCAWLEY: More discussion on this?

MR. CONKLIN: I will speak in support of the motion as well. I know that we're only two years into the new allocations, and the feedback we got from the Snapper Grouper AP, which is really good, and they think it's being managed properly, and the quotas have tended to run out, and that gives them time to work on their boats, and it runs out when the market is tough and when the fish are spawning. That's enough for me.

MS. MCCAWLEY: All right. Any more discussion? I know Tim brought up waiting to vote on this, but we are running behind in the Snapper Grouper Committee. If we vote on this and not go through all the documentation associated with the amendment, we'll maybe gain back some time, but we can certainly, as you mentioned, re-address this after hearing public comment when we get to Full Council. **All those in favor of this motion, raise your hand, ten in favor; those opposed; abstentions, one abstention. The motion passes.** Thank you, John. Next up is the recreational accountability amendment, and we're back to Brian.

DR. CHEUVRONT: If you all thought that allocation triggers was fun, and I need just a second to get up here, but, while I'm pulling up my stuff, one thing that I neglected to mention, and what I'm about to say applies to this amendment as well, is we're having the discussion for the allocation triggers as well as the recreational AMs right now occurring under the Snapper Grouper Committee, but they're bigger than just the Snapper Grouper Committee, and they're here partially because this is a committee of the whole, and so everybody gets to participate in it, but the thought is do you want to continue to have these discussions under Snapper Grouper, or would you like to have them be just a committee of the whole with these agenda items under there, or does it matter to you all or whatever, but that would just help us with future planning.

MS. MCCAWLEY: That's a good question. It seems like we've had a few things here that maybe we've needed committee of the whole, the ABC control rule, that I think is coming back again, plus the recreational AMs, plus, if we're going to talk about the allocation trigger that is going to cut across multiple FMPs, that maybe we can cover all those multi-FMP items in one committee of the whole, and I think some of those documents are coming back to March, and maybe we'll end up talking about that more during Executive Finance.

DR. CHEUVRONT: I just wanted to put that out there, just so that -- Madam Chair, I think you had a question at one point of why were these happening under this committee, and we just wanted to get your input as to where you would like to see them occur, and so, if that comes up in Executive Finance or wherever, that's fine.

Now we're to the recreational accountability measure modifications. If you recall, we have talked about recreational AMs, and, initially, they were part of the ABC control rule discussion, and you wanted to pull them out to put them into a regulatory amendment, because you thought that this could happen more quickly, and so we've pulled them out, and they're a separate discussion. In June, which was the last time you looked at this, Rick and I had worked on this together, and we really hadn't had the IPT meet to discuss this yet, because we wanted to get a feel for where you all were, and so we had some general discussion in June and all.

The IPT has since met, and we just gave them a heads-up on where we are in the development of this, and that what we expect is going to happen is that the council is going to give us a bit more direction at this meeting, so that we can start getting the IPT to work on whatever it is that you decide that you would like to see happen.

The one thing that I would like to caution you all about is, the material that Rick and I presented to you, we put it in an action and alternative format, but this has not gone out for scoping yet, and it's starting to scare me a little bit that it's looking like the council is making decisions before they have scoped the concept, and so one of the things that I would like for you all to consider today is making the recommendation to send this out for scoping.

Now, at this point, we don't have official actions and alternatives yet. They're just things that have sort of been discussed in concept, and we haven't argued the merits, the pros and cons, of the different alternatives, and you haven't given us direction on what those should specifically be, and so I kind of want to be careful about how much detail we get into actions and alternatives here until we get through scoping, because we're getting the cart ahead of the horse here on some of this.

When this discussion initially was occurring, which had the real first discussion last March, and what I had done, and it was in the March briefing book, is it had all the accountability measures for all the species that have recreational AMs, and it turned out that we had about fourteen different themes and variations on accountability measures. Part of your goals here were to make them as consistent as possible, and you also wanted to try to get rid of the in-season accountability measures, where possible, and so you gave us some other parameters and things.

What Rick and I have tried to do was to figure out how to group all these things together that you have given to us and try to make some sense out of them and group like things together. I would like to talk about the concepts that we have in this document, and there was a list. You have got this document in your briefing book, and I forget the number of it. I think it's Attachment 8.

The IPT met after the briefing book went out, and one of the things that we asked the IPT to do was to look at some of the considerations and things that we have in the document and see if they could give us more suggestions, and we got a couple more. The list that I'm going to show you here in just a moment is slightly modified from the one that's in your briefing book, and, if you would like me to, I can certainly have this document sent out with the additional considerations and things put in it.

First off, I don't know that we need to have a lot of discussion at this point on the purpose and need, but we do have a draft one here to revise the accountability measures for the recreational sector for species in the Snapper Grouper and Dolphin Wahoo Fishery Management Plans to address uncertainty in the estimates of recreational catch and standardize accountability measures across species. Unless there is things that you specifically want to address in this now, the IPT will probably take a whack at it, based on the kinds of things you want us to look at, and we'll come back with something that's a little tighter for you all here.

I do want to remind you that there was a decision that you all made last June that you wanted to apply these changes to the recreational AMs only to these two FMPs and not the CMP species, because those are set up very differently than dolphin wahoo and snapper grouper species, and, frankly, we haven't really been having to implement recreational AMs in those species anyway. That doesn't mean we won't have to in the future, but, at this point, because we don't really know what MRIP revisions will do to any of this, but, right now, this has not been a real problem.

The need is to maintain optimum yield for recreational fisheries while limiting discard losses and promoting social and economic benefits to recreational anglers, and that's pretty standard language that we see in a lot of our need for actions, but we'll probably be able to tighten that up some more as well, and so we'll come back to you probably in March, if you decide this is something you want to look at then. The other issue is -- But is there anything in the purpose and need specifically

that you would like to make sure we include now? Do you have any comments on it, or do you want to just wait until March?

MR. BELL: Just a -- I appreciate you explaining why CMP is not in there, and I think that is important for people to understand, but, also, the fact that CMP is a joint plan, would that add a further layer of complication?

DR. CHEUVRONT: We thought perhaps it would, but I believe that Christina said that, based on the way that we would manage this, because we have done it in the past, and I think it was cobia that we set AMs for the Atlantic stock, and we didn't have to do that as a joint amendment, and so we could -- This would only apply to those stocks that we manage by ourselves, and so, in that case, it probably would not need to be a joint FMP. We were concerned about that in the beginning, but, in a further look, we decided that probably wouldn't be an issue.

MR. BELL: Okay. Thanks for the clarification on that.

DR. CHEUVRONT: Again, like I said, these are not official actions, and so take them with a large grain of salt. One of the things that we've had some discussions about, and I mentioned it earlier today, when you all were talking about wreckfish, is there has been some discussion about making wreckfish *de minimis* for the recreational sector. Roy, I believe, had mentioned the fact that it was only in 2012 that, at that time, MRFSS picked up landings of wreckfish, and I believe it was like maybe two fish, and that's the only time that MRFSS/MRIP have ever encountered wreckfish, and so it doesn't mean that's not happening, and we know it happens, but it's just not -- The recreational data collection program just isn't at a fine-enough level that's picking up those landings.

We're dealing with the wreckfish ITQ review at this point, and it's a subject that has come up in that context as well, and those people who are participating in the ITQ have stated, publicly, that they're not trying to put out the recreational fishery. They don't want to ban the recreational sector from catching wreckfish, but, right now, it's allocated 5 percent to the recreational sector, and we have absolutely no idea whether they're catching 5 percent or not, because our data collection can't track that.

The thought might be that, if the council wanted to make wreckfish *de minimis*, then that would still allow the recreational sector to continue catching wreckfish, but it would allow the council to allocate the fishery 100 percent to the commercial sector. The issue, when you do that though, is you're dealing with an allocation change, and that would probably change this from being a regulatory amendment to a full plan amendment, and I just want to throw out there -- I mean, obviously, the council can do what they want, but you're going to look at the wreckfish fishery specifically when your ITQ review is completed, because there is probably going to be some additional actions that you will want to take to modify that ITQ program, and that might be a place that you might want to consider changing the allocation for wreckfish, and I just don't know. I mean, I'm throwing that out there as a possibility, and so you're going to have opportunities to deal with wreckfish in the near future.

You can keep it here if you want to, but just understand that this is going to become probably a regular plan amendment, and it brings along with it a couple of extra things that have to be done, in terms of getting it into place, but it's not an extensive amount of change. I mean, we'll deal with it, whatever you want, and that's the bottom line. We'll make it happen, but I just wanted to

make sure you had some options. I think Shep wants to jump in on this, and I know he has some things to say.

MR. GRIMES: I just have kind of a note of caution, or maybe a note of instruction, relative to creating this *de minimis* concept. I mean, you can characterize things however you want, but the law requires that the fishery have catch limit accountability measures, and my familiarity with this concept in the ASMFC context, at least through cobia, Atlantic cobia, is where a particular geographic area that -- They don't count the harvest in that area towards the overall catch limit or towards the closure.

In this case, a *de minimis* amount for cobia was 1 percent, and they just assumed, basically, that those states, or those areas, are going to catch 1 percent, and then you monitor and manage the other 99 percent of it, and you close it when that is reached and just assume that the *de minimis* amount was caught, but you take that into account when you're setting the catch limit for the 99 percent, and you don't give them 100 percent of what your ABC would allow.

You give them 99 percent, taking that 1 percent out, and so it's accounted for, and just calling something *de minimis* I would say really -- I mean, it doesn't get you a pass on accountability measures for the fishery, and so just keep that in mind. I think wording is going to be very, very important as we work through this, and certainly I'm on the IPT, and that's where I'm going to be focused, and you will probably hear a lot from me as we work through this, but I just wanted to throw that out, because that concept is novel in this context.

DR. CRABTREE: Well, it is a little novel, and, when we talked about it, I thought actually some additional species would fall under it, but the statute says we have to have annual catch limits in the plan, and they have to be set at such a level that overfishing does not occur in the fishery. I think, clearly, with wreckfish, we have that, and we have the catch limits specified in the IFQ fishery, and the recreational fishery occurs at such a low level, and, for it to meet this criteria, it has to be at such a low level that it's not going to result in overfishing in the plan.

Now, I could argue that there isn't really a fishery for the recreational wreckfish, and it just occasionally is something that occurs, but, whatever it is, it's below the ability of our surveys to trace it, and, when we've done assessments, the one that was done by Butterworth some years ago, it's based entirely on the commercial landings, and the recreational stuff is too low to be taken into account, and so the argument is that, if a component of the fishery meets this criteria, then it's negligible, in terms of its contribution to fishing mortality, and so we still have an annual catch limit for the fishery that is sufficient to prevent overfishing.

Now, in most of these fisheries, I would argue, in this case, that we ought to just lump them together and have a single annual catch limit, and, by doing so, you don't really have to pay attention to the recreational component. That's more difficult here, because wreckfish is an IFQ fishery, and you almost have to have, like Brian said, some kind of division there, and it's not clear to me how you would lump them together like that in these situations, and so this was kind of an attempt to deal with that, but it does seem to me that, inherent in Congress's intent was, if you're going to have an annual catch limit, you have to have some amount of catch to actually limit, and you have to have some mechanism of getting, regardless of the quality of the estimate, at least an estimate, and for wreckfish, we just have big zeroes year after year, and then, once every ten to fifteen years, yes, they intercept someone who has one, and I don't think that's very meaningless for us to try

and track it, and I think what we do have in place meets the intent of the statute and is sufficient to prevent overfishing and control, effectively, all of the fishing mortality taking place.

MR. BELL: Not to complicate things about wreckfish, but, when we were talking about the low numbers or the no numbers, or maybe there was one fish that turned up in MRFSS or MRIP in a particular year, and so we're about to implement a for-hire sector reporting, and so we've had one in place in South Carolina for quite a while, and I can tell you that we've seen wreckfish more recently than 2011, and more than one, and so, in terms of the for-hire sector, which is part of the recreational sector, you may -- We may see that there are some numbers there, but, sure, right now, the MRIP is not finding them, but they may manifest themselves in the reporting at some point.

DR. CHEUVRONT: One of the things that, if you do go with some kind of a route like a *de minimis* type of status, you would have to have in there some kind of a mechanism to re-evaluate whether that status still applies over time, and so you can't just -- You could declare it once and for all, but then you would probably run into some kind of problems later on if it turns out that the recreational fishery starts to take off and suddenly you are seeing a lot of these in your landings estimates, and now you're saying they're *de minimis*, and you might not be able to say that with a straight face in the future, and so, if you go that route, there is lots of criteria and things that you're going to need to think through.

We haven't gone very far in this, in looking at *de minimis*, at all. At this point, my guess is that one of the first things we would do is look to see how the ASMFC does it. I do remember, the years ago when I was NC DMF, they were *de minimis* on horseshoe crabs with the ASMFC, and, when I was there, they had to do a re-evaluation of the *de minimis* status, and I don't remember how that was done, but I remember they had to re-certify that it was *de minimis* still in North Carolina.

MR. GRIMES: I know Roy just said, when he suggested this, he didn't think that it was going to be just wreckfish, but, if it turns out being just wreckfish, it seems that maybe the best way to deal with it is change the wreckfish accountability measure and focus only on the IFQ program and explain it that way, rather than try to craft some new or broader thing, FMP-wide, or across multiple FMPs, but that's just my suggestion.

MS. MCCAWLEY: Isn't the point with this discussion that, while we could do this, the suggestion is to remove it from this amendment and put it over into what will likely come out of the wreckfish IFQ review, and isn't that kind of what the discussion is here?

DR. CHEUVRONT: I had suggested that was a possible thing that you could do. If you wanted to keep it here, you could keep it here, or you can put it into another snapper grouper plan amendment, but I just wanted to remind you all that you're probably going to have a wreckfish amendment that you're going to want to start within the next year or so to address the issues that are coming out of the wreckfish ITQ review.

Right now, I mean, everybody is agreeing that we need to change the paper-based system to an electronic-based system, but that's changing how the program is set up, and there's a couple of other things about landings sites and times and all that that are things that the council may want to look at revising, because they were based on when the ITQ was put in place, and there were forty-some-odd boats in the fishery, and we're now down to a handful of boats, and so it's not as big of

an issue, and so the council probably will want to look at a wreckfish amendment at some point in the near future.

DR. CRABTREE: In the Gulf, I think with tilefish, in fact, we have a single ACL for the whole stock, for the fishery, and we have an IFQ program on the commercial side, and so there is just a fraction of the overall ACL that is set aside, and then there is the IFQ fishery, but we don't monitor the recreational catch level, as long as we stay within the overall ACL.

Now, it's different in the Gulf, because there are actually landings on the recreational side, whereas, over here, I don't dispute, Mel, that people are catching some, but it's a small enough amount that they are never intercepted, or they are very rarely intercepted, and so I don't think we have a situation in the Gulf where we have set aside fish and there is nothing caught.

I think part of the issue here is we have allocated 5 percent, which is a lot to set aside for a sector that isn't catching much of anything, but I guess that would be an alternative approach to this, to just have a single ACL and then decide what fraction of the overall ACL goes to the recreational and revisit that. Right now, it would be 5 percent, and so, instead of having an AM, we would just have the overall thing, and we wouldn't have to worry with it, and so I guess that all gets kind of complicated, but it's another way to look at it.

MS. MCCAWLEY: All right, and so thoughts about keeping it in or taking it out?

MR. CONKLIN: Do you need a motion to remove it?

DR. CHEUVRONT: No, I think direction to staff at this point, because remember these are not official actions and alternatives yet, and so what we would do is, if you decided that you don't want to consider it in the recreational AM amendment, but you do want to bring it back up in a future wreckfish amendment, I will just put a note in here and say that's what the council has given direction to staff to do, and that will handle the issue.

MS. MCCAWLEY: Okay, and so it seems like we're leaning towards put it in a different amendment. I see heads nodding yes.

DR. CHEUVRONT: Thank you. That will help us as we go on with this. There are some other things. This list was -- The bulleted list was the list that you saw in June, and a couple of things you took care of in June. One was that you decided to make this amendment apply only to the snapper grouper and dolphin wahoo, and so that's why I have struck through that here, but there are some issues that, once we get into the real actions and alternatives that you're going to want to consider, things like we have some alternatives that are based on PSE values, and what the IPT needs to know is do you want to have the alternatives list PSE values, or do you want it to list actual species that relate to those PSE values, because the idea was that, if the PSE was so high, you might want to have a different type of accountability measure for it than if you had higher confidence in your landings, and so those kinds of alternatives are included in there.

There was one suggestion by the IPT, and that was to maybe even consider removing dolphin wahoo from this and making it just a snapper grouper recreational AM amendment, because dolphin wahoo haven't been meeting -- On the recreational side, they haven't been meeting their ACLs.

Now, I would caution you a bit on that, because those numbers are changing as a result of the MRIP recalibration, but that might be something that you might want to consider once you get more information about those species, because I understand that both dolphin and wahoo are now -- The recreational landings are now projected to be much higher than they've been, and so they're going to start really probably approaching closer to those ACLs.

One of the things that the council want to do, when we get into this more, is looking at doing AMs by species groupings, and, if you decide to go that route, I have that document that I gave you all last March that had all the AMs by species groupings, and it showed some of the differences, and so, instead of having to name each individual species and the AMs for that species, you would then be able to say the AM for this group of species all at once is going to be -- However you want to state it. If you go back and look at the Comprehensive ACL Amendment that was in 2011, 2012, that's a very, very long amendment, because it went through species-by-species, and, if you ever can't sleep at night, pull up that amendment and start reading. I mean, it's a real snoozer.

There was one thing that had been suggested, and that was trying to apply statistical smoothing from stock assessments to determine whether the sector has met its ACL or not, and the difficulty with doing that was really pretty overwhelming, and I think, in June, you all kind of decided that we're not going to go there, but I left in there just with a strike-through, because it's something that you did consider.

Then one thing that you all need to think about is are there any species that you just don't want to modify their AMs, and one of the things that was suggested is -- Like, remember you have now, with black sea bass, SERO states what the start of the fishing year is going to be, and then they're going to announce the expected closure date when the fishery opens. In recent years, they haven't had to do that, because the recreational sector hasn't met its ACL, and so they haven't had to state that there is going to be an expected closing date, but that could happen, and the thought was does the council want to consider that for more species?

The problem is that the landings for so many of the -- Well, for the species comes pretty late, and it seems to work okay, I guess, for black sea bass, but, when you're looking at some of the other species, when the next season starts, you're not even going to have the landings from the previous season and being able to do that, and so I wanted to throw that out there, that you could really get yourselves into some trouble if you tried to go this route, because your best estimate would probably be based on two seasons ago and not the most recent season, because you would not be able to get those numbers in time.

There is also -- There is some concern that maybe bag limits might not have an impact on decreasing landings like the way you might think, and that is something that would need to be explored. If the majority of trips are landing one fish, and the bag limit is three fish, and you lower it to two fish, you haven't done anything, really, to reduce harvest much at all. The effect is probably rather small, and, also, again, if you're using a running average over like three years or something like that, if you have one year that is way out of whack, either the landings are really high or exceptionally low, the effects of that one year of landings is going to be carried throughout a three-year time period, and that may not be really helpful for you to keep from hitting your actual ACL.

Another thing that -- We're going to go through the actions, at least for some of them, and, if there are things that you know that we don't even want to consider that, then just tell me that, and we'll strike it out. We will get it out now, because there's a couple of things in there that are a little bit wonky.

The other thing that I did want to talk about is there's an action in here that looks at keeping track of the recreational ACL in numbers of fish versus pounds of fish, and there are some positive aspects of doing numbers of fish, as opposed to pounds of fish, and, when we get to that action, I will explain some of that, what the thinking is there, but there is a real possibility that that might be a better way to go, because you are dealing with conversion factors, with fish and weight and all that.

Action Number 1 was about *de minimis* status, and, interestingly, Roy brought up that he thought it might be more than just wreckfish. The only thing that even came close was golden tilefish, and that actually -- From 2014 through 2017, the recreational harvest was 5.1 percent of the total ACL. Close, but not quite, and so, when you start into discussions of excluding species, that might be one.

The next action was looking at tracking recreational sector annual catch limits in numbers of fish versus pounds of fish, and there is -- Right now, MRIP, I guess, is counting fish, and, when you put it against the ACL, it has to be multiplied by the average weight per fish, and so you've got some uncertainty there, especially if that's changing over time, but the other thing is, if you have your ACL in weight, if your stock is an expanding stock and the fishery is getting larger, you're actually going to reach your ACL sooner with fewer fish, because you're catching larger fish, and so that may or may not be something that you want to consider, but that conceivably could happen, and I think it would depend on the fishery. Then, when you get to stock assessments, then just do the conversion at one time from numbers of fish to pounds or whatever you need to do for the stock assessment and do the conversion only one time.

You might want to consider keeping that action in here, so you can debate the pros and cons of that kind of approach to tracking the ACL, and, now, I don't know if that is something that would throw this amendment out of a regulatory amendment. Shep, can you help us there?

MR. GRIMES: No, off the top of my head, I can't. I'm not sure that -- I don't think that your framework, your snapper grouper framework, currently accommodates anything but stuff that comes out of the assessment process, right? That's how it's structured.

DR. CRABTREE: Well, on the tracking and the numbers, it seems to me, if you're going to just use numbers of fish, you've got to -- Then the ACL for that sector has got to be in numbers of fish, and the difficulty with that, as I see it, is all of our allocations are based on pounds, and so you're going to have a recreational allocation in pounds, and then you're going to convert it to numbers. To do that, you're going to take some average weight and convert it to numbers, and I guess we could do that every year.

The advantage, it seems to me, is that we can be more timely in tracking the ACL in numbers, because, right now, to get the weights, we've got to go down to the Science Center, and they have to apply their way of doing the weights on it and get that to us, and that takes an additional amount of time, whereas, with numbers, as soon as MRIP releases it, we've got it, and then we could look

at it, but you are going to have to go through that step of converting and setting the ACL in numbers of fish, which, like you said, is going to get into selectivities and may not be all that straightforward.

DR. CHEUVRONT: That's why -- I mean, this, what we have here, certainly doesn't answer the questions that come up, like Roy is bringing up, but I guess the idea is, is this a concept that the council wants to consider in this amendment? Again, we're looking at taking this stuff out to scoping, and so this will be a notion that we will take out to scoping and see if we get any comments or anything like that, but, if it's something you all want to consider for the future.

MR. BELL: I just think it's worth kind of keeping in there, because I think the recreational fishery thinks in numbers of fish. In the commercial, that's a pound-oriented enterprise, and so it's just a different world, and Roy is right about you've got to do the conversion, but it's quicker to track it, and it's worth keeping in there.

DR. CHEUVRONT: Okay.

DR. PORCH: Just a couple of points there. Hopefully fairly soon, actually, the MRIP folks will start converting their estimates into weight as well as numbers, and so those numbers will line up with what the Southeast Fisheries Science Center does, but I agree that it hasn't been done yet, but hopefully that will happen soon, and so that won't be an issue, but the other thing that always worries me, when we talk about shifting from pounds to numbers, is if the fishery will change its behavior because of that.

If your quota is in numbers, there might be some incentive to start targeting bigger fish. If that happens, it can have a devastating effect, because now you are taking the same number of say big-old-fat spawners as you were of smaller fish, and so you just have to keep that in mind if you think about going down that route.

MR. DILERNIA: That was absolutely right. That's the problem we have in the summer flounder fishery. We continuously increase the minimum size, and we get it to the point where, at this point, we're just targeting the large females, and, because we have increased the minimum size, the total weight is increasing also, and so you end up catching fewer individuals, because each individual is much larger and a heavier weight, and so it is a problem, and it's a conundrum that we've been trying to solve.

DR. PORCH: This would be worse though, because you're talking about catching the same number of big fish as you were catching smaller fish, and so it's even worse, and so you just have to be really careful about that potential change in selectivity towards bigger fish.

DR. CHEUVRONT: Okay. Let's see. Actions 3, 4, 5, and 6 all are the same, but split out by species, as Actions 7, 8, 9, and 10, and so I think we only need to talk about 3, 4, 5, and 6, and, knowing that -- Just apply it to both snapper grouper as well as dolphin wahoo, and we'll just take it all in one fell swoop here.

Action 3 is to revise in-season and recreational accountability measures, and so, if we go down this route, Alternative 1 will draw on those tables that I put together from the earlier document that will show what all the accountability measures currently are. The second one is do not specify an

in-season recreational accountability measure. However, if the council was to go down that route, they would then be required to choose a post-season accountability measure, because the requirement is that you must have accountability measures for every species.

Number 3 takes that language that had been used in a number of the AMs, recreational AMs, that basically, if the recreational ACL either meets or is projected to be met, the Regional Administrator will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year. There is some variation of that language in a number of the existing in-season AMs.

Then Alternative 4 is one that is only specify an in-season accountability measure if the most recent annual PSE -- Then it gives 40 percent, 60 percent, or less than 80 percent, and, that way, you can get into the certainty with doing it. Now, these levels of 40, 60, and 80 percent were chosen because they line up with the ACCSP PSE workshop categories, and so there is some continuity there from some other work that has been done on PSEs.

To look at those species that have a PSE of less than 40 percent, that's the list that occurs here, everything from tomtate, at 37.1 percent, to Spanish mackerel at 13.2 percent. Species with less than 60 percent, you start putting in everything from jolthead porgies to red porgy, and then, less than 80 percent, you have got blueline tilefish, sand tile, cubera snapper, silk snapper, and red snapper, and so all the other remaining species have PSEs greater than 80 percent, and so there are a number of species that have PSEs greater than 80 percent.

DR. CRABTREE: I have some concerns, Brian, with the wording here, and I think, especially before this goes out for scoping, we need to be more careful with it. One, I don't think -- If we go out to the public with a do not specify an in-season recreational accountability measure, I guarantee you that's what they're all going to say, is don't do that, but we need to be clear that we have to have an accountability measure, and so, if you aren't going to have an in-season accountability measure, that means you have to have a post-season accountability measure, and so, somehow, those two need to be linked, or I'm afraid the public will be misled.

Then, in Alternative 4, with the PSEs, I don't think saying only specify the accountability measure -- We have to have the accountability measure, and it will be specified. Really, the issue here is at what point is a landings estimate usable for management purposes, and is there a point where the lack of confidence in the quality of the landings estimate is so high that we're not going to make a management action or trigger anything based on it, and I don't really know if we can do that.

It may be better to look at multi-season averages and things to deal with that, but I don't think any of us doubt that -- If you have a catch estimate with a PSE of 90 percent, I would argue that you don't have a catch estimate, and so I think there is some validity to some way of doing this, but it shouldn't say only specify the accountability measure. It's more to the gist of how good does the PSE have to be before we're going to consider it a usable estimate, and I think we're going to have to rely a lot on Clay and folks as to whether -- I don't know how you would choose what basis to do that.

DR. CHEUVRONT: That's fine, and that's the kind of direction. The idea is do we want to use PSEs, really, as a --

DR. CRABTREE: Well, I don't know, but I know a good estimate when I see it, but I just can't tell you how I know it.

DR. CHEUVRONT: Then, similarly, there's an action for post-season recreational accountability measures, and I think it's very, very clear that, whenever we talk to the public about this, there is going to be an accountability measure, but it's just a matter of do we have to have an in-season accountability measure or a post-season accountability measure or both, and this is what the council is working on.

There were some issues here with running averages in Alternative 3 and the sub-alternatives. There is different ways to calculate it, different criteria to consider, but the council is going to need to look at this. I think what we're going to do, probably when we take this out for scoping, is we will take it out of this action and alternative format, and we'll make it much more narrative and talk about -- We'll have sections like post-season accountability measures, and these are the kinds of issues that the council could consider when determining whether there are going to be post-season accountability measures, and present it to the public in that format, and not show that the council -- Really, the council is not doing actions and alternatives yet, and this is just a convenient way for us to lay this out to get the concepts out in front of you. That's probably what we would do.

MS. BECKWITH: A couple of things. To me, I think like the PSE option should also be included under Action 4. I think they should be taken into account for the types of accountability measures that we implement for the post-season as well, and I think it shouldn't just be in-season. I don't know how to sort of -- It might be different, but it might be that, if the PSEs are above 40 or 60 percent, then we are monitoring for persistent increases or overages or things like that, but I think there should be -- So when we do get these flashes, that we're not kicking in an accountability measure for the following year and then putting ourselves into a cycle of overages by shortening a season and so forth.

Just another note, in terms of what sort of PSE level, I know that when we do the queries on the National Marine Fisheries site that there is a little star at the bottom that says PSEs above 50 percent are highly uncertain, and so that is where I would probably land, would be the 40 percent, but I don't know how to structure that in Action 4, but I would like to see something along those lines.

DR. CHEUVRONT: That's fine. I think that, once we get through scoping, we'll need to start looking at specifically laying out things and taking into account the kinds of things you're talking about. Then here is one that I would really like for you to tell us that, no, that's really not a good idea and remove that from this list, the kinds of actions that could occur if a post-season accountability measure is triggered, and it's pretty clear that, if an in-season accountability measure is triggered, that means you stop the fishery as soon as you can. Post-season, you have more options, and Alternative 2 and Alternative 3 probably are not particularly good ones here.

Alternative 2 names specific months that the season would be shortened by, and Alternative 3 is reductions in bag or vessel limits, and I think what we need to do is probably modify this language that, if the post-season accountability measure is triggered, reduce the length of the season, the following fishing season, by the amount necessary, as opposed to naming specific sub-alternatives,

and we have some of that language somewhere else, but we really kind of need to can this, but, if you all want to keep it in there, we could do that.

MS. MCCAWLEY: I say get rid of it.

DR. CHEUVRONT: That was kind of the IPT consensus, too.

DR. CRABTREE: I would agree to can this one, because it seems too much of a disconnect between you go over and so you're going to reduce the bag limit, even though that may have nothing to do with anything, and so I kind of agree with Brian that that one doesn't have much future.

DR. CHEUVRONT: Okay, and so you're saying, Alternative 3, just remove that one completely, altogether, the notion of changing bag and vessel limits?

DR. CRABTREE: I don't really think Alternative 2 or 3 have much -- I mean, it seems to me that they just -- To say, okay, if it's triggered, we reduce the length by one month, what's the connection between what triggered it and what happened in one month? There isn't any, and so they just seem rather arbitrary, to me, and so I don't think either one of those has much to offer.

DR. CHEUVRONT: Right, and so, when you look at it, what is now Alternatives 4 and 5, they take into account doing as much as necessary to keep from having an overage in the following season.

MS. BECKWITH: I think we originally had this discussion when we were talking about accountability measures for cobia, and the idea was that, if you have a three or four-vessel limit, obviously the recreational community would prefer to go down as far as they can in a bag limit and able to retain a season, and so, if there was some way of having sort of flexibility verbiage for the Regional Administrator, however you would do it, to make sure that that is taken into account and that it is not just a reduction in the season, but, if it is possible to reduce the bag limit as an alternative to a reduced season, then that would be the flexibility that I think the recreational community was potentially looking for. Instead of always shortening the season, maybe drop down a bag limit, but it doesn't have to be specified in that way. It could be left to the Regional Administrator to make that call, maybe in cooperation with the council.

DR. CRABTREE: That just gets complicated, because, if there is no set way it happens, then there has to be notice and comment, and there has to be a NEPA analysis done and all these kinds of things, and so it's difficult to have those types of things act the way accountability measures are envisioned to act, which is, if this happens, this is the automatic response to it. When things then have a level of discretion as to, well, you could do several things, that gets much more difficult to do, and it typically involves the council coming in and doing something.

Now, you have frameworks, and a lot of councils do year-end specs and things that happen pretty quickly, and we have abbreviated frameworks, but it's hard to figure out how to automate it. We had a situation in the Gulf, as I recall, with red grouper, where the AM was triggered and the bag limit automatically reduced, and you could have something like that, where, if you trigger the accountability -- It would have to be on a specific-species basis, I think, that something like that

occurs, and then it's taken into account. My memory in the Gulf is that no one liked it, and it made it really messy, and we got rid of it.

MS. BECKWITH: I think, for those reasons that you stated, was why we had talked about trying to delineate more specific patterns, and so I can envision us having this issue with black sea bass here in the next couple of years, where we'll be having to set a season that is shorter because we still have the seven per person bag limit, where, as an alternative, in a perfect world, you might could have dropped the bag limit down to four or five and kept the season at the longer length, and so these are just -- It's complicated. It's always complicated.

DR. CHEUVRONT: Then the last type of action would be announce the starting and ending dates before a season starts, and there is some difficulties with that. Some, which we mentioned, was largely determining when the ending of the season is going to be when you don't actually have the data from the previous season on hand, and so you wouldn't be able to set the next season based on the landings from the previous season, and so you probably have to skip back a season before that to do that, and it's what was done in black sea bass, I think primarily for the for-hire sector, so that they could know when they can book trips and things, and I could see that that -- If we had real-time landings for the recreational sector and could do that, that would be great, but I don't know if you want to consider this as an option for an action in this kind of an amendment or not.

MR. BELL: I just remember, I think, why we went down that road. It was specifically associated with the black sea bass fishery and stuff that was going on and the pressure and things we were hearing about and the importance of that fishery for our guys, but the ability to have some sort of predictable season for for-hire, and that was -- I think it was unique to that fishery, when we went down that road, and so I don't know that it would apply to -- Plus, it's difficult to forecast, I guess.

DR. CHEUVRONT: If you want to remove it from consideration in this amendment, that's one thing, but do you -- If you decide to go that route, do you want to remove it for black sea bass or keep it for black sea bass?

MS. MCCAWLEY: I would just keep it in here for right now, for scoping.

DR. CHEUVRONT: Okay. That's fine, and so, if you look at Actions 7, 8, 9, and 10, they're the exact same actions, but for dolphin and wahoo, and so I don't think we need to run through them with that filter on, because we pretty much already know, and this would turn out to be Snapper Grouper Regulatory Amendment 31 and Dolphin Wahoo Regulatory Amendment 2, and, Madam Chair, I took the liberty to write a draft motion for sending this out for scoping.

MS. MCCAWLEY: That sounds wonderful. Would someone like to make that motion?

DR. CHEUVRONT: Somebody should read it into the record.

MS. MCCAWLEY: Anna, did you have something before that?

MS. BECKWITH: Just in terms of the actions for dolphin wahoo, I mean, the current accountability measures for dolphin read fine to me, and they are working fine. I mean, I know we're trying to sort of achieve some level of consistency, but I'm not sure that these are any better than what we currently have, in terms of accountability measures for dolphin wahoo, and so I'm

not feeling the need to move forward with these two actions, and that's just my personal feelings, and we could take it out to scoping, in case there is an indecision.

If we do take this out to scoping, I would request that the current accountability measure for dolphin and wahoo are specified in that no action, because they are a little bit different than the snapper grouper ones, so they guys can kind of make an easy, informed decision, and I think my -  
- Yes, that's it.

MS. MCCAWLEY: I think I would take it out to scoping, just to see what kind of comments we get back, and then make that kind of decision following scoping. All right. Do we have a person that would like to make the motion on the board?

**MR. BELL: Move to recommend the council send Snapper Grouper Regulatory Amendment 31 and Dolphin Wahoo Regulatory Amendment 2 out for scoping via webinar prior to the March 2019 council meeting.**

MS. MCCAWLEY: It's seconded by Chris. **Any objection to that motion? Seeing none, that motion stands approved.**

DR. CHEUVRONT: If we're done with this amendment, the next thing on the agenda was a quick little Executive Finance thing, and remember this is the --

MS. MCCAWLEY: Just to point out that we have more items in Snapper Grouper, but, at 3:45, right before public comment, we were going to go into Executive Finance and talk about the priorities, so we can complete our surveys, and so we'll figure out how we're going to pick up the rest of Snapper Grouper. We still have a couple of remaining items, but we are going to go into Executive Finance discussions right now, to talk about the priorities, and we already have Brian up here.

MS. BECKWITH: Sorry to bother, but this was the point where we were hoping to have a quick review of Amendment 38, prior to the prioritization process, so folks would understand the importance of Amendment 38 to North Carolina. Sorry to be a pain.

MS. MCCAWLEY: All right. Would you like to talk about Amendment 38?

MS. BECKWITH: I would like people that know more than me about Amendment 38 to come to the table and tell us all about it, Roger and Mike, maybe, and just a quick review of Amendment 38, unless Dewey wants to do the introduction, but I had previously asked that the staff be able to come up and just give us a quick review of what the Amendment 38 was and where we sort of were with that, because we had shelved this, because of MRIP, and it needs to come back up.

DR. CHEUVRONT: There is now -- You remember the last meeting was the first time that we looked at -- It gives you your priority rankings for the different amendments, and the discussion of the process, after you all had done it, was it would have been helpful if you had a document that explained what the different amendments were, because some of them you hadn't looked at for a while.

I have created that document, and it is now in the briefing book, and it includes Amendment 38 and where we are with that and what it's all about, but, in a nutshell, Amendment 38 is dealing with the South Atlantic Council's portion of the black sea bass allocation for north of Cape Hatteras and the allocation.

MS. MCCAWLEY: Blueline.

DR. CHEUVRONT: Excuse me. I'm not even sure what I just said, but it should have been blueline tilefish. Anyway, it was for blueline tilefish north of Hatteras, and so that document that I wrote, and I don't remember all the dates and things, but it talks about kind of where we are. We do have an ABC and allocations and all that stuff for south of Hatteras, and there is sort of a lack of specificity for north of Hatteras in the South Atlantic Council's jurisdiction.

MR. PUGLIESE: To follow up on it, I think the key was where we are with this. Originally, I think we were going to proceed further, before some of the updates and changes in MRIP have moved forward, and so, essentially, the ball is in the court of the SSC. They are going to be having the January review of the four species, including specifically blueline tilefish, and the intent there was to look at if they can specify an ABC based on the updated information as well as the other parameters and then advance that for developing the projections.

I think if you need Mike to weigh-in further, but the idea then is that would go to the full SSC and review and begin to define specifically what would be provided to the council, in terms of potentially an updated ABC for the northern area, and I don't know if you need Mike to add in anything beyond that, but that's essentially where we are right now, because it did get caught in the timing. I think there is some significant issues with some of those data specific to blueline tilefish, and so that's going to be one that's going to be looked at closely at the upcoming January meeting and follow-up with the SSC. That all ties what the next steps are going to be, in terms of bringing some alternatives back to the council for discussion and advancement of that amendment.

MS. BECKWITH: What would be the timing on us bringing back some options for us to consider?

MR. PUGLIESE: That's going to be tied to -- Mike want to just weigh-in on that, but that's somewhat tied to directly what the next steps are, in terms of the projections actually getting provided after the SSC meets, and then, once we have that, the SSC concurring with those and advancing that forward.

DR. ERRIGO: Basically, it's on the same schedule as red grouper. The SSC will look at it in January, on January 25, and they will review that revision assessment, and then it depends on what happens during that webinar. They might say this looks awesome, check, please do these projections, so that we can review them at the SSC meeting in April and make an ABC recommendation in April, and then you have an ABC recommendation in April, after the April SSC meeting.

They might say this needs -- We really think that these changes need to be made, and so can you please make these kinds of changes, and then run this and that and then redo these projections, and then we would see what would happen at the April meeting, or they might say, I don't know, and I think this one really needs to go through an actual SEDAR process, and I don't think that we should use this for management, in which case you would fall back to SEDAR 50, the ABC

recommendation from SEDAR 50, but that all depends on what happens during the January 25 SSC meeting.

MS. MCCAWLEY: All right. I really don't want to get into a discussion on this amendment. We're trying to just get enough information so that people can fill out the survey, and then we're supposed to start public comment at four o'clock, and so I would like to try to move on a little bit, if we can, and then, Dewey, if you have more questions, we can get them answered offline or when we start up tomorrow.

DR. CHEUVRONT: Thank you, Madam Chair. This is the new document that is the amendment summary that's in your briefing book, and there is also another -- There is an Excel spreadsheet in there that shows where we are with all the different amendments, and, below that, it has the things that you voted on, or you decided that you prioritized, that you wanted to work on in December, and those are the amendments that you were presented here.

The ones that are highlighted in yellow are ones that have statutory deadlines of some sort, and then, in October, you tentatively decided what you wanted to look at for March and for June of next year, and what's going to happen is you're going to receive -- The voting council members are going to receive an email from me that will give you a link to a Survey Monkey survey, and what I am going to -- What I will do is, since you all voted to postpone the yellowtail snapper, I will remove that before I send out the email, and so you will just get each one of them, and you can cross-reference them based on looking at this document and what you had said in October and all that and then also, if you need to review what that project or amendment is about, that's also in that PDF file, and so you can use that as a reference and go back.

I really would appreciate it if you could do this prior to coming back to the meeting tomorrow morning, because then I will take and tabulate all the results, and I'll be able to present them to you at Executive Finance, so that it can be discussed there and decisions can be made and be in the Executive Finance Committee Report and then voted on by everybody at Full Council. It's kind of a three-step process, but it gets us through all the things.

MS. SMIT-BRUNELLO: Brian, where can we find the amendment summary that's in the briefing book?

DR. CHEUVRONT: (Dr. Chevront's comment is not audible on the recording.)

MS. SMIT-BRUNELLO: Okay. Thank you.

MS. MCCAWLEY: All right, and so, once again, folks need to maybe get here a little early in the morning, to make sure that you get your survey completed, or complete it tonight, whatever, but just, before we start in the morning, have your survey, and don't worry. Brian will know who didn't complete it.

DR. CHEUVRONT: That's true. I do know, because I'm sending it just to specific people, and I'm like Santa Claus.

MS. MCCAWLEY: Exactly. All right. Thank you. Let's take a five-minute break while we get set up for public comment.

(Whereupon, the meeting adjourned on December 5, 2018.)

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December 6, 2018

#### THURSDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Hilton Garden Inn/Outer Banks, Kitty Hawk, North Carolina, Thursday morning, December 6, 2018, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: We are back in the Snapper Grouper Committee, because we didn't finish that yesterday, and we are going to back up, and we have a couple of items remaining in that committee. First up on that list is the vision blueprint, and Myra is going to give us a presentation on the summary of the accomplishments as well as the actions that are left to address from the vision blueprint, which is this in the late materials, or what is the tab of this item?

MS. BROUWER: I believe this is Attachment 9. This is a presentation, and Amber and I put it together, and we basically went back and tallied the things that have been addressed in the last couple of years that you all prioritized as short-term items in the vision blueprint, and we're at the point where you need to evaluate how to proceed moving forward, and so, basically, I'm going to run through what we've accomplished under the four goals, and then I will summarize the things and actions and strategies that are left and then quickly run over what the advisory panel had to say, because, recall back in October, when we asked you for guidance on how to approach receiving input on this, you suggested that we bring it up with the Snapper Grouper AP and ask them what they thought about how you should proceed.

Here is just a little outline of what I just said, and the vision that you settled on for the snapper grouper fishery is on the screen. The snapper grouper fishery is a healthy, sustainable fishery that balances and optimizes benefits for all. The biennial review was part of the blueprint you approved back in December of 2015, and the timing was that, for December of 2018, you were to review the short-term action items from each goal, to determine what outcomes were achieved over the last two years, and then also provide opportunity for public input on outcomes of short-term action items, and so it wasn't very specific as to how you wanted to accomplish that, and so we've talked about it a little bit here and there, and we have yet to solicit that input from stakeholders, other than the conversations, as I said, that took place during the Snapper Grouper Advisory Panel meeting.

Here is the overarching goal for science, and it's up on the screen, and I'm not going to read it, but I'm going to point out that there are two objectives under that goal. One is to promote the collection of quality data to support management plans and programs, and the other is to encourage development of mechanisms to effectively engage and collaborate with stakeholders on research, data collection, and analysis.

From 2016 through 2018, this is what we've accomplished. The charter vessel electronic reporting amendment and pilot have been developed over that time, and there was a pilot tilefish survey in the Mid-Atlantic as well as discussions like we had back on Tuesday on data collection for species that overlap council jurisdictions, and the Citizen Science Program got underway, and MyFishCount and the fishery performance reports that we've been putting together for you. There's been a lot of development of the support tools for the Fishery Ecosystem Plan, and the Okeanos cruise in 2018 that took place to map deepwater coral ecosystems off of our coast, and lots of cooperative research on red snapper.

Things are left are up on the screen, and these are things that are kind of broad, some of them. There is not a lot of detail as to how you wish to accomplish these things. Evaluate fishery-dependent and independent programs is one of the items that is included, evaluate SEDAR, validate data collection programs, identify sampling resources to support data programs, identify alternative sources of funding for fishery-independent programs, and consider an industry research set-aside program to support research and monitoring needs.

As far as management, of course, there has been a lot of progress under this goal. There are three objectives under this goal. The first is to develop management measures that consider sub-regional differences and issues within the fishery, and there was lots of discussion on that. The second one is to develop management measures that allow consistent access to the fishery for all sectors. Again, we've been doing a lot of work on that objective, and the third one is to ensure that management decisions help maximize social and economic opportunity for all sectors.

Here is the progress of what we've accomplished. You took action in Amendment 37 to tweak the management boundaries for hogfish, and we, of course, have been developing the vision blueprint amendments, 26 and 27, and Amendment 46 addresses some of the objectives in here, and that's the one that would put in place a recreational permit or some type of a stamp program for the private recreational sector.

We conducted a socioeconomic characterization of the commercial snapper grouper fishery, and I will talk a little more in detail about that in the next presentation, and the best fishing practices, of course, is all underway, and the Citizen Science Program and MyFishCount, of course, lots of action under those two things as well.

Here is what is left. You discussed species-specific quota-based management. Then, under there, you had design elements, and so quota transfer by sub-region, for example, and then management elements, such as sub-regions set quotas and openings, et cetera, and so I know that there is a desire to discuss that in more detail. We have also talked about staggered spawning season closures, and we attempted to take action on that in the visioning amendments. Also, regulations by sub-region that are not based on quota or allocations.

State-by-state regulations for either sector, the bag limit step-down as a post-season AM for the recreational sector, and this was brought up this week, and a charter boat limit instead of a per-person limit, alternative management approaches for multiday boats, what we've been calling traditional bandit boats, such as permit stacking, multiday endorsement, and sector or community shares, and then evaluating the retention of bag limits when the commercial season is closed.

There is more that's left. It keeps going. You talked about adaptive management to slowly increase almaco and rudderfish ACL, and, of course, that would be tied to stock assessments, and so you've got to talk about that first. Using multiyear ACLs or catch specifications, and I believe that sort of thing might be addressed under the revisions that you're considering for the ABC control rule, under that amendment.

Considering non-traditional stakeholders in management decisions, I think we kind of already do that, because we do address the needs of the various stakeholders when we talk about management measures, and then considering the diversity of harvest operations, again, the owner/operators and multiple vessels, and those things tend to just come up in your discussions, when we talk about potential actions. Considering a permit bank to address new entrants, considering the number of days allowed to fish for the recreational sector, and this time-out period of no fishing for the recreational sector, which didn't go so well with the AP, and so lots of things to check off under the management goal.

For communication, we have two objectives under that goal, to develop approaches that provide streamlined and timely information, to increase awareness and stakeholder engagement, and the second one is to improve awareness and understanding of fishery science and research and how these inform management.

Here, again, lots of things have been checked off, and we have used remote listening stations several times, and we've done question-and-answer sessions before our upcoming public hearings, to make sure that stakeholders can ask questions and make sure they understand the issues before they give you their input. We have done a lot of improvements on the website, and the supporting of the expansion of the MREP Southeast, the council has been definitely very supportive, and staff participate in those workshops every year.

Informal port meetings for education purposes, we've held a few of those, and we have looked at diversifying the locations of in-person meetings, and we do have a YouTube channel and a forum for commercial fishermen. MyFishCount, of course, and then the portal, as well as the mobile app, have been developed, and then the charter electronic reporting and trainings, one of which is going to happen tonight, and so there's been a lot of progress there.

Some of the things that are left have actually been accomplished or are in the process. Working with agency partners to provide notifications of ACL monitoring updates, I think this is something that we -- The Region sends us a notification, and we try to give people a heads-up when ACLs are going to change or closure packages are being developed and that sort of thing. Incorporating a real-time calendar for fishery closures for both sectors, that's not an easy thing to do, and we probably need to think and get more guidance to you on that, if you wanted to get that done.

The website analytics are available, and we just haven't produced a big report, but we do have the capability of doing that. Then an advertising campaign highlighting the council activities and success stories, and that's an item that's on the list left to accomplish. Outreach strategies related to connection between habitat and fisheries, I think this is being accomplished through the FEP and the Dashboard and things like that that are being done under habitat and ecosystem-based management.

Targeted outreach about the council process, including the role of the SSC, and expanding the use of educational webinars on stock assessment and data collections. Again, some of these things are addressed through, for example, MREP, and we do have -- We have done some not webinars, but story maps on the website that do address these things, and we have yet to develop a training program for new advisory panel members.

Then, finally, the fourth goal, under governance, is we have two objectives creating an accountable and flexible decision-making process for development and evaluation of management measures and building capacity to streamline management efforts and better coordinate with management partners. Here is what we've done, and we have utilized twice, under snapper grouper, the abbreviated framework procedure, and we have several online comment forms for the public to give us feedback that are readily available to you all and to everybody else to read.

Last year was the first year we held a meeting between council staff and SERO staff, and that was really productive, and I think we're going to continue to do that during the June meetings. Ecosystem partners, of course, Roger can tell you a whole lot more about that. There's a lot of activity going on there, and Citizen Science and also MyFishCount and all those things are underway.

Things that are left under this goal are develop a mechanism for evaluating a decision-making process to ensure consistency and accountability. Consider how scientific information is incorporated into the management process and provide flexibility. Again, these are very broad, and not a whole lot to hold onto there and sink your teeth in. Develop a regulations evaluation process, establish working relationship with non-fishery entities and agencies for future marine management issues, and I think that's already being accomplished, as I said, mainly through the activities that Roger has been doing.

Here is what you requested back in October from your advisory panel of how should the council solicit input from stakeholders on the vision blueprint and how should the council prioritize the items that are left to address under each of these strategic goals, and here is the input that you received from the AP, and so, for the remaining management objectives, mainly they just provided comments, and they didn't really say these are the steps that you should consider following.

They talked about how important it was to pursue life history of managed species and get more information on that, and they said that, while the staggered spawning season closures is an attractive concept, it is very complicated, from a regulatory standpoint, and they understand all the issues with that, and that they would need more information to consider the feasibility of something like that for the region.

More information would be needed to consider whether a bag limit step-down could work for the recreational sector, and they were not opposed to that. They said that's a good idea, and maybe we should look into that some more. The time-out period of no fishing, as I said, they didn't think that should be on the list anymore, and then, as far as the needs of non-traditional stakeholders, they said that's already being addressed, and the multiyear ACLs is an interesting concept and should be considered. As I said, that's probably going to come up during your ABC control rule amendment.

Then the multiday trip limits, they felt that it would be a good way to address the carbon footprint of the commercial fishing industry, which is kind of an interesting concept, and should be considered in management in addition to permit stacking. Also, they talked about permit stacking being economically beneficial and being able to alleviate the cost to fishermen when a vessel requires maintenance or is otherwise unable to fish.

Also, they talked about permit stacking improving professionalism in the fishery, and weekly or multiday endorsements is something they are interested in you talking about, and then they suggested that, instead of referring to large vessels capable of making multiday trips as traditional bandit boats, that you use the term “trip fishing vessels”, or something along those lines.

Here again is what is in the evaluation plan. Those are the two tasks that I have already mentioned, and so what’s left to accomplish is to provide opportunity for the public to provide input on these outcomes, and so what we would need from you is what additional stakeholder input do you want, what format should be used to collect that input, what do you want the timing to be, and, looking ahead into the future, do you want to conduct visioning in 2020 to update the blueprint? These are all very big questions, and I realize that maybe we’re not going to answer all of them, but this is where we are, and that concludes my presentation.

MS. MCCAWLEY: Can you leave that slide up? Thanks. So, is there discussion from folks? There was a lot of information in there, and I thought it was very interesting the things that have been accomplished, but, yes, under certain categories, there are still some things that we haven’t fully achieved yet, and not that we’re not working on them, but a number of them are not fully completed.

I think what I would like to see is I think I would like to gather some additional stakeholder input. I like the idea of a survey. I wouldn’t necessarily do the survey around Christmastime, but I like the idea of a survey. Then, maybe after the survey is completed, then maybe some type of webinar that discusses the survey. I would hope that that survey would have opportunity for open-ended type comments, if we conducted a survey.

I am not sure what the timing would be and how fast we want to get results back from surveys or webinars, and, to me, and certainly, committee, tell me what you think, but, for me, I guess I’m more concerned, in thinking about allocation, to go back through the objectives in the FMP, even though we updated them as part of this process, and just re-review the objectives in the Snapper Grouper FMP.

I don’t know if I really -- In thinking about the blueprint, I don’t necessarily have a good plan for how we would move forward, other than continuing to check items off the list that were originally identified, but, for me, just the most timely thing would be to go back to those objectives and thinking about that allocation review, but I will look around the table for other comments and input on this.

MR. BELL: Some of it’s a matter of timing, and, like you said, we initiated some things, and it’s just taken a while to kind of come to full conclusion on some of what we’ve already got out of the first entry into this, and so maybe one idea would be to kind of let things settle a little bit and move, to the degree we can get some things completed.

The survey aspect is sort of, well, how did we do, how did this look, what do you think about moving forward, and I was just thinking that maybe it's a little soon, but we need to do it, I think, at some point, and then remember, if we get back into a full visioning process again, and that was pretty labor-intensive, it may be that we could -- Since we've already sort of run through this once, we could streamline it a little bit, but it was a lot of work, the full process of starting, if that's what you were thinking at some point.

MS. BROUWER: As far as the objectives of the FMP, I guess we would like some clarification, because I thought -- Because we went through that very length re-vision, and, like I said yesterday, Kari pulled up the objectives from the original FMP and then traced, through time, how they morphed along the various amendments. During the process, some objectives just went away, and then I thought that the objectives that you now have in the blueprint have sort of replaced the objectives that were originally in the FMP, and that was part of the outcome of this whole process. It's sort of -- We need a little bit more guidance on how you want to approach that. Are we going to continue to try to meet these objectives in the blueprint through the amendments and the actions that you take under the Snapper Grouper FMP?

MS. MCCAWLEY: I see what you're saying, and I had some of these exact same questions, and so I guess that I haven't sat down and looked at -- Go back to the FMP and look at the objectives and done some kind of side-by-side or crosswalk comparison, in table format, to look at that, and so I don't know if I can answer that until I do a harder look, and I think that this replaces it, but I'm not 100 percent sure.

In thinking about the whole allocation policy, it made me think a little bit differently about the objectives, and I thought, well, I hadn't really thought about them relative to the objectives that we originally created/modified and that I definitely want to take another look at them, and so, certainly, as part of that process/this process, I would like to review that again.

I agree with Mel that it does seem a little soon. We're still in the process of going through things, and that's why I think some survey, maybe sometime in 2019, just to say how are we doing, but I wish there was a way that people could look and see something like what you've shown us here in this PowerPoint that shows like here's some things that we've checked off, and here's the rest of the things that are in progress, and then here's kind of some remaining items, so that people could either see that as a piece of the survey before they do the survey, and I really would like there to be -- I know it's difficult to sort through open-ended comments, but I think I would like for folks to have the ability to have write-in comments on it as well.

Like, if there was something that they felt that I went to Port Meeting X and I brought up this item, and I don't feel like it was ever addressed, and I don't really see it captured here, I would like for people to tell us that, something that they feel is still remaining that we haven't really focused on yet.

MR. BELL: To something you just said, and I will embarrass myself here, because it's probably there, but is there a place that the public can go on the website and just kind of see where the status of all this -- You know, I went through this visioning process with them, and I told them this, and I told them that, and can we have something that is sort of a presentation or something where they can see what our progress is, sort of more immediate feedback, and you all do a great job of these sort of web-based presentations and things, and so, if you have something that the public could go

to just to see where we are right now and kind of that whole process, in terms of moving forward and -- I mean, that would kind of get them understanding that, okay, this is what got done, and then, of course, I brought this up, and it's not in there, but then, eventually, you get to the survey piece, a little later on, maybe, but, if you all could do something like that, that might be one way to help kind of set the public up to allow them then to give us some feedback at some point.

MS. MCCAWLEY: Thanks, Mel.

MR. POLAND: I am kind of on the same page with Mel. Maybe just like a one-pager or something, or something on the website, just to show that, hey, this is where we are right now, and I agree with both of you that it probably is a little early to do a survey, because we just wrapped up 27 the last meeting, and we're still talking about 26 at this meeting, and, 29, we're not going to bring that back up until March, and I know that was pulled out of 26, and so we're still working on this, and we kind of need to get that out there and let it simmer a little bit in the public before we ask them what they think about it.

MR. CONKLIN: I don't really see the immediate need to keep going and trying to do more new stuff, unless there is some real low-hanging fruit, which I can't quite pick out of this without -- Because I don't learn that good without a one-pager kind of thing too, but we sure have done a good job, and especially the staff, of tackling a lot of some of the harder issues right out of the gate, and they're still in the works, and I certainly agree that we ought to just keep on going and just have a little update, a little bit of feedback, and not try and get too crazy with taking on more until we get real good and everything is ironed out, fleshed out, and we're working real well on what we've already set out to do.

MS. MCCAWLEY: All right.

MS. VONHARTEN: We could pull that together. I mean, we had all these tables that we took out, the spreadsheets, and we could check off what's been done and what's left and maybe display it that way. We would also work with Cameron, maybe, on doing a story map, but I just want to remind you that remember that what's in the blueprint now were the things that you all prioritized.

There is a whole other host of things in the appendices that you guys chose not to focus on, allocations being one of them, and there is other things that are in the background, and so, as far as a survey, I think perhaps one way you could approach it is do a survey of this is what we've done, this is what's prioritized, give us some feedback on if you think we've addressed this, but here is the other items that weren't prioritized for this four-year period, because that might help you get some more feedback from the stakeholders on issues that weren't in the original version of the blueprint, but might be a priority now.

MS. MCCAWLEY: I like all of those ideas. Something that Steve said is we're still working on some amendments left over from this process, especially the best fishing practices one, and it's almost as if maybe we shouldn't start surveying people until we get at least further along in the best fishing practices amendment, and so I think that, maybe sometime later in 2019, we talk about this again, and I certainly don't think that we're ready for some whole other round of a whole bunch of in-person meetings or investing that capital in a whole bunch of in-person meetings yet.

To me, we're kind of at a survey level after we get a little further along on some of these amendments and we started as part of this process, and I do like the idea -- I had forgotten about the appendices and all that, and so I like the idea of maybe looking at some of those other items that weren't at the forefront of the list and then possibly asking people about that.

I wonder if, at another council meeting in 2019, you could bring something back like, hey, these were some of the things that were in the appendices that we haven't talked about and maybe more thoughts on how to present the information on the website as well as here is how we would survey people, and, by how, I mean we would show them this checklist of what we did and then remind them there were all these other appendices that had this other information in it and then maybe ask questions about that. I am not even sure how to survey folks on it, and so I think you all's ideas would be better than where we are talking about it around the table right now.

MR. BELL: If you think about it, I mean, the first effort to reach out -- I don't think there's a whole lot of really, really new stuff that people are going to come up with, and so you've probably got a number of the things already in a table somewhere, and so it did come up, and then it's kind of a matter of, all right, moving forward on some of that and prioritizing, but somebody may come up with a new idea, but we did a pretty exhaustive outreach, and I think not a whole lot new, perhaps, that might come up, but it would be more of a reprioritization and moving forward on stuff we've maybe already captured.

MS. MCCAWLEY: I agree.

MR. CONKLIN: I don't think we need to go seeking any more new ideas. We heard everything. I agree with Mel.

MS. VONHARTEN: Then, back to when you were talking earlier about a side-by-side comparison of the old FMP goals and objectives, Myra and I pulled some of those documents from the previous visioning workshops, the one that Kari kind of outlined the history of it, and then the subsequent documents that you guys kind of morphed and changed, which ended up in the blueprint, and so we could maybe summarize that in some way for the next meeting or whenever you all decide to talk about it.

MS. MCCAWLEY: Yes, I think that would be great, because I definitely would like to look at that as part of the whole allocation policy discussion, and I agree with Myra that I think we've done a lot of work on it, but it's just a matter of consciously looking at those things side-by-side and just saying, yes, we're okay with this, or maybe this one is outdated, or switch this one, but, yes, I agree.

Myra and Amber, I have looked at this little blue box here as something to guide us in this discussion, and do you feel like there's other items that you need specific direction on from us today that you haven't received?

MS. BROUWER: I guess we have sort of an idea on your timing, and I know that the allocations review policy is going to take up a lot of time, and there is going to be a lot of things coming up with assessment type stuff that you're going to have to address. We could bring back these FMP objectives to you in March, and perhaps begin putting together a one-pager or a story map or

whatever, if you will give us the leeway to try to come up with something, and then we will give you an update about that in March, and then we can go from there.

MS. MCCAWLEY: That sounds great to me.

MS. BROUWER: Okay.

MS. MCCAWLEY: Mel, thumbs-up, and thumbs-up from Steve. Yes, that sounds great.

MS. BROUWER: Okay. Thanks.

MS. MCCAWLEY: Myra, I think the only other item remaining in the Snapper Grouper Committee, other than Other Business, is the characterization of the commercial snapper grouper fishery and a presentation on that.

MS. BROUWER: Correct, and so these are Attachments 11a and 11b. This sort of continues from the blueprint talk, and this is something that came up -- Several questions came up in October, as far as permits, latent permits, questions that were addressed in the report that Kari put together that she presented to you all in March, but there are new council members now, and so we thought we could pull out those items that you had questions about in October and just focus in on that.

Kari couldn't be here. She should be the one presenting this, because she did this work, and so I will do my best to relay the information to you, and so she put together this presentation that I will deliver here in a minute, and the report is also included in your briefing book, and it's also posted on the website. It is a wealth of information, and it has a ton of stuff in there.

Just quickly, the background and goals for the snapper grouper profile, basically, you had asked for a characterization, as in-depth as possible, looking at the different permit types, looking at portfolios, looking at how the fishery is conducted, looking at the fleet, the economics of it, and so this is the information that she put together.

The Snapper Grouper Advisory Panel as well had a lot of input in directing the work that Kari subsequently did, and so the analyses was done in October of 2017, and she used information, I believe, from 2012 through 2016, and the information was presented to the SEP, the Socioeconomic Panel, of the SSC, to you all back in March, and to the Snapper Grouper Advisory Panel.

The report looked at in-depth community area summaries, and there were nine areas, and so she looked at northern North Carolina, central North Carolina, southern North Carolina, northern South Carolina, southern South Carolina, Georgia, north Florida, central Florida, and the Keys, and so it's pretty well stratified through the council's area of jurisdiction. As I said, she utilized data through 2016 only, and she looked at details on the numbers of trips, the vessels, days at sea by year and by area, and she did a really thorough analysis on catch portfolios and trip types, and she looked at landings and revenue over time and by complex and by gear type.

I am just kind of glossing over this, because, as I said, I don't have a lot of the details. She pulled up permit records from 1998, which is the time that the two-for-one permit went into place, through

2016, and logbook data from 1998 through 2016, and she looked at the accumulated landings system data and the socioeconomic dataset that was most recently updated in October of 2017.

Key findings are one of the questions that you had asked are how many unlimited snapper grouper and trip-limited snapper grouper permits are there, and so, as of January of this year, there were 541 SG 1 permits, and those are the unlimited, and 110 SG 2 permits. Since 1998, how have those numbers changed? There has been a 45 percent decrease in the unlimited permits and a 67 percent decrease in the limited permits. For the two-for-one, the decrease is because those permits have been retired and have not been renewed, and the SG 2 permits, of course, are non-transferable, and so it was expected that the numbers of those permits were going to decrease over time.

Here is the visual of the breakdown by all these areas, as I mentioned, and these are the unlimited permits by home port by area or state, and this dataset goes from 1999 through 2016, and so you can see the decreasing trend over time. The dark blue is the Keys, and the red is south Florida, and, as I said, all of this information is included also in the report, so you can take your time looking through it.

As far as permit holders and where are the home ports of vessels with these two different permits, the majority are in Florida, and the largest concentration is in the Florida Keys, and 67 percent of the unlimited permits are in Florida, and 80 percent of the unlimited ones are in Florida, and, in terms of how long people have held on to their permits, 60 percent have the same permit holder, or have had the same permit holder for ten years or more, and 30 percent are the original permit holders, and so the permits that were assigned back in 1998.

Then most vessels have three to four federal permits. The majority that have the snapper grouper permits also have the commercial dolphin wahoo and Spanish mackerel, and they may also have a commercial king mackerel permit. About a third of them have at least one South Atlantic charter permit, and so most vessels that have dual permits are going to be in northern North Carolina and south Florida, and that's where the highest concentration of dual-permitted vessels is.

As far as the corporations, how many of the unlimited permits are held by corporations, the proportion has increased. It was 17 percent in 1998, and it's gone up to 45 percent in recent years, but most permit holders are individuals, and so they're not corporate, and here is just a visual to show you. The yellow is the corporate permits, and the turquoise there is the individual permits, and these data are from 1998 through 2016.

If a permit holder transfers a permit to a corporation in which that permit holder or an immediate family member are the shareholders, then that transfer is going to be exempt from the two-for-one requirement, but the permit is designed as a family/corporate transfer. If that permit is transferred by a sale of the corporation to a non-family member, it is subject to the two-for-one requirement, and so these are the little intricacies that you all were asking about last time, and so all of this information is included in this report.

As far as cost, she went and looked around online and through various other avenues to figure out pricing, and so the cost to obtain an unlimited snapper grouper permit is currently anywhere from \$60,000 to \$80,000 for one corporate permit or two non-corporate SG 1 permits. There has been an increase. Back in 2011, the prices were about \$40,000, and there is also advertised prices for leasing, leases of these permits, anywhere from \$6,000 to \$8,000. This, she wanted to make sure

that she qualified that this is information that she was able to locate online, and the actual prices, of course, may be a little different, and the Permits Office doesn't track when another entity fishes on a commercial permit for one year, and so that's where the fishermen refer to those permits as leased permits.

There has also been a lot of questions about latent permits and how many permits have no landings, and so she looked into that, and there is less than 5 percent of the permits that have no landings, zero landings, total for five years from 2012 through 2016, and so 45 percent of the unlimited permits have had landings in every year in that five-year time period, and 30 percent of the trip-limited permits have landings every single year, and so the permits are being used.

This table here shows you the breakdown of how many permits by year focus on -- That are just snapper grouper species or snapper grouper, CMP, and dolphin wahoo, and so let me just -- If you look, these percentages are not that different, but, if you look down here, at the Florida east coast, this is where you can see that there is a lot more diversity, and that's probably because a lot of those vessels also have CMP permits, but, for the rest of the area -- Then, at the very bottom, of course, is just other regions, and so that's the Gulf and the Mid-Atlantic and everywhere else. These are for the SG 2 permits, and so you can see the percentages by year.

She included this slide in here in case -- As I said, there's been a lot of discussion or questions about latent permits, and so, if you wanted an analysis of latent permits, and so we would need information on how many pounds per year or however many years would qualify a vessel to be part-time or full-time, and so she put, down here, sort of an example, and we don't know if these poundages are realistic.

Let's say a very occasional snapper grouper participant may be a vessel that lands less than 300 pounds, and maybe a part-time or a weekend fisherman is maybe 300 to 1,000 pounds, and I don't know how realistic that is, and a full-time, but works both charter and commercial, may be 1,000 to 30,000 pounds, and maybe a full-time commercial vessel would be something where landings would be greater than 30,000 pounds.

This is the kind of information that I think she was saying that we're going to need a good bit of guidance on these categories, and it's going to be a very intensive analysis, with a lot of work, to try to dig into the data this way, and, the vessel characteristics, she broke down vessels by length, and so you see what the characteristics are there, in terms of vessel length, the years that they were built, whether they have ice for refrigeration, and then the length of the trip, and so the northern North Carolina, central North Carolina, and Florida areas typically have one-day trip, with one to two crew, and then you've got the southern North Carolina, South Carolina, and Georgia that have longer trips, three to five days, with two to three crew members.

Again, here, to understand what constitutes this traditional bandit boat would require additional analysis to understand how many of those vessels are taking multiday trips, and then there is going to be, of course, a lot of regional variation and seasonal variation throughout the area.

I believe I have a reference here, and page 46 of the report has the general trend for vessels and where they are located, and, again, there is a lot of variation at the community level for these types of things, and so there's lots more information in the report. As I said, there are sub-area summary profiles, how to obtain the permits, retired permits, landings and revenue by species, and a whole

bunch of other stuff, and that is all included in there. There is the link to where it lives on our website, and that's it.

MS. MCCAWLEY: I have stupid questions that I wanted to ask. The SG 2, the trip-limited, those are not transferable, or they are?

MS. BROUWER: Those are non-transferable.

MS. MCCAWLEY: So you can't even transfer it to a corporation that you own, and is that right?

MS. BROUWER: I believe you cannot, but don't quote me on that. As I said, I'm not the expert on the intricacies of the various permit types.

DR. CRABTREE: My recollection is that these were folks who didn't qualify for the unlimited, and so they were sort of grandfathered in with a trip-limited permit, with the understanding that those would go away after they were out of the fishery.

MS. MCCAWLEY: I am just trying to figure out if they could go to an immediate family member or you could bring it into a corporation or anything like that.

MS. SMIT-BRUNELLO: You're not supposed to, but I have a note to myself here that I made during the presentation to check with the Permits Office, just to make sure that that's exactly what happened, because they're not supposed to be transferable, and so the family/corporation allowance that you all did a number of years ago was not supposed to go to the trip-limited permits.

MR. HAYMANS: Would you also check and see if they are leasable, if folks are actually leasing the 225s?

MS. SMIT-BRUNELLO: The permit is not leasable, but you could lease a vessel with a permit, and perhaps, when we get a presentation, and I think you've all asked for that, from the Permits Office, we can get into some of those kinds of nuances.

MR. SAPP: The understanding that a lot of my guys have is that they are leasable, if they were originally within a corporation and are being leased that way, and I am trying to keep up as it's flying through here, and they're also transferable within the family. It can roll down to family members, is the way these guys understand it.

MS. MCCAWLEY: All right. Gregg, did you want to speak to this?

MR. WAUGH: Yes, and Roy is right. There aren't many, if any, council members here from when we established this program, but the approach the council took was, rather than eliminate anyone, it grandfathered everybody in, and, at the very end, we had the bucket brigade show up and say, look, this was a part of my retirement, and so the council put in a small exception for a low trip limit, with the clear understanding that those permits would phase out as those individuals phased out.

There shouldn't be -- I have made this comment before, but there shouldn't be anybody young with one of those permits, and the council never set a target number of permits, but their intent

was clear at the start that the two-for-one would reduce the number, and then, eventually, all of those trip-limited permits would be gone, and so that would be a further reduction that the council was expecting. It was never the council's intent that those be transferred in any way or leased or anything.

MS. MCCAWLEY: Thanks, Gregg.

MR. GRINER: Gregg just hit on something, and so, when you say there shouldn't be anybody young, and that was kind of what I was thinking, too. If this was a retirement thing, and, at the time this happened, these were older individuals, then I really can't see how we have all these younger people holding these permits right now, and I'm pretty sure that, when you renew these permits, your age information is on that renewal form. I would really like to see the age of these people that have these permits right now, because it is not just old people. There are some young people holding these permits, and that's not what these permits were made for.

DR. CRABTREE: Well, just with respect to leasing that Art brought up, we don't lease permits. If individuals engage in a private transaction that they consider a lease, that's strictly between them, but, if I lease your permit, quote, in the permits shop, we transfer your permit, and it becomes whoever you are leasing to's permit. You get it back as part of a private transaction between you, but, in our books, it's a transfer.

MS. BROUWER: I pulled up the report for the 225 permits, the SG 2 permits, and so here is a visual showing you the distribution by area over time, and this is from 1999 through 2016, and they can be held by corporations, and so here is a breakdown of the proportions of the total SG 2 permits that are held by individuals in the blue and the corporations from 1999 through 2016, and there is another breakdown over here for the SG 2 permits, and so the answer is, yes, they can be put in a corporation, and here is the breakdown of the various non-corporate and corporate entities for those permits.

DR. LANEY: I want to go just a little bit by feel here, but I think Kari has done a tremendous job characterizing the fishery based on the permitted fishing, but we have one former council member who used to, rather often, bring up the fact that there is unpermitted fishing out there, and I was just wondering if, in some future characterization of the fishery, we might be able to get some sort of an idea of how much unpermitted fishing there is going on out there, and I don't know how we would do that, and maybe working in concert with law enforcement somehow, perhaps, but it strikes me that, for a complete characterization of the fishery, you would have to have some idea of how much unpermitted fishing is going on, too.

MS. MCCAWLEY: I think that's quite a slippery slope and quite a bit ask of law enforcement to try to get there.

MR. GRINER: We've got these corporations, but the idea behind this was that this was a retirement benefit, and it was going to go away at some point in time, but now you've got a corporation that is going to last forever, and so that's really not what this thing has morphed into. These permits will never go away, and I'm not sure how we ever got to taking something like this, and now we've got all these corporations that the corporation just can go on forever, and so where do you go from here, and how do you rein that back in? I mean, I'm not sure that this is any different than a regular permit now.

DR. CRABTREE: Look at the table that's on the screen, if I'm reading it right. I mean, they are going away, and there is twenty-five of them in corporations. Now, I want to go back to the office and find out how they came to be in corporations, and I'm not convinced that if you have a trip-limited permit, and you're not in a corporation, that you should be allowed to put it in a corporation. That could be considered a transfer, but I'm not sure how we've dealt with that.

I don't know what we would do with it in the corporation, because we normally don't consider the sale of a corporation to be a transfer, but maybe we need to revisit that with respect to these particular permits, but, as you can see, they are going away, and it is a relatively low number of permits that are in corporations now, and so we'll take a look at this, and this is something we'll be prepared to talk more about when we have the permits presentation in March.

MR. SAPP: Exactly. The corporate ones, theoretically, could last forever and continue as the corporations sell, but are we not considering talking about getting rid of the two-for-one, and the permit is a little different, in that you're limited in your catch limits, and so it's definitely a different permit, but we're talking about getting rid of the two-for-one, and so maybe we're at a number right now that is pretty sustainable and we don't try to get rid of any more. Those corporate ones may have managed to find a loophole, and perhaps that's a good thing, and maybe we should keep those permits.

MS. SMIT-BRUNELLO: Just to correct what I said before, if you have a trip-limited permit, you all did put in one transfer provision that said the owner of a vessel with a trip-limited permit may request a transfer of that permit to another vessel owned by the same entity, because there were some people who came in and said they were getting a different boat and that sort of thing, and so you all said, okay, since you have the permit, you can transfer that to your other vessel.

MS. MCCAWLEY: Thanks for that clarification.

MR. WAUGH: To Wilson's question, there may be some utility in analyzing social media to look at people who are advertising for fishing trips where they don't have permits, and people actually do that, and so, if that's something the council is interested in, we could pursue whether we do that or work with NMFS to have some forensic enforcement done, looking at social media, where people are posting that, hey, I'm fishing, and come fish with me, and I don't have a federal permit, and so I'm just saying that there may be some utility there, and, if there's interest, we could explore it.

MS. MCCAWLEY: Once again, I feel like that's a super-slippery slope, but I've got other people in the queue here.

MR. HAYMANS: Well, just, if there is any work done on it, I would like to -- There's a discrepancy between the table and the full report, the 2-3 on page 34, and what was given to us in the overview presentation. 2016 has 103 Snapper Grouper 2 permits, and then, in the report, it says, in January of 2018, there is 110, and so there's a discrepancy there, but that made me go back and look at the Figure 2-2 that was given to us in the presentation, and I was kind of curious as to why there was a drop-down in 2006 and then flip back up in 2007, and it seems to me, if the 2002 permits have fallen, it should have never jumped back up, and it's just a slight discrepancy, if it is reviewed.

MR. HEMILRIGHT: I took the time and read over and scanned over this, and it was very well done. It does show a lot of great information on what's happening with the permits and the process, and another thing that I'm hoping in the future is going to fan out somehow is a better understanding of where the fish are caught at, versus where they're landing at, and so you can do a better analysis.

I know, from my instance with a Snapper Grouper 1 permit, I bought a corporation in 2008, and I have to lease my vessel to my own corporation, and it's a Florida corporation, and I can't transfer it to North Carolina, and I pay the State of Florida \$138 a year to keep my incorporation, and so there is a lot of -- It's a tangled web to get out of these, but one thing about it is it appears that the Snapper Grouper 2 permit was supposed to go away when they were issued, at the time, and that doesn't appear to be the case, whether it got transferred through a loophole or a mechanism, but the law was it went away and you were allowed to transfer it to a new boat one time, and so that definitely should be something looked at.

I was kind of amazed that the snapper grouper two-for-one -- It did amount to a reduction down to 49 percent, and one thing it did do, which I would have rather have the value to go fishing, but it drastically increased the value of the snapper grouper permit, and the numbers that she was quoting on there is pretty much what I hear, and not from social media, but just in the permit realm of a permit costing \$60,000 to \$80,000 to be able to go fishing, whether you've got a corporate Snapper Grouper 1 or two-for-one. It's very expensive.

A lot of the permits that we have had -- From northern North Carolina, I know four or five have been sold down to Florida, and it seems like some of them that get sold go south, and you don't see none coming up north, because of just the limited amount, but it was a very good groundwork report, and it was interesting to read, although I was just trying to put it together on how I see it working versus the reality of what's there, and so it was a very good report. Thank you.

DR. CRABTREE: Just to Doug's issue about -- Permit numbers are tricky, and you have to be careful what you're looking at. A lot of times, what you see is the number of valid permits, and that means they're not expired, but remember you have -- Once it expires, you have a year to renew it, and so the number of valid permits can in fact go up, because some of the renewable permits got renewed, and so you have to be sure whether you're looking at valid permits or total renewable permits, and that's why those numbers can bounce around a little bit.

MR. SAPP: I want to echo Dewey in saying that the work done here is really amazing, and it seems quite accurate, but the belief is that those SG 2 permits that are in corporations were in corporations prior to 1998, and it wasn't necessarily -- I may have misspoken in calling it a loophole, but they were already there, and so, therefore, that corporation is never going to die, hopefully, as long as they don't go out of business entirely, right, and so they didn't do anything intentionally wrong to make it last forever, but it just happened to work out that way.

MR. CONKLIN: All I've got to say is kudos to the people who were smart enough to put them in corporations when they were issued.

DR. LANEY: I just wanted to say that I thought Gregg had a good idea, and, if I was a valid permit holder, I would be pretty irritated if I hear reports of people that are out there fishing without

a permit, not complying with the law, and so I have absolutely no idea what the magnitude of it might be. I mean, again, we had at least one former council member who was pretty vocal about it, and so it sounds like there is at least some level going on out there, and it might be that maybe somebody could work to design the type of thing that Gregg was talking about, some sort of a social media survey, just to get some idea of what the magnitude of it might be, to give the council an idea of how much of that kind of activity is going on.

MS. RHODES: My only -- I do think that that is a good idea, and I think that that's something that could come out of something that would be strictly research driven, and so that would be someone would come in, whether it would be a contractor, a social scientist of some form, that would conduct that research on our behalf, but I would definitely be cautious about coming across as being the man and watching people on their social media accounts. We don't want law enforcement to get mixed up with us, and so that's my only recommendation.

MS. MCCAWLEY: Yes, that's my concern as well. I mean, we're trying to gather information for management purposes and not to bust a whole bunch of people and uncover a whole bunch of rocks of things that then law enforcement would be looking into that could be even beyond the permit. I am pretty concerned about that.

DR. LANEY: Just for a follow-up, Madam Chairman, I wasn't thinking about busting anybody. What my interest is, it's trying to get some idea of whether the body count that we have through the data that we collect from valid fishermen is off by 5 percent or 1 percent or half a percent or 10 percent, and it would be good if we had some sort of an idea of what the magnitude of the illegal fishing was.

MR. CONKLIN: Well, it seems like MRIP would capture that, since they're recreational fishermen. If they're not permitted, they would be fishing under the MRIP numbers.

MS. MCCAWLEY: Yes, that is kind of what's been swirling around in my head, is we're dancing around the fact that someone wouldn't have a commercial permit, but I'm assuming conducting a commercial activity, and then you get into is it being sold to a properly-licensed wholesale dealer, which is another one of our requirements, and I feel like you're going to uncover a lot of other rocks in this research, and, depending on how it's done and who does it, if we find this illegal activity -- At least with FWC, if we're doing some research like this and we uncover this illegal activity, we have to turn it over to law enforcement and conduct a more thorough investigation, and so I'm just concerned about uncovering that rock.

MR. SAPP: We're in the process of trying to get the confidence of -- This council is in the process of trying to get the confidence of recreational fishermen to get accurate reporting, and then we say, well, wait a minute, you're accurate reporting, and we just threw you in jail, and it would be a major issue.

MS. MCCAWLEY: Right, or you answered a survey one way and then that triggered an investigation, ultimately, down the road. Yes, I have some concerns. I feel like we started this discussion, at the last meeting, in talking about the two-for-one, which is something that's been brought up by the AP over a number of meetings and possibly doing away with the two-for-one component, and so, if I understand this correctly, the whole two-for-one is really just applying to the SG 1, the unlimited permits, because the trip-limited permits, SG 2, technically cannot be

transferred, and it sounds like there might be some leasing going on, but that's -- The leasing is occurring outside of the process in the NOAA Permits Office.

It also sounds like, to me, that some of the information that we might need to make those types of informed decisions about what we want to do with the two-for-one -- That we need more information and be able to ask questions, I think, to the Permits Office, which I think is coming to the March meeting to give us a presentation, but I guess I'm looking for some direction here on what we want to do, and I'm assuming, based on the lively discussion at the last meeting, that we want to continue exploring getting rid of the two-for-one and that this was just kind of step-one in the process of looking at the data.

Is that where we are? Does that accurately reflect our discussion? I see people nodding yes, and it seems like we need to think about more of the questions that we've had around the table today and anything else that you're going to need from the Permits Office that they need to come with, and so, if you have more of those questions, and I think Doug asked some, and Art asked some, but, if there are some other questions that we could surface today that we need from the Permits Office, so that they're not surprised when they get here.

MR. CONKLIN: The commercial fishermen in the snapper grouper fishery are constrained by their catch, and by, limiting the catch, we're still not to a year-round fishery. We don't have enough fish still to go around for the amount of participants that we have. Until we can relax up some trip limits and get our base revenue up, I don't see any way we can allow more effort in the fishery, and it's certainly a hurdle to get into the fishery, and the people that are taking the steps to do the right things and double their investment to be legal and make a living under a constrained income, and I just don't see where we have room to do away with the two-for-one.

MS. MCCAWLEY: I see what you're saying, but I also think that there is some issues that we've talked about a little bit, leasing issues and other things of that nature, and I'm not certain that, just by opening up the two-for-one, that you're going to have this spike in effort. It sounded like, from the discussions at the AP meeting, that there were some -- I am going to call it unnatural constraints in people that are already in the fishery and how they want to run their business relative to their corporation and other things, if I understood the discussion that was happening at the table the last few meetings, and it seems like removal of the two-for-one might help them, and so it didn't seem like we were talking about new entrants, but we were talking about existing entrants and their inability to legally, or properly, conduct their corporate business.

MR. CONKLIN: Unless we want to support a buyback program or the Fisheries Service wants to pay us back for what we did for the two-for-one, I'm still not going to --

MR. HAYMANS: Going away from the two-for-one doesn't eliminate limited entry. I mean, if we do away with the two-for-one, we still have roughly 520 to 540 permits, which it's going to remain that way, and it just means that someone doesn't have to go buy two to get one, which means the price of the one is going to be high anyway. I mean, rather than buying two permits at \$30,000, it's going to be one permit at \$60,000.

If I look back at the last five or six years, we're kind of settling into a 500-permit range, and I don't think five years is enough, and I would love to see it go another five years and see if it remains in

that 500-permit range, and if it does, then we get rid of the two-for-one, and that's where it's capped, and the permits would be fully transferable on a one-to-one basis.

MS. MCCAWLEY: Yes, and, since I wasn't at the table during these initial discussions, I don't know what the goal number was, or if they had a goal number to get to down to in the two-for-one when it was put in place the first time, and so those were some of my questions.

MR. HEMILRIGHT: I would like to see how many permits are leased that we have a problem with, or not a problem, but just a description, and that would give a little more thought into this. I am kind of with Chris's suggestion. I did a substantial investment, and I'm not getting the bang for my buck on the permit at all. I can't even hardly go fishing off my coast here.

Second of all, even though -- Somebody is going to buy these permits, and people are going to go fishing, and I don't see that being a problem on certain species and in certain areas, but I am not for -- I haven't got the bang for my buck back on my investment in the beginning, but I would like to see how many people are leasing permits and leasing vessels and leasing corporations and maybe a little finer resolution of what's going on, to get an idea of -- This is a great snapshot, and a great start, but a little bit further refinement. Thank you.

MR. GRINER: I kind of want to echo what Dewey and Chris are saying. I don't want to see the two-for-one go away. As Doug alluded to, I think you need more time. I think time will shake it out on its own, to some extent, and what that magic number is of how many permits the fishery can sustain, I don't know what that number is, but, as ACLs are getting lower and lower, and they never seem to go up, we're getting to the point now where it's harder and harder and harder and harder, and so I think, at the end of the day, it's going to be up to younger and younger people to be able to get into this, and I don't see that getting away with the two-for-one is needed. I think, at the end of the day, the fishery can only sustain so many permits, and I think that number -- I don't know what that number is, but I know that that number is going to continue to go down.

MR. SAPP: You kind of already went there with was there a number set originally when this two-for-one went in, and, again, if there wasn't, then is there a way of finding out what the amount of fish being caught, or the ACLs set where they are, can we find out what is sustainable, what is profitable, how many boats can be profitable in that? I am kind of surprised, and I know quite a few people with these permits, and I haven't heard -- What I expected was some pretty serious screams about having made that investment and now it might go away and it wasn't necessary, potentially, and so maybe somehow try to get it out there. I mean, it's a specific group of people. We know the names, and maybe we need to poll those folks and see what the thought is across-the-board.

MR. BELL: I was just responding to -- I know we've got someone from Permits coming in March to speak to us, but keep in mind that was originally about kind of focused on their operating procedures and questions that have come up from the public and stuff, and so that's sort of one presentation, one topic, and this is fine that we would like some additional help with kind of getting into this, and that's sort of a second topic, second presentation, and I think the thinking is, if Permits is here in March, they could kind of handle both, but just keep in mind it's sort of two different things, as we look into scheduling and Roy's staff's availability.

DR. CRABTREE: I mean, the permits presentation is going to be more on the mechanics of all of this and things and not into how many permits there ought to be, but I think you have decided that you want to look at the two-for-one, and you're not deciding today whether to get rid of it or not or any of the rest of these things. That is down the road, and so I don't really think you need to debate the merits of whether to do it or not until you have an analysis of it all as we take a look at it.

MR. HAYMANS: For Monica, perhaps you could clarify for me, and maybe not at this meeting, but, earlier, you said, when we were asking about leasing, that the vessel was leased and sort of the person would use the -- At least that's what I thought I heard, was the vessel was leased, but, in this report, on page 44, Kari has a discussion about -- It says there is also a market for temporary SG 1 permits, which involves a one-year assignment of the permit to another entity's vessel with no changes to the permit holder, and that sounds like a true lease of the permit, and so maybe you could check on that for us.

MS. SMIT-BRUNELLO: I would be happy to check on that, and that could be some private arrangement between a couple of individuals, and people use the phrase all the time about leasing permits, and I think that's kind of loose on what that means, but, sure, we'll get you that information.

MS. MCCAWLEY: All right. We've had a good discussion here, and it sounds like, when the Permit folks come, like Mel said, they're really here about something else, but, if that jogs some questions, kind of like what we have today, they could possibly answer them, or take those back and get them answered.

It sounds like we're wanting some type of additional information about the two-for-one and maybe, when it was originally put in place, what the thinking was. I am pretty sure it was put in place before ACLs were in place, and so what the thinking was and whether there was a number of boats that they were trying to get to or a number of effort or how were they measuring that. I am not sure that that's in this report, but maybe we can get some additional information about that. Are there other pieces of information that we haven't talked about yet that you would like to see in looking at this?

MR. HEMILRIGHT: I was wondering, in the March meeting, in the briefing book, could there be a permit application included in there, so everybody around the table gets to see all the paperwork in that, to figure out, but there's all kinds of sections in there for the leasee and the lessor and all that, just to familiarize, in case somebody might have some questions.

MS. MCCAWLEY: That's a great suggestion. Thank you, Dewey.

MR. WAUGH: In terms of timing and analysis for looking at this, we can certainly present what the original intent was, and there was no number identified at that time, but, before you get too far into the discussion, we've got to complete our allocation issue, because, in any determination of what's an economically-sustainable number of commercial vessels, you need to know approximately what the commercial ACL is.

Remember, in visioning, John updated some of our older tables showing here's the approximate total commercial ACL, and you can either divide those pounds among numbers of vessels to give

you some idea, understanding the distribution is not equal, or dollars, but, clearly, if there is going to be a reduction in the commercial ACL totals through allocation, then that is going to significantly affect your discussions on the two-for-one.

MS. MCCAWLEY: Yes, and so that document, and it was a great document, can that come back? As we're talking about the allocation, can we bring that document back, say starting in March, the one that was already done?

MR. WAUGH: You're talking about the one looking at the analysis of total ACL and vessels?

MS. MCCAWLEY: Yes, please.

MR. WAUGH: Okay. Sure.

MS. SMIT-BRUNELLO: I am just thinking, for the benefit of the head of Permits, or whomever is going to come here in March to make the presentation, do we have a list of items that we're going to -- Or a list of a questions, or at least topics, that this person can -- That we can work on, so that hopefully we can cover most all of your questions?

MS. BROUWER: We have the original list that you put together back in October, and that was presented to the AP, and they had their feedback on it, and so I don't have, currently, a synthesized list, but I could try to pull it together in the committee report, so that you all could look at it tomorrow, and that's an option, if you would like.

MS. SMIT-BRUNELLO: That sounds like a great idea, and then people can think about it in the interim, too, and take a look and see if it covers all of your questions.

MS. MCCAWLEY: That sounds great.

DR. MCGOVERN: In listening to these questions, also, I think not all of these questions are for Permits. I think some of them probably will be for staff to answer, too.

MS. MCCAWLEY: Thanks, Jack. Good point. All right. Any more on this discussion, before we leave this discussion? All right. I believe that brings us to Snapper Grouper Other Business. Is there other business to come before the Snapper Grouper Committee? All right. Seeing none, I think next up on our list is the Citizen Science Committee.

(Whereupon, the meeting adjourned on December 6, 2018.)

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Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By:  
Amanda Thomas  
December 21, 2018

# Dec 2018 COUNCIL MTG DAY 1

Last Name	First Name	Email Address
Allen	Shanae	shanae.allen@myfwc.com
BENNETT	PAULITA	pbennett-martin@oceana.org
Baker	Scott	bakers@uncw.edu
Batsavage	Chris	chris.batsavage@ncdenr.gov
Beaty	Julia	jbeaty@mafmc.org
Bianchi	Alan	Alan.Bianchi@ncdenr.gov
Bonura	Vincent	SailRaiser25C@aol.com
Brennan	Ken	Kenneth.Brennan@noaa.gov
Bublew	Walter	bublew@dnr.sc.gov
Burgess	Erika	erika.burgess@myfwc.com
CLARKE	LORA	lclarke@pewtrusts.org
Cheshire	Rob	rob.cheshire@noaa.gov
Clarke	Lora	lora_clarke@yahoo.com
Cody	Richard	richard.cody@noaa.gov
Conklin	Chris	conklinsafmc@gmail.com
Cox	Jack	dayboat1965@gmail.com
Crosson	Scott	scott.crosson@noaa.gov
DESFOSSE	JOSEPH	joseph.desfosse@noaa.gov
Dale	David	david.dale@noaa.gov
DeVictor	Rick	rdevictor@yahoo.com
DiLeone	Alisha	alisha.dileone@noaa.gov
Diaz	Dale	Saltwaterlife@live.com
Dixon	Michael	mike@engelcoolers.com
Driscoll-Lovejoy	Ruth	rwhite2@pewtrusts.org
Fenyk	Cynthia	cynthia.fenyk@noaa.gov
Foss	Kristin	kristin.foss@myfwc.com
Foster	Dean	dfoster@pewtrusts.org
Godwin	Joelle	joelle.godwin@noaa.gov
Gore	Karla	KARLAGORE@GMAIL.COM
Griffis	Roger	roger.b.griffis@noaa.gov
Guyas	Martha	martha.guyas@myfwc.com
Hart	Hannah	hannah.hart@myfwc.com
Helies	Frank	frank.helies@noaa.gov
Hemilright	Dewey	fvtrbaby@embarqmail.com
Hinman	Ken	khinman@wildoceans.org
Hudson	Rusty	DSF2009@aol.com

JOHNSON	DENISE	denise.johnson@noaa.gov
Jepson	Michael	michael.jepson@noaa.gov
Karnauskas	Mandy	Mandy.Karnauskas@noaa.gov
Karp	Melissa	melissa.karp@noaa.gov
Kellison	Todd	todd.kellison@noaa.gov
Knowlton	Kathy	kathy.knowlton@dnr.ga.gov
Laks	Ira	captainira@att.net
Lambert	Debra	deb.lambert@noaa.gov
Larkin	Michael	Michael.Larkin@noaa.gov
Levy	Mara	mara.levy@noaa.gov
Luisi	Michael	Michael.Luisi@Maryland.gov
Matter	Vivian	vivian.matter@noaa.gov
McGovern	John	John.McGovern@noaa.gov
Mehta	Nikhil	nikhil.mehta@noaa.gov
Morrison	Wendy	wendy.morrison@noaa.gov
Moss	david	david@smoss.com
Neer	Julie	julie.neer@safmc.net
Peterson	Jay	jay.peterson@noaa.gov
Pianka	Karen	karen.pianka@noaa.gov
Pierce	Brett	brett.pierce@noaa.gov
Pugliese	Roger	roger.pugliese@safmc.net
Pulver	Jeff	Jeff.Pulver@noaa.gov
Ralston	Kellie	kralston@asafishing.org
Reynolds	Jon	tagem4@yahoo.com
Reynolds	Brian	runusmc68@yahoo.com
Rock	Jason	jason.rock@ncdenr.gov
Sapp	Art	artsappsafmc@gmail.com
Seward	McLean	mclean.seward@ncdenr.gov
Smart	Tracey	smartt@dnr.sc.gov
Stephen	Jessica	jessica.stephen@noaa.gov
Surrency	Ron	captronacc@gmail.com
Takade-Heumacher	Helen	htakade@edf.org
Travis	Michael	mike.travis@noaa.gov
Weychert	Curtis	curt.veychert@ncdenr.gov
Whitaker	David	david.whitakersafmc@gmail.com
Wrege	Beth	beth.Wrege@noaa.gov
dick	kelsey	kelsey.dick@safmc.net
gloeckner	david	david.gloeckner@noaa.gov

hull	jimmy	hullsseafood@aol.com
iverson	kim	kim.iverson@safmc.net
malinowski	rich	rich.malinowski@noaa.gov
sandorf	scott	scott.sandorf@noaa.gov
thomas	suz	suzanna.thomas@safmc.net
vara	mary	mary.vara@noaa.gov

# DEC 2018 COUNCIL MTG DAY 2

Last Name	First Name	Email Address
BENNETT	PAULITA	pbennett-martin@oceana.org
BENNETT	PAULITA	edgy@perryrubberbikeshop.com
Bianchi	Alan	Alan.Bianchi@ncdenr.gov
Bonura	Vincent	SailRaiser25C@aol.com
Bubley	Walter	bubleyw@dnr.sc.gov
Burgess	Erika	erika.burgess@myfwc.com
Conklin	Chris	conklinsafmc@gmail.com
Cox	Jack	dayboat1965@gmail.com
DeVictor	Rick	rdevictor@yahoo.com
Diaz	Dale	Saltwaterlife@live.com
Dixon	Michael	mike@engelcoolers.com
Fenyk	Cynthia	cynthia.fenyk@noaa.gov
Foss	Kristin	kristin.foss@myfwc.com
Foster	Dean	dfoster@pewtrusts.org
Guyas	Martha	martha.guyas@myfwc.com
Hart	Hannah	hannah.hart@myfwc.com
Helies	Frank	frank.helies@noaa.gov
Hemilright	Dewey	fvtarbaby@embarqmail.com
Hudson	Rusty	DSF2009@aol.com
Knowlton	Kathy	kathy.knowlton@dnr.ga.gov
Laks	Ira	captainira@att.net
Lindh	Ryan	nativetrade@bellsouth.net
Mayer	Greg	greg@fishinfrenzy.com
McGovern	John	John.McGovern@noaa.gov
Mehta	Nikhil	nikhil.mehta@noaa.gov
Ralston	Kellie	kralston@asafishing.org
Reynolds	Jon	tagem4@yahoo.com
Rock	Jason	jason.rock@ncdenr.gov
Sapp	Art	artsappsafmc@gmail.com
Seward	McLean	mclean.seward@ncdenr.gov
Smart	Tracey	smartt@dnr.sc.gov
Surrency	Ron	captronacc@gmail.com
Takade-Heumacher	Helen	htakade@edf.org
Witaker	david	David.Whitakersafmc@gmail.com

iverson	kim	kim.iverson@safmc.net
moss	david	david@smoss.com
vara	mary	mary.vara@noaa.gov

**SEDAR**

Jesscia McCawley, Chair  
Mel Bell, Vice-Chair  
Robert Beal  
Roy Crabtree  
Tim Griner  
Doug Haymans  
Steve Poland  
Staff contact: John Carmichael

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Chris Conklin  
Doug Haymans  
Jessica McCawley  
LCDR Jeremy Montes  
Roy Crabtree  
David Whittaker  
Spud Woodward  
Staff contact: Chip Collier

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✓ LCDR Jeremy Montes  
✓ Steve Poland  
✓ Art Sapp  
✓ David Whittaker  
✓ Spud Woodward  
Mid-Atlantic Liaison:  
✓ Tony DiLernia  
✓ Dewey Hemilright  
Staff contact: Myra Brouwer

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Anna Beckwith  
Doug Haymans  
Jessica McCawley  
Staff contact: Gregg Waugh

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Jesscia McCawley, Chair  
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Kyle Christiansen  
Chris Conklin  
Roy Crabtree  
Tim Griner  
LCDR Jeremy Montes  
Art Sapp  
David Whittaker  
Staff contact: Christina Wiegand

## Council Staff

### SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

#### Executive Director

✓ Gregg Waugh  
gregg.waugh@safmc.net

#### Deputy Director-Science & Statistics

✓ John Carmichael  
john.carmichael@safmc.net

#### Deputy Director-Management

✓ Dr. Brian Cheuvront  
brian.cheuvront@safmc.net

---

#### Fishery Scientist

✓ Myra Brouwer  
myra.brouwer@safmc.net

#### Admin. Secretary/Travel Coordinator

Cindy Chaya  
cindy.chaya@safmc.net

#### Purchasing & Grants

Kimberly Cole  
kimberly.cole@safmc.net

#### Fishery Scientist

✓ Dr. Chip Collier  
chip.collier@safmc.net

#### Outreach Specialist

Kelsey Dick  
kelsey.dick@safmc.net

#### Fishery Biologist

✓ Dr. Mike Errigo  
mike.errigo@safmc.net

#### Fishery Economist

✓ John Hadley  
john.hadley@safmc.net

#### Outreach Specialist

Kathleen Howington  
kathleen.howington@safmc.net

#### Public Information Officer

✓ Kim Iverson  
kim.iverson@safmc.net

#### Administrative Officer

✓ Kelly Klasnick  
kelly.klasnick@safmc.net

#### Senior Fishery Biologist

✓ Roger Pugliese  
roger.pugliese@safmc.net

#### Outreach Specialist

✓ Cameron Rhodes  
cameron.rhodes@safmc.net

#### Accounting

Suzanna Thomas  
suzanna.thomas@safmc.net

#### Citizen Science Program Manager

✓ Amber Von Harten  
amber.vonharten@safmc.net

#### Fishery Social Scientist

✓ Christina Wiegand  
christina.wiegand@safmc.net

#### SEDAR Coordinators

✓ Julia Byrd-julia.byrd@safmc.net  
Dr. Juie Neer-julie.neer@safmc.net

#### Administrative Officer

✓ Mike Collins  
Mike.collins@safmc.net

LCDR.Jeremy Montes  
U.S. Coast Guard  
909 SE 1st Ave.  
Miami, FL 33131  
(305)415-6788(ph); (305)710-4569(c)  
Jeremy.J.Montes@uscg.mil

Stephen Poland  
NC Division of Marine Fisheries  
PO Box 769  
3441 Arendell Street  
Morehead City, NC 28557  
(252)808-8011 (direct); (252)726-7021 (main)  
Steve.Poland@ncdenr.gov

Art Sapp  
2270 NE 25th St.  
Lighthouse Pointe, FL 33064  
(954)444-0820 (ph)  
artsappsafmc@gmail.com

Deirdre Warner-Kramer  
Office of Marine Conservation OES/OMC  
2201 C Street, N.W.  
Department of State, Room 5806  
Washington, DC 20520  
(202)647-3228 (ph)  
Warner-KramerDM@state.gov

David Whitaker  
720 Tennent Street  
Charleston, SC 29412  
(843)953-9392  
david.whitakersafmc@gmail.com

Spud Woodward  
860 Buck Swamp Road  
Brunswick, GA 31523  
(912)258-8970 (ph)  
swoodwardsafmc@gmail.com

DR JACK MCGOVERN

DR MARCEL REICHERT

RICK DEVICTON

SHER GRIMES

NIK MENTA

MONICA-SMIT BRUNELLO

DR. GEORGE SEEBERRY

DR ERIK WILLIAMS

ERIKA BURGESS

DR. CLAY PORCH

DALE DIAZ

mike Larkin

David Moss

## 2018 Council Members

### SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

#### CHAIR

Jessica McCawley  
Florida Fish and Wildlife Conservation  
Commission  
2590 Executive Center Circle E.  
Suite 201  
Tallahassee, FL 32301  
(850)487-0554 (ph); (850)487-4847 (f)  
Jessica.mccawley@myfwc.com

#### VICE-CHAIR

Mel Bell  
SCDNR-Marine Resources Division  
P.O. Box 12559  
217 Ft. Johnson Road  
Charleston, SC 29422  
(843)953-9007 (ph); (843)953-9159 (fax)  
bellm@dnr.sc.gov

Robert Beal  
Executive Director  
Atlantic States Marine Fisheries Commission  
1050 N. Highland St.  
Suite 200 A-N  
Arlington, VA 22201  
(703)842-0740 (ph); (703)842-0741 (f)  
rbeal@asmfc.org

Anna Beckwith  
1907 Paulette Road  
Morehead City, NC 28557  
(252)671-3474 (ph)  
AnnaBarriosBeckwith@gmail.com

Chester Brewer  
250 Australian Ave. South  
Suite 1400  
West Palm Beach, FL 33408  
(561)655-4777 (ph)  
wcbsafmc@gmail.com

Dr.Kyle Christiansen  
150 Cedar St.  
Richmond Hill, GA 31324  
(912)756-7560 (ph)  
christiansensafmc@gmail.com

Chris Conklin  
P.O. Box 972  
Murrells Inlet, SC 29576  
(843)543-3833  
conklinsafmc@gmail.com

Dr.Roy Crabtree  
Regional Administrator  
NOAA Fisheries, Southeast Region  
263 13th Avenue South  
St. Petersburg, FL 33701  
(727)824-5301 (ph); (727)824-5320 (f)  
roy.crabtree@noaa.gov

Tim Griner  
4446 Woodlark Lane  
Charlotte, NC 28211  
(980)722-0918 (ph)  
timgrinersafmc@gmail.com

Doug Haymans  
Coastal Resources Division  
GA Dept. of Natural Resources  
One Conservation Way  
Suite 300  
Brunswick, GA 31520  
(912)264-7218 (ph); (912)262-2318 (f)  
haymanssafmc@gmail.com

Dr.Wilson Laney  
U.S. Fish and Wildlife Service  
South Atlantic Fisheries Coordinator  
P.O. Box 33683  
Raleigh, NC 27695  
(919)515-5019 (ph); (919)515-4415 (f)  
Wilson\_Laney@fws.gov