

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPER COMMITTEE

**Westin Jekyll Island
Jekyll Island, Georgia**

March 4-6, 2019

SUMMARY MINUTES

Snapper Grouper Committee

Jessica McCawley, Chair
Anna Beckwith
Dr. Kyle Christiansen
Dr. Roy Crabtree
Doug Haymans
Steve Poland
David Whitaker
Tony DiLernia

Mel Bell, Vice-Chair
Chester Brewer
Chris Conklin
Tim Griner
LCDR Jeremy Montes
Art Sapp
Spud Woodward
Dewey Hemilwright

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Gregg Waugh
John Carmichael
Julia Byrd
Dr. Mike Errigo
Kim Iverson
Roger Pugliese
Christina Weigand

Dr. Brian Chevront
Myra Brouwer
Cierra Graham
John Hadley
Kelly Klasnick
Cameron Rhodes

Other observers and participants attached.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at the Westin Jekyll Island, Jekyll Island, Georgia, Monday morning, March 4, 2019, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: Let me read the committee members. It's pretty much all of us, but it's myself, Mel Bell, Anna Beckwith, Chester Brewer, Kyle Christiansen, Chris Conklin, Roy Crabtree, Tim Griner, Doug Haymans, Wilson Laney, Lieutenant Jeremy Montes, Steve Poland, Art Sapp, David Whitaker, Spud Woodward, and Tony DiLernia and Dewey Hemilright are on the committee, and so pretty much all of us.

The first order of business is Approval of the Agenda. Any changes or modifications to the agenda? Any objections to approval of the agenda? Seeing none, the agenda stands approved. The next order of business is Approval of the December Committee Minutes. Any changes or questions for the committee minutes? Any objection to approval of those minutes? Seeing none, the minutes stand approved, and our next order of business is Status of Commercial Catches Versus ACLs, and, Rick, is that you?

MR. DEVICTOR: Yes, that's me. Thank you, and good morning everyone. As I normally do, I will go through some of the commercial landings received to date. The report is in your briefing materials, Tab 2, Attachment 1, and we have updated that with landings through February 26, and Myra is showing that on the screen there.

Just going through some species and highlighting where ACLs are slated to change, and, on the right-hand side, as we normally set it up, you can see where preliminary commercial landings have ended up and what percent of the ACL that is and dates we have closed or stepped-down trip limits. Just highlighting some more important species, for black sea bass, we are at 8 percent of the ACL, and you can see we ended up at 37 percent last year, and we have, under proposed ACL, that is to change it to 326,800, and that's something we're working on, and we'll talk in a moment about that, through Abbreviated Framework 2.

Blueline tilefish, we're at 10 percent for that. We went over a bit, 106 percent, and, again, that's preliminary landings, and we closed that on August 22 of last year. Golden tilefish hook-and-line, we're currently at 26 percent, and you can see where we ended up, at 94 percent, last year, where we closed in August. Golden tilefish longline, this is something we're keeping an eye on right now, and look out for a closure possibly in the next two to three weeks or so, and we're at 82 percent with data, through February 26. Last year, we closed on March 25.

Gray triggerfish, again, that's two six-month seasons, and we're at 54 percent, and we closed down in June of last year, and we ended up at 102 percent. Hogfish, you can see the percentages there. It's 6 percent for the Georgia/North Carolina and 2 percent for the Florida Keys/east Florida stock. Again, this season just started a few months ago. Red grouper, you can see we have the 66,000 pounds in there, and that was changed through Abbreviated Framework 1, and, of course, groupers are closed. Red snapper, if you go to the right-hand side of the table, you can see that it closed on November 7, and then we reopened on December 5 and closed after ten days, and we ended up at 100 percent for red snapper for the commercial sector.

Snowy grouper is at 24 percent, which is in line to where we were last year at 23 percent. There are just a few more. Vermilion snapper, again, that's two six-month seasons, and so you can see

where we're at for that, at 40 percent, and, finally, for yellowtail snapper, we're currently at 54 percent, where last year we were at 71 percent around the same time, and we closed yellowtail snapper on June 5. That concludes my report, and I would be happy to answer any questions on commercial landings.

MS. MCCAWLEY: Thanks, Rick. Any questions?

MR. DILERNIA: On the golden tilefish, I see the ACL is 248,805. Has that changed in recent years, or has that ACL been consistent over the past few years?

MR. DEVICTOR: Yes, that was changed just last year. We did an interim rule, and then we weren't ahead and did Regulatory Amendment 28 that put in that change. Yes, we did reduce it.

MR. DILERNIA: Was the change an increase or a decrease in the ACL?

MR. DEVICTOR: It was a decrease.

MR. DILERNIA: Can you tell me how much, approximately?

MR. DEVICTOR: You can see in the table right there, and so, for hook-and-line, it looks like it went from 135,000 down to 78,000, if I have that right, and longline was 405,000, and it was about cut in half.

MR. DILERNIA: Thank you.

MS. MCCAWLEY: Are there more questions for Rick? Next up, we have Status of Amendments Under Formal Review, and we're back to Rick.

MR. DEVICTOR: I will just keep going. I have three amendments to report on. First is Abbreviated Framework 2. As you know, we changed the ACLs for black sea bass and vermilion snapper because of recent stock assessments and changes to the ABC recommendations. The proposed rule published on February 19, and comments are due this week, March 6, and so, of course, after that comment period ends, we'll respond to those comments and publish a final rule and have an effective date in that final rule.

The two visioning amendments, first going through Regulatory Amendment 27, which, of course, is the commercial visioning amendment, it considers changes, including split seasons for several deepwater species, greater amberjack and red porgy, modifying trip limits for several species, changing size limits, and you all approved that in September of 2018, and we received that package and the document on January 25, and we're working on that proposed rule package right now.

Finally, Regulatory Amendment 26, this is the recreational visioning amendment, and it considers changes to the recreational sector, including modifying aggregate bag limits, seasonal closures, and minimum size limits. The council approved that in December, and we're waiting to receive that, and, of course, once we receive that framework amendment, we will start the proposed rule package.

MS. MCCAWLEY: Thanks, Rick. Any questions on the amendments under review? All right. Then we're going to move on. Next up is the Update on the 2019 Red Snapper Season.

MR. DEVICTOR: Last one. Is Mark Larkin on the line? I am going to start off with the report, and then I'm going to turn it over to Dr. Larkin in the LAPP Branch at SERO to go over some information. There is going to be a Fishery Bulletin that is going to come out shortly here, and we're going to announce the opening of the recreational and commercial red snapper seasons in the South Atlantic.

The recreational sector will be open for five days, and so that will be July 12, 13, and 14, which is a Friday, Saturday, Sunday, and then July 19 and 20, which is a Friday and Saturday, and so, again, five days for the recreational sector. The commercial sector will open for harvest on July 8, and that's the second Monday in July, and it will close down on January 21, unless the catch limit is projected to be met or met, in which case we'll send out a bulletin announcing that closure. Again, the commercial sector opens up on July 8.

Just reminding you on some of the regulations during these seasons, the recreational bag limit will be one red snapper per person per day, and, of course, this applies to private and charter boat/headboat vessels. The captain and crew on for-hire vessels may retain the recreational bag limit, and, finally, the commercial trip limit will be seventy-five pounds gutted weight, and there are no minimum size limits for the recreational or the commercial sectors. Again, look out for this Fishery Bulletin, which should come out shortly. The Federal Register notice was filed this morning at 8:45. Like I said, Mike Larkin is going to be available to go through some slides describing where the five days from the recreational sector came from.

MS. MCCAWLEY: Thanks, Rick.

MR. HAYMANS: (Mr. Haymans' comment is not audible on the recording.)

MS. MCCAWLEY: Myra, I don't know if you heard Doug's question, but he was asking if this presentation was going to be in the late materials.

MS. BROUWER: Yes, and we had not gotten the go-ahead to post it yet. We were waiting for SERO to issue that Fishery Bulletin, but it will be posted shortly.

MR. DILERNIA: Regarding the recreational possession limit of red snapper, it's one fish per person, and there is no minimum size limit. Is there a discard prohibition or discarding is permitted? In other words, you can -- A small fish -- Are you required to retain a small fish, or can you discard it? There is no minimum size.

MR. DEVICTOR: Right, there is no minimum size limit with red snapper, exactly. Of course, you can throw back fish. You are not required to retain them.

MS. BECKWITH: I just wanted to bring to the attention of the council that I did receive quite a bit of public comment to my email and phone calls about the red snapper recreational season opening after the commercial season, and the general sense was that the recreational community, at least in North Carolina, would have preferred to see the recreational season open first and then followed by the commercial season, since ours is more limited, for a couple of weekends.

There was some perception that the recreational community had more difficulty encountering red snapper, because the commercial folks had had a week, or a couple of weeks, of access to them first, and so, again, that's just public comment that I received, and I wanted to share that on the record, and that's my piece.

MS. MCCAWLEY: Thank you, Anna. I share a similar concern. Do we have more questions before we get the presentation from Mike?

MR. BELL: I was just going to ask what the rationale was for setting it up that way.

MR. DEVICTOR: You're talking about starting the season on the second Monday for commercial and the second Friday for recreational? That was done through Amendment 43 and then first done through Regulatory Amendment 28, to have the seasons, and I think the council just wanted to have a specific day to start the season, so people would know when it starts every year, and just during the summer was the time chosen, and I can't recall what the exact rationale for the Friday and Monday was.

DR. MCGOVERN: I think the council also wanted it to follow the 4th of July, when there would be really intense fishing then.

MR. BELL: One of the things we did here was the predictability aspect of it, or the ability to plan ahead, and so I get that.

MS. MCCAWLEY: Are there more questions before we get the presentation?

MR. SAPP: It seems to me that we can't have it both ways. You can't say that things are so abundant that we've got to go fishing for them and then say, wait a minute, we can't find them if the commercial guys get them first. The fish are plentiful, and there is no issue with anybody starting first, I don't think, in that fishery.

MS. MCCAWLEY: Any more questions? Myra, are we ready for Mike?

DR. LARKIN: I will go over a real short presentation about the South Atlantic red snapper 2019 recreational season. Amendment 43 in 2008 implemented the ACL, the recreational ACL, and it was set at 29,656 fish. It's not in weight, but it's in fish, and it's only 29,000 fish is the current ACL that we're managing to.

What did we have in 2018? We had a six-day season, August 10, 11, 12, 17, 18, and 19. We had MRIP going on and the Southeast Region Headboat Survey going on at the same time as state surveys during the mini-season, and, really, following the methods set up by the Science Center, we looked at, for example, in each state -- With their MRIP data and no state survey data, in that case you would use MRIP. If there was state survey and no MRIP data, then you would go with the state survey data. If there was both, then you would look at sample size and variance and see if there were any differences and then choose which data is most accurate to reflect what we saw in the fishery.

This little table I have here is 2018 for each state, and so, in North Carolina, we're going with MRIP data. In South Carolina, it's South Carolina survey data, and that was available. In Georgia, there was survey data available. In Florida, the Florida state survey was done, and so these are the state surveys done during the mini-season. Then SRHS is the -- That covered the headboats. The MRIP and state surveys covered the charter and private, and I will show you this data on the next slide.

Here is the data that we're using for 2018, and we're really using 2018 as a proxy for what we expect in 2019. As I'm sure all of you are aware, we've had a lot of closures and a lot of changes and openings in different months with very short seasons, and so it's very data poor. In fact, if you want to go back to when it was last open in July, you have to go all the way back to 2014, and it was a very short season, but, anyway, using the 2018 data, you can see North Carolina is using MRIP, and it's 402 fish, and this is all in numbers of fish, by the way. The South Carolina state survey was ninety-six fish, and the Georgia state survey was 405 fish, and the Florida state survey was 33,234, and then you can see 4,000 fish from the headboat survey.

Summarizing all that up, what happened in 2018 is we had a six-day season, with 38,000 fish, and this is still preliminary. The only state survey is -- I would say the Florida survey, that 33,000 fish, is complete, but I would consider everything preliminary, but, anyway, you're looking at what we saw in 2018 with the six-day season is we exceeded the ACL of 29,656 fish, and so keep that in mind.

Using that as the best available data, the last year, and we talked earlier about closures and changes to when the season is open, and how did we predict what we have in 2019? Well, looking at the last six years, when we've had a federal season, outside of that federal season, there has been about 1,000 fish harvested outside of the season, and so, therefore, in some years it's a little less, and some years it's a little more, but, roughly, it's about 1,000 fish that occur outside of the federal season, and so, using that, just assuming that trend is going to continue, that 29,000 ACL is already reduced down to about 28,656, and so that's the target that we're shooting for within the federal season, and so assuming 1,000 will occur outside of the season.

Then, using the preliminary 2018 data that I just showed you in the previous slide, we estimate there will be about 6,386 fish caught per day, how many red snapper we estimate will be caught every day, and so then you just do the simple math equation with that ACL of 28,656 fish during the federal season, and we divide that by the catch rate per day, and we estimate -- We round that up to about a five-day season. That is kind of the simple math behind it, and I will be happy to take any questions. That's how we get the five-day season.

MS. BECKWITH: If we're going to do a five-day season, would that be Friday, Saturday, Sunday one weekend and then Saturday and Sunday the following weekend, or does it have to be Friday and Saturday?

MS. MCCAWLEY: That's a good question. They already mentioned that it was Friday, Saturday, Sunday, and then I think Friday and Saturday of that second weekend, and I'm not sure of the rationale on why. Good question. I don't know who wants to answer whether we have to, on the second weekend, only do Friday and Saturday, and could we not do Saturday and Sunday, and that was the question, and so I'm not sure who wants to answer.

MR. DEVICTOR: For this season, I don't think we want to change it, because it went through, and the notice is out, and we're going to send the bulletin out. Now, if the question is, in the future, can we do that, there may be flexibility there, where we said the weekends -- We call it a weekend, and it will be Friday, Saturday, and Sunday, and consecutive weekends, and there may be some language in there, and I would have to check that, but there may be flexibility for us, and we'll have to talk to the council before each year if you want to skip that second Friday and go with a Saturday and Sunday.

MS. MCCAWLEY: More questions?

MR. DILERNIA: Can someone help me understand how the landings from the different states can vary so drastically from say Florida to some of the other states? The table that was up there showed some of the other states with like 405 fish, and Florida was at 33,000 fish, and, as a part-time resident of Florida, I know we're good at catching fish, but that's a lot more fish than anybody else is catching, and can anyone help me understand that?

DR. MCGOVERN: The core of the distribution for red snapper is off of the northern part of Florida and the southern part of Georgia, and so I think that's the basic reason. That's where most of the fish are.

MR. CONKLIN: Jack or Rick, did you all take into account that the Florida state waters are open for red snapper and some of those landings may have come from state waters and the recs may not have exceeded their ACL, or does it matter?

DR. MCGOVERN: I think Mike can --

DR. LARKIN: I did look at that, but it looks like we're getting them from federal waters, and so it's very rare are they coming from state waters. I mean, there are cases, but especially the 2018 landings look to be coming from federal waters.

MR. CONKLIN: I had a question for the North Carolina folks. I am wondering why there is no state survey data. If you guys don't have a program, are you planning on paying attention -- I mean, you know, looking for the snapper this coming season?

MR. POLAND: We do have a red snapper program, and that program is focused on collecting biological samples of the species. It is not a statistical survey, and so we cannot get estimates of catch. Basically, the program is our carcass collection drop-off, and so it's completely voluntary to the angler. We did not feel comfortable just providing those counts as our counts of recreational catch, just because it's biased, inherently, being it's a voluntary program.

We would certainly like to, in the future, maybe come up with a way to get a red snapper estimate during the five days, but it's just really difficult to implement something like that for five days out of 365 days, because we've got a limited amount of APAIS interviewers, and to pull them off to do that, but something the state is interested in is looking at some type of recreational reporting, either through a reporting app, mandatory reporting that way, to help us with these short seasons and these rare-event species, to improve that, but, no, we did collect red snapper, and we've got carcasses, and we're collecting tissues and that kind of stuff, and we've got counts, but, again, it

just wasn't set up in a statistical survey way, and so I don't have confidence in just providing that count.

MR. CONKLIN: Thanks, and I didn't mean pay attention, but I meant -- But you did answer my question, and thank you, and I have another question. Will we be receiving a report from MyFishCount, or we've already done that for the last season?

MS. MCCAWLEY: I thought we got it at the last meeting. Are there more questions on the presentation?

MR. HAYMANS: I was quickly trying to scan 43, Rick, to find the paragraph that says what the Regional Administrator can determine as far as the days goes, and I'm still skimming that, but my colleague to my left here had an excellent idea, and I don't know that we ever discussed it in the past, but, with that five days, why can't we make it two Saturday and Sundays and a Saturday scattered across three weekends, for foul weather issues? If you're coming out with the notice now, that's three months in advance, and we can change that if we need to, and I wanted to see if the language was in 43 that allowed that, and can you tell me exactly where I can find that, as I'm skimming here? Basically, the language that allows the Regional Administrator to pick the days.

MR. DEVICTOR: We also need to look to the rules, the proposed and final rule of 43, and the specifications, but I know we had sections in 43 and Regulatory Amendment 28, a little text box that said how this process would work, that outlined some of those details that is in the beginning of the document, Chapter 1.

MR. WAUGH: We can make sure and re-send the final MyFishCount report as well, but I just wanted to let everybody know that we'll be making a big push again for people to sign up and report using MyFishCount for this season, and, just like before, after that first weekend, you will get a report on what has been reported in terms of catches and trips.

MS. MCCAWLEY: Thanks, Gregg. Are there more questions or comments? Doug is still looking for the rule over there. Any more questions or comments?

MR. WOODWARD: Since I am the one that sort of brought it up, if there was something that did not expressly prohibit it, would it be feasible to stretch the five days over three weekends? I mean, is that something that people would like to consider doing, if it's allowable?

MS. MCCAWLEY: I definitely think that I would.

MR. POLAND: I feel like, from North Carolina's perspective, we would definitely like to see that, because I feel like, the last couple of years, the weather has just been atrocious up our way, and, even last year, we had six days, but our guys could only fish two of those days.

DR. MCGOVERN: One thing to consider, if you just do Saturdays and Sundays, is the catch rates will be higher, and so I think that would affect the analysis that Mike does, in terms of the number of days that would be allowed.

MS. MCCAWLEY: I see that we still have people looking for the actual rule on this side of the table, to figure out what we can do.

MR. POLAND: I said earlier our guys, but our guys and gals, too. My daughter is three, and she's fishing now, and so --

MS. MCCAWLEY: While folks are searching for the rule, and I see that's still happening over here, maybe we can come back to this discussion later in the meeting, and thank you, Mike, for the presentation. I think, if there isn't anything else at this time on the 2019 red snapper season, then we will move on to Regulatory Amendment 29, which is the best fishing practices and powerheads, and Christina is coming up here.

MR. HAYMANS: Just the last comment, and I'm sorry that it was in the background, but, if we did only Saturdays and Sundays, Rick, and I guess it was you, that affects the catch rates, but what we saw is five days, and it was averaged on the catch rates, and it wasn't dependent on the day. It was 6,800 fish per day, and so that shouldn't have an effect, if we move it to a Saturday and Sunday only, right?

MR. DEVICTOR: If Mike Larkin is still on, I think this would be a good question for Mike, to ask him if it would change the allowable days.

DR. LARKIN: The data is really kind of pulled together, and it assumes a uniform distribution, and it assume that the catch rates are the same every day, but, in reality, I think the catch rates are much higher on Saturday and Sunday. The surveys are set up so that you kind of pull together the catch rates on Friday, Saturday, and Sunday, but, in reality, they're probably much higher on Saturday and Sunday, and so I think, if you did open up Saturday, Sunday, Saturday, Sunday, and Saturday, I think you would hit the ACL much sooner. I think, in reality, they are higher on the weekends than on Friday, and so I think you would have higher catch rates and more likely to hit the ACL.

MR. WOODWARD: But, if you look at the catch estimates, isn't it fair to say that Florida is basically driving this? I guess I'm looking at it from the perspective of the states to the north, where are much more vulnerable to weather, and I guess, if our catch rates were analyzed separately, it would probably be lesser catch rates per unit of effort, I would think, and so -- I mean, I certainly understand that it's all lumped together and averaged, but, in terms of -- We have seen in the past how states to the north have lost some fishing opportunity, due to weather, and so, if there's any way that we can spread this out over time, I think it would be beneficial, and, obviously, not to the detriment of the stock, but it's something that I would like for us to at least consider.

MS. MCCAWLEY: Thanks, Spud. I think maybe we can -- As we're moving through the meeting, folks can look up the previous rule, and we can figure out what the flexibility is, and then, if we need to discuss it more, we certainly can.

DR. MCGOVERN: I have the rule, and I can read you what it says in the rule. It says the commercial season will begin on the second Monday in July, unless otherwise specified, and the recreational season -- It says, each year, NMFS will announce the season opening dates in the Federal Register. The commercial season will begin on the second Monday in July, unless otherwise specified, and the recreational season, which consists of weekends only, Fridays, Saturdays, and Sundays, begins on the second Friday in July, unless otherwise specified, and

NMFS will project the length of the recreational season and announce the recreational season end date in the Federal Register.

MS. MCCAWLEY: Thanks, Jack.

MR. HAYMANS: “Unless otherwise specified” gives us the leeway, gives the RA the leeway?

MS. MCCAWLEY: I don’t know if it’s us the leeway or Roy the leeway. I am not sure who has the leeway here. Who has the leeway? Is it the council suggesting? Does that mean leeway, or is the leeway to Roy? What is it?

MR. GRIMES: I would say, ultimately, from a regulatory perspective, it’s always with the agency, because the agency has decision-making authority over it, but I think -- I wouldn’t want to try to interpret this based just on what is presented there. I would want to look back at Amendment 43 and the rest of it, and I have not covered any of this, and so I’m not up-to-speed on it, and Monica will be, but, at this point, I wouldn’t want to offer an interpretation.

MS. MCCAWLEY: Thanks, Shep. It sounds like we definitely need to come back to this. It seems like there may be some wiggle room there. Maybe, at the very least, we can give direction, but I think we need to come back to this discussion. I see folks still caucusing on this side of the table, and then maybe we can get some more direction when Monica gets here. Are we ready to move on for now?

MR. CONKLIN: If the bulletin is already out and been published, don’t you think that a lot of people have already booked trips, because I know people were chomping at the bit to know the dates. If they’re already published, then it may take away some credibility if we do go back, but it really doesn’t matter to me.

MS. MCCAWLEY: I appreciate that. I think that folks are talking about for the 2020 season, but maybe I am wrong. I don’t know what people -- I see some looks over here, and so, the Georgia contingent, were you all talking about the 2019 season or the 2020 season?

MR. HAYMANS: From my perspective, the 2019. I understand Chris’s point, but the notice hasn’t published yet. The notice is coming out today, he said.

MR. DEVICTOR: The notice filed this morning, and it’s scheduled to publish tomorrow, and, the bulletin, we were going to send it out shortly after we announced it here.

MR. HAYMANS: I mean, I’m not trying to throw a fly in the ointment, but it was just a really good idea to try to scatter it over three weekends rather than two. Let’s move forward with 2019, and we’ll see if we can’t make a change in 2020, and that’s fine.

MS. MCCAWLEY: Is there no ability to pull it back now?

MR. DEVICTOR: I think we would have to publish a correction in the FR, wouldn’t we? Shep says yes.

MS. MCCAWLEY: All right. To be continued on the red snapper discussion, I think, as we move through this committee and through the week. I am going to move on to best fishing practices, and I'm going to turn it over to Christina.

MS. WIEGAND: Good morning, everyone. As we have been doing the past few meetings, I am going to give you just a real brief overview of what's in this amendment, since it's been a couple of meetings since you've seen it, and we've got a lot to go over with it. If you will remember, you last saw this in October, and you reviewed the scoping comments from the scoping webinars, and you approved three full actions and alternatives for analysis, and you did not approve an action that was in there to specify allowable rigs, and so that's been removed from the document.

This is sort of the timing we're looking at. Right now, you guys are going to review the draft amendment and make any modifications and select preferred alternatives and consider whether or not you're comfortable with the amendment document enough to approve it for public hearings. If you do, then we would be looking at public hearings sometime in the spring, and then you could review those in June or September and consider approval for final review. At this meeting, we're going to need you to review the purpose and need statement, and I will go over that in a minute, the actions and alternatives, and then select your preferreds.

These are the actions that are currently in the amendment. Action 1 specifies requirements for descending devices and/or venting devices. You have got Action 2, which looks at modifying the requirements for non-stainless steel circle hooks, and then Action 3 looks at adjusting the powerhead prohibitions.

With that, we will dive into the document, and I will jump into the purpose and need. Right now, the purpose is to modify gear requirements for the snapper grouper fishery to promote best fishing practices and to ensure consistent regulations for the dive components of the snapper grouper fishery. The need is to reduce discards and discard mortality of snapper grouper species and to decrease the burden of compliance with differing regulations for the dive component of the snapper grouper fishery while minimizing, to the extent practicable, adverse social and economic effects.

One of the things you guys will need to consider with the purpose and need is, right now, you've got some alternatives in the circle hook action that don't necessarily match this purpose and need, and so we can review this now, or, if you would like, we can get into the actions and alternatives, and then, once you guys have made a decision there, come back to the purpose and need.

MS. MCCAWLEY: I like the idea of coming back to it after we look at the various actions. I don't see any other hands in the air.

MS. WIEGAND: All right. Then we'll jump into Action 1, and this looks at specifying requirements for the use of descending devices and/or venting devices. You have got the no action alternative, an alternative that would require descending devices to be onboard, with sub-alternatives for each of the different sectors, and then Alternative 3 would require a venting device to be onboard and then all of the different sectors.

The definitions here for descending device and venting device match those that the Gulf used in their policy, per direction from you guys in October, and we did get the effects analysis done, and a big thank you to NMFS. They worked very hard after the shutdown to get this done. As far as

the biological effects, again, it sort of depends on which paper you read, but a literature review of a huge number of publications found that, in general, both venting and descending have a positive effect on discard mortality when used correctly. From a protected species standpoint, they're also likely to reduce the risk of adverse effects to Nassau grouper. The economic effects and the social effects are both sort of driven by the cost of purchasing these devices balanced with the long-term benefits of a sustainable fishery.

We did have the Snapper Grouper Advisory Panel review this amendment at their October meeting, and I want to highlight two things that they discussed. They did spend a lot of time focusing on whether these devices -- The "rigged and ready for use" phrase that's in the definition and how important it was that that was enforceable, and they also passed a motion to recommend that the council request NMFS address descending device usage through MRIP for-hire logbooks, commercial logbooks, and things like that, to look at compliance rates and the types of devices that were being used.

I just want to make a note here that public comment has also focused a lot on needing a research plan for how use of these devices is going to be incorporated into stock assessments, and so, if it is the will of the council, you all could direct staff to put together a draft research and monitoring plan, working with our counterparts at NMFS.

As was discussed during the I&E meeting, the AP also went over this, and the one thing I will highlight here is they were asked directly whether they thought the council should go the outreach route, sort of the way that the Gulf Council has gone, or formal regulations, and there were a mix of opinions. Some AP members felt that it was very important to have formal regulations and accountability, while others felt that a sense of personal motivation was important as a way to get fishermen sort of to buy into using these devices, and a phase-in approach was suggested, where you start with outreach and then perhaps move to formal regulations. That is where I will stop for now.

I did speak with Monica, and she had a couple of comments that she wanted brought up, and I'm sure that Shep can elaborate on this if I miss anything. Just a note that this should perhaps be listed as fishing for or possessing species in the Snapper Grouper Fishery Management Unit, as opposed to just possessing. Then, as I said, these definitions match the Gulf definitions, and it does say, right here, the device can be a weighted hook, lip clamp, or box, and it was suggested that we just add "can be, but is not limited to", to add some flexibility in there. With that, I will --

MS. MCCAWLEY: Thank you, Christina.

MR. BREWER: Number one, I think it's extremely important that there be some sort of research plan in place. I mean, the reason that we're doing all of this is to reduce discard mortality, so that we can hopefully have longer seasons, and the bridge between the use of the devices and the longer season is a research plan, so that we can get a better idea of what release mortality actually is. Then I have a question. Could you go back to where we were talking about the circle hooks? We haven't discussed that part yet, but --

MS. WIEGAND: We're not to circle hooks yet, but I promise we'll get there.

MR. BREWER: Okay. Then I will be quiet.

MR. POLAND: A question and then a comment. When will the Law Enforcement AP comment on this? Do we know?

MS. BROUWER: We are still in the process of scheduling that meeting. I think we're looking for May, and, this amendment, you guys still have a chance to approve it for public hearings, and so it would be a good time, once the actions and alternatives have been fleshed out after this meeting, for the Law Enforcement AP to provide their recommendations.

MR. POLAND: Thanks. My comment is I really like the idea of adding language in there that the descending devices should be rigged and ready. I mean, I just feel like, if not, it's just going to be a compliance issue, with just another device that needs to be on a boat, and, when they get boarded, it's a let me go find it real quick and here it is kind of thing, and I know you can lead a horse to water, but I just feel like, if it's on a rod and ready to go -- I mean, the rod might sit there all day long and never get touched, but at least it's there, and they have to see it and move around it and that kind of stuff, and sometimes you've got to just take the horse and just shove his head in the water.

MR. BREWER: I agree, and you almost took the words out of my mouth, Steve. I would like a specific request to go to the LE AP that they give us advice with regard to how do you enforce properly rigged and ready.

LT. FAIR: Lieutenant Fair from the Southeast Regional Fisheries Training Center. As a member of the I&E, as well as the LE AP, I completely agree, and we had this discussion a couple of months ago, and the only comment I will make is that it should be rigged and ready. I think the terminology would be "shall be rigged and ready", so it is something that, upon a boarding, it either is or it isn't, and it's a regulatory requirement that is enforceable. If it's "should", it's subject to interpretation.

MS. MCCAWLEY: Thank you. Good points.

MR. WOODWARD: This definition obviously has been adopted from a policy that is designed to increase compliance. From a law enforcement standpoint, is this definition so vague as to be difficult, if not impossible, to enforce when you're onboard a vessel? I mean, if I had a milkcrate with a dive weight tied to it, or zip-tied to it, and a rope tied to it, have I technically got a descending device, even though it may not conform? I mean, I think that's something that you brought up, Lieutenant, and maybe that's going to be a -- You don't want to stifle innovation, but, at the same time, you've got to have some sideboards on something, that either it is or it isn't, and so that's a question, and I know this needs to be dealt more thoroughly by the AP, but just for the discussion now, if you wouldn't mind opining.

LT. FAIR: Part of the discussion was if we allow the ability for innovation and creating your own descending device, what is the inspection criteria for that, and we have inspection criteria for lobster traps that have got to be two-feet-by-two-feet-by -- How do I inspect that a descending device acts as a qualifying device? I think, further down in some verbiage, we talk about constructing qualifying devices, and what's a qualifying device? How do I know it's going to release the fish at thirty-three feet and things of that nature?

If we're going to require these things to be onboard to be used to put the fish at a lower depth, how do boarding officers determine that it meets the regulatory requirements? I just think that needs to be looked at. Otherwise, you're creating, like we said, something that might just sit there and never get utilized, and, if it's a behavior-modification technique, that's fine, but I would hate to just write a law for the sake of writing a law and it not be enforceable.

DR. CHRISTIANSEN: My only problem with rigged and ready, and this is a Georgia issue, and somewhat South Carolina and North Carolina too, but we're forty-five or fifty miles offshore to fish, and you guys usually don't check us there, and so, when we come in, we're stow everything, because we're running, again, forty miles in three to four-foot seas, and sometimes worse, and so rigged and ready -- Enforcement doesn't apply, because you obviously don't want this thing bouncing around in the back of the boat or anywhere else. I just think the spirit of the law is great, but the enforcement is going to be a nightmare, because you guys stop us when we come into the sound.

LCDR MONTES: Just looking on page 4, right out of the alternatives and the definition, it just says, just for clarification, rigged and ready for use while fishing is occurring, and so, if you're transiting to and from, I don't think that the rule would apply at that point. We would have to look into how we would still enforce it, if we would inspect to make sure that you at least had one onboard, if you were coming from or going to the fishing grounds, but I wouldn't want to leave it rigged the entire time either.

MS. BECKWITH: That does come back to Monica's point of wanting to add possession to that, while fishing for or in possession of, but that is a valid point, that it might be worth keeping it to while fishing, so you can stow them on the way back.

MR. GRIMES: Monica's suggestion to the wording was for the name of the action, to add harvesting or possessing, where, right now, it's just possessing, and so you could have someone out there fishing for snapper grouper, but, as long as they haven't caught any and possess them onboard the boat, they wouldn't be covered, whereas, harvesting or possessing or fishing for, whatever terminology you want to use, they don't actually have to have fish in their possession before they are subject to this requirement.

MS. MCCAWLEY: All right, and I see that that was added to the two different alternatives by Christina.

MR. CONKLIN: It seems, to me, that the only way that this could be enforceable, if the law enforcement likes it black and white, that the only thing we require is a commercially-manufactured tool that you buy in a store, and they would be approved devices by the council, and make that mandatory to be on the boat, and, if somebody else wanted to use their own homemade stuff, then that's fine, but, if you don't have the approved thing that every tackle shop can order from a distributor and get, and that's not onboard the boat, then that is how you write a ticket and say, well, okay, a milkcrate -- You don't have to go through wasting all these tax dollars on figuring out what is a descending device.

We have had them passed around the table here plenty of times, and, if somebody else comes up with something new and wants to bring it to us and put our stamp of approval on it, then we can add it at a later time, but that's the only way I see this being enforceable, and fishermen generally,

if they go through enough trouble to do this, if they're really stewards of the resource, they will be descending those fish, and I know that they will.

MS. MCCAWLEY: I think that what you're suggesting is that there be a list of approved devices, and, if you're going to allow homemade devices, then someone needs to be approving these devices, and is that what you are suggesting?

MR. CONKLIN: I am suggesting that we approve the things that you can buy in the tackle shop in a package, the name brand or whatever, and then that they have to be on there, and, if somebody else had a -- If like headboats wanted to use a basket with weights on it, well, that's fine, and they can use that, but, if they don't have our approved device onboard, whether they're using it or not, because it's impossible to figure out if somebody is using it or not, and, I mean, it's a great idea to require it, but it's just an enforcement nightmare. It's got to be black and white.

MS. MCCAWLEY: Okay. I see multiple hands in the air, but I have some concerns about that, about the council being in the business, or staff or NMFS, of approving all these different devices, especially homemade, et cetera. I just feel like this could be a long list.

MR. BREWER: On Action 1, in my view, for for-hire vessels and for -- I guess for-hire would include both guides and headboats, but I think that those different sectors are -- I hate to use that word, and I shouldn't have said it, but that those different groups should have the alternative to have either a venting device or a descending device onboard, particularly with headboats. I mean, those guys, they know how to vent fish, I'm pretty sure, and you may have like ten fish coming to the side of the boat all at the same time, and, with a headboat, they need to be able to vent those fish, and so I'm not sure that we captured, here in the language, the ability to have one or the other for those groups, and I do think that -- My personal opinion is private recreational need to have descending devices onboard, because, if they're like me, they don't know how to vent.

MS. MCCAWLEY: That's a good question.

MS. WIEGAND: In October, we did have an Alternative 4 down here that would have required you to have one or the other, which can be added back in, but, right now, if you select say Alternative 2, Sub-Alternative 2b and Sub-Alternative 3b, then they would have to have both onboard, the way it's written now, and so we would need a new alternative to give the option for one or the other.

MR. BREWER: Yes, I really do think so, yes, because you don't need the -- Like a six-pack guide may or may not know how to vent, and so they need to have the option of having one or the other.

MS. MCCAWLEY: So is that a motion to put that alternative back into the document?

MR. BREWER: **I would have to see that again, but it sounds like it's capturing what I'm talking about.**

MS. MCCAWLEY: Okay. I will take that in the form of a motion. Is there a second? It's seconded by Anna for discussion. Once again, I've got a long list, and we do have a motion on the board, but I'm going to keep running through my list.

MS. WIEGAND: Chester, do you want this motion to be specific to headboats, or would you like to see the suite of sub-alternatives like we have here?

MR. BREWER: I would like to, number one, that this -- In my motion, it would not apply to private recreational. It would only apply to charter/for-hire and headboats.

MS. BECKWITH: Chester, when we first pulled this one out during the last meeting, I think that part of the discussion was that, if we were going to have everybody be required to have a descending device, we weren't not allowing people to use venting. I mean, they could vent all they want, but the requirement was -- In order to keep it simple, and the regulations simple, it was going to be to require one descending device on each vessel, regardless of charter or headboat or whatever, and then, if they wanted or chose to vent, then that was certainly up to them, and so we weren't discouraging venting, but we were just encouraging the descending devices, and so I'm not sure that we actually need to put this back in. I think it's covered, and I'm okay with having the charter and the headboats have a descending device onboard, but I did support you for discussion's sake, but I just wanted to pull back the discussion when we bounced this one originally.

MS. MCCAWLEY: I don't remember it exactly that way, but that doesn't mean that it didn't happen, and, Chester, I'm not sure that this captures what you just said. She added "for charter/for-hire and for commercial vessels", and I thought you said for charter and headboats. Okay. We have a motion on the board, and it's been seconded. I am going to continue moving through my long list of people that I had to speak on this issue.

MR. DILERNIA: To build on what Chris was just saying, there is precedent regarding the requirement of equipment to be onboard a vessel. The Coast Guard requires that you have updated flares, and they require that you have a throwable device, and FCC requirements that an FM transmitter be compliant, and there are lots of compliant issues, and so to require an additional piece of equipment that is manufactured and meets a certain specifications is not unusual. I mean, the agency requires -- We were joking about turtles a couple of meetings ago, and Dewey was going to bring the cushion from his sofa to put the turtle on to unhook, and so the agency requires certain equipment to be onboard, and the Coast Guard requires certain equipment to be onboard, and so Chris's suggestion that an approved descending device be onboard is consistent with that thinking.

Having said all of that, let me offer another suggestion that is really perhaps radical. The descending device is to return undersized fish back, and I think there should be some serious consideration given to eliminating the minimum size and having full retention, zero discards, and it will change anglers' behavior significantly. If anglers see that there is a lot of small fish coming up, and they have to keep them, they are going to move.

If you're not discarding, you don't have a discard mortality, and then you don't have to carry a descending device onboard. I think about like a Northeast headboat with fifty people fishing for black sea bass and all these black sea bass coming up at the same time and trying to cram all these small black sea bass into a milkcrate to send them back down, and it's not going to happen, and so it might be something this council may want to give consideration to in the future, regarding eliminating the minimum size and requiring full retention of caught fish. Thank you.

MS. MCCAWLEY: Thanks, Tony.

MR. CONKLIN: Tony, to that point, the descending device is also used to descend fish that are prohibited for harvest, and so they could be -- Then I was just going to add, and I was thinking, if we did have a required approved descending device, that maybe, if we didn't want to put our stamp on it, somebody else would pick up the certification process. There is probably a marketplace for something like that, maybe a university or Sea Grant or something, where they would approve devices.

MS. BECKWITH: My original comment was back to the harvesting language that was added, and it seems to me that's more of a commercial term. I think "actively fishing for", or "fishing for", is more of a recreational term that people would understand. I can see where that would be a bit confusing to some recreational fishermen, where they might equate harvesting and possession to be just about the same, rather than "actively fishing for".

MS. MCCAWLEY: That's a good point, and I had some similar concerns. I am going to keep moving through my list.

MR. GRIMES: I think that's fine, but I would just ask that we word it consistently across actions and alternatives, and, right now, I don't think it is.

MS. MCCAWLEY: Thank you.

MR. POLAND: To Chris's idea about just going through the process and certifying these things and that kind of stuff, that makes me very nervous. I don't want, as a council, to, one, get bogged down with looking at devices and rubber-stamping them or anything like that, and, two, I dropped out of engineering school after the first semester, and so I don't know if we've even got the expertise to really get into the technical details of it.

I would feel a lot better if we went back and looked at the definition, and, if there were very specific things that we want to see in there, very specific specifications we want in a descending device and that kind of stuff, and add that into the definition, so at least then that's -- That kind of ties in the enforcement crowd too, as far as you have a certain pressure release or whatever like that, but I don't want to get into the business of certifying and stamping these things and throwing our support behind it, especially if it's from a private business.

MS. MCCAWLEY: I share the same concerns. I can tell you that, at FWC, we were trying to test a number of these devices, and we were trying to put them in anglers' hands, as well as test them ourselves, and some of those particular companies that were building those devices were out of business before we could even complete the testing of those particular materials.

MR. CONKLIN: I wasn't necessarily trying to sell that to anybody here, but I was just thinking about it from what the Law Enforcement AP or these gentlemen over here are going to tell us how they can enforce it, and so, if that's the case, then maybe we need to broaden our requirements, instead of narrowing them down, and just say you've got to have something with a weight, and it could be a basket or a bucket, or a flattened-out hook with a weight on it, and that would just encourage, but I don't know how enforceable it would be, because any -- I mean, you could get away with anything, but people would still use them, but we don't want to make this a regulatory

burden on an angler in trying to do a good thing and people get in trouble because they don't have the right thing, but, when these guys hop on boats, they're not looking for descending devices and stuff like that right out of the gate. They're looking for safety equipment and drugs, and so, after that, I don't believe that -- I mean, it depends on how thorough they want to be, but, if I was an enforcement officer, I wouldn't hop on a boat trying to write everybody a ticket for the last thing on the list, especially if they have everything else they're supposed to have.

MS. MCCAWLEY: Yes, I agree that broadening it might be better. We had talked about that in the beginning, and I guess that was one of the suggestions from Monica in the definition of descending device, the sentence that says the device can be a weighted hook, et cetera, et cetera, et cetera. The language, I guess, that Monica is suggesting is on the board, which is going to the point that Chris was making about the but is not limited to, and so this is broadening the definition.

MR. GRINER: I think the real key to this is angler behavior, and I think we're going to keep going in circles and circles trying to figure out is this enforceable and when is it going to be enforceable and how is it going to be enforceable, and I think it's going to be a continual circle of trying to figure out how to make it enforceable, but I think the real key is angler behavior, and I think that's where it really needs to drive home that research component of it, in that the angler is going to get something from this.

I really think that we should really think hard about going down the path of information and letting the anglers do it themselves without trying to hit them over the head with a stick and making it hard to enforce and that they resent the fact that they have to have it, and so, again, I think it's great, and I think the anglers will really take to it, but I think that trying to decide and narrow it down to a certain device or a certain method that's rigged and ready -- I just don't think you're ever going to really and truly get there.

MR. HAYMANS: I realize this is just adding an alternative, but there is a significant body of evidence that's been put together over the last decade or so that shows that venting is not necessarily the best method, and that body of evidence is being built for descending devices, and it's not quite there yet, but we're perhaps a touch premature on requiring either one, but, just to the motion and to the general idea of allowing or requiring a venting device, I don't know that I can support it.

Then, again, my colleague to my left here has another great point, in that NMFS has a protocol for testing BRDs and TEDs and what can be allowed and not allowed, and so this could be set up similarly, in that, whether we, as this body, or NMFS determines what the criteria should be, research can be done on a variety of descending devices that meets that requirement. For BRDs, it's X percentage of weakfish that are released, and we could do the same thing. If we have a device, and it's a particular species that we're interested in, this is the release success of that device, and not necessarily the survival, but how often that device releases at depth, or something of that nature, and we can develop a protocol for that.

DR. MCGOVERN: My comment also pertains to venting. Probably a lot of people don't remember, but, in Amendment 16, which went final in 2009, it had an action in there for venting, and it was disapproved, because new information came out during the public comment period, particularly by a guy named Wilde, that indicated that venting didn't enhance survival in all cases, and it actually increased mortality in some situations, and the final rule said that venting could be

reconsidered when guidance is developed in species and depth specified for which venting is most appropriate, and so I feel like, if we're going to go forward with venting in this amendment, we need to -- Staff needs to analyze how things have changed and if venting actually -- If there is evidence out there from scientific studies that it does actually enhance survival.

MS. MCCAWLEY: I am going to look over to our friend from the Gulf, Greg, and I think that -- I know that you guys are not making a requirement, and you all are just doing more outreach, in order to have access to a pot of money about this, to put the devices in people's hands, I guess is the best way to say it, and I thought that you all were allowing either or, either the descending device or the venting tool, but do you mind speaking to that, Greg?

DR. STUNZ: Sure, and thanks, Madam Chair, for recognizing me, since I'm not on your council, but just serving as a liaison, and, yes, you're correct. One comment to the science, and being a researcher that studies this very concept, venting, in fact, since that Wilde paper that you referred to, does work, particularly for snapper and grouper, and the caveat there, of course, is if it's done the proper way, which that's not always the case, as we know, and so venting does work, and so we chose to keep both of them, and so it was sort of an either or.

Now, the reason we're not as far along as you guys, and we would have liked to have seen a regulatory amendment, and we had that, which ended up getting tabled, and it was because there is some funding in the Gulf, as you know, from the oil spill that would allow us to get a lot of these devices in angler hands, and, if we had a regulatory amendment in place, that sort of negated that possibility, and so, right now, we just went with an educational campaign, which hopefully in the future will turn into something similar to what you guys have.

MS. MCCAWLEY: Thank you.

MR. BELL: Just kind of going back to something I saw in the Information & Education AP, and it was someone's suggestion that perhaps there be a transition period, and it kind of touches on things that Tim said and Steve said and law enforcement has weighed-in on, and so it really is about behavior modification, but you can achieve behavior modification through education and outreach and appealing to folks' conservation instincts, perhaps, and I can say that, in the thirty-some years that I have been doing this, I am much more impressed about the fishermen's conservation values and wanting to do the right thing now than I was thirty-five years ago, and so great progress has been made in that area.

I think there is some value in appealing to folks through education and outreach and do the right thing, but I also understand the power of the sword, which is making compliance happen at some point, and so perhaps there could be a way to transition into this to where it was really, sort of for a period of three years or something, strongly encourage, strongly encourage, and that gives you three years of saturated education and outreach.

I know, when I talk to my law enforcement guys, they are really big into law enforcement in the world of outreach. I mean, when an officer has contact with people, that's a teachable moment sometimes, and it can be a matter of descending devices are really out here and show me how you're doing this, and, of course, realizing that it's not necessarily mandatory at this point, but you know at a date certain that it will be mandatory.

The other thing that I have confidence in is entrepreneurial energy, and folks will come up with better mousetraps as we go along, and, as you've seen with descending devices, there is some pretty good products out there now, but it gives you a period of time to educate and do outreach and allow industry folks to come up with ideas, and it allows contact between law enforcement and the fishing public, to see what it is they're using now and how those boardings and how those interactions would occur, to kind of help fine-tune what we would end up doing when it is mandatory.

If that were even a possibility to work into this, I can see some value in that, because we can't come up with a list of approved devices, and I don't think that is our business, and lord knows what somebody will come up with six months from now, and I just see some value in that, and it was interesting that the I&E folks couldn't decide on this one way or the other. They saw the aspects of this being difficult for enforcement, and they saw the value in outreach, and that was just something that somebody said, I guess, was how about a transition period, but you could transition to a date certain, and that date certain will allow folks that are wanting to get in and develop a better mousetrap to do it, and it gives you some period of time to transition, behaviorally.

MS. MCCAWLEY: I like that, Mel.

LT. FAIR: To speak to Chris's point, and the gentleman from North Carolina, and to wrap up here with Mel as well, and I appreciate the amount of time we're spending on this, because we're also talking about the enforceability, and it seems to keep coming back to our problem, and, if it's not a specific widget that we're looking to endorse, because I don't think that's the best idea, but, if we were able to put in salient characteristics in the definition of what this device is intended to do, whatever that is written down, and, if we do use a phase-in process, at least these devices are meeting salient characteristics to release the fish at a specific level. Now you're not putting in an approval number, and you're not putting a stamp on a certain widget, but it meets a certain functionality.

Believe it or not, 50 percent, or equally, part of our job is educating the boater when we're out there. We're not looking to go out there and to stroke every single person we get on the boat and bring down the hammer, and so there is some benefit to the fact of educating the boater on why these things are important and how that behavior modification would happen.

I mean, this is almost the same lines as the throwable device. What is the definition of "readily available and immediately accessible"? There is a lot of officer discretion that goes into determining these salient characteristics and is it meeting the intention that we were looking for, and so I just offer that. If we're not looking to put a UL number or an approval number or a number on a device, if we're willing to put in the definition the specific salient characteristics that meet the functionality of the device we're looking for, given the phase-in period that Mel offers up, that behavior starts to transition. Then, when we get to the stop date, these devices, and everything listed there, will still meet the functionality that we're looking for.

MS. MCCAWLEY: Thank you, and so I would like to go back to this motion that we have on the board, and then I would like to come back to the phase-in and then the actual definition, but we do have the motion on the board. Chester made it, and it was seconded by Anna. **The motion is to add an alternative that would allow a descending device and/or venting onboard for charter/for-hire vessels.**

The words to allow the device onboard, that concerns me a little bit. It doesn't really match the other wording that we have for the other alternatives, and I'm not sure if we want to modify that, and I'm looking to Chester. **Christina has changed it to "require", but is that what you mean?**

MR. BREWER: **Yes.**

MS. MCCAWLEY: Chester says yes, and so is there more discussion on adding this either or alternative? Remember, at this point, we are trying to approve this amendment for a public hearing in the spring, and so we're good to go to add the motion now, and we'll definitely get some more comments on it as it goes back out, and so is there more discussion on this?

MR. HAYMANS: I think I've already said that I would vote against it, but the and/or is -- I mean, is it going to be that you have to have both, or you have to have one? I don't think you can have an and/or in a require statement.

MS. MCCAWLEY: The way I read it, it's you could have both, but you need to have at least one, but maybe that's not the right reading of this.

MR. GRIMES: I think, in writing the regulations, we would change it to an "or". You need one or the other, unless you want them to have both, in which case you would make it "and".

MR. BREWER: My thought was that they could have one or the other, or they could have both, but, I guess, if it just said "or", and they had both, they would be in perfect compliance, and so I don't have any problem with changing it to "or".

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

MR. HEMILRIGHT: I have been sitting here trying to figure out how this would work. In this motion here, is there a definition of a descending device, and is that definition of the device itself one that has been approved by the agency that has undergone some rigorous analysis from gear specialists as far as a determination of what a descending device is?

MS. MCCAWLEY: The item that Christina highlighted on the board there, that is the definition for descending device, and that's what the Gulf Council is using. Once again, the Gulf Council is not doing a rule, and they are just doing education, and the yellow part is what we have added to it here today at this meeting.

MR. HEMILRIGHT: I would recommend that the South Atlantic Council give a lot of heavy public outreach on this, before you start making somebody have it, because there is a lot of definitions that I see in commercial stuff where it has to be specifically laid out what the gear is, whether it be a circle hook, the diameter of the wire, and different things, and, also, in the Northeast, they sometimes call it compliance assistance, and that's a new phrase I have learned over the last few years, is compliance assistance, outreach, but this has a lot of work to do before this can ever be put, I believe, in an amendment, unless it's just going to be voluntary before you get to the part of where it's mandatory.

MS. WIEGAND: To my knowledge, and Shep can correct me if I'm wrong, there is no formal definition in the CFR right now for descending device. There is one for venting device, and I do not remember it off the top of my head, and I can look it up, but it's very simplistic. The definition of venting device we have here is much more specific.

MR. WHITAKER: I am reminded of when turtle excluder devices were first coming out, and NMFS came up with one that actually wouldn't work to start with, but then the industry -- Once they knew they were going to have to use something, they started working and came up with the soft TED and the Georgia jumper and a number of different things, and so my thought is these devices are only going to be used offshore when somebody has the personal interest in having to use it and seeing the consequences of maybe improving the stock assessment and the allocation down the road, and so there will be some -- People have to learn that, and I think, given time for businesses to see that something is coming, they will invest in this and do the research, as will the local backyard inventors coming up with things like this.

Over time, let people develop these things, and we do the public relations stuff, but have a date certain that these are going to be required, and, at that time, in order to get the payback, an ACL or whatever, you have a -- You say these are the ones we've got to use, and we've been working on this for two years or three years or whatever, and, at that time, you specify that it must be working in this manner.

MR. CONKLIN: What David was saying about -- A large part of our dialogue in going down this road over the years has been, one, to get some credit back on the stock assessments, and the AP also recommended that we develop a plan to have staff do that. In that case, I would like to make a motion that, if this amendment does go through, that we have a plan developed for the research and monitoring.

MS. MCCAWLEY: Could you hold off on that? We still have a motion on the board that we haven't voted on that I am trying to get us through this particular motion.

MR. CONKLIN: We are still on this motion?

MS. MCCAWLEY: Yes, and so just stand by on that other motion, if you can, because that's a different topic. **Once again, this motion is to add an alternative that would require a descending device or a venting device onboard for charter/for-hire vessels.** Is there any more discussion on this particular motion?

MR. WOODWARD: My concern with this motion, and it's been brought up in some ways, is that it, in essence, validates the continued use of venting devices, and it basically gives them equal value with descending devices, and, to me, that's sending kind of a mixed message. Obviously, if I was given the choice of having a hollow needle with a handle on it that I could store in my tackle box, versus a descending device that cost me fifty-dollars, and I've got to have a three-pound stick weight, and I've got to put it on a rod-and-reel, probably I would go with the venting device, and so that's my concern with this motion and why I can't support it.

MS. MCCAWLEY: I don't want to put words in Chester's mouth, but I think the reason why he is suggesting this is for speed of use of the venting tool on a charter/for-hire vessel, and I think that

he is assuming that the mates on these boats would be educated enough to use the venting device properly. There is a couple of ifs there, but, yes, I think that that's where he is going here.

MR. BREWER: I may be giving them more credit than they are due, but I think, on the headboats, those guys do know how to vent.

MS. MCCAWLEY: All right. Any more discussion on this particular motion on the board? **All those in favor of this motion, raise your hand, three in favor; those opposed. I have three in favor and nine opposed. Are there any abstentions? One abstention. The motion fails.** I am going to go back to Chris for the other motion that he was trying to make on a new topic a minute ago.

MR. CONKLIN: Thank you, Madam Chair. **At this time, I would like to make a motion that the staff develop a research and monitoring plan for the information that is collected through** -- Well, maybe I need some help with this. **I want to make the AP's motion.**

MS. MCCAWLEY: Chester, is that a second? All right. Chris, does that look like what you had in mind?

MR. CONKLIN: That looks exactly like what I had in mind, Madam Chair. Do I need to read it?

MS. MCCAWLEY: Sure.

MR. CONKLIN: **I will make a motion to direct staff to develop a research and monitoring plan for addressing descending device usage and release treatment through existing programs, commercial and for-hire logbooks and MRIP, and include information on compliance rates and type of device used.**

MS. MCCAWLEY: That was seconded by Chester.

MR. HAYMANS: If we do this, we are slowing this amendment down, right? I mean, I don't think we can go to public hearings with this motion out there.

MS. WIEGAND: I don't believe this would necessarily slow down your ability to take it out to public hearing. It would depend on whether you wanted staff working with NMFS to have a plan sort of developed that could go to the public as well when it goes out to public hearing.

MR. HAYMANS: I guess I would want this council's decision on whether to require descending and venting devices to be based on the best available science, and, if we're directing staff to continue to put together that research plan, then that means that, to me at least, we don't have the best available data that's out there to make this decision. If we go to public hearing, I think we need to pick a preferred, so that the public knows what the council is thinking about, right?

MS. MCCAWLEY: I am going to come back to that, us picking preferreds, and I guess my question about this particular motion is -- I guess I am wondering, after some period of time, and so let's say we phase-in, and then let's say that there is a time period where they are mandatory, then what is that going to look like in the stock assessments, and how is that information going to come in in the stock assessments, since people believe that this is going to get some sort of credit?

To me, this particular motion doesn't really get to that, and I am not sure that that happens automatically, based on what we have in the document, and so I guess that's my bigger concern, bigger than the concern of the motion that we've made here, but is there more discussion on this?

MR. GRIMES: More just a question, or maybe a point, but you could have -- You could implement your requirements today based upon the best available scientific information, and we get new information that changes into the future, and this could easily just be a process that informs decisions and new devices and that kind of stuff. It's not necessarily inconsistent with what you're doing at any moment in time as not being the best available.

MS. MCCAWLEY: Thank you, Shep.

MS. BROUWER: Just a suggestion, and one thing you could do to address how this information would be included in stock assessments is to simply add that to the motion. Then, to speak to what Doug was saying, we could include it as a draft research and monitoring plan that could continue to be developed throughout, and so it wouldn't necessarily slow down or affect the development of the amendment.

MS. MCCAWLEY: All right. To that point, John?

MR. CARMICHAEL: I just wanted to comment on the use of this in stock assessments, and I think the way that the effects of descending devices and venting ends up being used is that it changes the discard mortality rate, and so, to change the discard mortality rates, you need to have studies that show the effectiveness of the devices, and I think, as mentioned earlier, a lot of those are underway now, and so I would suspect that we have that for some devices, and our body of knowledge continues to grow.

The other issue though is, if you know the device works, and when it works and how well it works and how much it reduces fish in a test environment, how many of the devices were used and how many of the fish that are being discarded are having one of these things applied to them, and so that is where you're going to have to have monitoring within the fishery, and that's where the idea of the use of existing programs to find out what is the usage of these devices, and that's going to require adding some questions to the existing data programs that we have, to the for-hire logbooks, and we just did the electronic reporting stuff, and we're still trying to get that through. We would be trying to add a question to that, I suppose, or maybe some more supplemental-type surveys, to get more details on discards, and the same thing within MRIP. Can we get a question added to MRIP?

I think we kind of know what needs to be done there, but it's largely out of the council's hands, in terms of getting these programs to do this, and that might take some time, but I think that's where we're going, if we're going to use these devices, and, ultimately, that's all going to have to happen for people to get the credit, and that, again, is going to be a big outreach point, because I think folks are really anxious to get this so-called credit, and they are going to see that being applied, but, to have that pass muster for being the best scientific information, we're going to have to have all this background stuff addressed, too.

MS. MCCAWLEY: Thanks, John.

MR. WOODWARD: Maybe it's at least worth mentioning that there are several ongoing efforts right now. There is the work that the State of Florida has done for several years, and there is the FishSmart American Sportfishing Association project that's ongoing, and there is a South Carolina Wildlife project that involves the council, and then there's also a new one with the Nature Conservancy and Gray's Reef National Marine Sanctuary, and so there's a lot going on out there, and not all of them are necessarily gathering the same type of information, but, to me, the -- Not to negate the difficulties of understanding the mechanics of release treatment and how that affects individual species under different conditions, but the real issue here is the human barriers to the use, because, if you require something to be onboard a boat, people are simply not going to use it, because it's too unwieldy and too time consuming, and then you don't get the benefit that we all want to achieve.

We have got to invest in getting that benefit quantified, somehow and some way, and, with all these disparate projects going on out there, and it's good that everybody is sort of jumping on the bandwagon, but it's also bad, in that, well, how are they being done, and what kind of useful information are they actually going to produce in the end, other than the fact that they gave away X number of descending devices, and so I certainly support this, but I think we need to make sure that it gets us where we can make more informed decisions about when this should be a requirement versus advice. Thank you.

MR. GRINER: Yes, and I was going to say kind of the same thing. As John said, without this component to it, there is never going to be a credit. You will never get to a credit stage, and so, again, it just seems, to me, that the outreach and research need to precede any hard-and-fast requirement to have these rigged and ready, but we have to be prepared to be able to use the information and the data that we have, that we get, to get some type of credit, or, other than that, we're really just coming up with a new enforcement quagmire that we're going to have to keep going around in circles on.

MS. MCCAWLEY: Thanks, and so I'm wondering if the motion maker would be willing to add to this some phrasing about the effect on stock assessments, and so whether that's the effectiveness of the device or the effects of discard mortality and how that will be used in the stock assessments.

MR. CONKLIN: That was the general intent of the motion anyway, and so, if you want to help me doctor this up, that would be fine with me, but, speaking to the point about the compliance and what your bang for your buck is, if this does go through, as far as making a requirement to have some sort of device onboard, you have to go ahead and try to attempt to quantify the bang for your buck, and, if we do it, it has to go together, I think, and you may one year just get a little bit of information, and your mortality rate will go down a little bit, but, over the years, it seems like it would go up, and people would -- If you show them that, then compliance goes up, and do you see what I'm saying?

MS. MCCAWLEY: I do. Chester, you're the seconder, and are you okay with adding --

MR. BREWER: Absolutely.

MS. MCCAWLEY: So, John, can you look at the new bullet that was added on the board, and do you think the new bullet about how information will be used in future stock assessments is enough information to get to the whole discard mortality and effectiveness of device?

MR. CARMICHAEL: I think that if maybe we say something about consulting with the SSC on how information would be used, because they, being a review body, would be a good place to go and to get them to say what the standard would be.

MS. MCCAWLEY: Thank you, John.

MR. CARMICHAEL: One of the things that we've talked about like with circle hooks and stuff in the past is these things can go in two directions. If you make something required, then there might be more of a tendency to assume it's used and apply that potential credit as soon as the council says you must have these things onboard and go through the right stuff to use it, versus, if you just suggest it, then you really have to get out and get that information on usage, or else the scientists are going to say, okay, it's suggested, and I don't know anybody is using it, and someone has got to show us how many people are using it, and I think the circle hooks -- Once it was a requirement, that change in discard mortality rate was applied in those assessments.

MS. MCCAWLEY: Good points. Thank you, John.

MR. BELL: Kind of to that, this needs to be done, and it could certainly be done in an environment where descending devices are strongly encouraged, in the middle of an education and outreach campaign, law enforcement education, and then -- But there could still be that date certain at some point that you're working towards, and then you just continue this, and so you'll have a compliance rate, voluntary, and you will have a compliance rate in the future that will be when it's mandatory, and so I see it consistent with the concept of still trying to maybe set a date or something where these things will hard and fast go into effect.

MR. WOODWARD: Basically, I was going to say the same thing that John just said. The whole issue of quantifying the effect brings mandatory requirement into a completely different light, because that does make the analysis much more straightforward, instead of trying to analyze the variable rates of use across time and space and all that, and so that does bring it, at least in my mind, to a little different place than it was originally, but, as far as this motion goes, I certainly support it.

How we actually make it accomplish something is a whole different matter. I mean, if you go on record stating that we need to do this, of course, then you have to have the means by which to accomplish it, but I support that, and, if we dispense with this one, then I have something further on this, Madam Chair.

MS. MCCAWLEY: All right. I'm going to go to Chris, and then let's vote on this. I would like to take the phase-in separately, in a different motion following this particular motion.

MR. CONKLIN: It's not my intent as the motion maker -- I just wanted to get it on the record that the bullet that says through the existing programs, commercial and for-hire logbooks and MRIP, I don't want that to constrain us to only those programs, and so please -- Those are certainly in place, and we want to use those, and it's my intent, but if there is other good ones out there that we don't

know about, or come along, we don't want to be constrained to just this, and so I think we should just --

MS. MCCAWLEY: All right, and so I think that broadened it a little bit, and so this would be existing programs, and there's a for example up there, and then the intent would be that this also captures other studies that are underway that could be gathering some of this additional information. Is there any more discussion before we vote on this motion? **All those in favor of this motion, raise your hand, twelve in favor; those opposed; abstentions, two abstentions. The motion passes.**

I am going to look around the table, and I'm going to look primarily to Mel to talk about a phase-in time period, if we want to do that, and what that might be and what looks like, and I think it was Doug that made the point that we ultimately need to probably pick some preferreds in this before it goes out to public hearing, so that the public knows what our intent is in various ones of these alternatives, and so I'm going to go to Mel to discuss the phase-in.

MR. BELL: Great idea, and I wasn't exactly sure how to execute it, and Spud might have had an idea, but, basically, what we would do at this point, maybe, is incorporate, and I guess it would maybe go into the action language, but there would need to be a -- You would need to establish a date certain when it would go into effect, and that could be three years from now or three years from January or -- I picked out three years, and it gives you a little bit of time to get out and really work these things, and I am not saying that three years is magic, but we would simply -- They would be mandatory. Again, I am focused on the descending devices, and so I'm not sure how we would kind of incorporate that in there, if it would be into the actual Action 1 ideas.

MS. WIEGAND: It might be best to do a separate action, like a full separate action, for the phase-in and to be clear that you would want that to just apply for the descending devices and venting devices and not the other actions that are in this amendment, if that's something that is possible.

MR. WOODWARD: Doug mentioned something that I think maybe -- I was originally considering a hard calendar date, but maybe it would be to take Alternative 2 and duplicate it and then add to the end of it, behind "unit", three years from the effective date of this amendment. That way -- You don't know exactly how long it's going to take to get an amendment through, and so you could put a hard date on the calendar, let's say January 1 of 2023, but you don't know how long it's going to take to get an amendment through. That's just an option that we could contemplate.

MS. BROUWER: I guess, to allow you all to have more flexibility in how the phase-in is implemented and different time periods and whatnot, it might just be easier for us to analyze if we just have a separate action, because it's kind of hard to compare alternatives to each other when one alternative has a time component and the others don't. It's just a suggestion. That way, you guys can have sub-alternatives that have different time periods for a phase-in, and you have more flexibility.

MS. MCCAWLEY: We were just discussing timing over here, about, if we add another action, could we still go out to public hearing, and it seems like we can, but I'm going to go Doug and then Anna.

MR. HAYMANS: I was going to suggest that within -- Let's take Alternative 2 and 3. Before the word "require", the within three years, or whatever the time is we're going to decide, but, within three years of implementation of this amendment, require a descending device, or require a venting, and so both of the alternatives have the same wording, and there is not an additional -- We know we want something, and I think that takes care of the timing.

MS. WIEGAND: Then you would have to pick a specific time period, and we can analyze options, but, yes, that's something that we could add to the language of this action.

MS. MCCAWLEY: Okay.

MS. BECKWITH: I support what Doug said. It sounds like we're all in agreement that we do want some delayed implementation of this, for educational purposes, and so, rather than having a whole other action, just put it into this one somehow.

MS. MCCAWLEY: I would be looking for somebody to make a motion.

MR. HAYMANS: **I would move to add to Alternative 2 and 3 -- Just copy that one and move it over to wherever you are ready to write. I think that I would put that, within three years of implementation of Amendment 29, that -- Then it continues.** Three years is simply based on the discussion that's been going on over here, but somebody might want something different than three, and maybe we have that before we get a second.

MS. MCCAWLEY: Before we get a second on this, what do people think about within three years of implementation?

MR. WOODWARD: I guess just a question. If we take this out as intended, what is a reasonable expected date of final approval?

MS. MCCAWLEY: That's a question for Christina, and I'm going to wait until she -- She is over there copying, and so the question was, if we take this out, what is the expected date for final approval?

MS. WIEGAND: We would take -- If you guys approve this for public hearings at this meeting, we could take it out in the spring, and then we could bring the public hearing comments back to you at the June meeting, and then, depending on what kind of modifications you made at the June meeting, we could approve this in June, if you're happy with the way it is, or in September, if there are any additional modifications that needed to be made.

MS. MCCAWLEY: When we say "implementation", Doug, we mean all the way through the process and approval by the Secretary and everything, and that's what you mean, right?

MR. HAYMANS: That is what I mean, yes.

MS. BECKWITH: Steve and I were talking over here that three years seems like a lot. If the intent is to do outreach, and we specify that the intent is to allow that first time period for outreach, that, if we start doing outreach now, and it's going to take another year, then maybe we could even bring that back to two years, but that "within" language also gives us potentially some flexibility

to drop it back to two years, but I think three is probably a little bit long. Two seems fine, but I don't have a strong feeling.

DR. MCGOVERN: My only comment is it might be -- Within three years is kind of fuzzy, and it might be better to have a specific date, but I think this is also something that the IPT could work on and bring it back with maybe more clarifying language.

MS. MCCAWLEY: Are there more comments before this gets a second on this timeframe? The maker of the motion, are you okay with the motion as it is on the board?

MR. HAYMANS: **Yes, ma'am.**

MS. MCCAWLEY: Is there a second? It's seconded by Mel. Any more discussion on this motion? This would basically allow a phase-in of up to three years from implementation of this amendment for both the requirement of the descending device and the venting device to be onboard the vessel while fishing or possessing these species.

MR. CONKLIN: That means, at some date after the rule publishes, we're going to come back and make an announcement to the public that that's when we're going to do it, and there won't need to be actual regulation within the three years, because I was thinking like Jack. If you're going to do this, you need to have a set date, or two years from the date of the rule publishing or something, which would be -- We don't know, but --

MR. DEVICTOR: Our final rules have a cooling-off period, and they are normally thirty days, and so how we have delayed effectiveness before is sometimes we'll specify beyond thirty days, whether it be one year or sixty days or something like that, and so, yes, I think it's in the final rule, where you would say, for certain regulations in this amendment, it would be on this day, but this one, if you do want to delay it, then we would specify in the final rule the three years from then, if that's what you choose.

MS. MCCAWLEY: All right. Any more discussion? **All those in favor of this motion, raise your hand, eleven in favor; those opposed; abstentions, two abstentions. The motion passes.**

MR. HAYMANS: **Madam Chair, I would like to move to pick a preferred for Action 1. I move that we pick Alternative 2, Sub-Alternatives 2a, 2b, and 2c as preferreds.**

MS. MCCAWLEY: All right. That motion is going on the board. Is there a second for this motion? It's seconded by Spud. Doug, is it your intent to also choose some preferreds from the venting tool alternative, or is your intention to only choose this as a preferred?

MR. HAYMANS: My intention is to only choose descending devices, Alternative 2.

MS. BROUWER: Just from the staff perspective, if you could clarify whether you intend for staff to conduct outreach and education for a span of three years while we wait for the requirement to come into place, that would be useful.

MR. HAYMANS: That would be my thought, is that it's ongoing outreach and education, even beyond implementation. I mean, at some point, it's going to become the law of the land, and, even after that, people need to know it's the law of the land and why, and so ongoing.

MR. POLAND: Do we need to add in the rigged and ready language that we have already discussed in this motion?

MS. WIEGAND: That is the definition, and I can add it below, and we've just got the descending device with the little asterisk, and then the asterisk takes you to that, but I will put it below, to specify.

MR. POLAND: Thank you.

MS. MCCAWLEY: Cameron, did you have something that you wanted to add here on the outreach?

MS. RHODES: Thank you, Madam Chair. I would like some clarification, and perhaps it's not something that we need to discuss at this meeting, and perhaps a future meeting, but what exactly that kind of outreach campaign would look like on behalf of the council. We have other outreach programs that are currently underway, and is it something that we want to mimic? Do we want to mimic something like the for-hire electronic reporting, all that kind of stuff, and it would be nice to have a little bit of direction on what this outreach campaign will look like, so that we can go ahead and start mapping it out.

MS. MCCAWLEY: All right. Before we get into the specifics of the outreach plan, let's try to get through this motion, and so, once again, the motion is to select Alternative 2, as modified, and selecting all of the sub-alternatives as the preferred. It's the intention by Doug to then not make a motion to select any of the venting tool options as the preferred. Is there any more discussion of this motion? **All those in favor of this motion, raise your hand, eleven in favor; those opposed, one opposed; abstentions, two abstentions. The motion passes.**

Now I think we could have a short discussion about the outreach, based on the I&E, and also if there is other motions, et cetera, on this particular action before we leave it, but let's take a ten-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We are still on Action 1 of this amendment, and so two more points before we leave Action 1. Let's talk for just a little bit about what we would like to see on the outreach that's going to happen over this time period after implementation, and I think we can direct staff to develop a plan, come back to us with a plan for outreach, and I guess one of the big questions is whether we want -- We can certainly have staff develop the materials that would go online, and the I&E made some recommendations for a one-page brochure containing the most important information, and so I guess the biggest question is are you wanting, in addition to the materials for online or this brochure, are you also wanting staff to go on a road show tour with outreach messages about this, and so, if we could have some discussion on that, that would be helpful.

MR. BELL: I am comfortable trusting the I&E AP folks, and, I mean, I'm not really trying to give them specific orders for specific things. I mean, I would trust their concept of what would work and how could we improve this and expand it, and so certainly anything -- Again, coming from the I&E AP, as kind of a suggestion maybe, we have this transition period, and, okay, great. During that, what does the outreach look like, and I would kind of rely on them to try to enhance it. At this point, that's about all I would say, is just perhaps look at opportunities to enhance what we're doing now and just try to get the most bang for our buck out there.

MS. MCCAWLEY: All right.

MR. WOODWARD: I kind of agree with Mel. I think there is the two phases of this. There is sort of the full-court press, when you're trying to make a fundamental increase in people's awareness of an alternative to what they've been doing, and then there is sort of the maintenance mode, and I think there's so much going on right now, and there are so many opportunities for people to learn about descending devices right now, that are being done by entities outside of this council, and they are being coordinated with the council, which is great, and so that's going to play out over the next year or two anyway.

After that, I think you take the messaging process that has proven to be the most effective, and you just sustain that over time, so that somebody knows they can easily go to this website and they can watch a three or four-minute tutorial, whatever it is, and we be responsible for just making sure that that's constantly accessible to the fishing community, through whatever venues it makes sense to do it, but not every year go out and do a full-court press type of thing, and I don't think that's a good use of our time and resources.

MS. MCCAWLEY: Great.

MR. BREWER: I agree with Spud, and then, going a little bit further, I believe, at one time, we had asked, or we had talked about, different fishing organizations and fishing clubs and that sort of thing be identified and sort of who the leadership of those different organizations might be, and this thing is really -- To me, it is more directed, in reality, to the recreational folks and having pieces, informational pieces, in the publications that come out, from Keep American Fishing, or CCA, or West Palm Beach Fishing Club, with an explanation of why this is important. That might get you a lot of bang for your buck, and I don't see having a roadshow really, where you're going to invite recreational people to come out and discuss this, that it's going to be all the beneficial.

MS. MCCAWLEY: Thank you.

MS. BECKWITH: I agree, and I think the fishing clubs and the tackle shops are the primary focus for getting any type of information out and having them disperse it, and certainly individual marketing things, like SeaQualizer or some of these other ones, are going to be doing their own outreach, as they sort of find out that this is something that the council is really supporting, and so I think there's going to be a lot of outreach that is independent of us.

MR. CONKLIN: The only real thing I would like to see the staff do is maybe come up with some sort of literature for our meetings and take it out to all of our public hearings, but we see what our track record is whenever there is nothing really going wrong, and people don't come out to do anything. I really want to see the staff reach out to the other organizations and have them get to

work on doing most of the education. Just make them aware of what we're doing and what's coming, and they can figure it out.

MS. MCCAWLEY: All right. Great. Thank you. Thanks for that discussion. I think we just have direction to staff here. One more item on Action 1 is just back on the definition for descending device, and so there it is. We have modified it a little bit, and I think we also talked about wanting the Law Enforcement Advisory Panel to weigh-in on this. They are meeting, I believe, in May, and we're also going to be taking this out to public hearings. Do we want the Law Enforcement Advisory Panel to weigh-in on this before the document goes out to public hearings? That might be kind of a tight timeframe.

MS. BECKWITH: I would say no, personally, because I think we might get some comments from the public that then we can sort of add into a discussion at the Law Enforcement AP, because we'll have a few hacks at this.

MR. BELL: Well, we kind of know a little bit about their thoughts on this, but I think the main thing is we don't want it to get too set in concrete before they get a shot at it in May officially, as long as it's wet concrete, but, yes, as long as they can come in and actually provide comment, and I think we've kind of got a rough idea of what they may say, but you're right, and, I mean, maybe we'll hear a little bit more from the public, and then they can take that onboard as well.

MS. MCCAWLEY: Okay, and so what I heard is that it's okay for this to go out to public hearing before the Law Enforcement Advisory Panel meets. All right. Then I think we're good with Action 1. Let's move on to Action 2, and I'm going to turn it back to you, Christina.

MS. WIEGAND: All right. Moving into Action 2, I'm going to try to go through this in an organized way. This is the circle hook action that looks at modifying requirements for the use of circle hooks, and so you've got your no action alternative. Then you've got Alternative 2, which would take the current circle hook requirement and extend it throughout the South Atlantic Council's jurisdiction.

Now, here, we still have Alternative 2 and just one sub-alternative, Alternative 2a. At the last meeting, you guys had discussed maybe the possibility of picking a different line in Florida, and we had proposed to match the Gulf's line, and it seemed like the general consensus was that wasn't going to be appropriate on the Atlantic side, and so, if there's another line that you guys would like to have added here and then analyzed by staff, we can do that, or this alternative just needs to be modified so there's not that one random sub-alternative hanging out there.

Then we've got Alternative 3, which would require the use of non-offset, non-stainless steel circle hooks, and then the two sub-alternatives are the current line and then throughout the EEZ. In this one, Alternative 3 requires the use of these non-offset hooks. Then you've got Alternative 4, which would require non-offset circle hooks to be onboard, and not require the use, but require them to be onboard, and, again, your sub-alternatives there are the current boundary line for circle hooks and the entire EEZ, South Atlantic EEZ.

Then you've got Alternative 5, which would remove the requirement for the use of circle hooks, either for the private recreational and for-hire vessels or commercial vessels or both, and then Alternative 6 would require the use of non-stainless steel hooks, just non-stainless steel hooks.

A couple of housekeeping comments here. The IPT has recommended, under Alternative 5, to just remove non-stainless steel here and just remove the requirement for circle hooks and not non-stainless steel circle hooks, and so then, if it is the will of the council, you guys could choose Alternative 5 and Alternative 6. Alternative 5 would remove the circle hook requirement, and Alternative 6 would extend that non-stainless steel requirement throughout the EEZ.

Another comment is, right now, Alternative 5 does not match the current purpose and need to promote best fishing practices, and so, if it's to remain in the document, we will need to go back to the purpose and need and revise it or remove Alternative 5 from the document, either or.

Just to sort of briefly go into the effects, again, the scientific literature, it depends on which study you're reading, but it's noted that the top co-occurring species for snapper grouper, or for the hook-and-line, are red snapper, black sea bass, red grouper, gag, scamp, greater amberjack, vermilion snapper, and gray triggerfish, and, excluding gray triggerfish, those all have similar mouth morphologies, and the use of circle hooks could reduce hooking mortality. Not all species in the snapper grouper complex do have the same mouth morphology, and particularly yellowtail snapper has been noted as a species that might not be improved -- Hooking mortality might not be improved by the use of circle hooks, which is why the line was set where it is currently, was to avoid negative interactions with that fishery.

The economic effects are associated with the costs to participants who currently aren't required to have circle hooks, and they would then need to purchase those circle hooks, but then balanced with, if survivorship of those discarded fish is included, that may lead to long-term economic benefits.

Similar, with the social effects, noting that Alternative 4, which requires the hooks to be onboard, gives fishermen a bit more leeway to choose which hook they would like to use based on which species they are targeting, which snapper grouper species they are targeting, and so the AP reviewed this amendment in October, and they recommended Alternative 1, or no action, for this, again noting negative interactions with gray triggerfish and yellowtail snapper, and so that's where we are with this action.

MS. MCCAWLEY: All right. Ultimately, we're going to try to pick a preferred. We also need to figure out if we want to keep Alternative 5. If we do, we need to come back and modify the purpose and need, and, if we keep Alternative 5, there is an IPT change that is needed.

MR. BREWER: **I move that we delete Alternative 5.**

MS. MCCAWLEY: All right. There is a motion. Is there a second? It's seconded by Chris. **The motion is to send Alternative 5 to the Considered but Rejected Appendix. Once again, Alternative 5 is to remove the requirement for circle hooks.** Is there any discussion on this motion? **Is there any objection to this motion?**

MR. DILERNIA: Just to understand something, you are removing the removal, and is that the way I read that? Yes? Okay.

MS. MCCAWLEY: Any more discussion? **Any objection to approval of this motion? Seeing none, that motion stands approved.**

In discussing the line, we have had some discussions, the Florida folks have, and I think that we're good with the current line at the 28 degrees North, and we feel like that captures the yellowtail fishery adequately, at least right now, and so nothing else from us on that particular line.

MS. BECKWITH: A couple of general thoughts on this. I think, if we are going to retain circle hooks, we do need to move to non-offset as well, and so I don't see the use of Alternative 2 in there, personally, but I am not ready to put a motion to bounce it yet, and I want to hear some discussion, and then some general feedback I've gotten from some of our recreational fishermen in North Carolina, when sort of chatting about the concerns for gray triggerfish and how some of the circle hooks are doing more damage than good for gray triggerfish, one suggestion, which I don't think that this council would want to move forward on, but one suggestion was to make the requirement of non-stainless steel circle hooks to be anything --

Non-offset to be anything over a 4/0, because the idea behind that is, at that hook size, they're all pretty standard across the brands, and so it would -- Anything under a 4/0 and they might be able to use those j-hooks to catch gray triggerfish legally, and another point is I know that, from the enforcement perspective, we keep discussing that having these hooks onboard is certainly more enforceable, but my general feeling is that, right now, the expectation is that they're supposed to be used, and regardless if people were using them or not, and that that is the behavior that we are encouraging, and so I would be uncomfortable with moving towards just having them onboard rather than requiring the actual behavior that we are attempting to achieve.

MS. MCCAWLEY: Thanks, Anna. Those are good points about triggerfish.

DR. MCGOVERN: To Anna's point about enforcement, I think it is -- Law Enforcement hasn't looked at this yet, but I think it is going to be difficult for them to enforce the use, but I think, for Alternatives 2 and 3, there could be a change to the wording, where it could be to require the possession onboard and use, something like that, and then they could check to see that circle hooks were onboard, and that kind of wording, I think, is in the Gulf for circle hooks.

MS. MCCAWLEY: Thanks, Jack.

MR. BREWER: To Jack's point though, if you're requiring the use, and they're out there fishing for snapper grouper, and they don't have any onboard, they are busted, and so, I mean, I think you can -- To what Anna was saying, just the thought that you are required to use them, it's got a little bit more teeth to it, and so I think the way the thing is worded right now is kind of the way to go, at least to me.

MR. SAPP: I've got a bit of a concern with the enforcing entirely non-offset circle hooks, and so the deepwater complex -- The guys have found considerably more success with the offset circle hooks, and the concern of gut-hooking fish is minimal there, in that your tethers on those deep-drop rigs are so short that they don't have time to get them down deep enough, and so I've got a great deal of concern in going strictly to non-offset for the snapper grouper complex when the deepwater complex is a part of that, golden tilefish being one of my major concerns.

MS. MCCAWLEY: Is there more discussion here? We are looking to pick a preferred, if we can.

MR. HAYMANS: Prior to Art's comment, I was prepared to pick Alternative 3, Sub-Alternative 3a, as our preferred. Art, does not most of that deepwater fishery that you're talking about occur south of 28?

MR. SAPP: I believe it occurs on both sides of that 28, and I believe it occurs in North Carolina as well, all the way along the whole coastline, and we have more species, such as the queen snappers and the yelloweye snappers and such, that are far more successful with the offset, but I think it's a concern for everybody at the table here.

MR. HAYMANS: I am going to make the motion, and then let's have discussion on the motion and either move it up or down, because, if we don't, then I think we take the action out. **Anyway, I will move that we select Alternative 3, Sub-Alternative 3a, as the preferred.**

MS. MCCAWLEY: The motion is seconded by Chester.

MS. BECKWITH: I guess my thoughts, to Art's point, is I had not heard that, and so that does require some thought, but I think the number of species and the amount of catch for some of the shallow-water groupers that we might offer some additional protection possibly outweighs the smaller catch in the deepwater, but then I was going to sort of ask Dewey for -- You fish for bluefin tilefish a lot, and are you finding that non-offset is having some additional benefit to catch?

MR. HEMILRIGHT: No, we just use a straight 12/0, I think Eagle Claw or something like that. I don't know that, but I don't know what the guys south that deep-drop individually, charter or recreationally, use or what their methodology is.

MS. MCCAWLEY: All right. It's under discussion. What about the issue with triggerfish that Anna brought up?

MS. BECKWITH: I guess the thought that was brought to me was making the requirement 3/0 or 4/0, bigger than that, to be the non-offset, non-stainless steel, and I was really looking for some feedback on that, because I heard that from a couple of people, but I don't know enough about the particular hook sizes across the different brands enough to feel overly confident that that's a way forward, and so if anybody has any thoughts on that.

MR. WOODWARD: I think there is still a lot of variability in hook size assignments across brands. I mean, I know I can get a 9/0 from one brand in one style and then get a 9/0 in another style in the same brand, and it's amazing the difference between the two of them, and I think, from an enforcement standpoint, Lieutenant Fair is going to have to figure out how does he tell a 4/0 from a 3/0 across-the-board, and so I think it's a good idea in concept, but I just think it sort of falls apart in the reality.

MR. BREWER: To Spud's point, when the fishing club first went to required usage of circle hooks in the Silver Sailfish Derby, we actually specified a couple of brands and model numbers for the hooks, and it just got to be -- It was completely unwieldy, and so now the requirement is essentially exactly what you see here, non-stainless steel and no offset circle hook.

MS. MCCAWLEY: All right. Is there more discussion on this particular motion?

MR. BELL: Just so I'm clear, the current state of things is non-stainless steel circle hooks north of 28, and what this would simply do is just change it specifically now to non-offset, non-stainless steel circle hooks, and so this is all about there being some value in switching from offset to non-offset only, and that's been clearly documented, I guess, or we're comfortable that that's -- Because that's all it does.

MR. HAYMANS: If there is significant opposition at public hearing, then the whole action can be removed, and that would be the only change.

MS. MCCAWLEY: That's right. Let's see a vote on selecting Alternative 3, Sub-Alternative 3a, as preferred. **A show of hands, please, if you're in favor, eleven in favor; those opposed; abstentions, two abstentions. The motion passes.**

MR. HAYMANS: I think I would also like to see a motion similar to the one that Chris made regarding descending devices, such that, as we develop more research on non-offset circle hooks, we can get some conservation value into the assessment, and that would be wonderful, and so, Chris, if you want to make that as a motion, since that was your beginning one.

MR. CONKLIN: Sorry. My wheels were turning on something else, Doug, and I --

MS. MCCAWLEY: It sounds like Doug is wanting the same motion that Chris made from the previous action pasted down here.

MR. HAYMANS: For the same reasoning that we expressed over descending devices.

MS. WIEGAND: We can do that as a formal motion. To my knowledge, circle hook use is taken into account in assessments, and I am going to look at John to confirm that for me, but it's currently considered in the stock assessment.

MS. MCCAWLEY: But this is a change from non-offset, and so we're trying to figure out if there's a modification, more modification, needed because of the fact that it's non-offset.

MS. WIEGAND: So you're looking to do a motion similar to what Chris did, and so just to direct staff to develop -- Perhaps consult with the SSC on how non-offset circle hook use would be used in stock assessments, and I just want to make sure that I'm getting your motion correct.

MR. HAYMANS: Yes, and, I mean, I can make the motion, but, since it was Chris's to begin with, I was offering that opportunity, but, yes, I would like to see that as part of this gear modification as well.

MS. MCCAWLEY: There it is, and so it doesn't include the part in the beginning about the research and all that other, and I'm not sure if you needed that or if this is what your intention is.

MR. SAPP: I guess I kind of just want to be heard on the record, in solidarity to my guys here, that I couldn't agree more that in the shallow-water fishery, where the leaders are longer and the

feed is longer and the potential to gut-hook is so much greater, that a non-offset circle hook is the only way to go, in my opinion, and it's a phenomenal idea, but that scenario doesn't occur in the deepwater fishery, and they are petrified of losing their current fishing method of the non-offset circle hooks, where literally the tether is, more often than not, less than a foot. There is no potential for swallowing, and there is no feed. Everything is -- You use a j-hook, and you corner the hook, but they stay on there better with the non-offset circle hooks, and so that's the option used. Sorry. I said that wrong. The offset. They prefer the offset in the deepwater complex.

MS. MCCAWLEY: Thank you, Art.

MR. POLAND: I just wanted to maybe get John or somebody up here just to say if the research is out there on discard rates at a hook size or hook shape, that kind of stuff, like it is for descending devices, just to make sure that we're not going down a rabbit hole with no end, from an assessment perspective.

MR. CARMICHAEL: I think there is quite a bit. I mean, the circle hooks have been out there longer than the descending devices, and it seems to be pretty common now, when people do discard mortality studies, to look at the hook types, and I think, just based on just sort of a recollection that the non-offset type circle hooks are better, in terms of reducing gut-hooking and stuff anyway, and so that should be a positive, to clarify that. I would think the information is out there, and it may not be covering all species and all hook sizes and types, but there is a pretty good body of general information.

MS. MCCAWLEY: Thank you, John. **Doug, I see a motion to consult with the SSC on how a non-offset circle hook requirement would be considered in future stock assessments.** Does that capture your intention?

MR. HAYMANS: **It does.**

MS. MCCAWLEY: Is there a second? It's seconded by Chester. **Is there any objection to this motion? Seeing none, that motion stands approved.**

MS. WIEGAND: I would ask, based on some of the discussion you guys have had -- We've got a lot of alternatives under here, and I just want to make sure that you still want all of these alternatives to go out to public hearing for the public to comment on or if there are any that you are no longer considering.

MS. MCCAWLEY: I think we can get rid of Alternative 2, but I would look to the committee, and, Alternative 6, what's the difference? I can't figure out how Alternative 6 is different.

MS. WIEGAND: There's a lot of alternatives under here, and so it would just require the use of non-stainless steel hooks, not circle hooks, but just non-stainless steel hooks, which, right now, are not required south of -- Alternative 6 would just require that all hooks be non-stainless steel.

MS. MCCAWLEY: So it's less restrictive.

MS. WIEGAND: Right now, there is no requirement for hooks to be non-stainless steel south of that line. The requirement is for non-stainless steel circle hooks north of that Cape Canaveral line.

Alternative 6 would extend that non-stainless steel requirement throughout the EEZ, but not the circle hook requirement.

MS. MCCAWLEY: Okay, and so what's the pleasure of the committee for what items you want?

MS. BECKWITH: **I am okay with getting rid of Alternative 2 to Considered but Rejected.** Then, once we do that, I actually would come back and possibly pick Alternative 6 as a preferred as well, just for public hearings.

MS. MCCAWLEY: It sounds like the motion is to remove Alternative 2 to the Considered but Rejected. It's seconded by Chester. Any more discussion on the removal of Alternative 2 to the Considered but Rejected Appendix? **Any objection to that motion? Seeing none, that motion stands approved.**

MS. BECKWITH: **I would move that we also pick Alternative 6 as a preferred, with the intent being that then, south of that 28, j-hooks and circle hooks, any hooks, would be non-stainless steel. Really, north of that 28, we would also require j-hooks to be non-stainless steel as well.**

MS. MCCAWLEY: Let me just -- You're suggesting to select it as a preferred, and so it doesn't say hook-and-line gear here, which kind of throws me off, because this makes me think that everybody fishing for snapper grouper species now has to use non-stainless steel circle hooks, and it doesn't say anything about hook-and-line, and so that is throwing me off.

MS. WIEGAND: We can add that into the language.

MR. HAYMANS: To make sure I understand that, Anna, non-offset, non-stainless north of 28 and non-stainless everywhere, no matter what? Okay.

MS. MCCAWLEY: Yes, this is basically just saying non-stainless steel hooks must be used throughout the South Atlantic region. It's seconded by Doug. We also added the part about the hook-and-line gear, because that wasn't in there before. Is there discussion of the use of non-stainless steel hooks?

MS. WIEGAND: The way the current regulation is written, it specifies natural baits, and would you like that specified in this as well?

MS. MCCAWLEY: Is there more discussion on this particular action? Once again, this is to also select Alternative 6 as preferred. **Any objection to this motion? Seeing none, that motion stands approved.**

MS. WIEGAND: Next up is Action 3, and this is adjusting the powerhead prohibitions in the South Atlantic, and so you've got your no action alternative, which would keep powerheads as prohibited off of South Carolina. Alternative 2 would allow the use of powerheads to harvest snapper grouper species off of South Carolina for, and then Sub-Alternative 2a is for private recreational and for-hire vessels, and 2b is for commercially-permitted vessels. Alternative 3 would prohibit the use of powerheads for harvest throughout the South Atlantic region, either,

again, for private recreational and for-hire vessels or commercially-permitted South Atlantic snapper grouper vessels.

There is one sort of housekeeping deal. This is written right now to specify the snapper grouper complex, which can be confusing, and it should say snapper grouper fishery management unit, and so just a small housekeeping edit that the IPT noted.

Then, as far as recommendations, again, the Snapper Grouper Advisory Panel reviewed this, and they recommended Alternative 3, Sub-Alternatives 3a and 3b, and so this would be prohibiting powerheads throughout the South Atlantic region, but I will note that public comment was also received during scoping on this, and a number of commenters supported allowing the use of powerheads off of South Carolina.

MR. BELL: Since I opened this can of worms, Madam Chair, I move that we adopt Alternative 2 as our preferred alternative. If I get a second, we can talk about it.

MS. MCCAWLEY: It's seconded by Doug. It's under discussion.

MR. BELL: Our original intent in bringing this up in the first place was simply responding to what we were hearing from the fishermen and all about consistency, and South Carolina has just been kind of a different state, in terms of use of powerheads, and it was not our intent to do away with powerheads, but that was the original intent of going down this road, and I have heard from a number of fishermen since some of the discussion at the Snapper Grouper AP and all, about this, and I still would like to stick with the original intent, and I would argue, also, a little bit that we had some discussion about this particular action maybe not being consistent with some of the wording in the purpose and need, but, if you think about the use of powerheads, these guys are down their selecting fish.

You could argue that that's sort of reducing, potentially, bycatch mortality, because there is no bycatch. There is release and no mortality there. You are targeting the fish, and you see the fish you want, and you shoot the fish you want, and the fish is gone, and so it may actually fit the purpose and need, loosely.

MS. MCCAWLEY: Thank you, Mel. Any more discussion on selecting Alternative 2 as a preferred?

MS. WIEGAND: Is the intent to select 2a and 2b?

MR. BELL: I think that's the way it started out, just to make us consistent with the other states, in terms of what's going on there.

MR. BREWER: Can we hold our nose when we vote on this one?

MS. MCCAWLEY: Any more discussion on this? **The motion is now to select Sub-Alternatives 2a and 2b as preferred, and those are both of the sub-alternatives under Alternative 2. Any objection to this motion? Seeing none, that motion is approved.**

MS. WIEGAND: Then can I just get confirmed direction to staff that we're good with the small IPT change to change "complex" to "fishery management unit", to be clear?

MS. MCCAWLEY: I believe so, yes.

MR. HAYMANS: You accepted the IPT's right, and we don't need to do that? **Then, Madam Chair, I would move that we approve Snapper Grouper Regulatory Amendment 29 for public hearings.**

MS. MCCAWLEY: All right. Motion to approve Snapper Grouper Amendment 29 for public hearings. Is there a second? It's seconded by Spud. **Is there any objection? Seeing none, that motion stands approved.** Thank you, Christina. I think we're going to now move into Amendment 30 for red grouper.

MR. HADLEY: Thanks. I will start off with a general overview of Amendment 30, which is red grouper rebuilding. Just to remind the council where we were in December, we reviewed actions in the amendment and public comments and the Snapper Grouper AP recommendations on the amendment, and this amendment was scheduled for discussion and potential final review at this meeting, pending the outcome of the SSC's review of the MRIP revision stock assessment for red grouper.

On that note, there were some issues with development of Regulatory Amendment 30. The SSC webinar that I just mentioned that was to go over the MRIP revision assessments was delayed, due to the federal government shutdown. While the webinar was rescheduled and held last week, the amendment could not be completed in time for this meeting, and so we, unfortunately, don't have an amendment for you to vote on for final approval, but the amendment is now potentially scheduled to be approved for secretarial review at the June 2019 meeting.

Just as a reminder, there is a statutory deadline that is driving this amendment. The MSA requires that the council and NMFS implement a plan amendment within two years of a notice to end overfishing immediately and rebuild the red grouper stock, and so, as you may recall, SEDAR 53 showed that red grouper were overfished and undergoing overfishing, and a letter was received from the agency on September 27, 2017, and so this started the statutory deadline that was sort of that two-year clock, so to speak, and a revised rebuilding plan needs to be in place by September 27 of this year.

Looking at potential amendment timing, the council, at this meeting, will be reviewing and making the desired changes to the purpose and need and the actions and alternatives, and then, in June, hopefully we'll be able to come back to you with a full amendment, where the council can take final action on Amendment 30 and the amendment is sent for secretarial review, with implementation in the fall or winter of 2019.

There is two major items that need to be done at this meeting. One, we'll go over the decision document, and there is a small edit to the purpose and need statement that we will review, and we'll also go over the actions and alternatives. There is some additional analysis for Actions 3 and 4, which cover the commercial sector for red grouper, and, also, just in general, just reconfirm your preferred alternatives, to make sure that that is what you would like to move forward with,

and, there again, just review the timing of the amendment and potentially approve the amendment for formal review at the June 2019 meeting.

Overall, there are four actions in the amendment. The first one is to revise the rebuilding schedule for red grouper. There again, it's getting at that statutory deadline. Action 2 would modify the seasonal prohibition on recreational harvest of red grouper in the EEZ off of South Carolina and North Carolina. Action 3 is similar, but it covers the commercial sector, which would prohibit commercial harvest of red grouper in the EEZ off of South Carolina and North Carolina, and, finally, Action 4 would establish a commercial trip limit for red grouper harvested in the South Atlantic EEZ. Any questions before I jump into the decision document?

MS. MCCAWLEY: Any questions for John? All right.

MR. HADLEY: Seeing none, I largely went over the background and the timing, but we'll jump into the purpose and need statement, and so there was one -- The IPT was able to meet and discuss the purpose and need, and so there was one minor edit in the purpose and need, and so 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. Since there is going to be a potential extension of the spawning season closure, and also that there is a potential commercial trip limit, that's not necessarily minimizing regulatory discards, and so it was suggested that this was removed from the purpose for the action.

MR. HAYMANS: (Mr. Haymans' comment is not audible on the recording.)

MS. MCCAWLEY: **If you didn't hear that, that was a motion to accept the IPT's suggested wording change for the purpose and need.** Is there a second, while that's going on the board? It's seconded by David. **Is there any objection to this motion? Seeing none, that motion stands approved.**

MR. HAYMANS: Moving along, we will jump into the actions and the alternatives in the amendment, and so, as mentioned, Action 1 would revise the rebuilding schedule for red grouper. Currently, the rebuilding schedule is set at Tmax, which is equal to ten years, with the time period ending in 2020. 2011 was year-one.

Alternative 2 would revise the rebuilding schedule to equal the shortest time period in the absence of fishing mortality, and so Tmin, and this is five years, according to the SEDAR 53 projections, and then Alternative 3 would revise the rebuilding schedule to equal eight years, with the rebuilding time period ending in 2026, and then Preferred Alternative 4 would revise the rebuilding schedule to equal the maximum time period allowed to rebuild, or Tmax, and this would be ten years, with the rebuilding time period ending in 2028. Here again, these are using the SEDAR 53 projections and not the MRIP revision assessment projections.

Really, this action was up in the air, and it seems that, based on the -- We will get into the SSC's webinar discussion in greater detail during the SEDAR Committee meeting, but, overall, it seems like there are likely issues with the MRIP revision assessments, where the SSC is going to want to take a look at these in greater detail, and likely one at a time, and so, in the meantime, we likely

have to go with the SEDAR 53 projections moving forward, just because of the uncertainty over the MRIP revision assessments, and it's likely going to be ongoing.

If you look at the different alternatives, 2019 was chosen as year-one, as this would be the year that the new rebuilding schedule would be put into place. As mentioned last time, T_{min} and T_{max} are set according to guidance from National Standard 1, where T_{min} is the amount of time that the stock or the stock complex is expected to take to rebuild to its MSY biomass level in the absence of any fishing mortality. According to the SEDAR 53 projections, this is five years. Thus, T_{min} is specified as five years, and T_{max} , as a result, is thus specified as ten years, and so there is your two kind of bookends there.

The probability of success of rebuilding the stock would be highest under the longest time period for rebuilding, and less time to rebuild would theoretically translate into higher biological benefits for the stock, but a lower probability of success, and, as I mentioned earlier, we had the delay. There were potential best available science concerns over using SEDAR 53 projections while the MRIP revision assessment results may be available very soon.

In the meantime -- As I mentioned, as of last week, that's likely not -- Those MRIP revision assessment results are likely not going to be deemed best available science, at least in the near term, and so we're likely going to end up going with the SEDAR 53 projections, and there is really no committee action required at this time. You could certainly review the preferred alternatives, and I will certainly take any questions.

MS. MCCAWLEY: Any questions? All right. I am going to turn it back to you, John.

MR. HADLEY: All right. Moving along to Action 2, this will modify the seasonal prohibition on recreational harvest and possession of red grouper in the EEZ off of South Carolina and North Carolina. Currently, there is a shallow-water grouper closure, and this is from January through April, and this does include red grouper. Preferred Alternative 2 would maintain the shallow-water grouper closure, but potentially change the closure months for red grouper specifically off of North Carolina and South Carolina.

Your current preferred alternative, Sub-Alternative 2a, would cover January through May, that spawning season closure, and so essentially you're adding the month of May for red grouper off of the Carolinas to the spawning season closure, which would be five months, and Sub-Alternative 2b would cover February through May, and 2c would be March through June, and 2d is January through June, and so that would include May and June.

As a reminder, this was moved from Vision Blueprint Regulatory Amendment 26 at the June meeting, and, really, the projections that I will go over in just a second -- The recreational data that these projections are based on is fairly limited, particularly off of the Carolinas, and so the predicted effect, as a result of modifications to the seasonal closure for red grouper, is really highly uncertain. However, the sub-alternatives are estimated to reduce landings of red grouper by less than 1 percent. Based on preliminary analysis, this equates to roughly 300 to 600 pounds and reduced recreational landings of red grouper of about forty to eighty fish.

Additionally, it's worth noting that an in-season harvest closure is predicted for recreationally-caught red grouper, and any reduction in landings earlier in the season could prolong the harvest

season for the recreational sector, albeit likely in a relatively minor manner, given the minimal change in projected landings. Table 1 is your projected change in landings, looking at a range from approximately forty to eighty fish, and you're looking at about a 0.2 to 0.3 reduction in recreational landings, and, looking at the consumer surplus estimates, we're looking at a change of approximately \$4,200 to \$8,400, overall. There again, just a reminder, in Table 2, of those projected closure dates from Framework Amendment 1.

As discussed last time, the Snapper Grouper AP did pass a motion to include all four states in Sub-Alternative 2d, and there were public comments, several public comments, on the action. A commenter from the Keys maintained that every grouper caught during the full moon in April is in spawning condition and consider extending the closure through May. A commenter from Wilmington, North Carolina stated that shallow-water groupers in North Carolina spawn in the May-June timeframe and consider adjusting the spawning season closure, but possibly give fishermen an alternative healthy fishery to pursue during that 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 stated that the spawning season closure could be revised to incorporate the months of May and June, to potentially drop January and/or February, and so, here again, there is no required committee action, but the committee may want to reconfirm the preferred alternative.

MS. MCCAWLEY: All right. Are we still good with the preferred alternative?

MR. GRIMES: Thank you, Madam Chair. I guess I just wanted to note, for the record, that this really seems more about protecting the spawning fish, and we're not trying to achieve any specific target reduction, and it doesn't get much of a reduction, but there may be some associated benefits with lengthening the season, but it really seems to be primarily about protecting spawning fish.

MR. CONKLIN: A lot of the discussions we've had about this, prior to this meeting, is that the fish aren't there anyway, and there is no way to get much of a reduction, and that's why the analysis shows this, but there's something else, and it's not the fishermen's behavior, usually, that is causing this.

MR. HAYMANS: I just want to make sure that I understand, because I guess I missed it, but, if we move on the preferred, we're basically opening shallow-water grouper fishing January through April in Florida?

MR. HADLEY: No, the preferred would maintain the shallow-water grouper closure as it is now. Really, what you're doing is, in the Preferred Alternative 2, it would just be for revising the timing for red grouper in the EEZ off of North Carolina and South Carolina, and so it shouldn't affect Georgia or Florida.

MR. HAYMANS: We did have a comment though about including throughout its range, and is there any additional discussion on going back and including it through Georgia and Florida?

MS. MCCAWLEY: I don't want to include it off of Florida.

MR. BELL: Going back to what Shep had said, I go all the way back to the New Bern meeting years ago, when this came up, and what we were hearing from the fishermen was that these fish were all roed up, or they were still spawning in May, and so there was a desire to protect some of the spawners, and Chris is right that the numbers were just so low, but there was a desire, I think, at the time to provide some additional protection, at least from the Carolinas perspective and what they were seeing for those fish in May that were still spawning, and they may spawn on into June too, but I think that was part of the original intent.

MS. MCCAWLEY: So it sounds like we're good with Preferred Alternative 2a still.

MR. HADLEY: All right. Moving along to Action 3, this 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 so a similar action, but covering the commercial sector. As mentioned, there is the current shallow-water grouper closure from January through April, and Preferred Alternative 2 -- There again, you are looking at maintaining that shallow-water grouper closure throughout the South Atlantic. However, potentially modifying the months of the closure for red grouper and only in the EEZ off of North Carolina and South Carolina. Currently, your preferred alternative is the same as in Action 2, where your Preferred Sub-Alternative is 2a, which is January through May, and so they are gaining that month of May. Essentially, that's your marginal change there off of the Carolinas for red grouper.

What we have in the analysis provided is we have an updated commercial landings analysis. As you may recall, at the last meeting, there was some updated commercial landings data that was being anticipated, and we have had that, and we have added it to the analysis, and, if you look at the different sub-alternatives, and this is for the commercial sector only, you're looking at a change in landings under Preferred Sub-Alternative 2a of approximately a reduction of 6,800 pounds, and this is about a 13 percent reduction in commercial red grouper landings, in total, and it has an ex-vessel value of approximately \$30,500.

Under Sub-Alternative 2b, you're looking at a reduction of approximately 4,200 pounds, and this is about an 8 percent change, reduction in landings, with an ex-vessel value of approximately \$19,000. Sub-Alternative 2c is approximately 8,000 pounds, and you're looking at about a 16 percent reduction, with an ex-vessel value of approximately \$36,000, and Sub-Alternative 2d would be expected to result in approximately a 13,600-pound reduction in red grouper landings, and this would be about a 26 percent change, with an ex-vessel value of approximately \$59,000.

There again, the Snapper Grouper AP had the same motion to include all four states in Sub-Alternative 2d for red grouper only. As far as public comments received on this action, one commenter from North Carolina thought that red grouper should be managed as a bycatch fishery until the stock rebounds, and he suggested no changes to the spawning season closure and a 100-pound trip limit. Extending the spawning season closure for one species could result in increased regulatory discards, as fishermen target legal grouper.

Two commenters from North Carolina stated support for the preferred and suggested a small trip limit, 200 pounds, to help rebuild the fishery, and one commenter expressed concern over conflicting regulations in the Carolinas versus Georgia and Florida, and they suggested no changes to the seasonal closure and a 100-pound bycatch limit.

One commenter from Florida also stated that the spawning season closure could be revised to incorporate the months of May and June, potentially dropping January and/or February, and so, here again, no action is required, and you do have some updated analysis that was just presented, and the committee may want to reconfirm the preferred alternative.

MS. MCCAWLEY: Any discussion on this particular action? We have additional analysis here, and I'm assuming that we want to stick with our preferred, Sub-Alternative 2a. All right.

MR. HADLEY: Moving along to Action 4, the last action in the amendment, this would establish a commercial trip limit for red grouper harvested in the South Atlantic EEZ. Currently, there is no trip limit for red grouper in the South Atlantic EEZ, and Preferred Alternative 2 would establish a commercial trip limit for red grouper, and there are several sub-alternatives, ranging from Sub-Alternative 2a at seventy-five pounds to Sub-Alternative 2d of 200 pounds, with Sub-Alternative 2b at 100 pounds and Sub-Alternative 2c at 150 pounds.

Looking at trips between 2015 and 2017, there were approximately 2,400 commercial trips, and about 77 percent of those trips landed less than seventy-five pounds of red grouper, and, so looking at Figure 1 here. However, there are certainly several trips that do land above 200 pounds, which is your current preferred sub-alternative, and, there again, moving into Table 4, this is an additional new analysis, since we did have those revised landings, and this is the projected change in red grouper landings compared to the no action alternative, and so adding a trip limit, but also being inclusive of the extension of the spawning season closure off of the Carolinas, and so, in Sub-Alternative 2a, you're looking at a reduction of approximately 16,000 pounds. In Sub-Alternative 2b, it's approximately 12,000 pounds. Sub-Alternative 2c is about 7,500 pounds, and Preferred Sub-Alternative 2d is an additional reduction of about 5,000 pounds.

Going to the public comments, one commenter from North Carolina thought that red grouper should be managed as a bycatch fishery until the stock rebounds, as mentioned, suggesting a 100-pound trip limit. Two commenters stated support for a small trip limit of 200 pounds, and then there was the concern about conflicting regulations in the Carolinas versus Florida, but that commenter suggested a 100-pound bycatch trip limit throughout the South Atlantic region.

Just as a reminder, the Snapper Grouper AP did approve a motion that agreed with and recommended that the council consider a commercial bycatch trip limit for red grouper. However, when discussing this action at the October meeting, some AP members noted that the trip limit for the commercial sector may not be effective overall at reducing harvest, since the sector is already underharvesting its ACL, and a low trip limit may disproportionately affect some fishermen who specialize in red grouper, particularly in areas such as south Florida and Florida Keys. Here again, no action is required. However, the committee may want to reconfirm the preferred alternative.

MS. MCCAWLEY: All right.

MR. GRIMES: Just like with Action 2, when I mentioned that this is just -- I mean, it's not designed to achieve any particular reduction, and only 5 -- The information we have from the last two years, the two most recent years of data, indicate that only 5.6 percent of the trips have exceeded this, and so you just might get some reduction in the speed of harvest from it, and I mention this simply because it's a rebuilding plan adjustment, and, yet, the actions in it aren't tied to achieving any specific reduction or rebuilding timeline, and so, to help me get my mind around

it, I want to say that stuff on the record, and then I will make sure that it gets into the document in the meantime. Thank you.

MS. MCCAWLEY: Thank you, Shep. I am looking around, just to make sure we're still good with our Preferred Sub-Alternative 2d of 200 pounds. It seems so.

MR. HADLEY: All right. That's about all for this amendment, but really just looking at direction as far as how to make this amendment move forward, and one of the options is to approve all the actions in Regulatory Amendment 30, as modified, to consider for final approval at the June 2019 meeting.

MR. CONKLIN: Do you want me to make that motion, Madam Chair?

MS. MCCAWLEY: Sure.

MR. CONKLIN: **I will make a motion to approve all actions in Regulatory Amendment 30, as modified, to consider for final approval in June of 2019.**

MS. MCCAWLEY: Thank you. It's seconded by Chester. **Is there any objection to that motion? Seeing none, that motion stands approved.**

I believe that's it for Amendment 30 for today, and I suggest that we go ahead and break for lunch, and, at 1:30, we'll come back, and I think we're going to talk to Chris Oliver at 1:30, and so we will see everybody back at 1:30.

(Whereupon, the meeting recessed on March 4, 2019.)

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March 5, 2019

TUESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Westin Jekyll Island, Jekyll Island, Georgia, Tuesday morning, March 5, 2019, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: Back to the Snapper Grouper Committee agenda, we are on Amendment 42, the sea turtle release gear and framework modification, and I am going to turn it over to Christina.

MS. WIEGAND: All right. It's time to talk about everyone's favorite protected resource, sea turtles, and this is the amendment that looks at modifying the release gear requirements. In December, you guys approved the new document format. If you will remember, it turns out that, through NEPA, we can simplify this document and make it move a little bit faster, and so there aren't any formal actions and alternatives, and there is no purpose and need, since, originally, it was just a do-or-do-not situation, and it remains sort of a do-or-do-not situation.

You guys approved it for public hearings, which are going to occur as part of the public hearing session during this meeting, and it is scheduled for formal approval, and so, again, here is the timing. There is public hearings and then considering final action for secretarial review at this meeting.

If you guys will remember, during the visioning process, you reviewed the FMP goals and objectives and made some modifications. In order for those to be formally included, they need to be stated in a plan amendment, and so they've been added to this one, and so what we're going to need from you today is to sort of go over those objectives and decide which ones you would like to include in the Snapper Grouper FMP. If it's looking like this needs to be a bigger discussion, this can also be removed from the amendment and put into a different plan amendment, and it just depends on what you all feel comfortable with.

What I wanted to start with is just briefly reviewing what you guys discussed during the visioning process, and you had four different goals, and then there were objectives that were prioritized for the 2016 to 2020 plan and then objectives that were not prioritized, and so in the blue are the objectives that you did prioritize, and in the green are the objectives that were not prioritized, and so this first goal looks at management decisions for the snapper grouper fishery and making sure they are based upon robust, defensible science that considers qualitative and quantitative data analyzed in a timely, clear, and transparent manner that builds stakeholder confidence. I don't want to spend the whole time just reading verbatim the slide, but I will give you guys a minute to look over what we've got on the screen.

Again, Objective 1 and Objective 2 are prioritized, and 3, 4, and 5 were not prioritized during the visioning process. Once you guys have had a second to look these over, and I guess I will just wait and make sure there aren't any questions or any discussions of this specific goal and the objectives under this goal.

MS. MCCAWLEY: Let me jump in here, and so I have to say that I didn't really feel prepared for this discussion about these goals and objectives. I personally think it's a little weird that it's inside this framework amendment for the turtles. It's just me, but I would rather finish this turtle amendment, and I don't mind if we have a discussion about this today, but I am not sure that everyone on the committee is really prepared, because it's kind of new that this is coming in at this point in time, and so I'm excited to have the discussion about it, but it's just, to me, I don't want to hold up the sea turtle release gear framework amendment, or framework action, and I would rather maybe start the discussion at this meeting and then continue it maybe at another meeting, when we're a little bit more prepared.

Another thing that was a little bit confusing to me is, also in this committee, when we're going to be talking about the visioning process later, there was some information included that conflicts with this, and so that confused me even more, and it was the older information, and so that's in direct conflict to this, and so that makes me want to even more slow down here, since there were two different versions in here, and, also, we're taking public comment at this meeting, and I'm not convinced that the public -- Especially since one of our goals here is transparency, I'm not sure that the public has had time to really look at these and comment on it, and I would rather the sea turtle thing go ahead and move forward, and so I don't know if you want to add anything to that, Myra.

MS. BROUWER: Thank you, Jessica. The reason that that material was included as Attachments 10a through 10c, I believe they are, in your briefing book is because, back at the last meeting, you were talking about an allocation trigger policy that is going to necessitate that you review the objectives in the FMP.

I dug up work that you have already done, that you did back when we were doing visioning, reviewing those objectives, and Kari MacLauchlin, at the time, had put together a document that shows you how the objectives have evolved over time and why, and so all that material is included under Attachments 10a through 10c, but, by all means -- This was a suggestion that came from NOAA GC actually, because, to make any changes to the objectives of an FMP, that has to be done through a plan amendment, and, at the time -- I mean, this is our only full-blown amendment that we are developing right now, but certainly, when we get to that item on the agenda later during the committee, perhaps you can give us a little bit more clear guidance as to how you want to proceed with reviewing the FMP objectives.

MS. MCCAWLEY: That's a good point, and I remember it coming up in the discussion about allocation and how we need to go back through those objectives, and so I welcome having that discussion as part of the allocation, which is another reason why I'm a little bit concerned about approving this here, inside this sea turtle amendment, because I want us to have a more robust discussion, and we've got a lot of new council members, and we can talk about it more when we get to the allocation. Thanks.

MS. WIEGAND: Excellent. Well, if that's the case, then we won't delay the sea turtle amendment, and I will just skip through these, and I will get into the sea turtle stuff, and so nothing has changed with this amendment since the last time you guys reviewed it, but just, as a refresher, it's going to add three new release gears that can be used as options, and these aren't new regulations. Fishermen won't be required to go out and buy new gear, but these are just additional options, and one of them is the collapsible hoop net, and this can be carried onboard in place of the currently required dipnet, and it addresses some stakeholder concerns about space on the vessel, and this hoop will collapse, and, once it's folded over, it's about half of its original diameter.

Then you've got the sea turtle hoist, and, again, this can be used in place of the dipnet, and it's typically best for vessels that have either limited space or a really high freeboard, and so, again, it's just additional options that can be used in place of the dipnet if a fisherman chooses, and then there's also another dehooker that's been approved, and it should be good for removing hooks that are used in the snapper grouper fishery, and it's for externally-embedded hooks, specifically, that can't be removed using needle-nose pliers or bolt cutters.

In addition to those three new release gears, there is also some clarifications to current dimension requirements, and, again, these shouldn't require fishermen to buy any new gear if they are already in compliance, but it just removes phrases like "approximately" that can make it challenging for law enforcement to enforce the regulations, and it can make it challenging for fishermen to know what exactly they need to buy, and so, instead of saying "approximately", it just replaces it with a minimum range that is inclusive of what's already required.

There is also another stainless steel that has been approved, and they are specifying that the monofilament line cutter can be one inch, which is the current requirement, or longer. Again, as

we talked about last time, they are also clarifying that any lifesaving devices that are onboard that are used to fulfill sea turtle requirements can't also be used to fulfill Coast Guard requirements, and so you still have to carry all of your life jackets onboard, and you can't use those to comply with the sea turtle release gear requirements.

Then, right now, fishermen are required to carry that huge 130-page document onboard, and we're going to allow them to have an electronic copy of that document now, instead of that huge document onboard, and then this amendment also addresses the snapper grouper framework procedure, and it just allowed protected resources and sea turtle handling and gear requirements to be addressed through a framework procedure instead of this longer amendment process, and this is the process that has been designed.

Once NMFS has identified or authorized the use of new release gear, the council will convene its Protected Resources Committee to consider the changes, and the council will then hold a public hearing during that meeting when the Protected Resources Committee meets to discuss recommendations and allow the public to comment on the recommendations. Then, if the council determines that those modifications are necessary and appropriate, they just notify the Regional Administrator in a letter that has the analysis of the relevant biological, economic, and social information, like we usually do in a framework procedure.

If the council chooses to deviate from any of NMFS's recommendations, then this framework procedure no longer applies. The intent of this is just to address sort of routine updates to handling and protected resources requirements, and so that's all that is included in this amendment, and we've been over the public comment that we have received from other meetings, and, if you would like, I can go over that again.

The Snapper Grouper AP has discussed this just as part of updates at a couple of their meetings, and they have just noted that AP members don't often encounter sea turtles and that private recreational fishermen are not required to carry this gear, while commercial and charter/for-hire guys are required. Concerns about liabilities when bringing sea turtles onboard a vessel and how that may cause some danger to paying customers, and they have talked about how the release gear can be expensive, and, because it's not used often, it gets rusty, and they have to regularly purchase new gear and that detailed design specifications can be challenging to find, and I will note that, in this amendment, we do list, in the appendices, places where you can purchase this gear, and adding the "approximately" language is meant to make it easier for fishermen to find gear that will comply with the regulations. Then just there's a lot of effort and money spent on sea turtle release gears, which are burdensome and unnecessary.

We did take this amendment out for scoping a while ago, in April, April of 2018, and, again, we received a number of comments from stakeholders that fishermen rarely, if ever, encounter sea turtles and that the gear gets rusty and unusable and that it has to be purchased regularly, which can be expensive, and that propeller strikes and diseases are often the more problematic causes of mortality in sea turtles than fishing gear, and that, really, dehooking devices are all that fishermen really use or need anytime they interact with a sea turtle.

Request that the regulations be simplified, additional concerns about safety issues when hauling a sea turtle up onboard, and then some support for expanding the sea turtle release gears to include

more compact and useful tools and provide flexibility to fishermen, and so that's the public comments and the AP comments that we've received related to this amendment.

MS. MCCAWLEY: Thanks for going back over that again, and so, today, in committee, we're just trying to figure out if we want to make any changes, and aren't we doing a public hearing on this during the comment period on Wednesday of this week?

MS. WIEGAND: Yes.

MS. MCCAWLEY: So maybe we don't want to make that motion for sending it to the Secretary until after we take the public comments on Wednesday night, I believe, and so, committee members, are there any changes or questions or concerns about this document that we need to discuss?

MS. BROUWER: If you could give us just guidance to staff. Do you want to remove the FMP objectives from the document for preparation to submit it?

MS. MCCAWLEY: I would, yes. Thank you for bringing that up.

MR. BELL: That was done just as sort of a conveyance of opportunity, to move that along, but I can see where it could sort of slow this down, and, if we want this to move on, then maybe that's the best course of action right now, to separate them.

MS. MCCAWLEY: Any more discussion here? What else do you need from us, Christina?

MS. WIEGAND: If there are no concerns about this document, then there is nothing else that I need from you at this time, and you can consider final approval during Full Council, after public hearings.

MS. MCCAWLEY: All right. Great.

MR. GRIMES: Just in case I am not here when the Full Council votes on the regulations, you have the codified text, and we're going to have to change that. The Gulf is a little bit ahead, in terms of making these exact same changes, and we got feedback from the Office of Federal Register over incorporating by reference or including the documents in the appendices, and we're figuring out how we want to move forward with that, and, once we have, we're going to change these regulations to be compliant with that, and we'll need re-deeming or whatever by the Chair.

MS. MCCAWLEY: Great. Thanks for bringing that up, Shep. Is there anything else on this particular amendment? All right. Then we will see this again at Full Council. Thank you, Christina. Now we're going to move on with Brian to the Wreckfish ITQ Review and see if we can knock this out before lunch.

DR. CHEUVRONT: Thank you, Madam Chair, and I think we will be able to knock this out before lunch, because, really, all that we have for you is an update. If you will remember, at the December meeting, you made the wreckfish ITQ review a priority that you wanted to see at this meeting. Unfortunately, this was a casualty of the government shutdown that we weren't able to remedy in the amount of time after our federal partners came back to work.

There has been some additional work done on the document since you've last seen it, but the main part that is missing is the conclusions, and so there is really nothing that you can do really to move this document forward at this point until you get some conclusions, and so what we would like to suggest to you is that we could -- The IPT has met since they have been back, and we weren't able to get anything done in time to make the briefing book here, but we would like to suggest just a one-meeting delay on this.

Even though we had a statutory requirement to start the wreckfish ITQ review, there is no requirement to end it by a certain date, and so we're not running afoul of any problems, but it's just this was a casualty that the easiest thing to do was just, instead of reviewing a completed document at this meeting and giving the final blessing on it in June, we're going to be bringing you a complete document in June and then get whatever comments and things you all want to have into it and then bring you the final document in September, and then we ought to be done with it, but I'm guessing that the work that needs to be done on this will happen in June, and it would just be a short review, making sure there aren't any final questions and any comments that you all have in September, and so, Madam Chair, that's what I am suggesting will happen.

Since I have the microphone, I would like to mention the fact that, when we have our allocation discussion tomorrow, there are six folks who haven't submitted their comments yet. If you didn't get the email, let me know, but it did go out yesterday, and so seven folks did respond. We would really like to get them by the end of the day, and so, if you didn't get them, let me know, because I need to be able to compile these data tonight to be able to present something to you all tomorrow morning. Madam Chair, that's it for the wreckfish ITQ review.

MS. MCCAWLEY: Thank you, and so just a couple of questions on wreckfish. It did look like, in the document, that there were significant additions to the document, but I guess just not all the way there, because you couldn't meet because of the government shutdown, and so the conclusions piece -- There will be recommendations in there that might then go into an amendment for regulatory changes, and isn't that part of this process?

DR. CHEUVRONT: Yes, ma'am. The idea is going to be that you're going to be able to see all the comments that have been made by the ITQ shareholders, and the SEP of the SSC had a lot to say about this, and it's gone before law enforcement, and it's gone to the Snapper Grouper Committee, and so all those comments, and their recommendations, are going to be in there as well, in addition to the findings.

Part of this report is how well did the ITQ perform since its last review, and so that's part of this as well, and that is the compiling of information and stuff that is happening right now, and so, conceivably, what would happen is you will get this document, and you will approve it, and there will be a list of recommendations of steps and things that you all can consider taking, but that would happen in a later amendment.

MS. MCCAWLEY: Can you remind me if the Law Enforcement Advisory Panel had talked about any modifications for the wreckfish ITQ?

DR. CHEUVRONT: The things that we had asked folks to consider about law enforcement are largely things that were put into place when the ITQ program was put into effect, like offloading

sites and offloading times and things, and I can't remember exactly what those details are offhand, but they have been discussed, and so there probably will be some recommendations.

I know the ITQ shareholders -- I mean, I think there is six active participants in the fishery now, compared to the forty-plus that were in the fishery, I believe, when the ITQ review was put into place, and so I think it's really at a much more manageable level, and so maybe some of these restrictions that were put in place in the beginning are things that the council might wish to revise when they look at an amendment to modify the ITQ program.

One of the big things is remember that we've got -- All the accounting for this is done by paper, because they have all those coupons and all that, and there has been some discussion with SERO folks that I believe that some of their ITQ tracking programs that they are using in the Gulf could easily be modified to account for this, and it's all this weird rounding of pounds, and they keep track of the actual things, but the coupons that you have to fill out is based on how many pounds, and, if you don't have the right number, denomination, of coupons, you can be filling out lots and lots of coupons, and going to an electronic system could help alleviate some of those problems. Myra has brought up the LE AP's recommendations for this.

MS. MCCAWLEY: Wonderful, and so I guess my confusion is -- Does that become part of this document, or does it only become part of the process as items are discussed from the conclusions and then moved forward into an amendment?

DR. CHEUVRONT: There is a section in the document that is devoted to each group who has commented on the program, and then, as their recommendations were made to specific aspects of the program, that is incorporated into it.

MR. BELL: To that, I noticed the Section 10, monitoring and enforcement, it's yellow highlighted, as well as in the Table of Contents, and so I assumed that was a reminder of something.

DR. CHEUVRONT: That is new information.

MR. BELL: So that's new? That's what that means?

DR. CHEUVRONT: That is the new stuff, because that has been edited since you have seen that last.

MR. BELL: All right, but we may still need another round of something?

DR. CHEUVRONT: Yes, and we haven't done a full document edit review of this whole thing yet. We're putting the pieces together, and recall that, in the IPT process, multiple people are writing different things, and so, once we get all the pieces and parts put together, then we have to go back as a group, and everybody looks at the document again, and we look to see did anything get left out, are there any holes, is there duplication of effort, and that kind of editing will happen as well as the conclusions.

MS. MCCAWLEY: Thanks, and I was just trying to figure out, if we're going to meet the Law Enforcement Advisory Panel before the June meeting, if they needed to talk about this, but it

sounds like they already have. Okay. Thank you for that update. Any more questions for Brian or Myra?

MR. HEMILRIGHT: I was just curious. How is this fishery tracked? Even though it's an ITQ fishery, how is tracked for like the public of how much quota is caught and how much other -- It seems like, hopefully with the electronic reporting, that it's going to come into the twenty-first century, but just how is like a fishery performance -- How much of it is getting caught and all these other questions, I guess?

DR. CHEUVRONT: Well, that is all tracked. I mean, there is a logbook, and, basically, most all of the quota is being caught every year, and it's all being allocated, and nobody can overfish their share of the quota, and so that keeps -- We don't have to worry about ACL overages and things with this fishery, and so, frankly, if it could happen, and the fishermen would like to see some other kind of a stock assessment on this in the future, because they would like to see if it's at all possible that that ACL could be increased in the future, and there is other issues, like while there -- We know there are recreational landings, but they're just not picked up in MRIP, and, right now, the recreational sector has I believe 5 percent of the overall ACL, but it's hard to document it through MRIP, and I think there was only one landing that was captured like in 2012 in MRIP, and we know it happens, because you can just go onto Facebook, and you can see people posting pictures of them holding wreckfish on there, and so it's just that MRIP is not finely-tuned enough to capture those, and so there is discussions of ways to handle that and how that might be of benefit to fishermen as well, but we just don't know.

MS. MCCAWLEY: Thanks, Brian. Any more questions for Brian? All right. Let's go ahead and take a lunch break and be back here at 1:30, please.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We're missing a couple of folks, but we're going to go ahead and get started. Next up, we have Kevin McIntosh with the SERO Permits Office, who is going to give us the long-awaited presentation from the Permits Office that everybody has been asking for.

MR. MCINTOSH: Thank you, Madam Chair. Again, I'm Kevin McIntosh, and I'm the Supervisor in the Permits Office in St. Petersburg. Just a quick little background, I started with NOAA in 2001, and I was at the Northeast Fisheries Science Center, in the Ecosystem Surveys Branch, and I spent 2001 to 2012 in Woods Hole, and an opportunity in the IT Department came up in St. Petersburg, and I applied for it and was selected, and I basically transferred down to the Southeast Regional Office, and so that was February of 2012. I worked in IT until April of 2018, mainly in support of the Permits Office and the permitting system that they use to process and track permits. Then, when the previous supervisor left, in April of 2018, I volunteered and was selected to be the supervisor down in the branch.

I am here today because I know there has been some questions brought up related to the Permits Office in the previous meetings, and so I have those questions from some other meetings, and I've also got just some other information on the Permits Office, the procedures and processes, and then also I'm going to show you a little demonstration of the online system and how we use this to renew your permits online.

These questions were from the Kitty Hawk meeting you had back in December, and so provide an overview of the permit program, when it was established, and how many permits are being managed. The Permits Office was established in the early 1990s, and we are currently managing over 19,000 permits in the Gulf of Mexico, the Atlantic, and the Caribbean.

This is kind of a flow chart of our application process, and this is from the moment that we receive the application to the moment that we issue it, and so, starting in the upper-left-hand corner, if this is a renewal application, you're going to receive a letter from us sixty days prior to the permit renewing. At that point, you've got three options to submit your application. One is using the online system, which is the preferred method, and we've got a walk-up lobby at the St. Pete office, and so, if you're local, you can come and drop your application off at the window, or you can mail it in. Those are just for renewals.

If there is a request for a new permit or a transfer, unfortunately, that's not in the online system yet, and so the only two options there are to -- Again, if you're local, you can walk up to the window, or you can mail that application in. Once we receive that application, we've got a full-time mail clerk, who one of their main jobs is to process the mail and check it in. They will receive that application and log it into our Permit Information Management System, or PIMS. It is stamped with a received date and it's entered into the system, and then it's placed on the shelf, in a color-coded folder, so you know which ones are what, the dealer apps, online apps, paper renewals, operator cards.

We have got five full-time processors in the office, and their main job is to process applications, and we've got an office manager, and she deals with logistics of the office, along with processing applications and answering the phone, and then we've got a data analyst, who receives data requests from internal and external stakeholders and processes those requests and returns the data.

If you're one of the processors, you come up to the shelf, and you grab the next application in line, based on date, and we utilize the first-in-first-out method, and so we process day after day, and there is no jumping ahead. If we're on a particular day, you've got to complete that day before you get to the next one.

The processor will review that application. If the application is current and free of any deficiencies and has all the required documents and application fees, they can go ahead and issue those permits and mail them out that day. If the application is not complete, if it's missing either application data or supporting documents, then we'll send a deficiency letter out, and we'll mail it out, and that letter will have the deficiencies identified and how to rectify those deficiencies. Once we get that application cleared up and it's sent back to us, we can go ahead and issue the permits.

This is the shelf, if you ever call us and we talk about the shelf. Pre-shutdown, we had forty applications on the shelf, and we were processing the next day, or the day before, and that was right before Christmas. Then we were shut down for thirty-five days, and, when we returned -- This is the Wednesday after we returned, and it took us two days to check-in and receive all the applications. We ended up getting 515 applications during the shutdown, and so it was pretty significant, and this other picture here, the last one on the right, I took that picture last week before I came down here. It took us almost three weeks to process those 515 applications that we received during the shutdown, and, of course, we're still receiving applications every day after that, and so we're behind a little bit.

Just some stats related to the shutdown is the online system did stay up during the shutdown, and so we did receive 158 online applications during the shutdown, and then, when we opened up on that January 28, we had 357 paper applications waiting for us. We did issue a Fishery Bulletin, I believe it was on January 31, that extended the validity of the vessel or dealer permits. Basically, the long and short of it is, if we've got your application, if we received it before your permits expired, then those permits remain valid, due to the shutdown, after the expiration date.

Question 2 is what is done to track individuals who attempt to obtain and renew a permit when there has been a violation on a previous permit? The Permits Office is typically informed by General Counsel that a violation has resulted, either a notice of permit sanction or a notice of intent to deny a permit relative a vessel or an entity. The entity could be a business or an individual. A permit sanction means a suspension, revocation, or modification of a permit.

Once we get that alert from General Counsel, we can enter that into the system, either based on the vessel number, based on the entity, or both, and so it can be attached to any one of those, based on the FEIN number of the business or the Social Security number or the vessel number. If an application is received for that vessel or from the entity that is associated, the permit holder or associated to a corporation that is a permit holder, the alert will appear during the application process with the necessary guidance. Most of the time it's to contact GC or along those lines. Then only active alerts appear in the system. If the violation has been resolved, then we end that violation, and it no longer appears next to that entity or vessel.

If a permit were to be tied to an individual rather than to a vessel, would this help in tracking violations? No, basically because we can already associate a violation, or an alert, with an entity and not just the vessels. Therefore, again, any permits or vessel the entity is associated with, whether they are individually owned or whether they're part of a corporation, that alert appears when we go through the application process. We will stop, and then, depending on what the guidelines are, we will call GC.

Could a permit be issued on a multiyear basis? I would say, if it was going to be, it would have to be consistent for all permits and not just the South Atlantic, but across-the-board. However, there are some drawbacks that limit the logbook compliance enforcement. Historically, withholding a permit is the best logbook compliance tool, and we do not issue permits, and the system won't allow us to issue permits, if the logbooks are not compliant, and so we will hold up that application, and we'll send the deficiency letters that they need to resolve those requirements, and, when they do, we can finally issue those permits.

It also decreased the incentive to submit logbooks timely, and, therefore, it decreases the accuracy of the logbooks. Analysis based on logbooks would be affected by late, up to two-year, submissions, and the reduced ability to determine the latent or the non-fishing permits. Talking about limited access permits, it decreases the time before termination, and so potential unintended consequences when striving to reduce overcapacity.

It reduces the reliability of information used in analysis, and so contact information. Often, even though they're supposed to contact the Permits Office within thirty days of changing your address, typically it doesn't happen, and so the only time we get the new, updated information is when you

submit that renewal application, and so this may result in the return of certified mail or a delay in providing a permit holder with timely information, and it reduces the socioeconomic analyses.

As far as the impacts to the socioeconomic analyses, the inability to determine changes to ownership of corporations, the vessel port counts, permit holder location, and small business information required by the Regulatory Flexibility Act. As it relates to dealers, state wholesale licenses are still required to be renewed annually, and they are needed to obtain a federal dealer permit.

What would happen if a permit were revoked in a limited-access or open-access fishery? With the limited-access, the total number of permits for that fishery is decreased. However, that entity may purchase another permit from an existing permit holder. For the open access permits, they can apply for another permit. It's \$25.00 for the first permit and \$10.00 for each additional permit, and so, if they end up doing that, there is no effect on the total number of permits that can fish.

Question 6 was how do the renewal schedules affect the number of active permits? Overall, our renewal schedules are based on the individual permit holder's either birth month, if the permit holder is an individual, the month of the incorporation of the business, if the permit holder is a business or corporation, or the last full month of a lease agreement, if the vessel is leased. The only exceptions are golden crab, which expire at the end of the year, and wreckfish, which they expire on 1/14 every year, but, overall, the expiration dates are pretty random across-the-board.

You do have one year after the permit expires to renew, except for golden crab, which you have six months. Then, on a monthly basis, the number of valid permits starts off lower in the beginning of the month and increases into the last of the month, and I will show you what I mean on a graph on the next page. Just to clarify, the permit validity does not indicate active fishing.

Here is this graph that I was talking about. This line over to the left is December 31. Right around midnight, as soon as that happens, it hits January 1, and we have an automatic process that runs that expires all permits that expire at the end of December, which will decrease the overall number of valid permits at that point, but then, as you go up through the month of January, and as we receive the applications to renew the permits, the number of valid permits increases, to the point where we get to the end of the month and February 1 hits, and then that process runs again and expires all permits that weren't renewed that expire at the end of January, and so this happens throughout the whole year, and so you kind of see this flow. Typically, at the end of each month, the last day of each month, that's when you're going to have the most valid permits.

To clarify how the renewal process differs for for-hire and commercial permits, overall, the same application is used to renew commercial and for-hire. Depending on the permit, there might be some different sections that you need to complete, or a couple of different supporting documents that are different, but, overall, the process is very similar. The only increased fees are for the charter/headboat permits in the Gulf, to cover decals.

Clarify the process for incorporating a business/permit and, particularly, the time it takes to complete the process. We don't actively check the validity of a corporation, and so any new business or corporation that is entered into the system is what is written on the application. However, if something does come up, maybe the following year, that throws up a red flag -- For instance, we have the information in our system, and the application now has a different FEIN

number or a different date of incorporation, at that point the processor will start to do a little digging.

Typically, we go to a state website that has business information, like Sunbiz in Florida, and we'll look up that business. At that time, if Sunbiz, or the other websites, show that they are inactive, we will require the applicant to provide proof that the company is still active, but we are not actively checking for that unless there is that red flag.

Explain the process of permit application renewal and identify areas that need improvement, and so, starting when I got down there in April, I have really worked with IT a lot to try to move as many of our permits online as we could, and so, starting in June of 2018, we started adding additional fisheries to the online system. By the time we were done, we added twenty-five new permit renewals to the online system, by the end of FY18.

We are looking to add dealer permit renewals to the system, either in FY 19 or in FY20, and so the online system already has, and I am going to log-in and show you the online system and how you can go through an application, but it already has all of your information in there for you, your vessel information, your permit information, any of the information related to the entity, and it's already pre-filled in for you. You can pay online, via credit card or a bank account, and you can submit required documents by uploading them into the system, and so you don't have to mail them in or fax them to us.

We are hoping to update the online system in the next two to four years, and I'm looking to add the ability to submit an application to request new permits, new dealer permits, transfer limited access permits, and to renew and request operator cards.

Explain how the changes could be made in terms of governance and how is the agency structured and where does the Permits Office fit in, and I'm not really too sure about that question, but I did provide some information. The Permits Office was originally in the Sustainable Fisheries Division, but it was moved to the Operations, Management, and Information Services Division, and so now we're under OMI down here on the left.

Explain how permit leasing works and how many permits are currently being leased, and so there is no provision in the federal regulations to lease permits, and so permit holders may lease a vessel and then obtain and transfer permits onto that vessel as the lessee. Note that the vessel lessor and the lessee can't independently hold permits for the same vessel at the same time. The Permits Office FAQ webpage, which I will show you in the next slide, is a great resource for information related to leases, but, overall, there are currently 681 vessels being leased.

There is just a snapshot of our permits FAQ page. If you go to our permits webpage, on the right-hand side of the menu, there is a permits FAQ page, and it talks about leases and what you need to have in the lease, and it's got some other questions, like does the lease need to be notarized, and that's no, and so it's a good resource. Overall, that FAQ page is a really good resource for information.

Clarify the need for a unique invitation code for the online renewal, and so the invitation code that you receive in your renewal letters that you get sixty days prior to the permits expiring, that is associated with you as the permit holder, specific to you, and so, when the code is redeemed in the

system, the permit holder's name, business or individual name, comes up, and it's displayed in the system. Once that code has been redeemed and the online account is created, you don't have to use it again the following year.

This might be hard to see, but these are two examples of your renewal letters. On the left-hand side is a renewal letter sent out to a new user, and so, at the top here, you have your vessel number, and I blocked it out, just for privacy concerns, but you have got your vessel number and the permit holder's information. Down here is the permits that are about to expire and then some information down here about getting started and setting up your account.

It will give you the URL that you need to log into for the permits system, along with the necessary instructions to redeem your invitation code, which is down here at the bottom. We have actually increased the size of that during the last month's renewal letter, because people were missing it, and so we bumped it up to about, I think, forty or fifty pixels, and so that's for new users.

On the right-hand side, this is a renewal letter for existing users that already have an account with us, and, again, you've got your permits, but, at the bottom, instead of having that invitation code, it's a reminder of what email address you used to set up the online account.

Here is the online system launched in 2015. Originally, it just had the five for-hire permits that we offer, and not the historical captain ones, but the three in the South Atlantic and two in the Gulf, but now you can renew thirty out of thirty-three vessel permits. The only three that are not on there are the two historical captain permits and golden crab, and we're working on getting those into the system.

Again, the eligibility and instructions are included in the renewal letter. It takes ten minutes to complete, and the system, again, pre-populates all of your information that you would normally need to fill out on a paper application. I have already covered the stuff there, but you get your permits sooner, and what I mean by that is, as soon as you get your renewal letter, you can sign up for your account that day. You can log into the system and submit your application the same day. Because we work in the first-in-first-out, you get your application that day, and, instead of mailing it in, which could take a couple of days, and we could have received 150 applications in that time, and so it really does benefit you to use the online system to renew.

You also get the benefits of deficiencies being emailed to you, instead of mailed, and so, if you've got an application and you submitted it and we haven't processed it yet, you're going to get an email that you're missing something, whether it's Coast Guard documentation or a payment or something like that, and so it's kind of a heads-up, even before we start processing your application, to get that stuff resolved before we get to the application. Once we start processing it, it's ready to go, and you get your permits issued.

I want to briefly show you -- I have the online system here, and so this is the URL that is listed on your renewal letter. It's going to tell you to enter your invitation code up here, and that's the invitation code button, and I set up a fake invitation code, and let's see if it works, and up comes my business name, Crabtree Inc. This is where you would enter your email address and confirm it and create your password, and then you create it, and that's it, and that's all it takes to set up your online account.

You are going to get an email from this. Whatever email address you put in this field right here, you're going to get an email to confirm your account, and, once you do that, your account is active. In the case of Crabtree Inc., they already have an account, and so you get your renewal letter, and you log into the system, and there is the vessel name that Crabtree Inc. owns. If you have a corporation, or if you have multiple boats associated with that same entity, you will see multiple vessels listed here. I think the most I've seen is thirteen applications going across this.

You can start your application, and the online system mimics the paper application, and so this first page is the vessel information, and that Section 1 of the application, and so everything can be updated in here except the top four fields. A change to the top four fields could constitute a transfer, and the system isn't set to handle that, and so you can change everything else except the top four fields, and they are grayed out, but you can change handling port all the way down to the specs of the boat. If nothing has changed there, if nothing needs to be updated, you click "next", and here are the permits that are associated with that boat. All you do is select the permits you want to renew by checking the box. If you have any limited access, they would be listed down here below.

Up comes the vessel ownership, which is Crabtree Inc., and here is the address for Crabtree Inc., and you can go ahead and update your address within the system, if there's a change there, and then this yes or no up here at the top is about is this business a corporation or a partnership established under the U.S. laws, and you just have to select something there, and it will not allow you to go on to the next page unless you select something.

These are all the shareholders or officers related to Crabtree Inc., and, again, it's the same way as the other screen before, and you can change the address for each one of these shareholders. If you select yes that they are a U.S. citizen or a permanent resident alien, then you move on to the next page, and so here is an alert that this logbook is not compliant. If you are renewing this particular permit, you can still submit it online, but, if the logbooks are not made current, we will be unable to approve the permit renewal.

At this point, this is your application requirements page, and this is going to tell you what the application -- What documents are required to complete this application. In this case, it's a small business or organization certification, which is a required document for every application, and then, for the U.S. Coast Guard documentation, and so you will need to provide those two documents to us, along with clearing up any logbook requirements for that permit. The application summary screen just summarizes everything that we just went through, the required documents, the fees, and then you submit your application to the Permits Office. At that point, that application is submitted, and it is now in line to get processed.

Question 13 from the December meeting talked a little bit about the Snapper Grouper SG-1 and SG-2, and so here is just some information for SG-1. We have 531 permits, and that includes the expired permits, and that's number of valid permits, and this is from the other day, and, again, these numbers always change, and it's 479. SG-1 transfers, and so an owner of a vessel with a transferable permit may request that the RA transfer the permit to another vessel owned by the same entity. A transferable permit may be transferred upon a change of the ownership of the permitted vessel with such a permit, and so, for the SG-1, you can transfer from the permit holder to any one of these individuals: husband, wife, son, daughter, brother, sister, mother, or father.

You can also transfer an individual to a corporation whose shares are all held by the individual or by the individual and one or more of the following, and it's the same people as the previous, the husband, wife, son, daughter, brother, sister, mother, or father. If those two scenarios don't work, then you must obtain and exchange two such permits for one permit, and that's the two-for-one.

Then you've got the corporation and business purchase, and this is not a transfer, but you can purchase a business or corporation that owns an SG-1, and you don't need the two-for-one. However, the business incorporation can't be a family owned, as described above, and so, when this transfer happens above from an individual to a corporation, and that's all shares are owned by the family members, we mark that in the system as a family-owned business, and they are not eligible to be purchased, as they are another corporation, and so it's known, and it's marked that this is a family business, and it's considered an individual or one permit, but the FEIN number has to stay the same, because, if it changes, it would be considered a transfer, and that is not allowed in the regulations.

For SG-2, the total number of permits we have are 107 right now, and that includes expired ones. The total number of valid permits are ninety-two, and the number of leased vessels with SG-2 on them is thirty-one. As far as transfers, you may request to transfer the permits to another vessel owned by that same entity, and just a little SG-2 history that there are twenty-three businesses and corporations that own an SG-2, and that's it. Any questions?

MR. GRINER: On the SG-2, you said there was twenty-three businesses, and I think it was twenty-three.

MR. MCINTOSH: Yes.

MR. GRINER: If those could never have been transferred, how could a business ever own one?

MR. MCINTOSH: From the very beginning. When they were issued, they were issued to a business.

MR. GRINER: Thank you.

MS. BECKWITH: I didn't have a question, but just a compliment, actually. I renewed my charter permits today, online, and it was a breeze.

MR. MCINTOSH: Awesome.

MS. BECKWITH: I think this is the second year I've done it, and you guys did add that new weird little small business thing, which I was wondering how that was going to go, but it was quite simple, and it was very clear, and so good job, you guys.

MR. MCINTOSH: Thank you. Yes, we get a lot of questions with the small business. Ultimately, we're going to get it incorporated into the online system, where, right now, it's emailed to you after you submit an application, and a lot of people miss that email, and it's the confirmation email that we've got your application, and thank you for submitting, and, oh, by the way, there's something attached to it that you need to complete, and so the requirement for the small business happened after the system was built, and so we had to figure out a way to get it on there, and the

only way was to email this attachment, but, in the future, it will be in the system, and then you'll just answer some questions, and you don't have to worry about it. Thank you.

MR. HAYMANS: My question is sort of a combination of 2 and 5. You have got a permit that has a sanction on it, and you said you can track those sanctions, and so let's say that sanction is a revocation, and this is an open-access fishery, as Question 5 says, right, and a revocation, in my humble way of thinking, is you are taking that guy's privilege to fish away, but what I've seen here in the presentation, and what I've heard multiple times from NOAA previous, is that the guy can just fill out another application for a different permit, and does that -- One, is that correct, and, two, does that, to you, seem like what is meant by a revocation?

MR. MCINTOSH: Most of these sanctions are not coming from the Permits Office.

MR. HAYMANS: They come from NOAA GC, right? They sanction the permit.

MR. MCINTOSH: I will let NOAA GC talk about it then.

MS. SMIT-BRUNELLO: Unfortunately, our enforcement representative from GC, Cynthia Fenyk, couldn't attend this meeting, and she would be happy to come back at some point and answer those questions even more, but, if you're talking about a revocation, which has to go through certain due process kinds of processes, so to speak, then you're revoking the permit, and I imagine it would depend on the facts and circumstances of the case as to whether that individual would be able to then reapply and get a different permit.

I would be happy to take that question back, but it just really is a factual situation. Frequently, what I have seen is that permit sanctions are put on a permit with an individual and vessel and the whole shebang. You've got the person and the vessel and whatever, and that permit sanction lasts for a finite period of time, and so it's not a revocation, taking something away, but it's a sanction on that permit.

MR. HAYMANS: So the sanction could include revocation, and a suspension is, to me, what I hear -- What you just said about it's a set time, that's a suspension, but a revocation is also a type of sanction, and we've been beating this for a couple of years now, and I still just -- I am not satisfied by the answers that we've been given that a guy can simply go next door, or fill out another application, and get another permit, and I go back to what we talked about a couple of meetings ago, where I really think that this council needs to urge whoever it is at General Counsel to increase the penalty, such that, if we're talking about non-reporting, and we're going that way with for-hire, it needs to -- Non-reporting needs to rise to the level of a permit sanction, i.e., a revocation or a suspension. I don't know how we're going to ever get there, but I was hoping that I would hear a little something about how a guy just can go next door and get another permit.

MS. SMIT-BRUNELLO: Well, and you're right that permit sanction means suspension or revocation or modification of a permit, and we've been down this road enough that I also know that you know that those kinds of things, for the most part, have been given to the Office of General Counsel and the whole area and what the permit fines are and all those sort of things for violations, but we can discuss this further, and I can make sure that our enforcement attorney comes, and she can listen to you and maybe bring a different perspective, and I don't know.

MR. BREWER: Like Doug, I am not real satisfied. You showed us though -- There was a slide that showed that, if a permit holder has failed to report, and I'm assuming that's that they haven't handed in their cards with the needed information, under some sort of reporting requirement, and, if a permit has been flagged for not reporting, can that permit holder, and this is open access, again, could that permit holder just go pay \$25.00, or whatever the fee is, and get a new permit?

MR. MCINTOSH: I guess with a new boat, in theory they could. I mean, the requirements are for the vessel, and so, if they were to attempt to purchase a new open access permit with that same vessel, if it's within a year to eighteen months of the expiration of the other one, it still comes up in our system, and we would make that a renewal, and they would still be held to the logbook requirements. If they were to buy another boat and then try to obtain permits on there, it's a new vessel, and there is no reporting requirements, and so, yes, they could.

MR. BREWER: I will tell you why this came up. The argument was made that we had to go to a certain type of system so that we would be -- Our reporting requirements for charter/for-hire guys would have some teeth. If you're telling me that if they fail to report as they should that they've got to go buy a new boat in order to pull another permit, that's a hell of a lot bigger fee than the \$25.00, and so I think we would have some teeth. Thank you.

MR. MCINTOSH: Right, and, just to add to that, they would have to wait over twelve to sixteen months if they were trying to use the same boat anyway, and I imagine that's being out of business or not fishing for twelve to fourteen months, and that's a little more than they're willing to wait for that time.

MR. BREWER: Thank you.

MS. BECKWITH: To that point, if you have not complied with the logbook, you guys accept the logbooks at the time of renewal, and so they don't have to wait twelve to sixteen months or buy a new vessel, but they just need to get current with their logbook, and is that correct?

MR. MCINTOSH: Yes. Once their permit expires, they are no longer required for those logbooks. What I meant though is if they were to attempt, twelve months after their expire, to fourteen months, to use that same boat to obtain new permits, it would still show up in our system as them having the old permits, and they would be non-compliant if they didn't clear them up.

MS. BECKWITH: Right, and non-compliance would just be updating the logbooks to that point. Sort of following up on that idea, I had been interested originally, when we were discussing the logbooks and trying to figure out how to put some teeth behind the logbook reporting, kind of following up on what you're saying, is trying to take the compliance component out of the Office of General Counsel and actually make it an administrative burden by saying, if you are more than sixty or ninety days late in your logbook reporting, then that would automatically make your permit non-renewable for 365 days or six months or nine months, and it sounds to me like you guys are potentially capable of doing that, but that would solve, I think, a lot of the problems that we're having with the concept of revocation and how difficult it is for the Office of General Counsel to make a case and these sorts of things and how severe it seems to revoke a permit for non-reporting.

If we took it out of the Office of General Counsel and laid it at the doorstep of the Permits, and said, automatically, if your logbook is more than sixty days or ninety days late, then that permit

would be considered non-renewable for 365 days on that vessel, and, hearing you talk about the fact that they would have to go buy a new vessel in order to get a new open-access permit, then that actually might have some teeth, and that could have the potential of working. I don't know if you have any thoughts on if that would be even conceivably feasible.

MR. MCINTOSH: To be honest, I think it would be more than just the Permits Office that would be making those decisions though, as far as -- I feel kind of like we just follow, right now, what is the rules and requirements for it, and so I don't really have a say either way. If that was somehow implemented, then we would follow it, but I think it involves a lot more than the Permits Office making that decision.

MS. BECKWITH: Right, but, if that was something that the council wanted to somehow pursue and build into the logbook compliance component, then I would be curious what the mechanisms would be, and maybe we can look at that sometime.

MR. HEMILRIGHT: Thank you, Kevin, for your presentation, and it appears that finally some stuff is coming around that will help me without having to worry about sending my permits in by mail all the time, or the renewals, which is a great thing that I've been advocating for for a long time, and I realize the process takes a while to get it right, and hopefully we're on the right track.

A few of the questions that I've been listening to around the room is if, and this is a hypothetical, but suppose I'm a charter boat, and I have open-access permits, and I go do fifty trips, and I never send in a logbook, and I want to renew my permits, and I get a letter from you all that say we haven't seen no logbooks, and I fill out one logbook and send it in to you, and I will get my permits renewed, correct?

MR. MCINTOSH: You send them to Miami, and I'm not sure of the --

MR. HEMILRIGHT: Right, but I'm just saying there is no mechanism for compliance. I have complied with -- Even though I sailed fifty trips, or a hundred trips, and, all of a sudden, it was like, well, man, I ain't going to fill out a hundred reports, and I will fill out one, and I send it in, and I have complied, and I get my permits renewed. I don't have to buy a vessel, and I don't have to wait eighteen months.

Anna's point of the ninety days, and this is my thoughts, of something on that realm, to put some teeth, and that keeps track of it a little more, and the person that is a full-time charter fisherman is going to update his stuff a lot better than -- If he's got skin in the game, versus other ones that are part-timers or loophole jumpers or all the other things, and that was my reasoning for asking that question.

Second of all, do you all have any dedicated person -- In my years of having to jump through these hoops, and I have got a corporate permit that I've got to lease my vessel to my Florida corporation, and there's a bunch of hoops to jump through to fish, but, in all my years of calling down there, 95 percent of the time, I get the answering machine, and I will leave my message, and they will call back, and it might not be an opportune time for me, whether I'm doing something or whatever, and it seems like I never can get a person that answers the phone, and so, in that little mishap of missing, we play tag for a day or so, and, a lot of times, the call back is at 4:00 or 4:30 in the day

or something, and so that's kind of difficult too, and so that's one question, but I've got a few more.

MR. MCINTOSH: Let me answer some before we get too far down. Are you saying that you call the Permits Office and you get an answering machine, or are you talking about the logbook office?

MR. HEMILRIGHT: I think it's both.

MR. MCINTOSH: We've got a full-time -- We've got, for the Permits Office, from 8:00 to 4:30 every day, we've always got someone on the phone, and we did implement lunchtime shutdown from 12:00 to 1:00 every day, to give people a break, but, as far as calling the Permits Office, we've got somebody on the phone between 8:00 and 4:30 every day.

MR. HEMILRIGHT: All right, and so how about the part where you talked about -- Like I send the application in by snail mail and something is wrong with it. Why not email the person back, and that is instantaneously, almost, than having to go spend a stamp and put it on there, and it comes to their mailbox, and they could be out fishing for a week or ten days, and it just puts out the process longer, and why not email them?

MR. MCINTOSH: It's more so of, right now, it's the way the old system was set up, and we didn't have the online system when the original permitting system, PIMS, was set up, and so there's a lot of legacy issues with the system itself, and so, again, we're hoping to rewrite, in I would say between two to four years, both the online system and our internal system, utilizing technologies at the time, email and texts and things like that, and that's something we've considered, but, again, the advantage of the online system too is you get those emails. We can email you those deficiencies. When we mail the permit out, you get an email, because we have your email address on file, and so you'll get an email that evening saying, by the way, your permit was mailed today.

MR. HEMILRIGHT: I've got two more questions. One of them is, if I fill it out online, and I had a deficiency in my logbooks, is that going to show up online, so I know what I'm missing?

MR. MCINTOSH: Yes, but you can still submit the application, and that's the key. You can still submit it, but we will not be able to process it to completion and issue those permits until the logbooks are resolved, or the requirements are. It's after the entity information, the very next page after you have all your entity information and their addresses, and it's the applications requirements page, and, if you're not logbook compliant on one of the permits, you will get a pop-up, and it will say not compliant and the reason why.

MR. HEMILRIGHT: The last thing is I'm glad that -- It's taken some time to get here, to this point, and, for me, you're about 50 percent there, and so hopefully I'm still around in four years, and I will be able to do it totally, everything I do, and thank you, though.

MR. MCINTOSH: Yes. Sure thing.

MR. BREWER: Following up with Anna's thought and what she was saying, from what I understand, from the standpoint of deciding whether there has been a violation, be it a safety violation or a failure to report or that sort of thing, that's not within your office, and some other office notifies you that that has happened.

MR. MCINTOSH: Correct.

MR. BREWER: So you referred to the logbook office. If the logbook office would notify your office that a particular person or vessel, whichever way it happens to work in that particular section, has not complied with their logbook requirements, that's still going to flag that permit in your office, correct?

MR. MCINTOSH: Right. Our two systems talk every fifteen minutes. They are relaying information to us and updating every fifteen minutes, and so, if a permit is not compliant, and then you're able to make it compliant, we'll have that information in between fifteen to twenty minutes, depending on the time.

MR. BREWER: Right, but you don't decide whether they become compliant, or your office doesn't, but it would be the, quote -- We're using the logbook office, and the logbook office would decide whether they have become compliant and then notify your office.

MR. MCINTOSH: Correct, yes.

DR. CRABTREE: Until they came in to renew, nothing would happen, and is that correct? If you were delinquent on a logbook, I guess it would be in the system, but, until you came in to renew your permit, there wouldn't be any consequence.

MR. MCINTOSH: Correct. Until they submit an application to us, we are not sure, and it really doesn't relate to an application, and so you may not be compliant.

DR. CRABTREE: So, if you're getting it, Chester, you want the system to flag someone's permit that they are out of compliance, and then that permit is sanctioned or something, and I think that would require a determination by the attorneys that -- I would like Monica to comment.

MS. SMIT-BRUNELLO: It would, but, going down the road that I think Anna was going down, she wanted to, I think, and I'm not -- You tell me if I'm wrong, Anna, but it's kind of take it out of the enforcement realm and put it in more of an administrative kind of function, so that, if someone, I think using your scenario, was sixty days late on their logbooks, they would not be able to renew their permit, and is that correct?

MS. BECKWITH: Correct. They would be considered -- The permit would be non-renewable for some period of time, three months or six months or a year, but it would just be an automatic administrative thing.

MS. SMIT-BRUNELLO: We could look at that, doing that, and I think that's possible. Again, I think it tweaks back to the situation where they come in to renew, because a permit is good for a year. Otherwise, it looks like you're talking about someone taking an enforcement action for failing to report on time, and there are requirements. You've got weekly reporting, and it used to be monthly or whatever, and so I think some of the discussion probably was going towards, well, if they fail to file that weekly report, then they could receive a violation for that, and, theoretically, yes, that's possible. It gets into person power, and do you want them to spend their time making those kinds of cases and all that sort of thing.

To jump to one thing that Dewey said, I don't think that's right, Dewey, in your scenario of, if a for-hire vessel didn't report all year, and they came in and they -- So they hadn't reported all year, and they came in to renew, and their logbooks were non-compliant, and so they could file one report and get caught up, I think they would have to -- Like if they had to file a report every week, their weekly reporting, they would have to file fifty-two reports or whatever, and so they can't just get away with one filing, unless it covers all fifty-two of those weeks or something like that, and so it's not quite as simple, I think, as what you were saying, but, anyway, that's my long and short answer, is we could look at doing something administratively, where it would trigger certain things, and I am happy to go down that road and examine all that, if that's what you would like to do.

MS. MCCAWLEY: Thanks, Monica.

MR. BELL: Kevin, thanks for being here, and so, for the State of South Carolina, I oversee the permitting aspect of what we do, and I oversee the logbook aspect of what we do, but I appreciate you being here and explaining things, and I appreciate what you're dealing with and the improvements that you're making, and so thank you.

Related to kind of what we were just talking about, the administrative things, when we revoke a permit at the state level, that revocation is appealable under APA, and I don't know if that works for you all as well, but that can quickly be turned around sort of and then delayed for quite a while, because then you have to get before a judge and all, and I don't know if it's subject to the same thing for the feds.

MS. SMIT-BRUNELLO: If you're going to revoke and take that permit away, if that's your intent, then that person is provided some due process. They have to have an opportunity to be heard and to present, if they want, evidence of why it shouldn't be, and so, right, it's not just you're delinquent and I'm taking your permit away and go do a new job, go get a new career, because you're not having a permit in this one, and there's a lot more to it than that. Yes, we have similar APA kinds of requirements.

MR. BELL: Okay, and that is a -- It's basically a challenge that something wasn't done procedurally correct in the administration of how that happened, but that can add some delay, because what happens is it affects, I guess, the revocation sort of state or something, until that's resolved, or at least that's the way it works for us, and so it's not like an immediate, bam, the permit is gone and that's it, but it's probably similar, and sometimes it takes a while to get in front of the APA judge. It's not as -- Even if you make it an administrative thing, it's still not necessarily as simple as some folks might like it to be.

MR. HAYMANS: I had a different question up until this recent line, and so, rather than the renewal option, to me, the suspension is the better teeth to put into it, and so, again, automating it, and, if someone isn't reporting, and it's noted, their license is suspended for operation for X amount of time, and certainly they can appeal that. If they lose the appeal, then the license is still suspended for a certain amount of time, and they can't conduct business during that amount of time, and, to me, that's an appropriate penalty for non-reporting, and I think we still need to kick it up, but, Kevin, a question. Over the period of the invalid license, or I guess it's a valid license, but a year to renew? They can be not used for up to a year, and is that right?

MR. MCINTOSH: For open access?

MR. HAYMANS: Yes, or even for the snapper grouper, which aren't open access. If the valid period ends, and it expires, they've got up to a year to renew that?

MR. MCINTOSH: Yes. For the limited access, you have a year after they expire before they terminate, except for the golden crab, which is six months.

MR. HAYMANS: Right. After a year, the permit is dead and goes -- It's gone?

MR. MCINTOSH: If it's a limited access, and it terminates, and you don't have an application in here to renew that permit, then that permit is gone.

MR. HAYMANS: I know you've only been in charge of the unit for less than a year now, but any, that you're aware of, that have expired?

MR. MCINTOSH: Not off the top of my head. We do send out termination letters sixty days prior to the permits terminating, and it's in the same mailout as the renewal letters, and so you do get one last notification that your permit is about to terminate, but, no, what I have seen more is that people get their application in right before they're going to terminate, and, as long as the application is received before it terminates, we will honor that and issue the permit.

DR. CRABTREE: Folks do lose their permits because they don't renew them in the one year, because I can tell you that I've had many painful conversations with folks that failed to renew their permits and lost them, and what we've talked about the reporting compliance, looking forward to the electronic reporting in the charter boat fishery, which has a weekly report, and so I think that, in the rule that says you're not allowed to fish if you don't comply with that, we could set up a system that flags to law enforcement that these vessels are delinquent on their reporting, and then they could take an enforcement action if that vessel is then fishing, and that route seems more doable, to me, than going through a permit revocation, because I'm worried that that will get hung up in lots of due process and other kinds of things.

We can look at that, but we have had those discussions, but that would mean that the whole system is going to have to be designed electronically so that it's monitored, so we know when the reports have come in, and we know which vessels reported on time and which are out, and then, somehow, that's made available to law enforcement, and then they have enough bodies to monitor all of that, and so they see who is delinquent, and then they have people to go out and enforce that.

This is part of the reason why there is a cost tag associated with implementing the electronic reporting requirements, and the cost tag gets up into the millions of dollars, because you've got to develop all the software to do this, and you have to have people to monitor it, and you have to have enforcement agents to go do that, and that's aside from all of the validation aspects of all of this, and a lot of our problem right now is we just don't have bodies to go out and track and police all of these things, but I think that part of it is doable, and we can talk with the attorneys about having a more formulaic process that revokes or suspends permits somehow, and go through that, but it's more complicated.

In my fifteen years as Regional Administrator, I can't think of a single case where somebody's permit was revoked forever. I guess it has happened, and I suspect there would be cases where there was much more of a violation than just a reporting violation, and I would be surprised if you could get a judge most anywhere to back up a permit revocation, a permanent permit revocation, over being late with a report or something, and so that path is a difficult one to take.

MR. HAYMANS: Roy, it sounds like, at least from what we've heard, the logbook office and the permits office, with electronic online reporting, which we're requiring, and an electronic application process, and it sounds like a lot of the pieces are there, but the pieces have to be connected, so that it's more automated, right?

DR. CRABTREE: It's all a computerized, automated system, and it costs money to make changes to it, and one of the things that we have in short supply are programmers who can write all the code and proof it and make sure it all works and everything is talking to everybody, and it doesn't involve just us. It's the logbook office in Miami is involved, and the electronic reporting data is going to ACCSP, and so it's multiple entities, and all of it has to be connected, but any kind of change we make in the rules of how permits operate involves reprogramming and changing the code in the system, right, Kevin?

MR. MCINTOSH: Correct.

DR. CRABTREE: So all of that involves cost, and it's not free, and it takes people and time.

MR. GRINER: I wanted to go back to the leasing on the Snapper Grouper 1 permits for a minute, and I'm a little confused on that. The owner of the corporation that owns the permit can or cannot lease that permit to an individual?

MR. MCINTOSH: Can you say that again? The owner of -- We're talking about, in this scenario that --

MR. GRINER: Say you have a corporate permit, and it's in a corporate name, and it's an SG-1, and that entity doesn't want to use the permit, and an individual wants to come lease it from them. Is an individual allowed to come lease a permit from a corporation?

MR. MCINTOSH: No, you can't lease the permits. If that corporation has a boat, they could lease the boat to that individual, if they wanted to use that permit.

MR. GRINER: It just seems like it's backwards, because what I see here is corporations owning multiple permits, yet the vessels are in multiple states with mailing entities that are individuals all over the place, but it looks to me that the corporation is not the one leasing the vessel. The vessel owner, and the person that's using the permit, is leasing the permit from the entity that owns the permit, and I always thought that's the way it was, but what I'm hearing now is that, no, it's the opposite and that permit holder cannot lease his permit out to someone else. He can only lease a vessel that he owns that is tied to that permit to someone else, but that's not what I see going on.

DR. CRABTREE: If I could, there are a lot of private arrangements that individuals engage in that we would never know about, and so, if I had a permit, and you wanted to lease it from me, we could have a private arrangement that said that I'm going to transfer my permit to you for one year

at a fee that is arranged, and then it's coming back to me, but our office would just see a transfer. Then, at the end, if you decided that you're not going to play and you're going to renege on the whole deal and keep the permit, we're not involved in that, and you would have to take legal action amongst yourself to settle that out, and so there are all kinds of things that go on privately that we don't see, but we don't, in our system, lease permits. We transfer permits. If there are private arrangements involved in that, that's between the two entities, and we're not involved in it.

MR. GRINER: That makes perfect sense. That clears it up for me right there. I was just confused.

MS. MCCAWLEY: Are there more questions? Thank you so much, Kevin. Are going to the Snapper Grouper Advisory Panel meeting to give the same presentation?

MR. MCINTOSH: That's the one in April?

MS. MCCAWLEY: Yes.

MR. MCINTOSH: The plan is yes.

MS. MCCAWLEY: Excellent. We had a lot of questions, and thank you so much for working with us. Based on that discussion, what do we want to do? Are we taking some sort of action here? I see some heads nodding no, no action.

DR. CRABTREE: I think the key for us -- I mean, Kevin has made a lot of progress, and I think he's done a great job, and we're going to continue modernizing and trying to get the system to work, and there are some quirky things that I don't like in there, like golden crab has a six-month window to renew, and I wish that somewhere, when we're in the process of addressing golden crab, we would bring that consistent with everything else, but I don't think there is any urgency to that.

We're, right now, mostly focused on getting the electronic reporting program for charter boats underway and working out all of how that works, and we may well come to you after that's in place and need to talk about changes and things like that, but, for right now, I think these guys just need to get caught up and continue the path they're on.

MS. MCCAWLEY: Thank you.

MR. BELL: That's what I was going to say. I mean, having stood up a mandatory reporting system for charter boats a long time ago, and having shifted over to electronic now as an option, I think we need to get it up and running, and let's focus on that. I mean, we kind of understand the limitations and kind of background here, and let's get it up and running, and we can deal with what we need to deal with related to non-compliance and options down the line, but I think it's most important just to get the thing up and running.

MS. MCCAWLEY: All right. Let's take a five-minute break while we switch out, and, next up, we have the results of the recreational workshops coming up. Five-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We're going to get going again, and so I'm going to turn it over to Kellie and Kari, and they are going to give us the results of the private recreational workshops that they held throughout the South Atlantic region.

MS. RALSTON: Thank you, Madam Chair. For those of you who don't know me, I am Kellie Ralston with the American Sportfishing Association. We really appreciate the opportunity to come before you and kind of wrap up this whole recreational workshop series and new ideas and perhaps how to approach recreational management better.

We worked on this project in partnership with Yamaha Marine Group and the Coastal Conservation Association, and, like I said, we were looking for new ideas for private recreational management, in the snapper grouper fishery in particular, and we kicked this all off back in September with the council, to kind of brainstorm some concepts that would be beneficial to the council, that the council was looking for more input on, with anglers throughout the South Atlantic.

At that meeting, we identified several approaches and topics that we could take out to these regional meetings. We actually held five meetings, one in each of the states, except for Florida, where we held two with anglers and industry representatives, to kind of talk through some of these concepts. Specifically, we looked at angler preferences, seasonality, the concept of harvest rate management, and we also talked about harvest tags for certain deepwater species, the potential for recreational stamps or registration, recreational reporting, and options for barotrauma reduction.

Today, Kari is going to go through a presentation that we put together that kind of summarizes the report that was in your briefing book on the outcomes of those meetings, and it also includes some recommendations from ASA, our partners, and our steering committee. One of the things that I wanted to mention as we move forward is this project was specifically looking at snapper grouper and not specifically looking at red snapper. However, we did hear from a lot of anglers who were obviously frustrated about how that management has continued in that area, and so you'll see a lot of that in that report, and I know Kari will highlight some of that in her presentation.

Before we get to that, I wanted to thank our steering committee, which included Martin Peters from Yamaha, Ted Venker and Dick Brame from CCA, and we had Gregg Waugh and Spud Woodward from the council, along with Ken Haddad, Mike Leonard, and myself from ASA. I also wanted to thank our hosts for all meeting venues, and they were very gracious in providing space to accommodate our participants, and I also wanted to thank the folks that came out to actually participate in these meetings, because they lasted typically at least two to three hours, and we had a lot of good conversation and thoughtful input on these topics, and so thank you, again, for the opportunity to come and present this and for the council's interest and support in this project, and, with that, I will hand it over to Kari.

DR. MACLAUHLIN-BUCK: Thank you. My name is Kari MacLauchlin-Buck, and I know most of you all, and you have seen me present a few times, and I was the facilitator for this project, for the workshop with the council in September and then also the regional meetings. In the briefing book, the report from the meetings is Attachment 8a under the Snapper Grouper tab, and that provides kind of the discussion questions that were asked for each approach, the key points from each meeting, and then, also, in the appendix, it has a little more detail about the notes from each meeting, if you want to take a look at that. This presentation is the summary of that, and this is Attachment 8b in Snapper Grouper.

I am going to talk just a little bit about the council workshop and the regional meetings and then go through each of the different discussion topics and give you the snapshot from the meeting summaries and then the recommendations from ASA and their partners, based on the input from the workshop with the council members and the recreational meetings.

Kellie had given you a project overview with these, and this is just the timeline. We had the council workshop right before the council meeting in September, and the regional meetings were in the fall and winter, and the recommendations at this meeting. We went over a little bit, at the September council meeting, of what was discussed. I did want to point out, at the September workshop with council members and the advisory panel and SSC members and recreational representatives, we did also bring in the vision blueprint goals that had been identified, just to keep everybody remembering how these can align with some of these approaches in the South Atlantic.

We went through those and got the feedback from the council members about how this might be applied in the South Atlantic and then narrowed it down to these items that we took out to the regional meetings, and so the purpose of these was to get local input from recreational representatives. One of the things that came up at the workshop in September was we were talking about angler preferences and trip satisfaction, and it was like, well, what is that exactly, and so we brought that into the discussion topics for the regional meetings, in addition to getting their input on the different approaches. Then here are the locations that we had the meetings, and we started in November and finished up in January.

The first topic was the angler preferences and regional variation, and so we kicked off each meeting with what makes a good fishing trip, and, in general, it was catch a lot and keep a few, or at least keep enough to make that trip worthwhile for the money, the planning, the time that you put into it. Enough fish kind of varied with people, and it could be one trophy fish for the boat. For probably infrequent anglers, it's probably going to be that they want to max out those bag limits. For people who go very often, they probably just want to take home some fish, but one of the big things that came up at a lot of meetings was a good trip is one that you get to take when you want to take it, when it is good for your time and your money, versus weekend, and it's good weather, and we heard this a lot. The anglers really wanted to be able to decide when it was best to go for them, and that affected if it was a good trip or not.

The most important species that came up at most of the meetings was red snapper, and this was kind of an overarching theme, as far as trip satisfaction, and it wasn't just because they typically could not keep red snapper, but it was also because we're having to release so many fish, and that affected the trip satisfaction. They would have to move around to avoid red snapper, depending on where you are, and this bothers some people, and it affected whether or not that was a good trip.

The other important species were gag, vermilion, black sea bass, and gray triggerfish, and they were usually the ones that came up in the meetings, and then, also, one thing that makes a good fishing trip is access to a variety of fish, and that's not just snapper grouper, but that includes the CMP species and some state species and billfish. People liked being able to switch species when they wanted to, and, if there was something that was closed and they weren't allowed to keep, this let them at least be able to catch enough fish to make that trip worthwhile by switching it off and maxing out the other bag limits.

We talked a little bit about seasonality. In all of the meetings, the meetings participants said that snapper grouper fishing occurs all year. There is some variation in kind of the peak periods, and the exception was in south Florida, where fishing occurs all year, pretty much, and most of that is due to weather and then access to popular species at different times of the year.

We asked about the economic benefits to local businesses and fishing-associated businesses, and it was common for the meeting participants to bring up the red snapper recreational seasons, and they illustrated the economic benefit. They said that, when there is an open red snapper season, the local businesses, the hotels, the for-hire businesses, the restaurants, the bait and tackle, everybody gets a bump, and we feel like this really illustrates these economic benefits that can come from having access to these really popular species.

There was also some kind of long-term effects on the boat manufacturers and the gear and tackle businesses. As they feel that there is less participation and interest in the snapper grouper fishery, offshore and deepwater fishery, they have adjusted their inventory with the gear and tackle, and they're not selling the gear for that type of fishing, because people are focusing on other things, or they're focusing on inshore species, and boat manufacturers as well, and maybe not holding inventory of the larger, offshore boats. They are starting to shift that inventory.

Every area, I asked what makes your area different from everywhere else, and everybody did feel that their area was unique from the rest of the region, and it was mostly based on their distance to the fishing grounds, weather, a little bit of their preferred species, and the number of fishable days, but it really highlighted that every area is different, and, if they want to have those great trips that they get to take when they want to take, that there needs to be some flexibility.

The first approach topic was harvest rate management, and so I would give them a little overview of the approach, and then we had some discussion questions, and we would just go for it, and so, with harvest rate management, I didn't get into the technical details, and the overview just provided them kind of a snapshot, in that it uses the exploitation rate targets, and it was the approach that focuses on how the council monitors and responds to changes and allows a response to any changes in recreational effort and fish populations, and it provides more stability and predictability.

A lot of the folks that came to the meetings were familiar with the Atlantic States Commission's striped bass management, and so it was really that the discussion questions more focused on what species do you feel need more frequent review, what species do you need, maybe need a different approach of how it's monitored, what species does it seem like science and management is not quite aligning with what you see on the water, and, of course, the main answer was red snapper, but, in general, most meeting participants felt that management was appropriate for other snapper grouper species.

In general, the anglers were supportive for exploring a different kind of approach, especially one that allowed them more predictability and more management flexibility, and that was something that they felt was important. While harvest rate management may not be a priority approach for most species, I think people would support exploring a new approach for red snapper and then also just exploring this tool for future use.

The next was the harvest tags for certain deepwater species, and so I gave a little overview, so everybody was familiar with the concept, tags for each fish to be harvested, likely more appropriate for low ACL, low abundance species, and you can use it for data collection or effort control, and then, of course, the challenge is primarily in how do you distribute the tags and get them to the people who want to participate.

The species that we focused on were snowy grouper, blueline tilefish, golden tilefish, and wreckfish. That's mostly what we talked about, and, in general, the meeting participants were really supportive of maybe looking at a pilot program or something to explore using harvest tags for this. They felt like, as far as distributing the tags, they should be available to anybody who wants one, but, because your typical angler isn't targeting these species, it would probably be a self-limiting pool, and so you wouldn't want to have a lot of people wanting the tags to begin with.

They did feel like there may be some kind of small effort just to keep it to the people who are really interested in catching those deepwater species, maybe a small fee, or maybe you would have to make a phone call, instead of just getting online or something, and then reporting should be required, and then, also, to make sure that this would align with any current management measures in place, like bag or vessel limits, for those species.

They didn't feel like it was going to be a burden for anybody who does enjoy fishing for those species and that they would probably be okay with this. When we talked about harvest tags, red snapper tags would come up sometimes, and so I have a little bullet point in there. A couple of people thought that maybe was something the council could explore, but other people did not support looking at this additional burden, and then, also, how do you allocate a fish that is easily accessible with not a lot of ACL?

We talked about the recreational registration, or a stamp, and this was basically how to capture how many anglers are targeting snapper grouper in the South Atlantic and how this could be used and why it would be important, and so we asked folks, the meeting participants, what do you think about having everybody register if they are targeting snapper grouper, and what would be the challenges there, and we also talked about recreational reporting and what you guys are considering now, and also the existing platform for that, and we asked our meetings participants what would be the obstacles to getting people onboard with recreational reporting.

Primarily, the meeting participants were supportive of a registration or a stamp saying that, yes, I fish for snapper grouper, to help get an idea of the number of people targeting snapper grouper, and they were generally supportive of recreational reporting. There was some concern about an additional burden, and you don't want to get back from a trip and be tired and have to get on and report everything, but mostly people were pretty supportive of being able to provide data that could supplement the MRIP data.

Any kind of registration should be simple, but then some folks said that we don't want anybody just checking a box, and then you get an inaccurate count, and so you may want a little bit of effort, a very small fee, or some kind of extra step to improve the accuracy of that count, and that probably the state recreational license -- That would probably be the easiest way to do that, since most people are doing that anyway.

When it came to reporting, the meeting participants definitely stressed that it's going to be really important that people understand how the data will be used and that the biggest challenge is going to be that people feel like data are just going to result in additional restrictions on some of their popular species, but they feel like they may be willing to comply for some of the popular species at first, and then maybe you could phase-in additional snapper grouper species, but you don't want it to be too complicated, and you don't want it to take too much time, because then they're just not going to finish, or they're going to give you inaccurate data. The meeting participants felt like it may take some time, but people will get used to it, and then they will start to understand how the data are important to provide and that it would just become the norm, and everybody would be okay.

With release mortality reduction, the barotrauma reduction, I gave them a little overview about what the council is considering for descending devices and venting tools and best practices to reduce release mortality, and we talked about are you doing this and what are the obstacles to getting people to do this.

The meeting participants were all really supportive of using these methods and tools to reduce barotrauma, and they felt like most people probably are not using venting tools or descending devices, but more and more people are, and so they do feel like there is some progress. They felt like venting tools were probably more commonly used, because they are easier, easier to get ahold of or purchase, even though there was some concern that people aren't using those correctly.

The manufactured descending devices, they felt like some people may say that I don't want to have one of those, because that's just more money that I have to pay, and so there was some questions about that, with a little bit of talk about do-it-yourself options for descending devices.

Some folks felt like maybe a regulatory requirement could be beneficial, but the biggest thing was probably they feel like anglers, if they understand it and there is good outreach and education, and they understand how to use the tools and they understand the benefits to the fish and to their future fishing opportunities, that they will totally get onboard and that this will be something that will just become standard practice. Everybody was like, it will take some time, but everybody will be onboard with this eventually, and one thing that the participants said is that, because this is going to take some time for everybody to get used to, it's best to get it rolling as soon as possible, getting the use of these tools to be common practice, and start pushing that as soon as possible.

The final recommendations, there is a little more detail in the recommendations in the report, Attachment 8a, and so I have them here kind of summarized, but the council should consider regional regulations for appropriate species, and this is to contribute to flexibility for the anglers being able to select the days that work best for them, based usually on where they live, the weather there, and the fishable days.

The council should continue to explore harvest rate management for high-value snapper grouper species, especially for red snapper, and the council should consider an exempted fishing permit for a pilot program to test harvest tags for certain deepwater species, those with low ACLs or naturally low abundance, and the council should work with state partners to establish a registration for anglers targeting snapper grouper species, with consistency across all states.

The council should continue development of Snapper Grouper Amendment 46 to implement required or selective reporting for recreational anglers and continue outreach on the benefits of providing data and also to be consistent across the states, or throughout the region. The council should continue development of Snapper Grouper Regulatory Amendment 29 to require the use of descending devices and venting tools, along with other best fishing practices to reduce release mortality. Again, thank you to the hosts of the meetings and the people that came out to the meetings for really great discussion and input, and that's it.

MS. MCCAWLEY: Thank you. Let's take questions, and I want to say thanks to you guys. I know you did a lot of work, and it was a lot of work having all those meetings and talking to folks, and you spent a lot of time, and you spent time with us, and I really appreciate all the work that you've done.

MR. BREWER: I don't have a question, but I do -- While we are still in Snapper Grouper, there is an issue that I would like to revisit, and it's been kind of brought to the fore by this presentation, and it was brought to the fore by John Carmichael telling us that they don't -- I am paraphrasing, John, and I'm not going to get this exactly right, but that, in essence, with regard to descending devices, until they are mandatory, they really don't fit well into the data stream, or your calculations, and the other thing that I was thinking about, and the thing that I found most upsetting during this council meeting thus far, is that our folks are going to get five days to fish red snapper, when they got six last year.

To me, that's going in the wrong direction. The one thing that I think that the council is working on that could have the biggest effect, and I know this is true, but that could have the biggest effect on the major problem with red snapper, which is discard mortality, is descending devices, and, just as Kari told us, the idea, or the thought, was out there during these workshops that this thing needs to get going sooner rather than later.

We all recognize that buy-in and education are very important, extremely important, and that there's going to need to be a big effort in that regard, but, yesterday, we thought in terms of a phase-in that, during that time period, you would have the outreach and education, and we selected a time period of three years from the effective date. What that does is, before the use of these things becomes mandatory, you're looking at probably five years, and I don't want to see five more years, quite frankly, of seasons measured in single-digit days.

I would like to suggest, and I will make a motion, and I know it's not up on the board, but that the motion that we passed be amended to change that phase-in period from three years to six months. You are still looking at two years out in the future before it becomes mandatory, and sorry, Myra, and I should have warned you that I was going to do this, but I just think that -- I mean, we've got folks here in this room that can reach, between our state folks and ASA and CCA and Ken Hinman, and I don't know if he's still here or not, but you've got people that have like monthly publications going out to our constituents.

During a two-year period, that's going to be more than ample for them to get the word out, and, if we're a little bit worried about the six months not being enough, then maybe we could have a quiet talk with the law enforcement folks and, after it becomes mandatory for a year or so, if somebody doesn't have their descending device onboard, they give them a warning and say, listen, if I catch you out here again without a descending device, I'm going to give you a ticket, but I really think

that that's important, particularly -- I mean, I just don't want to see us continue on down the road and, five years from now, we're still looking at five days for red snapper, and descending devices is going to be the best way that I have seen to try to get some more days, and so I don't know whether I need to make a formal motion now. We're still in committee.

MS. MCCAWLEY: Yes, I think you can, and Myra is ready to type it.

MR. BREWER: Myra, I don't remember the number of the motion or exactly where it fell, but I would like to make a motion that the phase-in period for the mandatory nature of descending devices, the mandatory requirements, be six months instead of three years.

MS. MCCAWLEY: Is there a second to that? It's seconded by Art, and so it's under discussion.

MR. BELL: I said, yesterday, that I wasn't married to the three-year concept, but what I was looking for was a period of time in which, realistically, we could hopefully achieve some behavioral changes before the hammer was there, which would, one -- With a date certain that it's coming, and so the idea was to have a sufficient period of time to allow us to make sure we had adequate outreach and education and have people's attention, because there is a date, whether it's three years or six months or a year or whatever, that would also allow sort of entrepreneurs to fully explore options for the greatest version of this.

There are several on the streets now, and that's great, but one of the issues we had was law enforcement kind of needing a sense of, well, what exactly is a descending device, and we decided that we're not in the business of certifying or approving a list of any particular brands or any particular designs.

The other reason for having some time was to allow law enforcement the ability to have a lot of face-to-face contacts with people out on the water, with some date certain coming, where they could basically see the different things that people are using and how they would -- You know, we still have this concept of -- I think rigged and ready ended up in there, and what that means, but it allows us some time to work out some of the bugs.

I am not married to the three years at all, but it was just trying to provide, I think, in terms of what I suggested was a reasonable period of time to work through some of this. To Chester's point, and I get this, about it could go in effect this afternoon, and the concept of, well, law enforcement doesn't then have to necessarily enforce that.

Well, when it goes into effect, the law is the law, and, if you ask law enforcement what the law is, they will tell you that's what the law is, and so, yes, maybe folks use some discretion in how they ramp up the enforcement of a new law, and so that also incorporates that in there too, in my mind, is that, rather than to have to put enforcement in a position where they are having to kind of look around the law a little bit, or be lenient, you've got that period of time in which there is these interactions between them and users or non-users or whatever, and you can kind of work through some of that, but, with a date certain, whatever it is, and, again, I'm not married to the three years, but I just felt like it realistically provided time to work through some of these issues.

Then, when it comes time and it is the law, then, bam, we're up and running and ready to go, and the other thing about trying to do it quicker -- Well, we can do it quicker, but I don't know that

that's going to result in any more fish. We have an ACL that we're operating within right now for recreational, the 29,685 fish, or whatever it is, and that's not going to change until after a stock assessment, and, I mean, that's what we're kind of constrained by, is my understanding, and that could change, but that will change as a result of a stock assessment and not us applying a new method that may be saving a few more fish, and that's the idea, that it will save more fish, but that's why -- Again, I am not married to the three years and I don't know about others, and I didn't really make the motion, but I threw the number out there, and I will take credit for that, in terms of the blame, but that was the idea, was to provide adequate time to make sure we've worked through all the bugs with this thing and had a chance to get it ramped up to where, whenever a date certain is, we're ready to roll and it's the law.

MR. HAYMANS: A parliamentary inquiry, but is this not a motion to reconsider? If so, just so that we avoid any complication in the future, was Chester on the prevailing side of the question to begin with?

MR. BREWER: I don't have a clue.

MR. HAYMANS: If he was not, he can't make this motion.

MS. WIEGAND: When we were talking about Snapper Grouper Amendment 29, you guys modified the motion, or the alternative language, and then selected it as your preferred as modified, and so the preferred alternative currently has the "within three years" language in it.

MR. HAYMANS: But if Chester made -- I view this as a motion to reconsider, and, if Chester voted against it, Chester can't bring this motion forward. It has to be somebody from the prevailing side.

MR. BREWER: I think it was pretty much unanimous. I don't think I voted against it. I really don't think I did. I think it was like eleven to one or something like that, or two.

DR. CRABTREE: I wasn't here, but I think, Chester, if you're going to make this a motion to reconsider, then you need to change this to a motion to reconsider whatever motion it was that was made earlier, and I wasn't here, and so I didn't witness the vote, but, if that's what you're doing, and if everybody voted in favor of it, then I think that's fine, but I think you need to make your motion more specific that it's a motion to reconsider.

MR. BREWER: I think it's actually an amended motion, isn't it?

DR. CRABTREE: What I am hearing is it's a motion to reconsider, and so a motion to reconsider would be to --

MR. BREWER: It's a substitute motion. That's what it is.

DR. CRABTREE: No. I think, Jessica, you should rule Chester out of order until this is figured out.

MR. BREWER: Whatever we call it. If we want to call it a motion to reconsider, that's fine with me. I am pretty sure that I voted with the prevailing side, and, therefore, am entitled to make the

motion, and we are still in the committee. The committee has not taken this to the Full Council yet.

MS. MCCAWLEY: Okay. I also believe it to be a motion to reconsider. Could we go back to the other document and see that motion? It looks like the motion was to select Alternative 2 as modified, with Sub-Alternatives 2a, 2b, and 2c as preferred, and we have modified that to within three years, and is that what you were -- Okay. I've got lots of people in the queue here, but I want to try to figure out this motion first, and so it seems like it's a motion to reconsider this and change the within three years of implementation to within six months.

MR. BREWER: **Six months of the effective date.**

MS. MCCAWLEY: All right. The seconder was Art, and you're good? Okay. Doug, did you have anything else?

MR. HAYMANS: If you're satisfied that it's an appropriate motion, I'm fine. I just don't want a technicality to trip us up down the road.

LCDR MONTES: I am just going to reiterate a couple of things that Mel has pretty much already said, but I don't think three years is too long, and I don't think that six months is too short. I don't know where the perfect balance is for when this can take effect, and I can speak from my own perspective and how I would respond to it. If there is a three-year buffer period, to where I may need to get it in the next three years, I'm probably going to wait until about two years and eleven months in and then start looking for it, because I procrastinate, personally.

I am not saying the rest of the fishing community, through all of the sectors, does that, and I'm just saying that, if we're looking for compliance as quickly as possible, to avoid the mortality, then a faster effective date will be better at getting people to comply. At that point, whether or not law enforcement introduces a grace period of those first six months, while it's not effect, and we do outreach and education and possibly look at how the -- During those six months, how people are responding to it. If they're complying with it already, then we go hard and fast, and, if we still need some more time, then we can discuss it, but I agree with Mel. If it's the law, it's the law, and we start issuing the violations. Whatever the timeframe is, and, if we want to move it to six months, I don't think it's going to change Coast Guard enforcement at-sea.

MR. DILERNIA: A descending device would be required for any recreational vessel fishing for snapper grouper, correct? Yes? Okay. Do we know how many recreational vessels there currently are targeting snapper grouper? Is it a few thousand?

MS. MCCAWLEY: I would say more than that.

MR. DILERNIA: 20,000 or 30,000? More like 20,000 or 30,000. Okay. All right. I just tuned into a *Sportfishing Magazine* article regarding descending devices, and the average descending device is approximately -- This article was written in 2015, but it's approximately \$55.00, and so you're looking at the recreational community to invest in 30,000 to 40,000 descending devices inside of six months. Interesting.

MR. CONKLIN: Thinking about expediting this and all, we have a research track assessment for red snapper scheduled for 2020, late 2020, but, if you're going to want to get credit for that, it seems like we would need to just make it sooner than that and make it immediate instead of a phase-in, if you want to have that taken into consideration. It sounds to me like, since 2015, they have been writing articles, and people have been beating the drum on this, and it's not an impossible thing to do, and I would encourage us to make it effective as soon as the rule publishes, so it can be taken into consideration. Otherwise, you may not get another assessment for several years, and we're not going to get any credit.

MR. WOODWARD: I guess I now have three different parts to my question or comment, based on what I have heard. I guess the first question is, is it realistic to expect that you would have any effect on the 2020 research track assessment by requiring descending devices at some point in the next year or two, because the terminal data, I assume, is going to be 2018, or 2019, and so I guess that's a question, and then I will follow-up.

MR. CARMICHAEL: I think, as we discussed, the point was, if you don't make it a requirement, then you have to figure out how widely they are used, and I think you optimize the chances of them being accepted by making them required. The assessment -- Scamp has been pushed back due to the shutdown anyway, and red snapper is scheduled to be the research track coming up after scamp, and so it's hard to say when that would actually be done, and one of the natures of the research track is that doesn't give you your numbers, and you get the management advice coming out of the operational that follows, which will be eighteen months to two years after the research track has started.

That will have the most recent, most up-to-date terminal year, and so the research track might have one terminal year, and the operational should have the most recent, and so I think, however it all plays out, we should be able to use the results of this in that operational assessment by the time it comes around.

I think making this requirement take effect sooner gives us the chance that we could ask the SSC for a recommendation on how this could affect the discard mortality rate, which could come into the calculations of future seasons, I would believe. If we're going to look at that and look at reductions in discard mortality, then there may be a way to bring that in even sooner, but, again, that remains to be seen, and we'll have to figure out what this does to discard mortality rates, and we'll make sure that we have studies that the SSC believes in, but I think, in general, getting it in there sooner either means that it's having an effect sooner, and it's benefiting your stock sooner, and we may see it in the data sooner, if we have it and we can have a couple of years of these things being required going into the stock assessment, and then we have a better chance of really verifying what they're doing to benefit the population, but I think, in almost all cases, getting it in place sooner is probably better, in terms of the population and the assessment.

MR. WOODWARD: That answers that question, and we're looking at a three or four-year horizon on an operational assessment on red snapper?

MR. CARMICHAEL: Yes, I think that's probably correct, and we talked about trying to do it as -- Not doing a research track of this, but just doing an operational, to try and advance the terminal year on that stock assessment, and then a discussion and recommendation of the council in

December was to do the full research track, and so that definitely extended the timeline out to probably four years from today, and I would say that's a safe bet.

MR. WOODWARD: Thank you. Also, I think it just -- The advice that we have been getting from the recreational workshops, and from quite a few members of the I&E AP and all this, is to use education and outreach to promote the use of these, and I have largely agreed with that, obviously, based on considering just the human behavior factor, but I think, if these same folks knew that the only way that they're really ever going to get credit for it is to have it mandatory, they would probably look at it slightly different, as I now look at it slightly different.

Then my third thing is on the motion to reconsider, and I believe that we have to reconsider the motion as originally written, and then someone has to offer a substitute and either vote it -- Have a substitute and then vote that substitute out and have it become the main motion, and is that correct?

MS. MCCAWLEY: I think so. I do not have my little cards up here, and so, yes.

DR. CRABTREE: I think there are a number of things here to be considered in talking about the timeline, and I certainly understand the desire to move it up, but one is I think we need to be clear. As best I can tell, we're talking about possession, and so you have to have a descending device onboard to possess snapper grouper species, and so we're not talking about you have to have one to fish for them. You have to have one to possess them onboard. Then there is going to be angler discretion, and is that correct, or was that changed when I wasn't here on Monday?

MS. WIEGAND: I'm sorry. Could you repeat that? We were discussing motions.

DR. CRABTREE: We were talking about requiring a descending device to be onboard in order to possess snapper grouper.

MS. WIEGAND: To fish for or possess snapper grouper.

DR. CRABTREE: But we're not requiring you to use a descending device?

MS. WIEGAND: No, the language is specifically required onboard and not required to use. It does have to be rigged and ready, but the language is onboard.

DR. CRABTREE: Okay. Then that gets into the definition of what a descending device is, which, when I read the definition in the document, it's pretty vague, and, for example, a device can be a weighted hook, and so you could basically put a big split shot on the end of a hook and say that's my descending device.

If that's -- If we leave it vague like that, then I don't think the cost that Tony mentioned is meaningful, because people can just make something and put it, but it may not work, and that's part of the problem we have, and I would be surprised if you ever get enforcement to make a case on it if you have a very vague definition, because it will be hard to tell if they actually have one or they don't have one, and so that's one thing to think about. I think you have a tradeoff there. The more specific you write the definition, then the more of a problem you have on people being able to buy them and acquire them and the cost, but, the more vague you make the definition, the easier

it's going to be to come up with something that won't work and those kinds of things, and I think you need to figure that out.

Then, when I read the rigged and ready, the rigged and ready is only while fishing is occurring, which means it's only going to be enforced at-sea, which means it's going to be very, very difficult to enforce, because most of the enforcement of these things will be at the dock and not at-sea, unless something really changes, and so I think those are some of the things you need to think about.

Then a lot of the enforcement of this is going to be done by the state agencies, because most of the at-dock enforcement of recreational regulations is really done by the state fishery agencies, but I think there's a lot more we need to think about, and I'm fine with trying to move the effective date of getting this in place some, but I think we've got a lot of things we have to figure out that are going to play into how much time we have to allow for people to get this done, because we don't want to get into a situation where it's effective next week, only nobody has done anything, and then we get flooded by fishermen coming in and saying that red snapper is opening next week and you're making us buy some device, and we can't find them on the market and all of that, and so I just think that's something you need to give a lot of consideration to.

MR. CONKLIN: Keep in mind this is not just for recreational fishermen, but this motion is required for all the fisheries, right, for snapper grouper, and so I can't think of a single instance where we have given somebody a phase-in period to do -- Once we make a rule, when it goes final here, and then it gets sent up to Headquarters, and then it gets published, that's the phase-in period. People have been learning about this for a long time. The recs have been telling us that they want to do it, and why would we wait any longer? If there's any chance that it could help sooner than later, then I think we should do it, and that's why I said that.

DR. CHRISTIANSEN: I agree with getting it done quicker. I mean, from the rec side, if it gives a 1 percent chance that we can get more days faster, then there's not a rec guy who is not going to go out and buy one. Seatbelts in cars, and I will use a simple example, and they've been in cars for fifty years. Until it was click it or ticket, people didn't wear them as much. Now that they fine you for it, people increased the use of seatbelts a lot, and you can do as much education as you want about it saving people's lives, but, until they required it, people still decided not to, and so, I mean, the quicker we do this, the better.

As far as education, the email that was sent yesterday of what the season was, the girls have said how many results, or how many responses, they have had already, and, if you added to that the descending devices are required, you just got all the public education you needed. People know what they are.

DR. CRABTREE: Just to Chris's comment, we have often phased-in requirements. We do it more often than not when the requirement requires people to purchase a piece of equipment, because you've got to come in and look at what is it that you're requiring them to purchase, how available is it on the market, and how long will it reasonably take everyone to be able to get one, and that's why I come back to we need to figure out what we're requiring them to purchase here, because we can't figure out how long is a reasonable period to give them if -- If it's a \$50.00 high-tech SeaQualizer or something, then we would have to look at how available is it. If it's a hook with

split shot on the end of it, then that's a whole different ballgame, but we have often allowed phase-ins of requirements with extended -- Pushing the effective date out to allow people to comply.

MR. CONKLIN: Yesterday, we went through a lot of that conversation, about whether to make it real specific or broaden it and keep it broad, and, if it's like that, you can go behind a gas station and grab a milkcrate and grab a brick on the side of the road, and there is your descending device, and so that -- If we keep it like that, then I don't see why you should phase it in.

MS. MCCAWLEY: All right. Let's go back to the motion to reconsider. I guess my confusion is that we put the "within three years of implementation" in multiple alternatives, did we not, and so that's what I am -- I am confused about which particular motion we are modifying here.

MS. WIEGAND: You guys added the three-year phase-in period to both Alternatives 2 and Alternative 3, for consistency, and then, after more discussion on descending versus venting, you selected Alternative 2 and all of its sub-alternatives as preferred, as modified in the previous motion.

MS. MCCAWLEY: To me, it says that both of these need to be reconsidered. Let's start with the top motion, where we modified Alternatives 2 and 3, and we added in there "within three years of implementation", and so the first thing, I think, that we need to do is have a motion to reconsider that particular motion, which we're pasting on the board here. We need to vote on the motion to reconsider, and so, first, we need to have a majority vote on whether or not we're going to reconsider this motion, and then we can go into what that motion is.

All those in favor of reconsidering this motion, and remember that we're talking specifically about the timeframe of implementation, and what's why we're reconsidering this, and so raise your hand if you are in favor of reconsidering this motion, twelve; those opposed; abstentions. The motion passes, and so we're going to reconsider this.

I am going to look to Chester to see what you are wanting to do here. Are you just going to take three and strike that and put six months? I am going to turn it back to you.

MR. BREWER: **That's all I want to do on all three of them there, or, well, actually 2 and 3 and then the preferred.**

MS. MCCAWLEY: All right. Basically, we are changing the phase-in period to six months instead of three years. Is that clear to everybody what this motion is? Okay. **All those in favor of this new motion that decreases the phase-in time period to six months, raise your hand. If you're in favor of that, raise your hand. If you are in favor of this motion that decreases the phase-in time period from three years to six months, please raise your hand, ten in favor; those opposed; abstentions, 1 abstention. The motion passes.**

MR. WOODWARD: I have a parliamentary inquiry. Does not the substitute motion actually have to have all of the content of the original motion and what is changed, because it becomes the main motion.

DR. CRABTREE: When you pass a motion to reconsider, that means the motion that you voted on previously is now back before the council as a motion in front of you, and so what Chester, I

think, is doing is amending the motion that is back in front of us to change the three years to six months, and I think what we're getting ready to vote on, or just voted on, would do that, and then we would have this motion with six months before us instead of three, and I think that's what we're doing, or it could be a substitute motion that is six months instead of three months and all the rest of it.

MR. BREWER: I have got a good working knowledge of Roberts Rules of Order, but this gets beyond my paygrade.

MR. WOODWARD: I think, if it was a motion to amend, then maybe it stands as written, but, if it's a substitute motion, I do believe it takes the place of the -- It becomes the main motion.

MS. MCCAWLEY: I agree, and so what we're doing right now, just so people know, is we are re-pasting that same alternative, so it's clear what we're voting on. If it's not clear, and we need to re-vote, we can, but I felt like I verbally explained that we were going from three years to six months, and so what we have done, and Spud is coming up here, is re-paste that motion. To me, we just voted on the substitute motion, and the substitute motion now will become the main motion, and we have to vote on the main motion.

The substitute motion was approved, and now that becomes the main motion, and so we have to vote on that as the main motion. All those in favor, and so it's on the board specifically what is happening here, and we are changing the wording of those two alternatives that are left in the document, and it's the same motion as before, but it's now the main motion, and so we're going from three years to six months of the phase-in time period. Does everyone understand what we're doing? Okay. All right. **All those in favor, raise your hand, ten in favor; any opposed; any abstentions. The motion passes.**

Now I believe that we need to -- We need another substitute motion back on the preferred. Spud, if you are the parliamentarian on this topic, but --

MR. WOODWARD: If I'm your parliamentarian, then --

MS. MCCAWLEY: Don't we need to vote to reconsider the motion that chose the preferred, and then, after you have a majority vote to reconsider, then you would offer a substitute motion and vote on that, and then that would become the main motion, just like we did before?

MR. WOODWARD: You can certainly vote again to confirm that it's the preferred alternative. I don't know that that's necessary, because you did not take any action to change this preferred alternative status, but you just changed the content of it, but, if you want to make it nice and clean, you can have another vote to reaffirm that the motion that has been voted on is the preferred alternative.

MS. MCCAWLEY: The thing that's different is we said as modified, but now what is as modified is different, and so I guess I'm questioning, parliamentarily, if we need to go all the way through reconsider, substitute, and main motion.

MR. BREWER: We're not actually changing the actual motion. The motion, the actual motion, was to select Alternative 2, as modified, and Sub-Alternatives 2a and whatever I just missed as

preferred, and we're not changing that. We're still doing that. It's as modified, and so, I mean, I guess we could we could reconfirm that, but I don't even know that you have to do that, because it's still the same. I mean, they typed out Alternative 2, for clarification, underneath the motion, but the motion was actually very short.

MR. WOODWARD: I agree. I think that we have done nothing to change the motion to select Alternative 2, as modified, and Sub-Alternatives 2a, 2b, and 2c.

MS. MCCAWLEY: I hear that, but I guess that if you were -- I believe there was one person opposed to this in the past, the previous motion, and, if you were opposed to it before, or maybe you voted for it, now maybe you don't want that to be the preferred, because you don't like six months, and I guess that's my point. The "as modified" is now a different item, and that's why I am trying to figure it out.

MR. WOODWARD: I will dig us out of this. **I make a motion to reconsider the motion to select Alternative 2, as modified, and Sub-Alternatives 2a, 2b, and 2c as preferred.**

MS. MCCAWLEY: All right. We have a motion to reconsider. Is there a second? It's seconded by Chester. **All those in favor of the motion to reconsider, let me see a show of hands, twelve in favor. That means no opposed and no abstentions. The motion passes.** Now we need a substitute motion.

UNIDENTIFIED: (The comment is not audible on the recording.)

MS. MCCAWLEY: All right. The substitute motion is the same. It's got new as-modified information in it, and so we have a -- We are reconsidering the substitute.

MR. WOODWARD: You are not changing the content of the motion, but you are merely giving people another chance to vote on that same motion.

MS. MCCAWLEY: Correct.

MR. WOODWARD: So we don't need a substitute motion, and this is just a vote to reconsider that motion as it is currently written.

MS. MCCAWLEY: **All right, and so we're re-voting on selecting Alternative 2, as modified, and Sub-Alternatives 2a, 2b, and 2c as preferred. Once again, the "as modified" is now six months of implementation for requiring a descending device instead of three years. All those in favor of this motion, raise your hand, twelve in favor. That means none opposed and no abstentions. The motion passes.**

I am going to say that we take a ten-minute break, and, when we come back, we're going to go back to what Kari was presenting.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right, and so we had just started discussion when we had that exciting motion, and we had just started the discussion of the results of the recreational workshops, and I

would like to bring that discussion back and follow-up with any questions for Kari and figure out what we want to do with this information, and so the final recommendations are back on the board. Are there questions or discussion?

MR. WOODWARD: Just I wanted to certainly thank everybody that was involved in this, and it's an ambitious undertaking to try to pull together people across an entire region and try to build anything that resembles a consensus of opinion about any subject matter, much less fishing, and so this has been very useful in that regard, and I think it's also important to point out that, while the focus of this was on the private recreational angler, we did have participation from the for-hire sector in many of the workshops, and so I still personally see those two -- I mean, they are married.

It may not always be a happy marriage, but it's a marriage, and I think it was very useful to have the for-hire sector perspective on a lot of these topics. It's a challenge of what do you do with this, and, I mean, it's great advice, and I do think that it will help us as a council focus our energies on the things that are most likely to be acceptable to the recreational fishing community.

There is a lot that we would like to do that we can't, for various reasons, and I am encouraged to see that the recreational fishing community has accepted, perhaps grudgingly, that a higher level of accountability is necessary, and the burden that comes along with that may be essential to us getting to a place that's better than where we are now, in terms of predictability in season lengths and that sort of thing, and so I just wanted to thank everybody, and thank you, Kari. It's an excellent report that summarizes the information, and I think it's going to be very helpful to us as a guiding document as we move forward.

MS. MCCAWLEY: I agree, Spud. Are there more questions?

MR. POLAND: I just wanted to extend a thanks from North Carolina. I attended the workshop in Greenville, and we didn't have a lot of private or for-hire anglers show up, but the ones that showed up were very knowledgeable, and they gave very good input, and it was just fun, on my end, to interact with them and kind of just have this big, open discussion, because they just let a lot of things come out, and one of the take-aways that I had from that was the opposition that I thought was there and very fervent in North Carolina, as far as reporting, was not as hot as I expected, and I would just like to take this opportunity -- I know we've got an amendment right now that's kind of postponed that's looking at recreational reporting, and I would just take this opportunity to implore the rest of the council, when we get around to council priorities, to please consider that. Given this new input we have from ASA, let's try to get working on that as soon as we can and try to incorporate some of these new ideas.

MS. MCCAWLEY: I agree with that, too.

DR. PORCH: Kari, I appreciated the presentation, and I think it was very clear, and it was a nice summary, and I think it's an important dialogue to have. My question concerns your second bullet there. Harvest or exploitation rate management means something specific to me. It means directly controlling fishing effort, and so number of days fished, for example, and then you have to control the technology that people are using, so the effort doesn't become increasingly effective through time. I get the feeling that may mean something different to the participants, and so I was wondering if you could tell me what exactly they mean by that term.

DR. MACLAUHLIN-BUCK: When we talked about this at the September workshop, it was a little more about -- Not necessarily modeling it completely after the striped bass management, but using it -- I really think that Ken should probably explain the technical details. In the workshops with the public, we focused a little more on the bigger-picture parts of it, about changing an approach, than the technical details of it, and so --

MR. HADDAD: The concept would be that you're managing at a harvest rate and not -- You're not managing, necessarily, at a specific ACL, and so it requires some pre-determined knowledge of recruitment, which you have in striped bass, for example, but your actual harvest poundage, or numbers of fish, however you want to look at it, may vary each year, depending on how many fish are out there and how the angler encounters them. More fish is more encounters, but the harvest rate stays the same, based on that population, and is that coming clearer?

DR. CRABTREE: What I'm hearing is -- So Clay has talked some about the Science Center's plan to get to interim assessments, so that we could get, effectively, an updated ACL on an annual basis that, in theory, could take into account trends in recruitment and things, and then the ACL could vary every year, and, if we could actually do that, then that would be what you're getting at?

MR. HADDAD: That would be it. Now, it's not something that -- The fishermen may not even see that, because, again, they are fishing at a harvest rate.

DR. CRABTREE: To me, what I take away from this is that what we're trying to get away from is having a more static ACL, but then we have a really big year class hit the fishery, and the ACL stays the same, and the catch rates go way up, and the fishery gets closed early because, effectively, we close early because there is too many fish in the water, which nobody thinks makes sense. I guess what I would be interested in Clay commenting on a little is the difficulty I see is getting sufficient information to incorporate recruitment levels into the interim assessment to address that, and I don't know how close we are to that.

DR. PORCH: What you're describing is just simply a constant fishing mortality rate strategy, which is the council is actually already using, except the difference being trying to update those fishing mortality rates every year, which would require an assessment every year, or you could do something similar, where you're tracking an index of abundance, like what Roy was describing with the interim assessments, and then you're assuming a constant fishing mortality rate applied to the changes in abundance, and that would allow you to adjust the catch every single year, but it's not really a harvest rate management, in the sense that you're not actually directly managing the harvest rate.

MS. MCCAWLEY: Good questions and good discussion. Any more questions or comments or ideas? Then I guess we're going to move on. Thank you so much for all this work, Kari, and thank you to ASA and all of the others that took all of this time and effort to put this together, and I really appreciate that, and I hope we're going to be using this as we move forward on various species management. Next up is spearfishing in the snapper grouper fishery.

MS. BROUWER: There is an attachment in your briefing book that contains the white paper, which you, remember, requested that staff put together when you met back in September or October, and you initially said let's get a white paper either in March or June, and, because some things were delayed due to the government shutdown, we had some time after the holidays to put

this together, and so I have just put together the main points and, just to help us go through this white paper, this presentation, which you don't have in your briefing book, and so it's just simply to not have to scroll through the white paper.

As I said, this came about because, last March, the council heard concerns over the impact of spearfishing on snapper grouper populations, and, in particular, this was brought about from fishermen in North Carolina, and they had suggested that the council should maybe consider requiring an endorsement for spearfishing or look into other ways to identify how much this particular gear is being used in the fishery. The Snapper Grouper Advisory Panel also discussed this, and they actually had a motion to potentially consider a gear endorsement, and their concerns were voiced mainly over increasing user conflict between commercial divers and hook-and-line fishermen in some areas of North Carolina.

First of all, here is some definitions, to make sure everybody is on the same page, and so, in the Code of Federal Regulations, spearfishing is defined as fishing for, attempting to fish for, catching, or attempting to catch fish in tidal waters by any person with a spear or a powerhead. A spear is further defined as a sharp, pointed, or barbed instrument on a shaft, and spears can be operated manually or shot from a gun or sling. Then a powerhead is any device with an explosive charge, and that's usually attached to a spear gun, a spear pole, or stick that fires a projectile upon contact, and so I think there's also mention of bangsticks, which is the same thing, and so that's interchangeably used with powerheads.

First of all, a history of management of what this council has done relative to spearfishing and powerheads, and so, first of all, in Amendment 4, back in 1991, this amendment prohibited the use of powerheads and bangsticks in all special management zones off of South Carolina, and it required landing of snapper grouper species with heads and fins intact. A few years later, Amendment 7 prohibited the use of explosive charges, including powerheads, to harvest snapper grouper species in the EEZ off of South Carolina.

Just going back to Amendment 7, the rationale that I found for why that amendment was put in place is there was difficulty in enforcing the prohibition on powerheads in state waters and in federal SMZs when it was allowed in federal waters, and so South Carolina, I think, came to the council and said that we're having this issue, and there were also concerns, at that time, over localized depletion of snapper grouper species from illegal use of powerheads in the SMZs off of South Carolina and user conflict between recreational and commercial fishermen, and also within the recreational sector, and so those were all justifications for what the action did back in Amendment 7.

Then recall that, more recently, in Amendment 23, which is included in the Comprehensive ACL Amendment, there was also -- No, I'm sorry. That's the Comprehensive Ecosystem-Based Management, Ecosystem-Based Amendment 2, CE-BA 2. In that amendment, the council limited harvest and possession of snapper grouper species with the use of all non-prohibited fishing gear in the SMZs off of South Carolina to the recreational bag limit, and, for that regulation, there was concern over the efficiency of spear guns that were being used to harvest commercial quantities of snapper grouper species in the SMZs, and South Carolina maintained that the use of such gear was not compatible with the intent of the SMZs. That was a little bit of what's been done in the region.

You also asked that we include in the white paper some potential biological and ecological effects of using this gear, and so here is just some bullets. I didn't do an extensive review of the literature, but these are some things that have been mentioned, and there is literature to back up some of these things, and so there has been rapid decreases in some areas in the abundance and the mean size of the target species, and there is also depletion of large individuals in a population that can then affect the reproductive potential and possibly leading to recruitment overfishing in some areas. Among species that are protogynous, there can be alterations to the sex ratios, because there is disproportionate removal of large male individuals.

One good thing is it can lower the bycatch of non-target species relative to other fishing gear, such as hook and line, and it can also lead to shifts in catch composition from large, carnivorous species to smaller omnivores and herbivores, and so these are just, in general, some potential effects.

What we did is we attempted to summarize some of the information that we have, and so, as far as the data goes, we looked for -- For the commercial sector, we looked at 2007 through 2017, and so a ten-year chunk. For the recreational data, because it's so spotty and just wobbly, we went back further, and so that includes 1981 through 2017.

For the commercial sector, we used ACCSP, and so the units are going to be in pounds whole weight, and, also, we have included data from North Carolina, from their biological sampling, for some species, and so the units there are going to be in numbers of fish, and so I will walk you through all of this, but I wanted to give you just an overview, so that everybody understands the time periods and the data that were used. Also, to mention that, for the recreational, we have used the revised estimates from the new FES program.

First of all, I am going to show you what we have as far as spearfishing in the commercial fishery. For that time period that we looked at, the mean landings of snapper grouper species with all gear types amounted to 7.5 million pounds. The mean landings of snapper grouper species with spearfishing gear over that same time period were 280,000 pounds, and so that really gives you an idea of the relative amount there, and so that's only 4 percent that can be attributed to spearfishing gear, and so keep that in mind as we go through this. It's a very tiny amount.

Here are some figures, and I'm going to emphasize, as I go, how this scale of the vertical axis is very different, and, in hindsight, maybe there's probably a better way to summarize these data, so that the visual comparison was better, but, again, we're looking at things that are very different, and how do you summarize it so that you don't end up with really tall bars and really tiny lines, but, anyway, here you have landings in each of the four South Atlantic states, and Florida is always going to be in blue. This is the only time that you're going to see Georgia, because there is not a whole lot of information there, but this shows you the landings, annual landings, for the time period, and then superimposed, and so on the vertical axis on the right, you have the percent, and so it's that percent landing, or amount of snapper grouper species, caught with spearfishing gear relative to the amount that was caught overall.

Here you've got Florida, and your Y-axis goes from zero to five-million pounds, and, over here, your percent goes from zero to 10 percent, and so you can see a trend here. There has been some decrease in the percent of landings attributed to spearfishing gear over that time period. In Georgia, there was this big spike in 2012, and then it just went back down. In South Carolina, there was, again, an increase, starting in about 2009, and apparently that was attributed to an influx of vessels

that were coming up from Florida, and that may have been also the case of why you see this up here in Georgia. Then, in North Carolina, you see an upward trend in the use of spearfishing gear, but, again, we're talking -- The scale over here is zero to three-million pounds, and the percent, over, here only goes to three-and-a-half. That is overall what you can see for all snapper grouper species.

Then we went and we split it out for some of the species of main interest and those that are most frequently caught, or, in some cases, almost exclusively caught with this particular gear, and so here you have gag and black grouper, and, as I said, there were not enough data from Georgia to split it out by species, and so we've got Florida at the top. You've got -- This goes up to 400,000 pounds, and this is 60 percent, and so a good proportion of gag and black grouper in Florida are harvested using spearfishing gear.

In South Carolina, over here in the green, you see the percentage here goes to 18 percent, and, for North Carolina, there is this little spike over here in 2016, an upward trend over the last few years, but, still, we're only talking 14 or 15 percent of the landings of gag and black grouper, and so, clearly, in Florida is where spearfishing for these two species seems to occur the most.

These are the data that came from the North Carolina biological sampling program. At the top, you've got numbers of fish, and these data were aggregated over a two-centimeter bin, and so this is a length distribution, and you've got, for the spear, it's in the blue, and the hook-and-line is in orange. The minimum size is in the gray.

You can sort of see, comparatively, the magnitude of the landings, and then the bottom graph shows you, percentagewise, what that length distribution looks like, so that you can see, a little bit, if there is some differences in the sizes that -- The gear selectivity, basically. Then, in the corner here, you've got the numbers of samples for each gear type, and so, for hook-and-line, for gag in North Carolina, we're looking at about 1,700 samples, and, for spear, it's 121.

Here we have red grouper. Overall, red grouper landings, as we all know, have been declining. However, spearfishing use is all going up, and so, again, note the difference in scale, and so, here, we're looking at 160,000 pounds, over here, and this is 30 percent. In South Carolina, over here in the green, clearly landings have declined pretty dramatically. In North Carolina, the use of spearfishing gear ramps up from about 2014 onwards, but we're talking that the scale, over here in the pounds, goes to 500,000, and the percentage only goes to 18 percent.

Again, there was some information that North Carolina had for red grouper, the same thing that I just presented for gag, and so comparing spearfishing here in the blue, and you can barely see it along the X-axis, up here at the top. Then hook-and-line versus spear, the minimum size limit, and so you can see the selectivity, over here on the bottom, and the percent graph and the number of samples. For red grouper, there were only forty-four samples that came from spearfishing in the commercial fishery for red grouper.

Hogfish, of course, the majority of hogfish come from Florida, and they are targeted primarily with spearfishing gear. A good many of them are being caught in South Carolina, and, again, the data from North Carolina on the length distribution, and so there are some hook-and-line landings of hogfish in North Carolina, and, again, the minimum size limit for hogfish just went into effect back in 2017, I believe, August of 2017, and so that's a fairly recent minimum size limit there.

That is for the commercial, and we looked at the recreational landings as well, and spearfishing occurs predominantly in Florida, and so we aggregated landings for Georgia, South Carolina, and North Carolina, to have something to show you, and so, from 1981 through 2017, the landings in Florida with spearfishing gear were over 600,000 pounds, whereas, in the remaining states, we're talking about, overall, just 6,000 pounds, and so that sort of shows you the comparison there, and, again, the information that we're looking at here is revised MRIP landings.

One thing we did was look at the top-ten species that are landed with spearfishing gear recreationally in Florida versus the rest of the South Atlantic, and so, in Florida, predictably, you've got hogfish at the top. Then amberjack and gray snapper are the top three, and then, from Georgia through North Carolina, that species composition changes, and so Atlantic spadefish is actually the top species that is targeted with spearfishing gear on there. Gag is number two, and hogfish is number three. This is the same time period of 1981 through 2017.

Then, just for what it's worth, here is the recreational landings over time, and so these are spearfishing gear in Georgia and North Carolina in the orange, and that corresponds to the vertical axis on the left, and so that scale only goes up to 45,000 pounds. Florida is the blue line, corresponding to the vertical axis on the right, and that goes up to three-million pounds, and so you can see how noisy the data are here, and there is my little note to remind you of the scale, and then here is just, for what it's worth, what is available when you do that breakdown by species. Clearly Florida dominates for these four species, and you do have some little spots here and there, in the orange, and those are the landings outside of Florida in the South Atlantic.

You had requested also that we provide information so that you could potentially look at a season, and so we looked at the data monthly, and so I'm going to show you commercial landings by month, and so we were able to look at some of these by species, and so here is gag and black grouper, and so you're looking at Florida in the blue, and Georgia is in the orange, I believe only on this graph, and that one is -- It's misleading, because, basically, it's just because it's based on an average of eighty pounds that were landed during September, November, and December, again, in that very lengthy time period, and so it's just kind of silly.

This is percent annual landings, and so Florida in May, of course, and South Carolina in June are the main seasons where the landings are highest for these two species. For red grouper, you see, again, Florida in May, South Carolina in June, and North Carolina is a little more distributed throughout, and then, for hogfish, here is what it looks like, and so, in Florida, they are mostly caught in May, and, in South Carolina, in June, and so nothing too surprising there.

We also looked at the seasonality of the recreational landings, just for giggles, and, obviously, we couldn't split it out by species, and so this is for all snapper grouper species combined, and you see Florida in the blue and the rest of the South Atlantic states in the orange, and so the summer months.

We put together this little table of pros and cons, very general, for different management approaches that could potentially be of interest, and you had mentioned a season, and so pros and cons, of course, are that there is predictability, which is a good thing, and it focuses, potentially, fishing pressure away from spawning. On the con side, you have the same issue that we always

deal with in this council, is the different seasons, potentially, for Florida and the Carolinas, due to the seasonality of the fishery, and this, of course, could result in effort shifts, potentially.

Gear endorsements with or without reporting have also been discussed, or brought up, as potential options. A slot limit is something that maybe this council would be interested in. It could work for some of these species. Some of the pros there is that spearfishing, in particular, is well suited for this type of limit, and it ensures that large, mature individuals are not disproportionately removed. It has not been used in the snapper grouper fishery, to my knowledge, and maybe it would introduce complexity to the regulations initially and that sort of thing.

Then, of course, there is always the option of modifying existing reporting requirements so that you could potentially get a better idea of the user group, the universe, that is out there, folks that are using this gear, and you have cons there, as far as complexity and added burden to the fishermen.

You had also wanted to discuss a little bit how this gear addresses, I guess, National Standard 5, and so there is National Standard 5 on the screen, and it says that the conservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources, except that no such measure shall have economic allocation as its sole purpose. I guess, basically, the National Standard encourages efficiency, and we know spearfishing gear is a very efficient gear, and then, of course, you just have to weigh that out with the potential biological and ecological effects. That is pretty much what we were able to gather for you, and I will answer any questions you might have.

MS. MCCAWLEY: That was a very thorough and great presentation, Myra. Thank you for working on that for us. It was an interesting issue.

MR. BELL: Could we get the presentation, too? We've got the white paper, but you said we didn't have the presentation.

MS. BROUWER: Sure. I would be happy to put it online.

MS. MCCAWLEY: Are there more questions from folks?

MR. POLAND: Thank you, Myra. This is a lot of information, or at least all the information that possibly could be pulled together on this. I don't know what the council wants to do, as far as moving forward on this, if we want to move forward on anything or what, but I know the Snapper Grouper AP provided some input on this, I guess back in October, maybe, but they didn't have this information pulled together like this, and so I am almost kind of leaning towards maybe providing this and this presentation to the Snapper Grouper AP, just to get a little bit more feedback from them on this, because I am still not quite comfortable moving forward on anything quite yet, and so I would like that added input from them.

The one thing that really stands out to me is that what I was hearing from fishermen in North Carolina seems to be true. There is more of this going on, especially in the southern part of the state, and it almost looks like there is kind of a shift regionally in landings and effort in this fishery, and I would just really like to hear from the Snapper Grouper AP on, one, if they do think it's an issue that needs to be addressed and what they would be amenable to.

I really like this table of potential management options, and there's a few of those that I've got a little concern about, as far as -- I mean, I like the idea of slot limits, but a slot limit for -- Well, first, I've got concerns about fishermen measuring those fish underwater, and we would have to really be mindful of what that slot limit is, but I certainly think that would alleviate a lot of the concerns, as far as the biological effects from moving the largest wrasse or hogfish or whatever off of that site has with the sex ratio.

Discard from a spear here has a 100 percent mortality, and, I mean, anyone that has gone flounder gigging knows that it's hard to tell when that fish is right there when it's underwater, and I will admit that I don't dive. I wish I could, but I love my sinuses too much, and I don't want to lose the front of my face, but, yes, I guess my input is let's just take this to the Snapper Grouper AP and see what they have to say about it.

MS. MCCAWLEY: That's a good suggestion, and I had similar thoughts, but I would like to see what others think.

MR. BELL: The same thing. I think a great report, and what that did was clear up some -- There were a lot of assumptions that perhaps the AP members, and myself, were making, and this really is sort of here's the facts. One of the assumptions that I was making, which was proven in here, is I know that, for hogfish in South Carolina, our landings, it was a high percentage, and so I have always had a little concern about hogfish within the spectrum of species they target, just because it has some peculiar behavioral quirks and susceptibilities to potential overexploitation that some of the other species might not have, and so I've always just had a little concern, particularly up our way, about heavily targeting hogfish out there, but it's obvious that -- It's correct that's where most of the hogfish landings come from, at least in our area, but I think it's definitely good to take this to the AP, and it was good for us too to actually see what the real -- What things really look like, and so thanks.

DR. CRABTREE: I agree with what I think I heard Steve say, and I haven't seen enough yet to convince me there's a problem here that we need to address, but a few things. Any time there is a gear switch in a fishery, there is always some resentment between gear groups, and we need to be sure that we're not letting that drive things, and we also need to be careful about having fishermen from one state come up and that necessarily is a bad thing, because there are National Standards about that sort of thing that we need to reflect.

Two, I wouldn't assume that all discards in a spear fishery are dead, because fish get hit by spears, and it pulls out, and the fish swims off and lives to see another day, and so I suspect that the discards are quite a bit lower in spear fisheries, generally, but there are discards, and they aren't all necessarily dead.

I would be careful with the assumption that taking big fish is necessarily a bad thing. It could be if it's somehow interfering with spawning and that kind of thing, but, on the other hand, shifting the harvest to larger fish can reflect increased yield per recruit, and it could actually be a good thing for yields, and so I don't know how that balances out. I mean, we don't really have anything that tells us the answer to that.

Then I agree with Mel that there are some oddity fisheries, like hogfish, which I don't think can be -- I know you can take them on hook-and-line, but I don't think it's a very efficient way to take hogfish, and it seems to me that the most efficient fishery for hogfish is spear. I know, when I buy hogfish, they've all got a hole in them somewhere, and efficiency is a National Standard, and there are guidelines on that, and we need to be careful that we're not necessarily looking at a gain in efficiency as a bad thing. It may be that spear is the most productive and most practical gear to take hogfish with, and that's not really a bad thing. I just think there are a lot of considerations here that, if you want to look at this any further, we would need to consider before we would be ready to come to a decision.

MS. MCCAWLEY: Also good points. Other comments or questions?

MR. BELL: To something Roy said about the gear, people use different gears, and there could be sort of jealousies or competitions or whatever, and I think, in listening to the discussion of the Snapper Grouper AP, the group seemed to be heavily weighted towards particular gear types and not necessarily towards the spear side of the house, and that may be why some of their recommendations and all were couched the way they were, because they weren't really spear fishermen, necessarily.

MS. MCCAWLEY: That's a good point, is that, if we send this back to the Snapper Grouper AP, those are mostly hook-and-line fishermen, and there aren't any spear fishermen on there, and so that is kind of a concern of mine, sending it back there, is that maybe the expertise is not at the table on that.

MR. GRINER: I agree that it does need to go back to the AP, and thank you, Myra. This is great. I have had a lot of conversations with spear fishermen, and a lot of the data that I am seeing here is exactly what I thought it would be, and I do think we have an issue. To me, a lot of what I am seeing here reiterates that.

I had a long conversation with probably the two most productive spear fishermen in North Carolina, and those two guys are the ones that really started bringing this issue to light, and so I think the potential conflict, or hurt feelings, over these gear types really isn't the issue. You've got two very, very productive spear fishermen that are concerned. They are concerned about what they are doing and the effect that it's having on everybody's bottom that we're fishing off of and that they're diving off of.

They are seeing what's happening, and they're the ones that came up with the ideas of maybe not diving in May and these endorsements and trying to get our arms around what it is we're doing here, and so maybe we have -- Maybe we invite a couple of guys to the AP meeting, and I don't know, but I think to hear it firsthand from the guys that are down there spearing a thousand pounds of grouper on a trip and 500 pounds of hogfish, or 300 pounds of hogfish, and a couple hundred pounds of mutton snapper, in two days, it would be very worth everybody listening to, and so I don't know, but I do think this is a great paper, and I do think the AP needs to look at this and have some more discussion.

They had a lot of discussion about it in October, and they were very anxious to move forward with something, because they realize what we're setting ourselves up for here as well, and so, yes, I think getting it back in front of them and keeping an open mind and looking at some of these

things, whether they be some different seasons and different bag limits and endorsements, and there is such a thing as being too efficient, and you can see the effects that it has not only on the current stocks, but what it does to these small areas that we fish and how it changes the behavior of when these fish come and go and whether they ever come back to those areas again.

The other thing that I think, at least to me, plays an important role, and, for me, it's kind of a double-edged sword, because we dive a lot off my boat, and we hook-and-line, and we bandit, and we dive, but I have seen, in my own business, that the fish that -- The grouper that we shoot with spears are not worth the money that I get off my hook-and-line fish. They're a lesser-quality fish, every single one of them, and so that's another thing to consider.

I think the marketplace for the grouper is much higher for non-shot fish. Hogfish is totally different, and we catch a few hogfish on hook-and-line, and there is some guys that have really dialed it in, and they know how to do it, and they know what bait to use, and they know where these fish live. Other than that, it's almost a completely spear fishery, and so I think that you have to keep in mind that, if we're going to have hogfish, we're going to have to have diving, but, anyway, that's my two-cents' worth.

MS. BECKWITH: When we have specific fisheries, like golden tile or whatnot, that it's a fairly small group of people, sometimes we have invited them together to talk about the fishery, and so, while we probably don't want to do an in-person meeting, for the expense, it might be worth having each state kind of identify their top spear guys and opening up a webinar discussion, and obviously any other spear guys, or the public, is welcome to participate, but it would give these guys an opportunity to kind of voice some of their thoughts in an easy and public manner.

MS. MCCAWLEY: That's a good idea.

DR. PORCH: I just wanted to agree with Roy, actually, that there is not a strong science case to be had here. It is possible, if males are limiting, and spear fishermen tend to target the largest individuals, which I don't think is always true, but, if they do, then, yes, there is a possible impact there, but we don't know that.

At the same time, it's just as easy to argue, from a yield per recruit perspective, that it's better to take one big fish than a bunch of smaller fish, and you can easily do analyses to show that, and we've done that time and time again, and so I would want to be careful from trying to build a scientific case for something like that at this point. The strongest case that one could probably make is not fishing on spawning aggregations, period, whether it's spearfishing or hook-and-line, because they are more vulnerable then.

Then one of the things that I thought was interesting is I just heard that the quality of fish is higher from hook-and-line than spearfishing, and I'm curious why that would be, considering, with hook-and-line, you're going to have some lactic acid buildup and things from the fish fighting.

MR. GRINER: Chris can add to this as well, but, from my experience, a hook-and-line fish is still alive when we get him to the boat and ice him down and chill him really fast, either in a slurry or in the ice, and a fish that's been shot, especially with a powerhead, and he's got a gaping hole in him, and his whole ribcage is blown out, and he's going to be dangled around on a stringer for the next fifteen or twenty minutes, in seventy-five to eighty-degree water, by the time you get that fish

back up and on ice, the shelf life and the hematomas to the fish are -- The damage is irreparable. I mean, you can't market that fish.

There is not many high-end chefs that are going to take a whole grouper from you that's got half of it blown out, and, when he cuts into it, there is a hematoma running halfway through the fish, and so that's what causes the lesser market value. The quality of the meat itself is so much better from a fish that stays in rigor mortis so much longer and that doesn't have the wounds to it that have been exposed to the temperature of the water and for that length of time. I think, actually, probably every thirty minutes that that fish is not iced, from the time he gets out of that water, or from the time he dies, is probably going to cost you a couple of days of shelf life.

MS. MCCAWLEY: All right. Thanks for that explanation. I've heard a couple of different things around the table, and I will try to summarize. It sounds like we want this presentation and the white paper to go to the AP. I am not sure if we want to ask them specific questions, and I don't know if you need it that specific, Myra, or just going to the AP is okay. We also talked about -- What I think you mean by that is maybe the AP looks at this and then makes a recommendation for whether they think we need additional regulations and what that might be, and I think that's what you meant, Steve and Tim.

I also heard a suggestion from Anna about having some type of webinar. If we do that, I am wondering -- I think we should do it after the AP meets, and I like the idea of each state reaching out to spear fishermen and bringing them together on the webinar, and I guess my question is, and I will look to Anna, since you're the one that brought this up, are you suggesting that type of webinar occur between now and the June council meeting, or would you rather the council have some idea of whether or not they even want to pursue this and what type of regulations the AP is suggesting, and then the council have that discussion, and then do the webinar, and so what is the timing that you're thinking about of that?

MS. BECKWITH: I don't think this is super time-sensitive, and so I think, if we want to wait to see what the AP says in June, and that will give the states time to identify and contact the spear fishermen for each state and give them a heads-up and maybe get them the paper and the presentation, so they can be thinking about it as well.

MS. MCCAWLEY: Okay, and so it sounds like you're suggesting possibly after the June council meeting. Okay. What do others think? I haven't heard much on this side of the table, other than from Mel. Any other comments?

MR. BELL: If you're wanting to catch these guys in a webinar setting or something, since they are heavy into snapper grouper, you might want to do when snapper grouper closes or something, and so later.

MR. CONKLIN: Since you have requested feedback, I say we kind of look forward to the results at like our December meeting, whenever it's too cold to go swimming.

MS. MCCAWLEY: Okay. Myra, do you think that you have enough that we want this to go back to the AP before we talk about it again, and then, at some point, probably not in May or June or July, that we want to bring some spear fishermen together on some type of webinar to talk about this.

MR. CONKLIN: Were you guys talking about just getting commercial spear fishermen together or inviting recreational?

MS. MCCAWLEY: I thought you meant both, but I am not sure, and I will look over here. Do you mean both?

MR. GRINER: I was really speaking of the commercial guys. I mean, I don't know how much of an issue the recreational spearing is. I know it's growing, and I know it's growing fast, and I don't know how efficient those guys are, but the guys I'm talking about are -- These guys are professional saturation divers, and they come from underwater welding backgrounds, and they can live in 165 feet of water and be very, very, very effective, and so those are the guys that I'm talking about, but certainly the recreational sector is growing, and you can just look at the number of dive boats around and see how many guys are taking lessons, but I don't know. Chris probably has a little bit more recreational divers down there where he is, and I don't know.

MS. MCCAWLEY: Then it sounds like --

MR. CONKLIN: I was just saying that because I didn't really think that you would get a very productive meeting if you -- Then there might be tensions between the commercial fishermen already, and there is a whole other realm right there.

MS. MCCAWLEY: That's a good point. It sounds like maybe we mean commercial spear fishermen together on a webinar.

MR. POLAND: Chris just kind of swayed me back, but I was going to say that there seems to be building recreational effort, especially around like southern North Carolina, like Wilmington and the Brunswick County area. I mean, there's more spearfishing tournaments and that kind of stuff, but I do agree that we don't want to muddy the waters with any conflict or user sector conflict or anything like that.

MS. MCCAWLEY: Then possibly a different one with recreational folks. Myra, do you think that you have enough? Okay. We're almost at five o'clock, and we were set to go until five o'clock today, and we're definitely behind. I don't know if folks want to go until 5:30 or just we'll start at 8:00 a.m. and go back to Snapper Grouper.

MR. HAYMANS: I was just going to ask you how critical were the final three items on the agenda to be accomplished at this meeting.

MS. MCCAWLEY: Well, I think we definitely need to give guidance for what we want the Snapper Grouper Advisory Panel to look at at their next meeting, since they will meet before our next council meeting, and I'm not sure about the vision blueprint and the spawning special management zone update, and then we also have a couple of items for other business that people have handed to me, and so we could continue these in the morning.

MS. BROUWER: I think the guidance on the agenda items for the Snapper Grouper AP, that will probably take ten minutes, and I am pretty sure that Chip's update is fairly short, and, as far as the vision blueprint stuff, we just have a couple of webpages to show you, and then it's basically just

to ask you what all you want us to do next, and then it depends on whether you want to really get into the whole FMP objectives thing or whatever, and that could take a little bit longer, and so it's up to you.

MR. BELL: I was going to ask if we thought that we could knock out at least the guidance for the AP.

MS. MCCAWLEY: Okay.

MS. BROUWER: Really quick, this is just a list that I had put together, and you can add or subtract or whatever you would like, and so, for fishery performance reports, we do have a scamp research track assessment that is getting underway, and hopefully there will be something happening on blueline tilefish, and so those are two species that we thought we could get the AP to do the FPRs for, and so that's one item.

We also would request input on the ABC control rule amendment, and, there, the AP could help us with the risk of overfishing categories for snapper grouper species that have not been assessed. The recreational AMs amendment could be one that the AP could spend some time giving you guidance on, depending on where that fits in your priorities, where that ends up this week, and the permits presentation that Kevin gave us earlier, and I would add the spearfishing presentation.

We also have a student that is working with Chip, and she is looking at management measures, the effect of management measures, on catch rates for some snapper grouper species, and so that would be something good for the AP to discuss, and so that's basically what I had, and, if there's anything else or anything you want me to strike out of there.

MS. MCCAWLEY: All right, and so you're going to add the spearfishing one.

MR. CONKLIN: We need to get the recreational management options presentation and have either staff or invite the ASA folks down to present that to them as well.

MS. MCCAWLEY: Okay. What else?

MR. BELL: They already had a shot at the best practices one, but it has changed a little bit, and there is going to be scoping and all, and I guess they don't necessarily need to hear that again, right?

MS. MCCAWLEY: That's a good question. Myra, they have already looked at it, and they provided some good input, and I think that we'll have another public hearing on this, but do you think it needs to go back to them?

MS. BROUWER: I normally give them an update of everything that is happening, and it depends on where we end up on that amendment at Full Council. One question though, while I am -- As far as the recreational workshop results presentation, do you want the AP to provide you specific input, or what are you looking for with that presentation to the AP?

MR. WOODWARD: I think it would be useful to have them look at each one of those recommendations and provide us some input as to their perspective on the practicability of what

those recommendations are and maybe refine a little more of the input we have, and I think that would be very useful.

MS. MCCAWLEY: Okay. Anything else?

MR. WOODWARD: On the best practices, I think we've still got some work to do on the definition of a descending device and that kind of thing, and I am still a little troubled by how are we going to allow flexibility, but also have enough specificity, and I think maybe we would ask them to look at the way it's currently written and to sort of put on their user hat and then put on their hat if I am somebody being boarded by the Coast Guard or local law enforcement, and what would they prefer, to have a broad, somewhat, definition, or would it be better to have a specific list of approved devices, whoever approves them, NMFS or whoever it is, that they know that, when I get this device and I have this device, that I am good, because, if I have something I have improvised, am I going to be in a situation where I may or may not be in compliance with the law?

MS. MCCAWLEY: Okay.

MS. BROUWER: To that point, the Law Enforcement AP is likely going to meet in May, and that is one item that I think they're going to want to spend a good bit of time, and so it sounds to me like what you're requesting, Spud, would probably be better suited for the Law Enforcement AP to discuss, as opposed to the Snapper Grouper AP, but I just wanted to make sure you knew that Law Enforcement plans to dedicate some time to that.

MR. WOODWARD: Yes, and I know we're certainly bringing it before them, but I also think it would be -- Because I think we're trying to accomplish two things. We are trying to create something that is enforceable, but we're also trying to create something where people have flexibility to innovate and adapt, and we may be at cross-purposes with ourselves here and setting ourselves up for failure.

MS. MCCAWLEY: Okay. Then I would suggest leaving it -- Based on that, I would suggest leaving the input on the definition of descending device on the list. Anything else?

MR. CONKLIN: In the recreational workshop presentation, can we get -- Educate those AP members a little bit more about what the harvest rate management is, and I sure would like to see some more of that in June, too.

MS. MCCAWLEY: Okay. Myra, I am looking at what you are typing up there, and explain the harvest rate management approach, in particular, and get feedback, maybe. All right. Anything else? Then do we want to keep going, or do we want to end and finish this up in the morning? We have two more items, plus Other Business. The other items are the vision blueprint, look at the outreach materials, the SMZ report, and Other Business. I am seeing people nodding that they want to continue this in the morning. Okay. Then we'll continue this in the morning, and I will see everybody at 8:30. Thank you.

(Whereupon, the meeting recessed on March 5, 2019.)

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March 6, 2019

WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Westin Jekyll Island, Jekyll Island, Georgia, Wednesday morning, March 6, 2019, and was called to order by Chairman Jessica McCawley.

MS. RHODES: Good morning, everybody. We're going to walk through the website really quickly, the new webpage that's dedicated to all of our visioning information, and what we did was we worked together as a team to create this vision blueprint Story Map, which hosts a lot of information about the visioning process and potential ways that it could move forward down the road.

What we'll do is we'll just go ahead and walk you through what we've put together here. In addition to the Story Map, we have created a couple of tabs where people can find some of our historical information, and so port meetings and plan development relative to the visioning process, the actual vision blueprint itself, where you can access all the appendices, and how we got started, where we went, and all of these things are clickable links where you can find additional information, and you can find the port meeting flyer, and so it's really a place for us to house what I would consider to be an archive of information that folks can go to from the public, but also stuff for our partners and for you to use as well.

The Story Map, we are starting to rely pretty heavily on these, and I think they're growing into something that many of our staff members might be able to use down the road, but, just for your reference, we will scan through what this Story Map houses, and you can actually click on the document right here within the Story Map, and it's all live, and so you don't have to go to a special link or anything like that, and you can just go ahead and scroll through, and so it's all housed in a really nice, neat location.

It gives a little background, and it provides the different objectives that were outlined in the vision blueprint, and it goes through the goals, and this is just really a way for folks to see what's been accomplished and what's still left to do, and so you can see, if you click here to see the progress made through 2018, it brings up this slide from a previous presentation that Myra and Amber gave at the December council meeting, and you can see everything that's been checked off is something that has already been done as part of the vision blueprint.

Then you can see what's left to do under the science objective, and so this is the list of tasks remaining from the vision blueprint. The same thing goes for management, and you can go ahead and click here to see the progress made, and, since there were multiple management objectives, we've got a list of the remaining ones here. You can just scroll through and see what's left, and the same goes for communication and governance, and then there's an opportunity for, possibly, members of the public, if you decide that this is something you want to go out to the public for additional input down the road, this is just a way to hopefully engage them and get them up-to-date on what's going on and then offer them the opportunity to weigh-in on how to move forward.

We also provided some helpful resources, and so, if folks wanted to see our different social media platforms and other websites, like the MyFishCount website, and learn more about some of the programs that are part of the vision blueprint that are already underway, including the Citizen Science Program, which pulls up the webpage dedicated on our website, and then we can also take a peek at our YouTube channel. There's a whole bunch of things that are listed in here as a way for people to navigate what we already have available, and we really do have a lot of things available to members of the public, but we just want to make sure that everybody knows how to find them, and this Story Map might be a way to just do that.

Then there are a number of amendments that are addressing what was outlined in the vision blueprint, and so we went ahead and included those in here as well, and so, if somebody wanted to learn more about any one of these amendments, they can just click on them, and let's take a peek at Amendment 27, and this is the page on our website dedicated to Amendment 27. Other than that, I believe that's all I have for you, and I don't know if this is where we open the floor to you all and see what kind of direction..

MS. MCCAWLEY: Thanks for showing us that. That was really cool, and I hadn't spent time on the webpage looking at that, and that was really neat. Are there questions or comments? Anyone? I see thumbs-up.

MR. BELL: Thanks. It's impressive, and I haven't spent a lot of time trying to see this, but I can see how that would be very appealing to folks and easy to follow, and good job.

MS. BROUWER: This is where I think you guys could spend some time thinking about how you want to proceed, in terms of what's left to be done, and so the attachments that are in your briefing book for this agenda item are lengthy, and you had asked that we bring to you everything that's left to be done and that wasn't prioritized in the 2016 to 2020 vision blueprint, and so everything that was included in the appendices, and that's been put together in one of those attachments, as well as the evolution of the objectives in the FMP.

As we discussed yesterday, that's something that will have to be revisited at some point. My understanding is that the allocation trigger policy requires that there be some kind of statement of the objectives under each of the FMPs to proceed with that, and so I wasn't sure how you guys, and especially timing-wise, when you want to review the objectives of the FMP and how you want to modify them, possibly, and so that's one of the things that is kind of outstanding, the other one being public input.

We had -- Part of the evaluation plan for the vision blueprint was to request additional stakeholder input and give them an update, also, of, basically, of this is what the council has done, based on your input, and how are we doing and how should we proceed going forward, and so that's kind of where we are, and so, as staff, we just want a little bit more guidance from you all as to how you wish to proceed.

MS. MCCAWLEY: I guess let's start with the objectives. I would like to spend some time, and maybe not at this meeting, but maybe at a future meeting, looking at the objectives a little bit more. I am hoping that we can talk about that when Brian comes up here to talk about the allocation trigger policy and how much time we need to spend looking back to the snapper grouper objectives and to try to figure out if there's a timing issue with us looking into that.

I like the way that the documents were prepared, and so I think that that the documents are adequate, but I think we just need to allot some time to do that at a future meeting. On the stakeholder input, remind me -- Did you talk to the Snapper Grouper Advisory Panel in the past, at the last meeting, about what their suggestion was on getting input on this? I thought that you did.

MS. BROUWER: I think I did too, but I can't remember what they said right now.

MR. CONKLIN: Can we get the Snapper Grouper AP to go ahead and have a look at this at their upcoming meeting? I was looking at the workload, and we were kind of trying to find things for them to do, and this would be something good, I think.

MS. MCCAWLEY: Chris, are you wanting them to talk about the stakeholder input policy, or did you actually mean have them look at the objectives, also?

MR. CONKLIN: I was talking about the objectives of the FMP, and, if the Dolphin Wahoo Committee is meeting, then maybe they could review those objectives for that one as well.

MS. BROUWER: Just for clarification, I would imagine that you would intend for them to look at what's left to be done under the management objective, or maybe management and communication, and I'm not sure. I think we've accomplished a lot, and, as Cameron said, Amber and I put together a presentation that we brought to you in December. A lot of things have been checked off. A lot of them are more long-term items, and so I think, in terms of what you are going to prioritize, is that the input that you would like to request from your AP?

MR. CONKLIN: Yes, and I'm speaking specifically to reviewing the objectives of the FMP and not of the visioning. That way, when we talk about it in June or September, then we've already -
- We don't have to wait until October and the meeting in December to hear what they had to say.

MS. MCCAWLEY: Yes, I agree with Chris on that.

MS. BECKWITH: But I'm confused, because, when I looked over the document, the advisory panel input on the Snapper Grouper FMP objectives was already in there with their comments, and so I feel like they've already done that, or was that way previously?

MS. MCCAWLEY: I thought that was old input, but I'm not sure.

MS. BROUWER: We went through a process where we showed you how the objectives had changed over time, starting from the original FMP, which ones were added, the rationale behind it and all that, and that's all included in your briefing book, I believe as Attachment 10b. The AP did, through that process, give you input, but, as Jessica said, this was back in 2013, I believe, and so, if you wanted to go through that process again, looking at the current FMP and get input from the AP, then we can do that.

MS. MCCAWLEY: Yes, I think so. I think that's a good idea.

MR. CONKLIN: I just feel like maybe we didn't get a -- We would get a better product with the allocation triggers and discussion coming up, and they might put a little more thought into it.

MS. MCCAWLEY: Thank you, Chris.

MS. BROUWER: I think what we would like, as far as the website and the outreach stuff, is how is this going to be presented to the public? Are we going to actively request comments, and what is it that we want the public to comment on?

MS. MCCAWLEY: I am not certain, at this point, that we're actively requesting comments. I liked how, if people went to the Story Map and looked at this -- Wasn't there a mechanism in there that they could make comments on it now? I don't know what others think about that.

MS. BECKWITH: I actually think it's great, and I'm not sure that this is something we really need public comment on. It looks great, and it's ease of access. I mean, I know we would certainly welcome comments if people want them, but I wouldn't spend any time actively seeking them.

MR. CONKLIN: Like Jessica said, I haven't spent much time -- I have been through the Story Maps, when they first started rolling out a little bit, and they're kind of on the front page, but, as council members, we spent all our time on our email, it seems like, and just going straight to the briefing book stuff, I mean me, but this is fantastic, and I think it's great for the public. Thank you.

MS. MCCAWLEY: All right. I think that you guys have what you need. Myra, are we ready for the spawning special management zone report from Chip?

MS. BROUWER: Yes, and so we're going to just switch the webinar and pass control to Chip Collier, who is in the office, and he's going to walk you through the last item on the agenda.

DR. COLLIER: Much like what Cameron and Myra had presented, we are developing a Story Map for the spawning special management zones and treating this as an outreach document to let people know about spawning special management zones, where they have been effective, and also some of the reasoning why we're doing it in the South Atlantic area.

One of the reasons that we're switching to more of this electronic format is it was a recommendation by the Information & Education AP, where they said we probably should be doing more digital outreach documents, or webpages, and so this gives us a lot more flexibility to put in different things, and so, if you look at this first slide, we have different things in here. We have a brand-new thing put together by FWC on the Riley's Hump for mutton snapper, and so we're able to incorporate really good digital information in these documents that we are developing.

As we're going through this, this is all rough text, and just an outline, pretty much, of what we're doing, but we're able to put in videos, why it's important, and, also, put in maps of where these locations are, and so people are able to click on the maps, and they can go to the site and figure out information about where it is, and we're also able to incorporate the actual locations from the CFR into it, and also other protected areas. Sometimes it can be a little confusing for fishermen

in figuring out what areas are out there, and so we're able to connect to the FEP II, and they are able to look at all of our protected areas and get information on those.

In addition to that, we provide information on the three National Marine Sanctuaries that are in the South Atlantic region, if they want additional information, and then we continue on into different pieces of information. We're developing this as it goes, but I just wanted to provide you guys an outline. We're having our next meeting on March 28, from 10:00 to 12:00, and hopefully we'll be finalizing more of these pieces of information.

Another thing that you can do in these Story Maps is you combine other technology. I know you guys had heard about another Shiny app earlier in the meeting, and so we're able to put Shiny apps into the Story Maps, and so it gives you a lot more flexibility to just point and click, and the user can actually do different things within it, and so it makes it a little bit more interactive.

Then, similar to what Cameron had showed you, we can also put additional resources in there and go to different links that we have on our website, and so that's all I had for the update. Hopefully you guys are okay with it, and, if you are, we're going to continue on this route, and, if not, let us know, and we can change course.

MS. MCCAWLEY: Thank you, Chip. I thought that was really neat, and I like the fact that it's interactive and you can watch videos and look at data in there, and that was really neat. Does anybody else have any comments on this or questions? I see lots of thumbs-up around the table, Chip, and so I think people are excited about it, and I appreciate you spending time working on that with the team and then giving us an update at this meeting.

DR. COLLIER: Yes, and we'll have more for you in June, hopefully pretty much a finalized document, and then it will have to go to several APs for their comments.

MS. MCCAWLEY: That sounds great.

MR. BELL: Just a comment. This particular topic lends itself well to a visual display, which this is the way to do it. I mean, I think this is kind of fascinating. There are certain things that we do and are involved in that just kind of lend themselves to people watching video or looking at pictures, and it really helps get the points across, and so, I mean, this is great, and I agree that more video and more photographs and whatever we can do.

DR. COLLIER: If you know of any of those, send them my way, and we'll try to get them incorporated into this document.

MS. MCCAWLEY: That sounds great. Thank you, Chip. All right. We are now to Other Business, and I know of a couple of items under Other Business, and I am going to look over to Steve to talk about one of the items, and then we will go to Spud.

MR. POLAND: Thanks, Jessica. I think Gregg sent out a letter to all of the council members yesterday afternoon, and this letter is from Steve Murphy, and he's the Director of the North Carolina Division of Marine Fisheries, and he signs my paychecks, but the division would like to request the designation of SMZs for thirty artificial reefs off of North Carolina. These are the

thirty reefs that we maintain out in the EEZ, and they are from as close to shore as three miles out to I think that thirty-two miles is our furthest one out.

A lot of these artificial reefs we have been enhancing for close to thirty years, and they are very popular with the angling community, and we would like to establish gear restrictions at these sites, just gear restrictions to remove some exceptional gears that have the capacity to go out to these sites and just really take a lot of fish off at one time, which may impact the access to the resource by other anglers, and so we would like to request that these thirty artificial reefs get SMZ status with the following gear restrictions.

It would be a prohibition of fishing with any gear other than handline, rod-and-reel, and spearfishing and that the harvest and possession of snapper grouper with spearfishing gear be limited to the recreational bag limits for those species. These two gear restrictions are consistent with other SMZs in the area. I know South Carolina and Georgia have very similar gear restrictions, and I don't know, Madam Chair, if we want to discuss this, or I am ready to make a motion as well to discuss, whatever you want.

MS. MCCAWLEY: Why don't you go ahead and make a motion, and then we'll discuss it.

MR. POLAND: Okay. **Motion to request the council designate thirty artificial reefs off of North Carolina as special management zones with the following gear restrictions: prohibition of fishing with any gear other than handline, rod-and-reel, and spearfishing gear and that the harvest and possession of snapper grouper species be limited to the recreational bag limits for those species when using spearfishing gear.**

MS. MCCAWLEY: Chester, are you seconding?

MR. BREWER: I am.

MS. MCCAWLEY: All right. Thank you, sir. It's under discussion.

MR. BELL: I would certainly support this. I would also suggest that -- Because this is how this whole thing evolved originally, in that South Carolina, back in 1985, I think it was, kind of started down this road, and it was a specific recommendation for South Carolina, and then that kind of evolved into Georgia considering some things and Florida, and so I would even be willing to support opening this, if you guys are interested, to accommodate other states to maybe adding some reefs, because I think, since -- Every time we do this, it's done through a plan amendment, and so there have been several plan amendments in which we've added -- I know, specifically in South Carolina, we have added some additional reefs that we have built, permitted and built, since the original list.

It may be that we've built a few reefs since the last plan amendment, and I would have to check with my artificial reef coordinator, but there may be a couple that we might want to add or establish SMZ status for, and I would have to double-check that, and I can't speak for the other states, but it might be an opportunity to address the need that North Carolina has, and I'm not trying to overcomplicate this, but you kind of get -- It is a plan amendment, and so you don't get -- These trains don't leave the station very often, and so it might be an opportunity for other states, that wish, to add some new ones, possibly, and I think, the way it works right now, is the gear

restrictions are consistent between us and Georgia, and maybe the ones that are in Florida, but there is something to be argued for just consistent gear restrictions across all of them, and it just makes it kind of simple, but that's just a thought, that maybe we could even expand it beyond Steve's request. There may be some states interested in kind of throwing in as well.

MS. MCCAWLEY: Myra, how would you like to handle the request coming from other states? Is that just direction to staff? How do you want to handle that?

MS. BROUWER: Well, the other states would have to go through the same established process, which is, first, they need to send a letter to the council stating the rationale behind the request, with the coordinates, and it's very detailed, and I'm sure, Mel, you're familiar with it. That would need to -- That would initiate the process for other states to make that request from the council.

MS. MCCAWLEY: Thank you, Myra.

MR. CONKLIN: Steve, those are all artificial reefs, is what your request is, or are there just some natural areas of bottom?

MR. POLAND: No, they're all artificial reefs, and they are all sites that we have artificially enhanced, and so none of it is natural bottom. There are some of these sites that might encompass what is considered a natural wreck, but all of these sites have been enhanced at some point with some type of artificial material.

MS. MCCAWLEY: More discussion?

MR. BELL: Just for those that maybe are new, the history of this goes back to the ability to request this, for the state to petition the council to do this, is in the original snapper grouper plan wording, and it was provided to allow states that were investing in artificial reefs to better manage those areas, because the states -- Even though they are state-permitted reefs, they are in federal waters, but it was to provide a tool to allow the states to better manage these areas. They are small areas. Even though you might have a square mile that is permitted, the percentage of the bottom that is covered by material is very low, and so the sites are very susceptible to fishing pressure from any type of gear, but particularly gears that are extremely efficient.

Our initial entry into this was focused on sea bass traps at the time, because the sea bass traps basically suck all the sea bass off of one of these small structures in one trip, and so that was the initial focus, and then that led to the examination of other gear types that were particularly efficient, and I can also -- Fast-forwarding to the present time, I know, in discussions with the National Marine Fisheries Service Protected Resource folks about the concerns over other species and interactions with things like turtles and whales, but particularly turtles, not having to worry about these gears hung up or abandoned on reef sites was a positive thing, in terms of being able to argue that a turtle couldn't get hung up in a net or something.

The general list that exists right now includes trawls and bottom longlines, but I think the list was consistent among the different states, but it's just that those gears are not compatible with the design and the intent, and even, in some cases, the folks that are primarily using the reef, and so that's how this all kind of started, but they are artificial reefs that are permitted by the individual states, and it's just designed to allow the reefs to be managed properly and for the folks, the states,

the people investing in the reefs, to make sure that they're getting a good return and that there is maximized public access to them and that you're not, basically, overfishing the -- Well, too heavily fishing the reef with extremely efficient gears. That's just a little of the history.

MS. MCCAWLEY: Thank you, Mel. Any more questions or comments or concern on this motion?

MR. POLAND: I just wanted to follow-up with Mel and thank him for the history on that, and, in particular, the concerns with protected resources. There is a section in the letter where we go into that in some detail, and that's an issue -- Or not necessarily an issue, but that's been something that PRD has been putting a lot of focus on, not only in North Carolina, but all the other South Atlantic states, when permitting enhancement of these artificial reefs, and one of their sticking points is derelict gear or you as a state are not doing enough to keep gear out and keep these areas clean, tangle-free, I guess. It makes the process of getting Corps permits for doing enhancement a lot tougher, and so, by doing this, I mean, it would certainly help expedite that, or at least alleviate some of those concerns that PRD has about these sites.

MS. MCCAWLEY: Thanks, Steve. All right. Anything else before we vote on this motion? **Is there any objection to this motion? Seeing none, that motion stands approved.** I am going to go to you, Spud. I know you had an item for Other Business.

MR. WOODWARD: Thank you, Madam Chair. I would like to request that, at the next meeting of the Snapper Grouper Committee, that we revisit the inclusion of the jacks in the snapper grouper complex and have a discussion about the possibility of removing them. The reason that I bring that up is I think we're moving towards some possible management scenarios for the snapper grouper complex where we're going to focus on trying to reduce discard mortality in the true demersals within that complex, and then we're also looking at this descending device requirement, and so, to me, that sort of puts the jacks in a little bit different context than what they've been in the past, and so I would certainly appreciate an opportunity to have a discussion about that, in whatever appropriate manner that might take.

MS. MCCAWLEY: Is that a motion?

MR. WOODWARD: I can certainly make that in the form of a motion if you want me to.

MS. MCCAWLEY: Yes, please.

MR. WOODWARD: **Request that, at the next meeting of the Snapper Grouper Committee, we discuss possible removal of the jacks complex from the snapper grouper complex.**

MS. MCCAWLEY: All right. Chester, are you seconding?

MR. BREWER: I am.

MS. MCCAWLEY: All right. Thank you. This is also under discussion.

DR. CRABTREE: Spud, are you contemplating moving them into some other plan, or what exactly?

MR. WOODWARD: Yes, and I probably -- I would actually consider moving them into coastal migratory pelagics.

MR. POLAND: That was going to be my question, and that was going to be my suggestion.

DR. MCGOVERN: Is this the jacks complex that includes rudderfish and lesser amberjack, or are you considering greater amberjack as well?

MR. WOODWARD: Yes, it would be greater, lesser, almaco, and rudderfish.

MR. BREWER: It just makes a lot of sense. We have been talking around, and sometimes directly to, some sort of a season for reef fish, and I don't know that you want to try to include the jacks in that, quote, season, and you've got the different behaviors of the different species, and, at least where I live, greater amberjack is not a bottom fish, and you're not going to have to worry about releasing them with descending devices and all of that, and so I think that separating them out and perhaps just moving them over to mackerel really makes a lot of sense.

MS. MCCAWLEY: All right. Is there more discussion on this or more questions?

MS. BROUWER: Just curious, I guess, but the CMP FMP is a joint FMP with the Gulf, and so I don't know how this would work, and that's something for you all to consider.

MS. MCCAWLEY: Good point.

MR. CONKLIN: If we did move them into the CMP, does that mean that everybody with a CMP permit can commercially harvest amberjack without the snapper grouper permit, or is that just something we would have to work out?

MS. BROUWER: I think that's something that needs to be -- Here is Christina, and she can probably explain it better than me.

MS. WIEGAND: The commercial permits for CMP are species-specific. There is one for Spanish and one for king mackerel. The charter/for-hire permit just specifies Atlantic migratory group, and so that's how the permits work now currently, and so it would be something to work out.

MS. MCCAWLEY: All right. Any more questions? Any objection to this motion?

MR. GRINER: I think we need to talk about that a little bit further, because I am a little confused now on how that would actually work if there is not a permit for them.

MS. BROUWER: Perhaps I would offer a suggestion that, if you wish, for us to come up with a list of things that would need to be addressed for this to happen and start there at the June meeting, and we could do that.

MS. MCCAWLEY: Yes, that sounds like a great idea. **Any objections to this motion? Seeing none, that motion stands approved.** Is there any additional other business to come before the Snapper Grouper Committee? Then we're going to adjourn this committee.

(Whereupon, the meeting adjourned on March 6, 2019.)

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Transcribed By:
Amanda Thomas
March 28, 2019

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