

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

**SNAPPER GROUPER COMMITTEE**

**Blockade Runner  
Wrightsville Beach, North Carolina**

**December 6-7, 2022**

**Transcript**

**Committee Members**

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**Attendees and Invited Participants**

Susan Boggs  
Rick DeVictor  
Jamal Ingram  
Ashley Oliver  
Monica Smit-Brunello  
Meg Withers

Jeff Buckel  
Frank Helies  
Robert Lorenz  
LT Pat O'Shaughnessy  
Dr. John Walter

Additional attendees and invited participants attached.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at the Blockade Runner, Wrightsville Beach, North Carolina, on Tuesday, December 6, 2022, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: Just a reminder that basically everyone around the table is on the Snapper Grouper Committee. Our first order of business is Approval of the Agenda. Are there any modifications or changes to the agenda or any items that you know of for Other Business that we need to add to the list right now? I don't see any hands. Any objection to approval of the agenda? All right. Then we'll consider that approved.

The next order of business is Approval of the September 2022 Meeting Transcript. Any changes or modifications to that document? All right. Any objection to approval of that document? All right. Seeing none, we'll consider that approved. Next up is the Status of Amendments, and I'm going to turn it over to Rick DeVictor.

MR. DEVICTOR: As usual, this will be pretty quick, and so we have two amendments. One is n rulemaking, and one is just about to go to rulemaking, and so Amendment 49, and that was the greater amberjack amendment, we're waiting for that to be submitted by the council, and we'll start the proposed rule package for that, and the NOA also goes with that, since that's a plan amendment, and, of course, that was to change ACLs and allocations for greater amberjack, the management measures.

The one that's a little further along, the next amendment, is Amendment 50, and that's for red porgy. If you recall, that's the rebuilding plan, sector ACLs, and allocations and changes to management measures, and so we published a proposed rule on that, and we took comments. I think you got about four comments on that proposed rule, and now we're working on the final rule, and so you'll be seeing that, hopefully in the next couple of weeks, with the implementation date.

MS. MCCAWLEY: All right. Thank you, Rick. Any questions for Rick? All right. Then the next order of business is the Release Mortality Reduction in Red Snapper, and this is Reg Amendment 35, and I will look to Mike, but I believe we're going to start with the AP recommendations from Bob, and is that right? Okay. Bob, I'm going to pass it over to you.

MR. LORENZ: Thank you very much, Jessica, and good morning, everybody, to the council, and welcome to Wrightsville Beach. This is my home, my home area, and I'm just across the bridge, about three miles away. Just a quick note. If you're sitting here a lot, just coming from a local, and you need a walk or something, you'll see the people around here, out at the end of that street there, on that circular -- That's a circular loop, two-and-a-half miles, and it's very safe, and so I just wanted to let you know, if you need something like that, after nine o'clock at night, there's a place to go.

All right. Getting back down to business, for Reg Amendment 35, I'll start with the mortality reduction for red snapper, and so Action 1, and the AP came out with Alternative 2, which is to have the ABC equal the acceptable catch limit, and so the AP agreed on reducing the acceptable biological catch, to setting it to equal to the most recent recommendation by the SSC, and it's no secret that, the past few years, there's kind of basically been -- You know, there's a disconnect, a little bit, between what anecdotally you're going to hear from the fishermen and their experience on the water and what they feel the snapper stocks are like, versus what the science and the

fishermen management is stating the stock status is, and so it comes to reason that they are going to pretty much -- With this sort of thing, they're going to ask that what they can catch can be equal to the maximum that, probably, under good conservation should be caught, and so the ABC equaling the ACL -- That's kind of where that comes from, and that's probably where they will sit, in most cases, with respect to red snapper, based on what I think the pulse of the group is. Any questions there?

We went into the discussion of the use of hydraulic and electrical reels in the snapper grouper fisheries, and, basically, they are used throughout the fisheries, and we had a lot of discussion on this, for certain species, and the -- One of the concerns, with the restrictions, and you, obviously, would pick up on this in legal review, was that, you know, the access to deepwater fish for older and disabled individuals, and that came up.

We also -- Lots of folks discussed that they may not be used as much as you think, and we had people, within the AP, stating that maybe 10 percent use the electric reels for that, and we do have -- They have been of use particularly in the deep water, and we had a captain that had a rather storied career with his boat up in Morehead City that deepwater fished, and they were used on his boat, and he said, you know, without them, that may have been a method of operation, or making a living, that could not have occurred, and so there were folks on all sides of this.

Some of us had the sort of idea that, you know, yes, you could -- One reason to separate it was if you consider recreational fishing as sportfishing, and then maybe they aren't as of much use to many people, or let's say it would be a little more palatable not to have them, and there was -- The concern would be the enforcement of the electric, of the use of these electric reels, and how they would be stored and how they could be used, and lots of discussions went on speaking about that.

These things can bring a fish up a little faster, and so maybe you have a lot more problems with the barotrauma, but -- I'm getting a brain freeze here. They are used by particularly the recreational folks, and we sort of do a grab-bag fishing, that someone may start out there offshore fishing, and I know, from personal experience, with dolphin or wahoo, and I know down in Florida for sailfish, and there will be kites used for presenting baits and things, and it will be part of the rigging, and they will not have hooks on it, and it won't be used to hook any of the fish, and so you would have them on the vessel.

Now, if you -- As part of the trip, a multiday grab-bag among the recreational fishermen, and probably some of the charter guys do this as a service to their people, is you would also stop to bottom fish, and so you can't use them there. If they're restricted there, they would probably be sitting on the boat, due to using them for your fishing for the pelagics, but maybe they could be in a state of, you know, just about ready access, and you wouldn't necessarily have hooks, or weights, dangling. Some people have said they could actually be useful, you know, if you're using descending devices in the deep water.

Also, a conversation came up about the depths of the water, and they're not used too much, and no one seemed to note too much use of them, other than by much older folks, or disabled folks, in waters say less than a hundred feet, and then something to think about, and we'll start thinking about it, but, once you get beyond say 300 feet, probably any fish coming up off the bottom is probably going to be pretty much dead later on, no matter what you do, and so that can be more difficult.

That's where they brought up, you know, will a restriction actually contribute to reducing dead discards, and, again, if they're not used that much in the shallow water, and they're used in deeper water, and the water gets to these depths, like 300 foot, how practical might that be. It came up with -- Basically, I covered that on the hooks, and concerns about enforcement difficulty would be one thing, and then the value of dead discards.

The use of one or more hooks per line for the snapper grouper fishery, again, this Amendment 35, we took a tremendous amount of time on this, and we basically went through -- People went through, and, in the notes of our AP meeting, on our Snapper Grouper Advisory Panel report, there's a lot of things related to this, our discussion of the multiple-hook rigs, and they are used, and then we discussed -- In there is everything about why they're used, and they are targeted for some species, and the yellowtail snapper, sea bass, the smaller species, triggerfish, and that sort of thing.

The headboats, we are lucky, in that way, with how few there are. We do have two people who had headboat operations, one retired and one very active down here in Little River, South Carolina, and so they use them extensively on their boats, and so that is a concern of them, for them. For everyone, or at least the recreational fishermen, and, of course, everything comes with complications, and so the use of sabiki rigs and things like that procure bait, and that would be a multi-hook -- You know, that's, obviously, a multi-hook rig, and we have one there about depth-based restrictions, and this is going to be a very tiny hook, and so anything that does grab it, that is not a bait fish -- I mean, I guess they could swallow it and that sort of thing, but definitely you would have that complication.

Again, so many of these recommendations come with an enforcement snag, and it could get very tricky, because you're leaving out a lot of little things that you -- Like let this go because of this, and so, again, a big concern would be the ability to procure bait, and, as we said, most people are dropping these things less than 150 feet, and I know lots aren't personally trying to get bait with a sabiki rig, and you're not going that far under the boat, and so that would be a consideration.

The regulation could, and I guess some scientific thought on this, could affect the size of the harvested fish, and probably a lot of us would just bump up to the larger hook, if we're going towards the larger of the species, and so, again, you will maybe take more fish that are larger, and who knows, and that was discussed by some folks in the AP as a consideration and something to keep an eye on. With that, the AP -- I think this belonged in another area, when I arranged the deck, and we can discuss that. I think this actually fit in another area, Mike, and I'll bring you back to it, but let's just move on for now. The mortality reduction in the red snapper are -- So the recommendation here -- Are we back to the recommendations for the electric and hydraulic reels?

This actually fits, I think, better in another area, but I did mention to you that the compliance is always a -- You know, it's an issue with these things, and there will be these exceptions for good fishing, and excellent fishing, in other areas, and so the education and the outreach, of course, will be critical to get anglers to buy into these new regulations, and, as you see, so much of this stuff, to me, and I know, down the line, we talk best fishing practices, but some of it comes to ethical fishing practices, because, quite honestly, as a private recreational fisherman, you are not going to get stopped here off of North Carolina, and the Coast Guard has never checked for fish on any of our private vessels.

Safety, yes. They're more interested in making sure that we don't get in trouble and require search and rescue and that sort of thing, but not in our fish boxes. If they get checked, it's checked once you enter the state waters, and so you are going to have really get into this by buy-in, because it becomes more an ethical issue than a legal issue, because people just don't see the enforcement, and there probably isn't the money to kick it up a notch anyway.

This came from a North Carolina rep, and it was discussed, and, of course, the other people in the AP were okay with it, and it was to -- It was more for protecting the gag grouper, but also for the red snapper, in kind of like that sweet zone of sixty to 120 feet, and I believe that we see probably a lot more here would be towards our late summer and fall fishery, when those gags are in, you know, fairly close, and the red snapper are there.

It's interesting, in this thought, is we have the SMZs, and there were three or four established a few years ago off the Carolinas, starting with the Georgetown Hole off South Carolina and up in here, and you have maybe half the fishermen that are not so wild about that. People are starting to catch on to the prospects of an SMZ being the way to go, particularly if adjacent to an area that is fished pretty hard.

I mean, I do hear, more and more, from at least the recreational sector coming up to that, and the commercial fishermen, and those running charter boats that were on the AP, they didn't speak -- You know, nobody found really a big issue with this one as a recommendation, and, of course, they say consider the inclusion of a sunset, and that's interesting, to me, because, when the current SMZs, I think, were set up, the last time, five or six years ago, there's a sunset clause to those, and I don't know if that was ever addressed, and I thought it was five years, and maybe it's ten years, but they always want that. When you do things like an SMZ, when you close an area off to fishing, please reevaluate it in some set period of time, that it actually worked and accomplished what you want.

Again, this would involve -- Please involve the fishermen in determining the location and to increase the effectiveness and the buy-in of the use of these, I guess with the education that these could be an area for the fish to rest and spread out to other areas, and so that was a recommendation for the Carolina areas, and I didn't see anybody else jump out of their seats in Georgia or in South Carolina, but they went along with the North Carolina rep that was speaking to this.

The best fishing practices comments, we spent a lot of time on this one, and that, on our report, I think it's page 4 and 5, and going into even onto Number 6, and, I mean, there's probably not much more that anybody here is going to be able to add to an idea. They discussed and came up with everything here, and so there's a lot in there about how descending devices are used, and there's kind of a theme to it that the professionals, those who make a living off of fishing, a lot of the charter captains and all, and there are some that are very good at these, and are known for using these.

A lot of your more serious fishermen actually live at the coast, and the locals, and it was kind of the group saying they're starting to use the descending devices, or the descending equipment, let's say with venting, and you do have, with the increasing mobility and all that, a lot that feel that a lot of the folks that are away from the coast are not as enrolled, and not into this every day, and, when they're coming down for the weekend, or a couple of weeks' vacation, they bring their big

boat, and they go offshore, and they aren't probably using these things, and they're not seeing them, and so you do have that issue with just education to the general public that you will get your highly-enrolled folks along the coast, those whose living depends maybe on there being fish, and they're buying in, and they're using these things.

Yes, we did get reports, among the AP, that there are professionals, and there are folks that are running charters, that don't like these things, and all kinds of discussion about the proper use of them, and are we keeping them in the proper shape, and most people don't realize the amount of weight that it can take to bring the fish down, and that's all covered in our report, and so, like I said, there's two-and-a-half pages on that for you to read, and I believe I covered that, the professionals are using it a lot, and what we call tournament-quality fishermen, and the private recreational component is a little stickier, and, also, you get into the issue, and this is one of the things that came up with the use of descending devices, or those that run like a partyboat.

You have two or three mates, and, if you have like twenty to fifty clients out there, or customers, trying to use descending devices is very difficult, and so they're more into saying, you know, venting, and they definitely want that as a tool and for something to keep going with, for quickness, and then, in the recreational sector, when the bite really gets on, and maybe there's one descending device, one piece of apparatus, and four people are bringing up fish at a time, it's a lot, and you just have to be realistic about it, and they do get tossed over, and that's something to continue to try to think about, how we get better at that. People will tend to at least use them towards what they view as the most valuable fish to go back down, and that seemed to come about.

It was mentioned of the amount of time to descend a fish, and some people noted that people just aren't using the amount of weight that you probably need to get it down quickly and straight, instead of floating out and taking a little more time for us to descend, and so that's where we get into the education and the venting and descending devices. Almost everything that came in with best fishing practices involved education and outreach, and you can never get tired of repeating yourself on how you need this, and so you cross over to the buy-in, where the fishermen honestly understand that, if we do more of this, there may be a chance to open up and be able to retain more fish, and so that's been a recurring theme.

We discussed things about the education and promotion and various ways, again, to do that, and that is in our report. We talked about things like using influencers, but, once you get to most of them at the top, if you're looking at some of the more high-profile sportswriters, and it was brought up that they want some -- You're going to need to come forth with compensation for that, and so that could be a tougher one, but, you know, we're getting there. There are people doing many of these YouTube videos and things like that, on descending devices and venting and that sort of thing, and they're just doing it because they like to do that. They like to make the videos.

Education could also be tied to a recreational permit, and so, if you get the permit, and if, for instance, it's started with these groupers and snappers, you could do a lot like you do with HMS and getting the permit, or for a shark permit, where you have just a couple of questions that would have to be asked, and at least you brought it -- You know you brought it in front of them one time if you have an application process for a recreational permit, and we'll go on to the use of the descending device requirements, proper use and maintenance, and a rusted, salted-up one sitting in a fish box doesn't do any good releasing a fish, and they also change the dynamics of how it releases, at what pressure, too early or too late, those sort of a thing.

Venting education is still going to be very important, because, when you really get into the fish, or you have a number of -- Or you're running an operation, where you're servicing a number of clients fishing on your boat, and the fishing is good, that is the way to do it quickest, and so there's a need for that. Then, again, the value of the compliance, and how do you get the feedback back to the fishermen that going through all this, and the amount of time it takes, and one person, in a day of fishing, probably is going to dedicate themselves, out here, and I've done it, to having to put the fish back down, and they're going to need to see something for that.

In industry, and I used to run factories, and I called it's what in it for me, and so you've got to get to that point, that somehow you have good data, and good presentation, through the media and education, that this stuff is really working, and we are seeing a difference, and, on the backside of that, because we are seeing a difference, here you go, guys, more fish and a longer season. If it doesn't help there, this thing is going to stay in this kind of nebulous zone, where I say, instead of, you know, just a best fishing practice, sure, this is good stuff, but it really becomes ethical, and I'm going to do it because I just think it's right, and I know it's good, but maybe it's just not convenient, and so that's where we have to go.

As we discussed, you can't quit on this, if you want these things to work, because we talked about things like with smoking in the 1960s, and seatbelt use, and those things were -- They started them, and it was really the late 1990s, or the 2000s, and it took to about 2000 where people said don't smoke anywhere, and then you got the click-it-or-ticket programs, and they came about the same time, and so it takes a long time to fire some of these things up to where they were, and so just keep that in mind. Thank you very much. I appreciate it.

MS. MCCAWLEY: Thank you, Bob. Any questions for Bob? Laurilee.

MS. THOMPSON: I don't really have a question, but I have a comment. Related to the MREP session last month, I saw the most amazing video that I've ever seen in my life at the SERO office, and it was a video of a fish going down on a descending device, and we picked him up, and we played with him, and we looked at him, and then they showed this video, and this was an unvented fish, and it was a great big, giant grouper, and its eyes were totally bugged out, and its tongue was stuck out, and its scales were sticking out, and it looked like a football, you know, with his scales sticking out.

They showed the video, and they had a GoPro, and they followed the fish down, and they said the fish was unvented, and they said, with a descending device, first of all, there's no need to vent the fish, that you just hook it up as fast as you can and send it down, and so, as the fish went down, you could see its eyes going back into its head, and you could see its tongue going back down its throat, and it like compressed back in, and the scales went back to where they were supposed to go, and, when it got down to the bottom, they released it, and it swam away, and so I think that video, if you could show it in every tackle shop along the coast -- You know, maybe the producers of the descending devices would pay to have that done, but, number one, they would sell more descending devices, but it would convince -- It would show people the value of using it, and that it really, really works, and, you know, it could change a lot of minds, I think. Thank you.

MS. MCCAWLEY: Thanks, Laurilee. Andy.

MR. STRELCHECK: Thanks for being here, and great presentation. I am curious, from your personal experience with the short fishing season, and with the AP discussions, and did anything come up about safety-at-sea concerns related to the short seasons?

MR. LORENZ: No, nothing mentioned on that whatsoever, about the short -- The only time it has ever come up would be that, if there is, you know, an extreme weather event, if we had tropical weather or something, but there would be another -- Another three days or whatever down the line, and I think that was done a few years ago, but, no, nobody brought up the safety of the short season. If it's come up, and it's come up a time or two, but never for us to note in the minutes, it would be, yes, you have a day or two here, and it becomes a derby, and so release mortality and that sort of thing, and the craziness in the inlets, and you get that, particularly down in Florida, but it's only come up -- They have talked more about the derby nature of it, versus just the general safety.

MR. STRELCHECK: As a follow-up, that's what I'm hearing complaints about, primarily from Florida, is the derby nature, boat ramps full of, you know, people going out and targeting red snapper in a short season. The other question I had for you is related to the spatial areas, and so, if I understood you correctly, you were saying that, you know, fishermen were starting to see some benefits, and I guess that's really from the spillover of some existing areas into areas that are heavily fished, kind of around that, and so can you talk a little bit more about that, and then I'm curious, with the recommendation of the spatial areas off of North Carolina -- They're really small, and a half-mile square is not very big, and so I was curious as to why such a small size, given the, you know, area in which a fish is going to move, and it will be much larger than that small size of a spatial area closure.

MR. LORENZ: I am sure the person making this recommendation -- The fact that nobody wanted to crucify him, and, in fact, there was some heads nodding okay, and I think the small nature was just of the -- I guess it probably is not from that individual, and it would, obviously, take your type of input, and scientific input, on what is really needed for a particular species, and this was more or less, okay, let's try it and see how it works, and I guess not to overly reduce the amount of territory we're fishing, but what will a little do.

Since you asked me, Mike Schmidtke and I had a conversation with him, and, actually, in a British economics journal, there's been a lot written in fisheries lately, and they mentioned how, in Norway and England, there are two things there, and one is, and I know it's been discussed here, has been about certain key species of fish. The way we are fishing and the way we are managing fish worldwide, in developed nations, we're essentially biasing towards a genetic pool of ever smaller individuals, that we seem to be like it tends to -- We tend to cull out the largest, and the fish are getting smaller and smaller, and I actually saw where, in Norway, they're actually wondering how to think of this.

I could actually bring that back, and I was actually going to make it in public comment, in thoughts with relation to red snapper and ever getting back to a historical amount, if we are now biased towards a smaller genetic pool.

Along with what was being seen, and now I'm going to go back over the pond, and some people have caught onto this, because it's been written in the press, was that, also, over there, and I know in the Norwegian studies, these smaller fish, they were saying about marine protected areas being put out there as a sort of sanctuary, where you might keep the genetic pool of the slightly -- The



fish that had the genes to become a little larger, that would be an area for them to spread out from, and the other thing was the genetics that come with fish that will tend to grow larger, and it's almost on the same area where they tend to be more aggressive to feed and grow bigger, and so I think that type of knowledge is getting out there and written and being thought about, and I think it's making its way to the fishermen, and so making it more about that.

I think, when we came up with these marine protected areas, a few years ago, there was a lot of pushback for it, and I can tell you, from my own personal experience, we were out fishing, and we were near one of them, and, since we were near the boundary, we just stayed out of it, and we didn't care if -- We were there for dolphin and wahoo, but we just stayed out of the whole marine protected area, because, even though I'm at these councils, I can't keep it all straight, when everything is always going on, and it's just easier sometimes, from a compliance area, if that's an area we're trying to protect fish, I will just stay out and not try to come in, no matter what.

MS. MCCAWLEY: Any more questions for Bob? All right. Then we're going to move on to Jeff Buckel, who is going to give us some updates from the SSC meeting.

DR. BUCKEL: Thanks, Jessica, and thanks, Bob, for that excellent presentation, and that's a good kick-off. We were only asked to comment on one small component of what Bob just covered, and that's the utility of using single-hook versus double-hook tackle for reducing catch rates in the snapper grouper fishery, and so the first bullet is captured really well with Bob's presentation, and the issue is complex, because there's a variety of single and multiple-hook rigs that are used on trips that target multiple species, and so I was going to go into some of those, but Bob's -- If you look at their report, the AP did an excellent job, and, as Bob mentioned, there is pages describing the different species that are targeted and when it's single-hook rigs versus multiple-hook rigs.

We were asked to look at two different studies that compared the catch rates of red snapper on single-hook versus double-hook tackle, catch rates in multiple species, and so those two studies -- One was a small-scale study done by council staff off of South Carolina, and then another was a data analysis of observer data collected from a charter/headboat observer data done by Florida state staff.

The preliminary data from both of those studies suggest a small reduction in catch of red snapper and other species, when you're using a single-hook relative to a double-hook rig, and then, specifically for the Florida data, that observer data summary, again, it's just the charter/headboat sector, that group, and there were only 8.5 percent that used separate double-hook rigs, and so, even though there was this small reduction in catch of red snapper, at least for the charter/headboat sector off of Florida -- Again, that's where the bulk of the red snapper discards are, and so that's why this is relevant to the Amendment 35, and a change to a single-hook rig in Amendment 35, for this stakeholder group, is not going to have a substantial effect on the catch reductions of red snapper.

As you know, the bulk of the discards in red snapper are not just in the charter/headboat, and it's the private rec, right, and so we don't have information on the total number of double-hook versus single-hook rigs used in that private rec sector, and so that's a critical piece of information to assess the overall impact of the single versus separate double-hook rigs.

The majority of effort, as I mentioned, is from the private rec fishery, and so that's just emphasizing the need for the information on the single-hook versus double-hook rig in that group, and so the recommendation from the SSC was, if possible, to add a question to the private rec survey about their use of one versus two-hook rigs, and then the answers to this question may be complicated, for the reasons that Bob mentioned, and you have these nuances and a variety of rig types used, and so what somebody -- A two-hook rig can mean different things to different folks, and so that might just have to be clarified, maybe with pictures, as part of that survey, to really get at what we're interested in for these one versus two-hook rigs for reducing red snapper catch, and that's all we had for that, and we were just asked to comment on this catch rate part of Amendment 35, but I would be happy to answer any questions.

MS. MCCAWLEY: Thank you, Jeff. Any questions? I don't see any hands. All right. Next up, we're going to go to John Walter and the sensitivity run on the red snapper assessment.

DR. WALTER: Thank you, Madam Chair. I don't have a presentation for this, but good morning, everyone, and, on behalf of our Atlantic Fisheries Branch, who did this work, I will be presenting it, and we have a very strong team, and they were able to get this request done on quite short notice. This came out of a request from this council for a hypothetical run to evaluate a what-if scenario of if the discards were half of what they were estimated to be over the entire time series, and these are the recreational discards.

This addresses one of the main concerns that perhaps some of the surveys may be estimating discards, or overestimating discards, and then what might happen in that case, and it think it bookends one of the key uncertainties, and the way this was done is the same model that was run as the base model run for advice was reconfigured, and the recreational discards were cut in half over the entire time series, and the model was rerun, and then projections were rerun. The additional change that was made was that 100 percent compliance on the descender device utilization was also assumed, and, in that case, any fish that needed descending help was then assumed to have received that, which was the 100 percent compliance.

This had the effect of reducing the discard mortality rate from 26 percent down to 21 percent, and so there was about a 5 percent reduction off of the baseline discard mortality rate, and then the projections were run for a rebuilding projection, to look at what the discards and then what the ABC would be.

The results were that the stock status remained the same, and the stock continued to be experiencing overfishing and was overfished, and so we did not change the inference on stock status. The other key finding is that the discard reductions also required about a 60 percent discard reduction from the current discard numbers, and so, even if we cut discards in half, we would still have to reduce those discards by 60 percent to end overfishing, and so that tells us that it's not in the estimate of the discards that is really the problem, but it's that those dead discards have to be somehow reduced, ideally turning those dead discards into retained landings, if at all possible, and that would be the key management challenge.

I think, if you go to Table 1, I believe, Table 1 shows the stock status, and the stock status is somewhat improved, in terms of fishing mortality rate relative to F 30 percent, but the stock remains overfished, as you can see, between the SEDAR 73 and the hypothetical run, and then, if we go to Table 2, these -- If you're used to seeing the SSC presentations, then this will be very

familiar to you, and these are the key projection metrics that come out of any one of the assessment projections, and you can see recruitment, fishing mortality rate, spawning biomass, landings in number, B being the base and H being the hypothetical, and then discards in number and discards in weight, and you can see the discards is indeed cut in half from the base model, but, if you look at the discard reductions that would need to be done to achieve these projections, you would need indeed about a 60 percent reduction.

I think the other thing that stands out, to me, is the high proportion of discards to retained catch, and so, if you do the math and divide the discards, and so Column D, discarded landings in number, we're at about a ten-to-one, under the base scenario, or a six-to-one, under the hypothetical scenario, in discarded dead fish to retained fish, and that's one of the key challenges, is can we find a way to address that situation. I think that is enough of the results, and I'm happy to take any questions on it, but I think those are the main findings. Thank you.

MS. MCCAWLEY: Thank you, John. Are there questions? Okay. Spud.

MR. WOODWARD: I guess I am just perplexed at this, because, you know, we were looking at the discard estimates in the base run, and we have been advised that they needed to be reduced by 60, or 65, percent, in order to get back to a target level of fishing mortality, and so this hypothetical run reduced them by 50 percent, and then increased the survivorship of that 285,000 fish, but, yet, we've ended up with a situation where the needed reductions basically haven't changed, even after a 50 percent reduction in the estimates of discards, and that's just kind of perplexing, I think, and it kind of leads you to this conclusion that there's nothing we can do.

I mean, if you reduce 285,000 by 60 percent, and so, what is that now, to, what, 130,000, roughly, something like that, and it's just a little perplexing, I think, and, for us to try to explain, you know, this to a fishing community, especially, like you heard from Bob, and, I mean, folks need some positive reinforcement about the benefits of descending devices, and, yet, it's like, wow, and, I mean, can we just not get there, you know, with anything? Anyway, I'm just a little -- You can tell I've scratched my head a lot over the years, and that's why I don't have any hair, and this is another one, I guess.

MS. MCCAWLEY: Andy and then John.

DR. WALTER: Well, I think -- Maybe let me try to save a few hairs that are left there, Spud. I think one of the things that maybe wasn't as clear is that that 50 percent reduction was over the entire time series, and that was just what if we overestimated the discards, and so, when we talk about the 60 percent reduction, that means, from the terminal year of 2020, we need to reduce discards in the future by 60 percent, and that's the management intervention that needs to change, and that's when we talk about what do we need to do, and we need to find something that will reduce those dead discards from where we ended that assessment, and that's why it's a little complicated.

If we can go to the figure that looks at the time series, and I think it might be Figure 1, the time series of recruitment, and so let me just try to explain this a bit. What it did is the blue line is the discard reductions over the entire time series, and this says that, if the discards were 50 percent of what we estimated them to be, we would have a slightly different time series of fishing mortality rate, and we would have -- Actually, the main thing that happens is that you get a lower estimate

of what the recruitment capacity is of the stock, and so, over that time period, the overall recruits are slightly lower, but the fundamental take-home message, and I think, to avoid the confusion, the take-home message is, from 2020, we need to reduce discards by 60 percent in the future, and that's the main thing that needs to happen. Thanks.

MS. MCCAWLEY: Andy and then Mel.

MR. STRELCHECK: I will follow-up on the comments by John, and I appreciate the question, Spud, and so I requested this projection at the last meeting, and I want to be clear that this is not assuming a 50 percent reduction in discards relative to the base is realized, but it was in response to the comments that were saying we were overestimating discards by a substantial amount, whatever that amount is, and so I asked for this hypothetical run, just to say, well, what if discards were much lower than we're actually estimating, and would that change the results of the assessment.

The reason why it's not dramatically changing isn't because the discards are estimated to be lower, but it's because the age structure is truncated, right, and so the fact that the stock is undergoing overfishing is because we're not allowing enough of those smaller, younger fish to move into those older age classes that produce more spawning potential, and so, earlier, for example, I heard Bob say that, you know, there's a disconnect, and I'm paraphrasing, between the science and what fishermen are seeing on the water, and I don't think there actually is a disconnect between the science and fishermen's observations, and I think it's pretty much matching up exactly. The disconnect is the management response and the fact that Magnuson requires us to address the overfishing and maximize sustainable yield, and we're unable to achieve that if we're truncating that age distribution, and so I just wanted to clarify that, in terms of the intent of the projection.

MS. MCCAWLEY: Thanks, Andy. We had John come to the table, and, Mel, do you want to go first, or do you want to let John go first? Okay. Go ahead.

MR. BELL: I just want to be clear, and like, in using this graphic, we're saying discards, and is that dead discards or discards, because dead discards and discards are not necessarily the same thing, unless you're assuming 100 percent mortality, and so we're kind of using -- I mean, there's different places in here where we specifically say dead discards need to be reduced, and dead discards, but then discards, and so which is this? Is this all discards or dead discards?

DR. WALTER: I believe this is all recreational discards. I can check on that, but I believe it's all recreational discards, under the assumption that you would be say having effort.

MS. MCCAWLEY: John.

MR. CARMICHAEL: I think, to try to reset a little bit, what you've got to keep in mind here is that discards and catch, et cetera, in the assessment, and it's just a scalar for the size of the population. The reason this doesn't change anything is because you just changed the scale. You still have the same catch/age information being fed to it, and so the model has the same surveys, and it has the same decline of cohorts over time, which is what drives the fishing mortality estimates. Whether you're doing a catch curve or the most advanced catch-at-model today, at the end of the day, the model is just being driven by what is the decline of the cohorts, from the time you start fishing them until they're wiped out of the population.

That determines what is going on with the population. If you feed it catch, that's just a way of scaling it up, you know, and this started by doing relative catch curves and not trying to scale things to the size of a population, and we need to have MSY, and we need to scale to the population, and we need to have average catch, so we can scale both what is going on in the population and our management goals to the level of the population. If you tell the model that you caught fewer fish in the past, your model thinks you have fewer fish in the population, and your model puts in fewer recruitments, as you plainly see in the table that was up there.

When you cut the number of fish going into the model in half, you cut the estimated number of recruitments over the long-term in half, and the stock assessment science works, and we kind of knew that going in, and I think what we need to focus on, and not lose track of, is that our goal isn't to reduce discards. Our goal is to end overfishing, and we need to cut the fishing mortality by potentially 60 percent, but that's going from what we're at, at an F of around 0.4, and we need to go to an F somewhere around 0.2, and keep in mind that F is an exponential scale, and it's not an annual scale, and so, if we were cutting this in terms of the actual annual percentage of fish that die, we may not be looking at as much as 60 percent, but we may be looking more at like 30 or 40 percent, in terms of what we need to cut.

Though, regardless of what we do scale in discards, we keep getting in the same place, where the F that is observed is higher than the F that is our target, and, you know, that's what we have to do, is we have to lower F. The concern, for me, and what I see if we look at this run, and then we look at the projection runs that we have that use multiple different values of recruitment, based on the forty-year average, the ten-year average, the recent five-year averages, we see a big difference in the number of discards that are estimated in 2024, which is when we're talking about management taking place, really.

What that means is the council doesn't have a good target for where it's trying to get, and so, if we're to take discards observed, or even estimated, in the population and compare them against some number of discards that we presume is allowable from our projections in the future, it then becomes critically important to know what is the scale of the discards, and what is the magnitude of the recruits, that are going into the population right now, and this assessment terminal year was 2019. In 2024, you're going to have fed that population four years of estimated recruits, fish that we've not seen, fish that we've not measured, but just numbers that we're averaging it from the model, and we're feeding it into the projections.

While ages-one to four may not seem all that important, in the three prior years to the terminal year of the assessment, they were 90 percent of the stock, and they were 70 percent of the catch, and so those one to four fish are critically important to evaluating the council's management success, and so the big issue that I have with the situation that we're in is that, if we're going to decide our management success based on a discard number, we've got to deal with the uncertainty of discards, and we've got to deal with the record from Amendment 43, that discards aren't reliable enough for monitoring the fishery, and we've got to figure out what is our actual target.

If discards, that we're seeing in the last four years of the model, which were 90 percent, you know, and the recruits that we're seeing in the population in the last four years of the model, are higher than what we're feeding into the projections, then the target we're setting ourselves up for in 2024 is not going to be the right target, and we need to have a target that's based on what's really going

on in the population, and so that's why it's critically important what we choose for assumed recruits going into the future, and it's one thing to use something like a longer-term average if we're going to set the long-term rebuilding, but, in the short-term, you're really driven by what's going on in the short-term, and there's been some papers coming out recently talking about how important, you know, the last few years may be, in terms of the next few years of what you do as managers.

It just seems, to me, with all this uncertainty in discards, we need to be focused on fishing mortality, and we all recognize, I think, that we've got to cut the fishing mortality, and that's -- You know, that's robust to all of these assumptions about discards and what recruitment is doing, and we've got to cut the fishing mortality, but how do we measure that?

That's the most critical thing, is how do we measure that fishing mortality and judge whether or not what the council is doing is successful, because I fear that, if we focus on discards and getting some discard number in 2024, or 2025, we're going to come up short, because we don't know what the target should be, and we do a terrible job at estimating discards, as we've talked about for years around this table, and certainly throughout this region, and so I think we should be focused on trying to reduce the fishing mortality and having some plan in place, whether it's an interim analysis or something, and I don't know, but something that gives us a picture of what fishing mortality actually looks like in 2024 when we do this management.

It would be nice to know now. You know, we're going into 2023, and the assessment ended in 2019, and so, you know, I think we have an issue here, and, if we continue to chase our tails on discards, we're probably not going to get anywhere, and I think, like in the business world, when they bring in consultants, they talk about, you know, you're going to get what you measure, and so be very careful what you set out to measure, and I think, if we set out to judge our performance based on discards, we're going to be in big, big trouble, and I think that's just as bad of an idea today as it was back when we did Amendment 43, and we need to find a way to get some actual fishing mortality information, because that seems to be fairly reliable, coming out of this model, although, with the difficulties in a stock that's 90 percent discarded fish that are never observed, that is certainly not as reliable information as it is in many of our other stocks, and so I hope that helps some, but I just want to -- You know, I'm getting a little frustrated, as we keep chasing our tail on discards, really.

MS. MCCAWLEY: All right. Tim and then Judy and then Chester and then Andy.

MR. GRINER: Thank you, John. That helped me want to go back to bed, is what it did. You know, I am probably more confused now than I ever have been with this. I am thinking, all along, that our problem is these discards, right, and, in my mind, when I hear the 60 percent reduction in discards from John, and that what we need to do is turn these discards into landings, but then I hear that, well, it's not really the discards, and it's the fishing mortality that we have to stop, that we have to reduce, and these are two totally different things.

The only way that I can understand that you could reduce fishing mortality is to stop fishing. I mean, other than that, how do you reduce fishing mortality? You know, we can probably do something about the discards, if what John is -- If I am understanding what John is explaining, is that, by reducing these discards from the terminal year of 2021 forward by 60 percent -- If you could turn those into landings, then we have a solution, and the simple way to do that, in my mind,

is to figure out the catch rate and the effort and how many fish are caught per day and open it up for that long, in my -- I don't know how else you could turn those discards into a landing, if you don't open the fishery so that they become landings, and that is really just a function of the catch rate and the effort.

Now I'm hearing that that doesn't really matter, that it's really -- That that's still fishing mortality, whether they're discards or in the boat, and it's still fishing mortality, and we have to stop the fishing mortality, and so I guess what I'm really struggling to get my arms around is, is there anything we really can do, other than stop fishing, and, you know, I don't know.

MR. CARMICHAEL: Tim, that's good, and I appreciate you bringing it back, because I should clarify that the discards are critically important, because they are 90 percent of that fishing mortality, and you can end the directed fishing, as we've talked about, and, yet, we'll still have the fishing mortality occurring, because of that related to the discards, and so we do have to come back and talk about those discards. We do have to manage those, to achieve that reduction in fishing mortality, and my concern is more what is that amount of discard reduction supposed to be, and should it be 60 percent, or should it be 30 percent, or should it be 50 percent?

It depends on, you know, what we think the allowable discards into 2024 will be, and that's critically dependent upon how much recruitment is going on into the population right now, and it's totally dependent on how many recruits are fed to that model in the projection year, and that's so uncertain that I fear, if we just focus on like we've got to cut discards by 20 percent, or by 60, I should say, we're going to look at what discards are, and we're going to estimate discards in 2024, and we're going to decide if the council is doing well, and I don't think that's a metric that will lead to success in managing this population.

That's why I said I think we need to find some way that we can get back to actually looking at fishing mortality. We need to reduce the discards, but we need to measure the effectiveness of that on the population by actually looking at mortality and not just comparing whatever discards occur in 2024 to some target, which is all over the map when you look at three different levels of recruitment and projection scenarios that we've had, and those levels of recruitment range from 400,000 fish a year to nearly 1.2 million fish a year, and, as this run shows, and when you look at the estimated discards, and the estimated recruitments, in this hypothetical, you see exactly how what you feed the population in recruits drives what you think discards can be in 2024, and so we do have to get those discards, but I think we need to be very careful in how we measure the management success of this -- Of anything the council is going to do the next few years to deal with this big problem.

MS. MCCAWLEY: Thanks, John. All right. I have Judy and then Chester and then Andy.

MS. HELMEY: Thank you. The discards, I'm going to bring them up again, okay, and so what you're saying is, with this run, that, if you gave us 75 percent of the discards, the run would be the same? In other words, we wouldn't benefit from anything, and we haven't benefitted, from the fishermen's standpoint. We haven't benefitted at all from getting 50 percent, as we wouldn't benefit if we got 75 percent, correct?

MR. CARMICHAEL: Not exactly. I would say what this run is telling you is that you can't evaluate your benefits by adjusting past assumptions about what discards were. You could double

the discards, quadruple the discards, or you could get rid of the discards, and you may end up with exactly the same figure. As long as you're feeding the model some level of catch, and the decline of cohorts that was observed, you're going to get that pattern.

Just changing the discards is just going to change the magnitude. It's a roof with a certain slope, and that's the mortality. You're just going to be putting that roof higher or lower off the ground with different numbers of discards, and that's all this did, and so that's why this is not a way to evaluate how good the discard estimates are, whether or not uncertainty in the discards influences where you are today and where you need to go, and it's really not that discards aren't a good way for evaluating your management program going forward, and we can't ignore them. We've got to deal with them, and we've got to control them, but they're not a good thing to measure, it would seem, based on everything we've seen for this stock and these various runs for the last year-and-a-half.

MS. MCCAWLEY: All right. Chester and then Andy.

MR. BREWER: John, first, thank you for trying to explain this to me, and I still am -- My head is spinning around. I have a very real concern though, and this is something that Bob talked about, and that is the low-hanging fruit that we have attacked, and I think we're working on getting buy-in for, is descending devices, and, if the information, in its most simplistic terms, that we're seeing right here comes out and gets into the general population, you're not going to have any buy-in on descending devices. People are going to say, what the hell, and it doesn't make any difference.

Now, that's rather simplistic, and it's probably, you know, somewhat inaccurate, but that's what you're going to get. They're going to say, wait a minute, and you told us, and we did. We said, listen, the only way that we can get at this effectively is we've got to reduce discards, or discard mortality, was the terminology that we used, and we said we've got to reduce discard mortality. Otherwise, we are in essentially a massive do loop, and this problem is going to continue and continue and continue, and we've got to get out of that circle, and the way that we're going to try to do it is through extensive use of descending devices.

Now, if we turn around and say to them, well, you know, we can reduce the discards here, or the discard mortality, and those terms are going to get fuzzy, by 50 percent, and it doesn't really make any difference, from the standpoint of the length of the season --

MR. CARMICHAEL: Well, I mean, that's been one of the challenges that actually is sort of to the side of this, right, because you've got your level of directed harvest, but, on top of that, you've got the model, in 2024, applying a sustainable F, which is half of what the current F is now, and so that has to happen, yes, before you get a longer season, and I think the idea that descending devices reduce discard mortality -- That's important, because mortality is the thing that we're trying to control, and I think what we're cautioning -- What I'm cautioning against is we could set up a number of discard reductions, and we could have a discard numbers that die target in 2024 that may not really be meaningful.

It may be achieved or not achieved, and it may not do a single thing to change fishing mortality, because we don't have that target well defined, and I would hate to see the council come up with some target that ends up being completely unreachable because the population is producing three-times as many young fish each year than what was used to define that allowable level of discards.



The allowable level of discards could be much higher, for a given F, if the recruitment is higher, and so going just after the numbers of discards is hard, and we do have to focus on, as you say, the mortality, but it is completely true that we have to get a handle on -- The SSC has said this. We've got to get a handle on reducing the total number of dead fish before we can talk about allowing us to have a longer directed fishery season.

You know, we could take the total amount of yield this population gives and set it aside for a directed fishery if, once that was met, you ended snapper grouper fishing, or had some other way that said people can go fishing and not encounter and touch a red snapper. You know, we could do that and have a longer season immediately, but we've always been trying to balance this fifty-five-species complex against the needs of this one species and maintain the access that is so important in a recreational fishery, and so that's what we've got to do, and so I think we do need to continue to focus on the descending, but on their impact for mortality, because that's what we really -- I am convinced we really have to measure.

You know, I think, if we focus too much on just the MRIP estimate of discards in 2024, which will be all we have, we're going to somehow end up short, and not helping this population, and be right back here talking about all of that.

MR. BREWER: Thank you.

MS. MCCAWLEY: I think, and maybe this is what you were trying to say, Chester, but, just looking at these numbers, it's kind of oversimplified that, even if you use descending devices, it's not going to work, when, really, it's a function of the modeling, and the way that the model works, as opposed to the success or failure of descending devices. Andy.

MR. STRELCHECK: Great discussion around the table, and I guess my immediate response to Chester's comment is, you know, I think we need to be clear that there are benefits to descending devices, and that's been factored into the assessment, and, with increasing use, you know, fishermen will benefit from that, but the problem is they don't feel like they're benefitting from it, right, and they don't feel like that they're actually realizing those gains, and so, you know, part of I think the conversation and take-away, when I saw the analysis, is to point out that we're barking up the wrong tree, right, and my point there is, irregardless of the magnitude of discards -- People can complain that we're misestimating discards day in and day out, but the reality is that's the wrong tree to be barking up.

The reality is that we do have this truncated age structure, and we have to figure out how to get more larger fish in the population, which I recognize may not be a goal for anglers, but it is a goal under the Magnuson Act. It is a requirement under the Magnuson Act, but the reality of the assessment, at least everything that I've read and seen, is that it's very robust to, obviously, lots of different specifications with regard to parameters in it, right, and so it's telling the same story.

What John presented, obviously, and what's been kind of the most concerning, John Walter, is the dead discards to landing estimates that come out of the assessment, and I recognize those are driven by recruitment, but, when you're talking ten-to-one, or five-to-one, or some other amount, that's the problem right there, is we have too many dead discards relative to landed catch, and we also have a year-round fishery, and so we don't have year-round harvest, but we have a year-round fishery, which is contributing to those dead discards, and that's not necessarily a bad thing, and

that obviously gives access to anglers to go out and target lots of different species of fish in our complex, but contributes to these mortality problems.

You know, I also want to comment on John Carmichael's comments about the discard reduction, and I agree with you, John, right, that there's a level of specificity that we can only get to, and whether, you know, we're saying 60 percent, or some other amount, really, the fishing mortality is what drives this, and fishing mortality includes discard, dead discard, mortality, and, for me, it's all about what is the record the council can build to show that they're ending overfishing, right, and we'll read about -- We'll have the presentation about Framework Amendment 35 here in a minute that says we're addressing overfishing, and we're not ending the overfishing, right, and so we need to continue to work on how are we going to end the overfishing, and what steps can we take, and how are we going to get that fishing mortality down. Let's see if there's anything else. I will stop there. Thanks.

MR. CARMICHAEL: I want to say, Andy, barking up the wrong tree, I think that's really good, and to follow-up with that, you know, and I think that's good, right, because all this looking at the past discards -- We're seeing like that's not helping us. That's not helping our problem, and so, as I said, it's the decline of the cohorts, and that's -- When they decline too fast, you get the truncated age structure, and so that's what is driving this mortality, and Andy is exactly right. We're totally in agreement on that, and I think we need to extend that idea, and that fact, further, so that, when we're evaluating our management, we don't start barking up the wrong tree, and we don't start barking up that discard tree, and that we focus on the mortality tree.

You know, we're seeing that it's mortality that we've got to control, and we can argue about past discards and how good they're estimated, but that's not helping our problem, and I think, if we set a target or something, just based on discards, then that's not going to help our solution, and I think we do need to make sure that we're barking at the right tree, and that tree is getting a handle on the mortality and actually measuring mortality. There must be, you know, some way to do that.

MS. MCCAWLEY: All right. There are more hands going up, and so I have Trish, and then I think I saw John, Spud, Dewey, Laurilee. All right. Trish wants to pass. John Walter.

DR. WALTER: Thanks. This is, I think, a really key discussion, and I like the focus on mortality, fishing mortality, because I think that indeed -- We probably need the 60 percent reduction in discard fishing mortality, and so you need terms -- However we count it, there still needs to be a reduction in fishing mortality, and how is that achieved, and that is likely achieved through changes in effort, and how the effort is fished on the water, to achieve that, and that's where the -- That may be the tree that's most effective, and the bark-up is how that can be achieved, because there's not much room to squeeze, as you see in that table, on the landings, and the landed catch is now a very short season to catch that, and how do you alter the effort, or incentivize effort, at the right times and places, I think becomes the challenge.

The one other comment that I want to make on -- I get Chester's point about the descending devices, and we've been saying use them, and use them right, and educate, and it seems like it's not squeezing a whole lot of benefits, and that's two reasons. One is that those benefits aren't directly translated to landed catch, in the way the projections are done, and the other is that, unfortunately, for red snapper, the descending devices are not as effective as we seem to estimate them for grouper, and so, for some other species, they seem to be a little more effective, and not

quite as effective for red snapper, and that doesn't mean don't use them. It means use them, but it's just, you know, sometimes the tools in our arsenal aren't equally effective across all species, but you're use them best you can. Thanks.

MS. MCCAWLEY: Thanks. All right. I have Spud.

MR. WOODWARD: I am kind of like Chester, and I'm not sure that I know any more now than I did when I started, but I guess I've got a question. Given the importance of discard mortality in calculating fishing mortality, is it correct to say that it's extremely important that we accurately and precisely, and in a timely manner, determine what discard mortality is? Is that a fair statement?

MR. CARMICHAEL: Yes, I think so, because, you know, there's millions of fish being discarded, and so small changes in the mortality of those fish will calculate into fairly sizeable numbers, particularly relative to what, you know, John pointed out, that the landed catch itself is pretty small, and so I think that is important, to have a good handle on it.

MS. MCCAWLEY: Go ahead, Spud.

MR. WOODWARD: Just a follow-up, and so I guess the question then is, if we don't have a target of how to reduce the discards, how do we know if we've made progress towards reducing the discard mortality component of the total fishing mortality estimate? I think that's where we're dealing with percentages and numbers and things that we're trying to figure out that we could quantify and measure success against, you know, with these things that we're considering with gear changes and that kind of thing, and so I'm just trying to figure out how -- You know, it's like, if you tell me that I've got to run a half-marathon, I know I've got to go 13.1 miles. Okay. I basically feel like I'm running a race, but I don't really know where the finish line is at, and how am I going to measure where that finish line is when I get there?

MS. MCCAWLEY: All right. Dewey.

MR. HEMILRIGHT: I've got a couple of analogies that I can tie in. With the descending device, the council didn't go far enough with mandating that, for every rod, or person that you have fishing, you should have to have a descending device. You have one descending device, and most people fishing, to my knowledge, there is not a single angler on the boat, and there's more than one angler, and so that would be something that buy-in part is like, you know, why don't we have everyone that has a rod that's fishing has a rigged-and-ready tool for a descending device, and that might help with more buy-in, to really understand, because somebody will say, well, you know, I've got eight people on here, and I've got one descending device, and what does the other seven people, or six people, do? Do they hang out there with their fish until the other one gets descended?

That would have been something to go further on the buy-in part, that we actually are trying to do something to cover all the people that are fishing, and especially if you're on a headboat and you've got fifty or sixty or however many folks, and you're only allowed, by law, or supposed to have, one rigged-and-ready descending device, and so it's like we fell short, or the council fell short, by implementing something that was a quarter-mile of a marathon, and we're getting a little bit of it, and, even though the descending device is a good thing -- It's a good thing, if you were further along and you were not in the situation with red snapper that you are now, but that's something

that should be looked at, that every rod, for every person that's on there, has to have a rigged-and-ready descending device in the future. Thank you.

MS. MCCAWLEY: Thanks, Dewey, and I know that we're going to look at kind of the outreach on this, and there's a document on that in the briefing book, and so I think maybe we should add that, at the very least, to how this is outreached, and so hold that thought and bring it back up when we get to how we're going to do the outreach on this. Laurilee.

MS. THOMPSON: John, when you're saying that the age structure is truncated, does that mean that the fish have reached a certain size and then they've just stopped growing?

MR. CARMICHAEL: No, and it just refers to how abundant they are at the older ages, you know, as compared to the stock if it were fished at the sustainable fishing mortality. You have a certain number of say ten-plus fish, and we don't have that many of those ten-plus fish today. We have seen incredible expansion of it, and so we've seen great improvement, and that's why the stock, you know, is on track for rebuilding, and that may be why we're getting good recruits, potentially, but it's still not as recovered, say the ten-plus fish, to the extent that we would like, and our good year class was maybe twelve or so, or thirteen, years ago, the first really good one, and there were two good ones, and they kind of got hit pretty hard, because they were kind of alone, but we've had a number of good ones, which has really contributed, and so it is expanding, and it's less truncated, but it really just refers to the abundance at older ages and not their size.

MS. THOMPSON: Okay, and so this is probably a really stupid question, but like, in the deer population, when there's too many deer, and they don't have enough to eat, then you have to thin them out, and would this -- If you let people fish for a month, and we thinned out a bunch of the red snapper, would that give the ones that were left the ability to grow bigger faster, because they wouldn't be competing as much for food?

MR. CARMICHAEL: I mean, it's -- A theory like that is certainly valid. Whether or not it applies to one fish in a multispecies complex, because there are so many other things going on, and it's a little more harder to get your head around than something like, you know, one major herbivore in an ecosystem that's having an awful lot of influence, you know, and so it's -- I don't think there's anything to suggest that red snapper are anywhere near that point, at least not on a coastwide basis, but I do think there are certainly people in some areas, certainly between -- The area between you and Captain Judy, where, you know, people may be seeing some of that, in very localized areas, but what we would anticipate is, as that happens with something like a fish population, that sort of contributes to those fish spreading their range, and fish go -- You know, they can move, and they can move far, and they go seek areas where they find enough food and habitat.

That's sort of what we think is likely going on with red snapper now, that they're at that point of being very abundant in their core distribution area, which is kind of Jacksonville down to Cape Canaveral, and so the expansion of them and seeing more in places like North Carolina and elsewhere, could be a function of them moving from that area, and so they may, you know, stay really abundant in there as they slowly increase their population in other areas, just as, when the population went down, they were gone from North Carolina for years before they were gone off of Jacksonville. We don't think that the sort of parallel to say a deer population overpopulating, and really needing to be thinned, like would happen on, you know, a reserve or in a park or something, is probably likely to apply in this situation.

MS. MCCAWLEY: Before we go back to the list, I guess I had a question about how -- In thinking about how we're going to measure success, how will the Great Red Snapper Count be taken into these numbers in measuring our success, as well as things like that Karnauskas paper indicating that there might be a certain percentage of recruits coming from the Gulf of Mexico, and I know there's not a good stock-recruit relationship for red snapper, but how would you factor in if there are a number of recruits, in addition to these good year classes that we have, that are coming from the Gulf into the South Atlantic, and so how would you think about that, and how would you factor that into the success, and so just -- I don't know who wants to eventually answer that, but those are my questions. Mel and then Judy.

MR. BELL: I had one thing, or two if you will indulge me, and so, kind of what to what we were just talking about, so the model says, you know, we're overfished, and overfishing is occurring, and I get that, but, you know, models are based on the assumptions that you feed into them, the data you feed in based on certain assumptions, and so there's an assumption in this that, okay, our red snapper live to be fifty years old, or whatever it is, and that's plugged in, and so there's a reliance, in the model, on the fecundity of these older fish, which there aren't a lot of them, but, somehow, we have seen this tremendous growth in abundance of smaller fish without, you know, those -- With those fish missing.

The truncation existed, like we said, at the terminal year, and the truncation is still there, but it's kind of expanding, I guess, but, somehow, this population has managed to grow in, I would say, an phenomenal, or an unexpected, manner, perhaps, in terms of abundance, without, you know, all of those older fish, and so it just makes me question the assumptions that are driving the model, based on the importance of the fecundity of those older fish, and I get that, and I'm not a stock assessment person, but it just seems like perhaps that's an assumption that we're making, that, you know, if you plugged in twenty years, or fifteen years, or something, as sort of the terminal age of these fish, you know, what would the model tell you, and so that's just something that came to mind there.

What I really wanted to mention was kind of getting back to this we need to track discards, and we don't have a way to track discards accurately, in real time, or close to real time, and that takes you back to something we'll discuss later, which is the value of a permit, the value of an identifiable, surveyable, or reporting universe of people that are fishing for maybe at least selected species within the snapper grouper fishery, which overlap into red snapper, and so, you know, we'll come back to that, but I think how you maybe get a handle on discards might be through some sort of either mandatory reporting or better surveyable universe that can be identified, and we'll talk about permits and things later.

You know, I go back to -- At the last meeting, I tried to throw something out for a quick ability to create a universe, which is kind of -- So Florida has sort of a universe, through their reef fish permit, and another thing would be, if you're going to retain these particular species from the snapper grouper fishery, you have to have this mandatory training and use of descending devices and all, and now you've got the universe identified, and you don't have a permit, per se, but you've got the universe identified, but I think all of this ties into how do we track -- How do we get a handle on what discards actually are, because discards are important to dealing with mortality in the red snapper fishery.

We'll talk about permitting options and things later, and I do like the point that Dewey brought up about, you know, we've put a lot of weight on the use of descending devices, but, you know, maybe that could be enhanced, or, if we really believe in the value of descending devices in decreasing discard mortality, and not just for red snapper, but in a number of species, then, you know, perhaps we look at tweaking that up a little bit, in terms of the requirement for usage, or having it onboard, or that type of thing, and so that's something that could help us out, I think, as well.

MS. MCCAWLEY: Thanks, Mel. I have Judy and then Tim.

MS. HELMEY: I just want to reiterate what John said about our red snapper population, and it is -- They have been moving east to west, and they are moving north, as we all know, and we do have quite a population, and it's so ridiculous that we're catching them trolling for Spanish mackerel, and so we're no longer Spanish mackerel fishing, and I guess you would say we were red snapper fishing, but another thing that I wanted to say, and, just because we have these runs that we need to do, with values, could we put -- Could you see what it would do if you had no season next year, and would that do anything, where you didn't -- Or you aren't able to take X amount of fish out of the water, and is there a way to figure something like that, where, if you closed it for one year, with no season, and would that be any advantage to it?

MS. MCCAWLEY: Andy or John down there, that end of the table.

MR. STRELCHECK: Those types of projections are easily done, in terms of estimating mortality with no directed harvest removals, right, and so the effect of that is you are going to reduce overfishing, and you're going to lower the directed fishing mortality rate, but you're going to still have discards, and discard mortality, that's occurring, and so it won't end overfishing, because the landed catch represents a small fraction of the overall fishing mortality.

MS. MCCAWLEY: Did you want to say something to that?

MR. CARMICHAEL: Yes, and we had done a run like that, where we just didn't allow any directed harvest, and, as Andy said, it made a small change, and I think it was at the last meeting, perhaps, where that was discussed, and so we have looked at that, but it doesn't have a huge impact on the real problem of lowering mortality.

MS. MCCAWLEY: Jeff.

DR. BUCKEL: To that point, folks are struggling with looking at this and saying, well, you know, why aren't we getting a benefit, and John is explaining that this shouldn't be looked at as a descender effectiveness, because it's a completely different population size, but, in the projections, what we're talking about here, I think that would be an effective educational output, and so it's the base model, and then you project forward, maybe with a low and a high recruitment, to get at John's point of the uncertainty in recruitment, and then you do your reductions in discards, at various levels, and you see how that changes the time to rebuild, and I think that would be an effective education tool, to show that it's going to be different, right, because the numbers are constant, the base, and then you're not going to rescale. You're just going to project forward and see that reduction in discards and how that impacts, and you will see the 60 percent gets you there

faster than a 30 percent reduction in discards, and so that might be a request, if those haven't already been done, to provide for educational -- To get buy-in for descenders and venting. Thanks.

MS. MCCAWLEY: Thank you. Tim.

MR. GRINER: Thank you. So, I think Mel kind of hit on what keeps going around in my mind, is that this model is not treating the importance of this age structure right, obviously, because we have so much -- We have all these fish, and so I guess, in a simplistic view, what difference does it make if we take out -- Recreationally, if we take out 30,000 fish a year or 100,000 fish a year? You know, I realize that the model is what it is, and that's where we get this annual catch limit from the SSC, but what difference does it make if we take out 30,000 fish a year or we take out 130,000 fish a year, and what difference does that have on the stock biomass?

MS. MCCAWLEY: John Walter, you had your hand up.

DR. WALTER: Thank you, Chair. In terms of how you -- Just to get to your point, Tim, it doesn't really matter how you take them out, because the models are assuming that you either take it out and put it in your cooler or take it out and throw it back and it dies, and it's a dead fish, and that's all contributing to fishing mortality, and so a dead fish is a dead fish. It's not useful to us, if it's thrown back, unless we think we're feeding sharks or something like that, and it's much useful to us, I think, if it's going in the cooler, and so I wanted to get to the comment that our Chair made about how we measure success.

I think that's a really important comment, and we've got a biological measure, where we can measure where the stock is biologically, but I don't think that's necessarily success as far as society measures, and I think, in that case, we need to start thinking about what are the things that society wants out of these fisheries, and I go back to like how do I measure success in my family, with my kids, and it's minimal sustainable whining, and it's finding the place that everyone is equally happy, or equally unhappy, and that kind of gets to what we are talking about when we talk about optimal yield and that we need to start thinking about what is success going to look like for this fishery.

Unfortunately, success, when this population is rebuilt, which we are well on that path, doesn't mean open access, 365 days a year, without some changes to the management, because that's not what the projections would suggest, and I think that's where this council has got a challenge, to find what is going to be the success in a fishery that is going to have limitations on how many can be caught and discarded, and I think that same applies, because we're talking about a multispecies fishery, really, where some of the other stocks aren't experiencing the same path to rebuilding, and maybe even actually more challenging biological questions than red snapper, which seems well on its way. Thanks.

MS. MCCAWLEY: Go ahead.

MR. CARMICHAEL: I think that's a really good point that John makes, and I think you have the added challenge of -- You know, I think, talking about success initially, we are thinking of success in the Magnuson eyes of ending overfishing, which is what we've got to deal with, because we have a stock that is experiencing overfishing and in a rebuilding plan, and then we have a longer-term idea of success, as viewed by like our constituents and our overall management program,

which, you know, as John pointed out, gets to what do people want out of this fishery, and I think we've heard, certainly within the recreational fishery, the number-one thing they want is just access.

You know, they want access to the snapper grouper fishery overall, and there's a huge concern of losing that, whether over time and space, as a result of this one fish, and so I think where we've been, at the council, is realizing that it's a much more difficult question to get at how do we measure that success, and how do we get a management program that gets us there, and it's probably not something we could solve within the timeframe of Magnuson, in terms of dealing with that initial success of addressing the ABC that we have on the table and making progress on ending overfishing.

I think that really fits in well with where the council has been trying to go with this amendment, versus other amendments to come, because, yes, success is multifaceted, and then, Jessica, I was thinking the question came up on the count, and one thing I would hope is the count could potentially be successful in giving us an absolute indication of abundance, which is its goal, and then that may help us put some perspective onto these ideas of what is recruitment actually, and what is the scale of this population, and can we get a better estimate there, and, you know, it may give some insight into which of these various scenarios are actually potentially accurate.

They can be as precise as they want to be, but, if we have no idea about accuracy, it's hard to manage, and maybe the count will get there, and I don't know. I think that's been a struggle in the Gulf, to get there, but that is its goal.

MS. MCCAWLEY: Thanks, John. Tim.

MR. GRINER: Thank you, and so I keep going back to the same thing, and so I realize that we have a mandate to end overfishing, but, by increasing the landings, we're not making overfishing any worse, is what I am hearing. I am hearing that it doesn't matter, and a dead fish is a dead fish, and so why do we not increase landings by allowing more fish to be landed? It doesn't matter. The fish is a dead fish, and it doesn't matter to the model. It's a dead fish, and so we're not exacerbating the problem, by allowing more landings, and so why we not allow more landings?

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

MR. STRELCHECK: Well, first, Tim, it concerns me for you to make a statement of it will not make overfishing worse, right, and I want to emphasize that, because this council, under Magnuson, is mandated to prevent overfishing, and end it when it's occurring, right, and so we shouldn't be talking with regard to making overfishing worse or maintaining overfishing at some level.

You could be correct, in terms of, if we increased landings by 100,000 pounds, or whatever the amount is, and you reduce discards by a commensurate amount, you're essentially offsetting that mortality, right, and the problem is that we're catching too much already, and so we're allowing that overfishing to occur, and so you not only have to increase landings, but you then have to bring discards substantially down, in order to end the overfishing.



MS. MCCAWLEY: Okay. This has been a great discussion. Are there more questions, before we dive into the document? Laurilee and then Mel.

MS. THOMPSON: I am kind of intrigued by this SMZ concept and having small areas, you know, to be shelter for the fish, and, by having small areas, it wouldn't do the economic devastation that closing large areas would do, and you could kind of spread them out, and I'm not advocating for them, and don't start throwing rocks, but I want to hear, from Andy and John, whether having some small areas, as sanctuaries for the fish, would help the situation, or would it just make the fishermen go catch more fish somewhere else, and we're still having the same problem?

MS. MCCAWLEY: John or Andy, would you like to respond?

MR. STRELCHECK: I'm pretty sure you're a big fan of spatial area closures, and so maybe you should take that one, Jessica.

MS. MCCAWLEY: It's all on you, Andy.

MR. STRELCHECK: I feel like I've spoken quite heavily on this topic, up to this point.

MS. MCCAWLEY: Okay. Mel.

MR. BELL: Well, I will tell you where some of that comes from, and so we have two small spawning special management zones off of South Carolina, and they're both one-square-mile artificial reefs, but we built them, but we built them specifically for that purpose, years ago, and I can show you video here, when we get a break, what they look like, and the idea there was, yes, it's fairly small scale, but you've got the ability for fish to be left alone and spawn, and they just become a source of larval input, if you will, for whatever species, and it's anything from black sea bass to what we're seeing now, and that is a lot of red snapper, and whether they're spawning there -- I know the black sea bass are, and we've documented that. Red snapper, I don't know if they're spawning there, but I just know that they're there.

That's kind of where some of that comes from, and so the theory is that it's a small area, and ours are a square mile, but, you know, you're basically providing the ability for the fish to do things that are beneficial to the stocks throughout the system, because the eggs and the larvae don't stay there, and they go downstream, wherever that happens to be, and so that's where some of that thinking comes from.

Now, the fishermen can't fish there, by design, already, but the idea of using an artificial reef is there was never anything there for them to want to go in there in the first place, and we put it there, and so that's where some of that thinking comes from, but you could just as well take a small area of hardbottom, that is already accessed, and do the same thing, but it's just that the fishermen will -- If you give them the choice, they will say you build it, and we'll leave it alone, and then you still have to figure out how to keep them out of there, but that's not why I raised my hand.

Going back to harping on the model and the assumptions and what we're getting out of it, yes, we're overfished, but I just keep going back to assumptions about the world, and it's not a static world that we're in, and we had a big discussion of climate change and impacts on fisheries

yesterday, but I almost think like -- So, thirty, forty, fifty years ago, there was a set amount of habitat that was suitable for red snapper, where they spawned and they did their thing.

Now, because of changing water temperatures, we're seeing that range expand, and so, whereas, let's say you had a hundred square miles of suitable red snapper habitat, now maybe you've got 200 nautical square miles, because they've expanded, and so you've got more farmland to produce crop on, and so maybe that's part of what's going on with this truncated population that we've got, and the reason they're maybe so successful is there's a lot more room for them to expand, and, now, they're off of South Carolina, in forty feet of water, and we've never -- I realize that maybe they were there a hundred years ago, and I don't know, but they weren't there in 1982, I can tell you that, and they weren't even out from say forty out to a hundred feet of water, and you didn't see them, back in 1982, and I'm using that as a reference from when I stuck my face in the water for the first time there.

Now, they're everywhere, and so you've got this truncated population, spread out over a larger area, that is having a lot of success in making baby red snapper, and I don't know how you factor -- That doesn't really factor in to the model, and it's a matter of available habitat, and then you throw on like what Jessica had mentioned earlier, and now we've got this input from the Gulf of Mexico, which we didn't know we had, and so there's just things going on, you know, right now that weren't going on when we kind of started this problem years ago, and it's a different world, and, yes, I get it, and we have to follow the model and input it based on certain assumptions, but there's some things going on that just kind of fall outside the model's ability to grasp that, but we're seeing it.

The fishermen are seeing it, and we're seeing it, and, you know, we're amazed by the abundance of these things, all of a sudden, but that takes me back to, you know, perhaps a whole bunch of teenagers spawning gives you a lot more fish than, you know, older, more fecund fish, perhaps, and so that's just an observation, and it ties into yesterday, but it's not the same world that it was fifty or sixty years ago, in terms of the habitat and the expanse of the species.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: A couple of thoughts, and so, Mel, thanks for your comments. In some respects, we're getting into some hypotheticals, but, you know, are we better off, for example, managing with a bunch of, you know, young fish in the population, and not getting the age distribution filled out, right, and, if Magnuson allowed that, then I wouldn't be here at the table arguing that we need to end the overfishing, but that's kind of the reality of the situation.

With red snapper, and the spawning potential, there is kind of an asymptote, in terms of the maximum spawning for, you know, certain age classes, and it does not go out to fifty years, right, and it's kind of like the human population, right, and we're less fecund as we get older, and the fish population is the same way.

There's been a lot of good comments, I think, about the science, and I think, you know, the science often gets heavily scrutinized, when we are talking about very tough decisions in the regulatory environment, right, and so it's kind of this issue of what are we capable of doing, from a regulatory standpoint, versus what the science is telling us, and with what fishermen are observing, right, and all of them, you know, are matching together, in my opinion, with the exception of the regulatory

response, which naturally would say we should be able to allow more fish as the stock is rebuilding, right, and the good thing is the success has been that we are making adequate rebuilding progress, right, and the bad thing is that we aren't going to achieve that, in the long run, if we can't cut into the fishing mortality.

The other thing I will mention, with this conversation, and I'm sure some of the council staff, and maybe the council, will cringe at this, but there's been a really good discussion about kind of what does success look like, and what is our vision for the future, and I know we've done visioning documents in the past, and I'm not suggesting a new one, but I think it's a really good conversation that we as a council need to have with regard to the snapper grouper fishery going forward, and involving our APs, and involving our SSC and others, to determine how we can kind of get out of this box that we're in with regard to high levels of discards, high levels of discard mortality, and rebuilding some of our key snapper grouper species, in particular. Thanks.

MS. MCCAWLEY: I'm glad you brought that up, and, in my mind, that's part of what is coming with the management strategy evaluation and the amendment that would follow the management strategy evaluation, and, also, some of the points that Mel brought up, and I'm hoping that the MSE can account for some of those things, and I'm hoping that thinking about these other environmental factors, the way people fish in the fishery, how it is expanding, how people, and where people, are encountering red snapper now, and I am hoping that those types of things can be captured in the management strategy evaluation. Laurilee.

MS. THOMPSON: So I like Mel's comments on the artificial reefs, and so, with the new money that seems to be flowing out of Washington, D.C. for coastal resilience projects, you're seeing -- You will see some bridges getting torn down, and some infrastructure being updated, and it seems like there could be a good pool of rubble that could be better used offshore, to create artificial reefs, rather than going to concrete smashing plants and somebody making money off of it.

If we could make that one of our -- Could we make that one of our strategies, to encourage building artificial reefs, and making them off-limits, and then you wouldn't be taking anything away from anybody that is fishing, and you wouldn't be taking away any of their spots or anything, but we could create additional habitat for the -- Not only the snapper, but all the other species that use reef habitat, and, I mean, that could be a pretty good thing.

MS. MCCAWLEY: Once again, I hope that that's something that will go into the management strategy evaluation. If I don't see any more hands, I suggest we go ahead and take a break, and, when we come back, we will dive into Amendment 35 with Mike, and so a fifteen-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. I'm going to turn it over to Mike, who is going to start walking us through Reg Amendment 35.

DR. SCHMIDTKE: Thank you, Madam Chair. Today, we'll be going through a decision document that summarizes portions and walks you through decisions to be made regarding Regulatory Amendment 35. Staff have been working on an actual amendment document, and there's a draft document that's included in your briefing book, and so you can refer to that for

some more complete information in areas that may have been summarized here, but I will try to hit some of the larger points and give you the information that you need for your discussions.

We're going through -- Just in some of the background information, we go through the assessment information that came out of SEDAR 73, and one of the pieces that caused this amendment to come about was the SEDAR 73 stock assessment. In addition to that, we are trying to address discards overall in the snapper grouper fishery, and so there are a couple of kind of points that are made in the background that are pretty critical in addressing some of the council's obligations and responsibilities relative to Magnuson.

We have actions included here that are changing the red snapper catch levels, and one of the things that we want to point out, regarding that action, is noting that changing the catch levels alone is unlikely to end overfishing of red snapper. That is something that is still a council responsibility under Magnuson, a requirement that the council has, because we have new catch recommendations from the SSC, and so, because we have a new ABC and a new OFL that have been recommended by the SSC, Magnuson requires that the council not set ABC higher than the SSC's recommended level, and so that action is not, in itself, ending the overfishing of red snapper, but it is addressing a Magnuson requirement that the council has.

In addition to that, the council is addressing the overfishing of red snapper and more widespread recreational discarding of snapper grouper species, using outreach and education on best fishing practices, and we have developed a draft appendix, and that is going to actually be covered under the Outreach Committee on Thursday afternoon, and so I just wanted to put that kind of towards the front and let you all know that that discussion will happen a little bit later in the week.

The Outreach and Communication AP had quite a bit of feedback that's relevant to that, and so that's why it got put under that committee, but that appendix will still be included in Regulatory Amendment 35, and so we're just kind of splitting that into two parts. Today, we will address the actual action items that are included in the amendment, and then, on Thursday, we'll come back with the best fishing practices discussion.

The council is also addressing the overfishing through actions that are looking at prohibiting the use of electric or hydraulically-powered reels for the recreational sector, as well as the use of more than one hook per line for the recreational sector. These are -- It has been estimated that they will not achieve the goal of ending overfishing, in and of themselves individually, but we have outlined, within the amendment, as well as within the background information here, that the council -- The actions that you all have taken are a cumulative effort that includes this regulatory amendment, the management strategy evaluation, as well as the amendment that follows the management strategy evaluation.

The expectation that you all have has been that the cumulative action of all of these is what will end the overfishing of red snapper, and so this is the first piece, but there are other pieces that are in process right now that are going to happen, and that's what is intended to end the overfishing of red snapper, and so those are some distinctions that we've kind of put into the language here, and I wanted to point that out for you all, as you're going through your discussions.

Looking next to the objectives for this meeting, we've drafted a purpose and need, and so we'll ask for you all to review that, and we'll review the actions and alternatives, as drafted, and there

are some draft alternatives that you all requested for Actions 2 and 3, and we kind of designated those as draft alternatives because of the timing that you've requested for this amendment, and you've requested that this amendment be considered for final approval in March of 2023, and, with that timeline, it would be very helpful, for the staff that are working on this, and for us to be able to process it for public hearings, and also taking into account that there will be staff that do take time off for the holidays.

With all of that being put into consideration, in order to have this ready for final review, any changes made today are going to need to be pretty limited in scope, and, if it's possible to streamline the options that are being considered in later steps of this process, then that would be helpful as well, so that we could really focus our effort on the analysis that's legitimately being considered by the council and not have -- Not have necessarily the widest array of alternatives being considered, and so, any place where you can streamline that, that would be very helpful, from a staff development standpoint.

As I mis-highlighted here, but, today, we'll be reviewing these draft actions, and then, kind of at the end, you all -- If you are continuing on this timeline, you all would need to approve this document to go out for public hearings at this meeting, and so we'll start getting into the discussion points.

First of all, we have our draft purpose and need statements, and we had a purpose and need drafted for the last meeting, and so there are some highlights that are more wording-type of edits, but they are some points that needed to be made, and they're kind of critical in being able to define what is actually being done here, in the sense of this amendment, in and of itself is not ending overfishing, but it is addressing overfishing, by reducing dead discards, and it's one step of this multistep process, and so I will pause here, to see if there are any edits to the purpose and need or comments on the edits that have been made.

MS. MCCAWLEY: Thank you, Mike, and so there's some changes there that are highlighted in yellow, and we've talked a little bit about them, and I'm hoping that folks can see that and review it and then, ultimately, we need to accept those revisions to the purpose and need statement, and any other revisions that we want to make here, and so are there thoughts from the committee? Andy.

MR. STRELCHECK: I mean, I'm certainly supportive of the recommended changes. I think one addition, with the gear modifications that we're talking about, is it's not just benefitting red snapper, but it's reducing dead discards of snapper grouper species as a whole, and so making sure that that's clear, in terms of the need.

MS. MCCAWLEY: Okay, and so it sounds like you're talking about the second paragraph there. Okay. There was an edit made on that. All right, and so, ultimately, if you guys are okay with this, we would be looking for a motion to accept the revisions to the purpose and need statement. Mel.

MR. BELL: **Madam Chair, I move to accept the amendments to the purpose and need statement.**

MS. MCCAWLEY: All right. We have a motion by Mel, and it's seconded by Trish. Mike is getting that on the board for us. All right. Any more discussion? We've already had some discussion on this, and is there any additional discussion on this motion? **Any objection to this motion?** All right. **The motion carries.**

DR. SCHMIDTKE: Okay. Now we'll move down and get into Action 1, the first proposed action, and so this is reducing the ABC, total ACL, and sector annual catch limits for red snapper and establishing an annual optimum yield for red snapper. Alternative 1 shows the current levels, the ABC, the total ACL, the sector ACLs. One thing that is not included here is we're trying to track down if there is one that is on the books right now, whether there is an optimum yield that has been set, and, if there is one, then we will include it in the next round, but, as of right now, we haven't been able to track down what exactly that is, and so we have the language, in the next several alternatives, as establishing an annual optimum yield, and you will notice that, in the annual optimum yield that is in the further alternatives, it's established to be equal to the recommended ABC. Excuse me. Equal to the total ACL, to the total ACL.

Under Alternative 2, that has the total ACL and annual OY set equal to the ABC, and you will see the commercial and recreational ACLs that are resulting from there. Looking down into the discussion a little bit, one of the points to note is that the allocation of the commercial and recreational ACLs from the total ACL -- Because these are in two different units, there is a need for conversions, and the conversions that were used to allocate these sector ACLs -- Right now, they are based on SEDAR 43, and I hope I'm saying the right number, but the previous stock assessment, and it comes from the previous stock assessment, and so we've updated the average weights based on SEDAR 73, and there's a full kind of description of that down in the discussion portion, and I will try to put it up on the screen here.

This notes the current method and the current average weights that are used right here at the top, and so, for example, the total -- Excuse me. The average weight, for both sectors of the fishery, is estimated to be 10.46 pounds, based on -- It was SEDAR 41, but, for the commercial fishery, the average weight that was estimated, at that time, was 9.71 pounds. Updating those values to reflect SEDAR 73 has the total average weight at 9.8 pounds whole weight and the commercial average weight at 8.67 pounds, and we used the same method, but moved it up in time, so that it was reflective of the last three years of the most recent stock assessment, and there is a bit of detail in the amendment, and the reason why we point out the difference between these two is because the average weights are estimated to have changed between those assessments.

Those average weights are used in each of Alternatives 2, 3, and 4, and the differences between Alternatives 2, 3, and 4 are there are different proportions of the ABC for the total ACL and annual optimum yield, and so, in Alternative 3, the total ACL is 95 percent of the ABC, and, in Alternative 4, the total ACL is 90 percent of the ABC.

Finally, under Alternative 5, that was one that you requested the addition of, and that has the total ACL, as well as the sector ACLs, and they would all be set to zero, and that's a zero-harvest scenario, and so, in each of these, the ABC is the recommended level from the SSC, and the ABC doesn't change. They are different levels of total ACL, annual optimum yield, and sector ACLs, and so those are Alternatives 1 through 5, related to Action 1, and I can pause here, to see if there are any questions on Action 1.

You all, if you have a preference at this point, you're able to select a preferred, before we go out for public hearings, and we can make any slight modifications to these, noting that they would need to be fairly limited, so that we can continue the timeline that you've set.

MS. MCCAWLEY: Thank you, Mike, and so, once again, what we're doing here on Action 1 is hopefully selecting a preferred alternative. That way, when this goes out for public hearing in January, that the public kind of knows our intent for this particular action, and so, ultimately, we would need a motion here, and we've had a lot of discussion on this action at previous meetings, and what are the committee's thoughts here? Tim and then Kerry.

**MR. GRINER: I would be supportive of Alternative 2 as our preferred, and I will go ahead and make that motion, if it's okay.**

MS. MCCAWLEY: All right. We have a motion. Do we have a second? Okay. It's seconded by Mel, and it's under discussion. Kerry is next in the list.

MS. MARHEFKA: Mike, is there any utility in, at this point, reducing the number of alternatives, to make the analysis easier for you in the short period of time you have?

DR. SCHMIDTKE: I think a good chunk of the catch projections have been run for Action 1, but, if you all are not seriously considering, you know, some of the other alternatives, then we could remove them. It's easy to remove things, and we can streamline the document a bit more in that way.

MS. MCCAWLEY: Thanks, Mike. Okay. We have a motion and a second. Andy.

MR. STRELCHECK: I mean, I certainly would be supportive of, I think, removing Alternatives 3 and 4, given the small buffers. I don't think they're, functionally, that much different than Alternative 2. Earlier, I talked about, or in response to I think Judy's comment about closure of the fishery, and that was something that we added to this document. I recognize that this is not probably the preference of this council at this point, to close the fishery, but, to me, it's very reasonable, in terms of helping to further address overfishing at this stage.

You know, there is implications, obviously, on the small amount of commercial harvest that would no longer be authorized from that action, and my concern, on the recreational side, is that this pushes us into a one-day fishing season, and the reason that I asked Bob earlier about safety-at-sea is I have gotten many comments about the most recent fishing season and concerns that it is a derby fishery and that there are safety-at-sea issues, and, in fact, the Coast Guard has sent me, out of the Jacksonville area, ten or eleven distress calls that they had responded to during the last season.

I don't see this as that kind of success that we are looking for, and so, to me, Alternative 5 is a preferred option in avoiding that derby fishing season and safety-at-sea, but with the caveat that, as I have mentioned previously, I think the agency is very much interested in exploring exempted fishing permits and looking at alternative ways that we could potentially manage this fishery, and so there's potentially opportunities there to allow for some innovative new management strategies to be tested, if we do close the fishery, and so I offer that for consideration.

MS. MCCAWLEY: Chester.

MR. BREWER: Andy, I don't want to scare you, but I agree with you. This whole thing about a one-day season I think is dangerous, and we have -- In Florida, we have what we call the mini-season for lobster, and, every year, one or two people get killed. I mean, it's just -- It is a boon for the hotels and the restaurants and whatnot down in the Keys, because people go down there and they -- I mean, they drink and eat and do whatever it is they do, but it's dangerous, and, quite frankly, a one-day season on red snapper is, in my mind, is useless, and the potential harm that comes from it is -- The benefit is far outweighed by the potential harm that I think we ought not to have.

If we're going to be talking about one, two, or three days of a season for red snapper, I don't think we ought to have a red snapper season. I don't know whether that necessarily belongs in this document, and I think, at this late point, it doesn't, but I did want to express my concerns with regard to these really short seasons, because they don't make good sense to me.

MS. MCCAWLEY: All right. Thank you, Chester. Judy and then Tim.

MS. HELMEY: Thank you. I would like to go on the record as I'm not suggesting closing snapper, and I was just wondering what the effect would have if we were to use the scale to determine that. Thank you.

MS. MCCAWLEY: Tim.

MR. GRINER: Thank you, and I can certainly appreciate Andy's and Chester's concerns for safety-at-sea. I mean, that is a real concern, but that's obviously a recreational concern, and it's not a commercial concern at all, and so I don't really see -- If we're going to have an Alternative 2 that is concerned with safety-at-sea for the recreational fishery, I think we have to make a distinction that that is not a concern for the commercial fishery, and so Alternative 5 would have to be, in my mind, something that only applied to the recreational fishery. There is absolutely no concern with safety-at-sea, with this small amount of quota, at a trip limit of ninety-nine pounds, or ninety pounds, or a hundred pounds, and it's not going to last very long, and it's certainly not going to be a safety issue, and so, if there is going to be an alternative, I think we need to have an alternative that would just apply to the recreational sector.

MS. MCCAWLEY: Thanks, Tim. Mike.

DR. SCHMIDTKE: Thank you. I just wanted to remind the council that, if you decide that you want to change the allocation, something along the lines of having a commercial-only ACL, and no recreational ACL, something like that, it would be an allocation change, and that would need to go through a full plan amendment, and that wouldn't be able to be done through a reg amendment.

MS. MCCAWLEY: Thank you, Mike. Mel and then Dewey.

MR. BELL: I understand Tim's point, but maybe, just to kind of clear the deck here a little bit -- I mean, I would be willing to move to remove Alternatives 3 and 4 from the document right now.



MS. MCCAWLEY: All right. Is that a substitute motion, because we still have a motion on the table. Do we want to dispense with the motion on the table and then come back to removing -- I am just --

MR. BELL: I forgot. I'm jumping ahead.

MS. MCCAWLEY: That's okay. I know we're excited here to take some actions here, and so we still have a motion on the table that would select Alternative 2 as the preferred, and that's been seconded. Dewey, to that point.

MR. HEMILRIGHT: I think, when you go looking at safety-at-sea, it's kind of up to the individual to use what commonsense, or any experience they have, to decide if they're going to go fishing or not, and it's very similar to going in a car during a blizzard and knowing that you want to go to the 7-11 and get a quart of milk, and are you going to do that, or are you going to wait until better conditions or something?

I think -- Because, if you go having the recreational industry using the safety-at-sea, and the charter boat industry, which is a little more professional, the ability to go fishing, you're going to cut them out, and then you give the commercial side the chance, because they have all the safety equipment and experience, and you talk about hell to pay, and so you need to be clear on who is going to make that decision, and is it going to be based on the eleven calls that Andy got from the Coast Guard about safety-at-sea issues?

I mean, this is up to individuals to decide if they want to risk their life to go catch their -- I don't even know how many snappers are allowed, I mean, and so that should be something as something to be thought about before somebody goes and makes the decision, because it ain't the decision of the commercial or the for-hire charter boat to decide if the recreational goes fishing for their safety-at-sea matter. I see, a lot of times, vessels out there that I am wondering how in the hell -- I mean, how in the heck they even get out there, because they're so small and stuff, but that's their choice. You know, that's their decision, and so somebody better be prepared to explain to the thousands of anglers that are not going to go fishing because of safety-at-sea.

MS. MCCAWLEY: Thanks, Dewey. Spud.

MR. WOODWARD: I've got a question, and so, if the service determined that you couldn't have even a day of fishing, based on historical catch rates in the recreational fishery, then the service would make the decision to have zero recreational days of fishing, but that would not prohibit the commercial sector from fishing for their part of the ACL, but that wouldn't be a reallocation, and it would be a decision based on what the estimated catch rates are, and so is that -- How would that factor into this situation here?

I mean, I know it still deals with the user group conflicts, and the issues that Dewey has described, but it wouldn't be -- You know, it wouldn't be a reallocation, but it would be a decision that it was not feasible to have a one-day season, and so is that a possible scenario that could emerge out of this?

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I mean, I guess it's certainly a possible scenario. Based on historical catch rates, what I've observed in recent years, we would have the one-day season, based on the catch levels we're talking about now. Recall that, just a few years ago, we eliminated the three-day minimum requirement for a season, and I think that was much more a possibility, where you would allow commercial harvest, but, if our projections indicated that the season would be three days or less, then we would not open the recreational sector, right, and so I don't see that as much different than at least the discussion here, with the exception that we've now eliminated that three-day requirement.

MS. MCCAWLEY: Chester.

MR. BREWER: I mean, I well remember the discussions we had about the, once you got below three days, whether you were even going to have a season, and I remember my thought process, back then, was the same, and it was I see, or have seen, what happens during the lobster mini-season, and my thoughts were that you don't want that. You don't want that, and so I was -- I advocated against the amendment, or whatever it was that we passed that allowed you to have a one-day season.

To Dewey's point, Dewey, we're not saying that the guides can't go out and take people fishing, but we're just saying you can't keep a red snapper, and that's a little different, and what my fear is, or what my concern is, is that, if you're saying, to all these recreational folks, whether it includes the charter or not, that, okay, you've got one day that you can go out and you can fish, and you can keep a red snapper, and people go crazy.

I think that that's just not a good situation, and I don't think it provides -- You know, I don't know how much economic benefit it provides, but, whatever it is, the foolishness that goes on, certainly in the lobster three-day mini-season, you can carry that over, and it has been carried over, into red snapper, and it's just not a good place to be, and I think we shouldn't do it, and I think -- Quite frankly, I think it should close, and stay closed, until we can have a meaningful season.

MS. MCCAWLEY: All right. Any more discussion on this motion, before we take a vote? All right. I don't see any more hands. **All those in favor of selecting Alternative 2 as the preferred under Action 1, raise your hand, twelve; all those opposed, one; any abstentions, no.** All right. **The motion passes with one against.** All right. I am going to go back to Mel for his motion.

MR. BELL: Thank you, Madam Chair. **I would move to remove Alternatives 3 and 4 from the document, from Action 1 of the document.**

MS. MCCAWLEY: All right. We have a motion to remove some of the alternatives, and it's seconded by Spud, and Mike is getting that on the board. **All right, and so that motion is to move Alternatives 3 and 4 under Action 1 to the Considered by Rejected -- I guess we'll call that an appendix, appendices, and that's been seconded.** Any discussion here? Does everybody understand what's happening? Mel.

MR. BELL: I was just going to say that, I mean, and Andy mentioned it too, but just what you get out of that is just not really worth the analysis and the time in the document, probably, and it's not

that big of a difference from the alternative that we've chosen, and so I don't see the value in keeping them in there.

MS. MCCAWLEY: All right. That also means that it wouldn't go out -- We will go ahead and move it to Considered but Rejected, and it wouldn't go out for public hearing. Okay. Any more discussion on this motion? **Any objection to this motion?** All right. **Seeing none, that motion carries.**

DR. SCHMIDTKE: All right. Thank you. Now we're moving down to Action 2, and this is considering prohibition of the use of electrically or hydraulically-powered reels to fish recreationally for snapper grouper species. Under Alternative 1, there is currently no region-wide prohibition of the use of electrically or hydraulically-powered reels by the recreational sector.

Alternative 2 would be a full prohibition throughout the South Atlantic EEZ. You all directed the IPT to explore some additional alternatives that would consider specific areas, based on geography or depth or species and catch distributions, and we provided you some information in a data report last time, and, as far as latitudinal sectioning, we basically used the same zones that we provided data for you the last time on landings and on discards for the recreational fishery, and so Draft Alternative 3 considers changes by area that would -- Multiple sub-alternatives under Alternative 3 could be selected, but this would include the states -- The waters off of the states of North Carolina, South Carolina, and Georgia, and then there are three zones within Florida, and the counties associated with each zone are listed there in those sub-alternatives. That would be kind of addressing the latitudinal, the north-south variation there.

Addressing the inshore/offshore portion, what we have here for sub-alternatives is that we would -- We would develop lines associated with a depth, and that's something that we are aware, from previous discussions, that it's not as realistic to enforce something by a strict depth number, but more so by developing waypoints that are associated with a given depth, and so, if you all decide to add draft Alternative 4 for consideration, then, following this meeting, we would have to take a look at some mapping tools, to figure out what the lines associated with the depth alternatives that you would want to consider would be.

We have several sub-alternatives there, and there's not -- There's really not a huge basis for any one of these individual depth ranges, and we were more trying to capture a range of areas where there would be coverage of, you know, species that you would want to reduce discards of, and so we have sub-alternatives for less than 100 feet, 100 to 200 feet, 200 to 300 feet, greater than 300 feet.

We also had some commentary from the advisory panel on this topic, or, excuse me, and it wasn't on this topic. They had comments on Action 3, and, under Action 3, which is the hook action, they had proposed a depth, for the hook action, that was greater than 150 feet, and so, if there was consideration of, you know, kind of a similar depth for both of these actions, then that's something that is based on their Action 3 recommendation, and so that was included as well.

Just having some discussion surrounding this item, reminding you of some of the things that have been brought up with you all in the past, the objectives of this action are, number one, to reduce recreational dead discards throughout the snapper grouper fishery, and this kind of gives a stepping through of how this is doing that, and so the thinking is that these reels reduce the time required to

land a fish, and so prohibiting them would be expected to increase the average time required to reel-in and catch a fish, resulting in fewer fish caught per trip and overall.

Fewer fish being caught would result in a fewer number of discards, and the discard mortality rate would be then applied to a smaller number of discards, and this would be contributory to the goal of reducing discards throughout the snapper grouper fishery.

Secondly, it would also contribute to the ending of overfishing of red snapper, being that recreational dead discards are the primary result of the fishing mortality that occurs for red snapper, and so that is how it is addressing the two goals that we have for this amendment. Under Figure 2, just considering those depth zones, this is kind of a rough picture of some depths, and I will zoom-out, so you can see more of the whole map here, but, thinking about some of those depth conversions, if you were thinking something along the lines of 100 feet, that would be associated, pretty close, to thirty meters, and so that would be this light-pink area on out, and, if you were thinking something along the lines of 150 feet, that would be a little bit shallower, but closely associated with fifty meters, and that would be this light-blue sliver that's outside of the pink, and that would be kind of where we would set the basis for developing waypoints.

This at least gives kind of a spatial reference to the type of area that would be considered, if you're looking at some of those depth-based alternatives and including them in this action. That same map -- You can keep that in mind when we get to Action 3, because we have similar alternatives developed for Action 3 as well.

Some of the points that have been noted, related to this action, have been along the lines of enforcement. The more areas that you create in the water, the more lines you're drawing in the water, and we've had previous commentary that's been noted that that creates more difficulty, and so that would be one thing for your consideration, as you look at which alternatives to consider moving forward.

There also is a concern that was raised by the advisory panel addressing stowage, and electric reels, as we've written them in this document, the regulation would be for fishing for snapper grouper species, and so they wouldn't -- This wouldn't restrict those types of reels from being used in other fisheries, but there would be the issue of they would need to be able to be stowed properly, so that enforcement can see that they are not in violation of using those, and so there would need to be some language there, informing the public of this is the proper way that these types of reels would need to be stowed, in order for them to show that they're not being used while snapper grouper fishing, even if they are on the vessel from other types of fishing that they've done on the same trip.

Then, considering species distributions for the different areas that could potentially be incorporated in these alternatives, and so we have kind of the depths there, and Table 2 goes through our assessed species and gives some information on, for the recreational fishery, where their primary catch area is, considering the areas that we've defined, the Carolinas and Georgia and then those three Florida zones, and so where they are most often caught is their primary catch area, and the second-most often caught is their secondary catch area, and that's shown here, and then the depth range -- Those come from literature studies.

We have our assessed species here, and the way to interpret this table is so we took the releases, as a proportion of the catch from MRIP, and so the average percent of fish released was calculated, and then we took the release mortality percentage, as estimated by the stock assessments for each of these species, and then, if you multiply those two numbers together, you get a percentage of, if you catch that type of fish recreationally, what is the probability that that fish is going to die as a result of being released, and so, for example, you will see here, for something like black sea bass, where there's a high percentage of fish that are released, but a pretty low release mortality, if you catch a black sea bass, then there's a low chance that it's going to be -- That it's going to die due to release mortality overall, relative to some other species.

You have other ones that have higher levels of release mortality, and you have higher and lower levels of probabilities of being released, but those get calculated here, throughout the table, and we have highlighted -- If you want to consider overfished stocks in a different capacity than others, and overfished stocks are highlighted in yellow there. They are highlighted there in yellow, and those, among our assessed snapper grouper species, include gag, red grouper, red porgy, red snapper, and snowy grouper.

That's a lot of information for you to consider in deciding how you want to proceed, and, if you want -- I guess what we are looking -- As an IPT, what we're looking to the council for is guidance on what additional alternatives, of these drafted alternatives, based on, you know, latitude, based on depth, and we would develop the waypoints associated with that, but what of those do you want included in this amendment, moving forward, and then, if you have any -- If you have an idea of what you would like to select as a preferred alternative ahead of public hearings, then we could take that as well, and so I will pause here and see if there are any questions or comments.

MS. MCCAWLEY: All right. Kerry and then Judy.

MS. MARHEFKA: I just want to put one more fly in the ointment for the discussion topic that we haven't talked about yet. As a reminder, right now, commercial vessels that have members on it that have recreational fishing licenses can keep their bag limit when the recreational season is open, but the commercial season is closed, and, obviously, most of them would have bandit gear on there, and so that would have to be dealt with somehow.

MS. MCCAWLEY: Judy.

MS. HELMEY: I was just wondering if there was any consideration taken for handicapped fishermen, or we do a lot of fishing with the Wounded Warriors, and that's going to take out all those fishermen, and I'm not just talking about our company, but all the fishermen that is not going to be able to go because of the electric reels.

MS. MCCAWLEY: We had that discussion at the last meeting, and we asked staff to look into that, and I think that's something that we could write into the rule, but I will pass it back to Mike.

DR. SCHMIDTKE: So, from what I understand, and I may need an assist from Monica on this, but people -- All of the laws in Magnuson are also subject to the Americans With Disabilities Act, and so, in those cases, people would need to file for an exemption, and that would provide -- I'm not sure which office it would need to be filed with, but it would be filed under the Americans With Disabilities Act, and they would still have access to that equipment, but they would just have

the documentation that would be coming from that, and so I will look to Monica to see if I explained that right.

MS. SMIT-BRUNELLO: Yes, I think that's a good explanation, and so what we can do, and what I will do, when you see this next, is have more discussion in there about what people need to do, or what would happen to address that very situation, and I think Jessica was talking about some people in the state who deal with this all the time, and so I will get with that, and I will personally make sure that goes into the next version.

MS. MCCAWLEY: All right. Chester and then Laurilee.

MR. BREWER: It gets so complicated, when you start talking about a hundred feet, 200 feet, 150 feet, and, at least where I live, recreationally, and I am excluding here the wounded-warrior-type disability kind of fishermen, but people use this gear to deep-drop. That's what it's used for, and I see a lot of utility in, if we're trying to, you know, reduce discard mortality, whatever kind of species you're talking about, that this kind of gear not be used, period.

I am cognizant that, in sail fishing, at least in my area again, you're doing a lot of kite fishing, with live bait, and some of the bigger boats, the really expensive boats, use electric reels to pull their kites in and let them out, and it's done -- Typically, you will see it in tournaments, big-money tournaments, and maybe not-so-big-money tournaments, and so, to me, in my little perfect world, you would have the exemption for disabled folks to be able to go fishing, and you would not, as a general rule, allow this stuff for recreational fishing, and then you don't get into any of these storage discussions that we've had.

When you start about how to properly store the gear, you're talking about discussions that go on for hours and hours and hours, and I'm not sure that you ever come to a good solution, and I would throw in an exemption for electric reels that are not being used in the traditional sense of like deep-dropping, and they don't have a hook attached, and they have a rigger clip attached, and those are used, you know, as I said, for kite fishing, pretty much exclusively. I apologize to some of our industry representatives for taking this kind of a stance, but it's been my stance for a long time, and, with that, I will be quiet. Thank you.

MS. MCCAWLEY: Thank you, Chester. Laurilee and then Gary and then Mel.

MS. THOMPSON: So, for the charter industry, take somebody that is coming, and they're going to pay to go fishing, and they're disabled, and it's very likely that they wouldn't even know that they would have to apply for this exempted permit, before they went fishing, to use the electric reels, and so could there be some kind of mechanism so that the charter boats, the for-hire boats, could have something onboard that would allow them to be able to use electric reels for disabled people that are coming on their fishing trips?

MS. SMIT-BRUNELLO: Maybe you can explain a little bit further, and so you're asking for potentially a regulation, or something, that would require charter vessels to tell people before they go fishing, or maybe you could explain a little bit further.

MS. THOMPSON: When the client makes a reservation, they typically aren't going to tell the charter boat person that they're disabled, and then, therefore, allowing the charter boat person to

say, well, you need to apply for this permit, so that I can have an electric reel that you can use to make it easier for you to go fishing. If there was some kind of way that we could write it into our amendment, that would allow Captain Judy to have the ability to keep electric reels on her boat exclusively for the use of disabled people, without having to go through having to apply for a permit for every disabled client that might be wanting to go fishing.

MS. SMIT-BRUNELLO: So I'll think about it. Potentially, sure, there's some way to write in something like that. I'm not sure if that gets added as an alternative under the action, or it probably would have to go in as an alternative, but I will think about it between now and Full Council, if there's a way to do that, and then, of course, you have all kinds of enforcement concerns about that, but that's probably true across-the-board with this action anyway, and I don't know if you would just want to address -- I was thinking outreach, and, you know, initially, letting all these charter vessel owners now, but then, again, if you're going to allow them to have gear onboard, and it only be used in certain situations, this gets kind of dicey, right, as to how that would work, but let me think about it further.

MS. MCCAWLEY: We've got a number of hands going up, and let me try to focus our discussion here, and so what we're trying to figure out is -- Remember that we're trying to finalize this document in March, and the next step is public hearings, and so we're trying to figure out what we want to go out with for public hearing, and you've heard the AP's comments, and so, big picture, do we want this use of electric reels in or out, as one of the considerations, and we could go round-and-round about all the specifics, and try to figure that out, but I guess, big picture, are we wanting to leave it in, to get comments from the public, based on what we've heard so far, or do we want it out, and so just trying to -- Then, if we're keeping it in, then we've got to go through scenarios and figure out what we want the analyses to look like, et cetera, and so just I've got a lot of people in the queue, and so here's who I have in the queue. I have Gary, Mel, Spud, Susan, and Judy and Dewey, and then Andy, and so Gary first.

MR. BORLAND: So a couple of points, and one is we heard, from the AP, that I believe electric reels are rarely used for red snapper fishing, in the depths that red snapper are caught, and so I feel like it is -- Trying to do it by depth, the complexity of that, and, obviously, the policing of that is going to be impossible.

Number two, there was a comment about speed, and there is manual reels that are faster than electric reels, and so barotrauma on a reel that is manual is just as easily accomplished as it is with an electric reel, and, three, I would hate to not allow for the activity of swordfishing and deepwater fishing to be achieved by eliminating electric reels for the deep-drop fishery. **I would like to make a motion to accept -- It's Option 1, I believe, to take no action.**

MS. MCCAWLEY: **All right, and so we have a motion to select Alternative 1 under Action 2 as the preferred.** Do we have a second for that motion? It's seconded by Tom. All right, and so it's under discussion, and so we'll continue going through the list here for discussion. All right, and so I have, in the queue, Mel, Spud, Susan, Judy, Dewey, Andy.

MR. BELL: Well, now that we have that motion on the table, I mean, I was going to say that I think, if we wanted to keep this in there, there could -- You could build a case that it would assist in the reduction of dead discards from red snapper, or as well as other snapper grouper species, and I wasn't aware of the speed thing with the manuals, and that's interesting, and so red snapper

are actually out there in waters over 600 feet, and so now you're out there where some of these other targeted deep-drop species are, I guess.

I get that, and you would be, hopefully, achieving some reduction in dead discards of red snapper, but you would also then impose a restriction on deep-dropping for snapper grouper species, and I think the other uses of these devices, for other fisheries, you could deal with that by -- It would simply be a matter of, when you're in this particular area, or this particular depth, whatever that ends up being, you can have the gear onboard, but you cannot be in possession of snapper grouper species, period, but that would, again, cut out the deep-drop for some of this other stuff, and so I could live with it either way.

I mean, I just saw it as a mechanism to achieve some reduction of dead discards for red snapper, as well as other species, but, if my assumption is based on, you know, these devices bring up the fish faster than, you know, a manual reel can, you know, and maybe that's erroneous, and the other thing is that it may dissuade some people from wanting to try that, or they don't want to crank, and so you're basically imposing an inefficiency out there and causing people to want to go out there less to target snapper grouper species. I can live with it either way, but I think you could achieve some benefit from it, if you left it in, and I think you could tailor it in a way to minimize impacts on some of those other fisheries, but you're going to impact snapper grouper fisheries.

MS. MCCAWLEY: All right. Thank you, Mel. Next up is Spud.

MR. WOODWARD: I think I've spoken before, and I think this is opening up a Pandora's Box, and just the fact that we've got all these sub-alternatives, that I don't think we could practically manage anyway, just shows the fact that this would probably not be a very efficacious approach, and I think it would frustrate fishermen more than it would ever produce any tangible benefits, but, that being said, if we wanted to leave it in there, I would say that we make it either you use them or you don't use them, and eliminate the depths, eliminate the geographical things, and just leave it in there as either they're prohibited or they're not prohibited, and that will give you the opportunity to prompt for some more public input, and we've already heard about it some, but give us some more, and so I would be okay with that, although I think, at the end of this, I won't be supporting it, because I don't think that we can prove any benefit from this that equals the additional frustration and limits that it puts on the fishing community.

MS. MCCAWLEY: All right. Thank you, Spud. Susan.

MS. BOGGS: Thank you for recognizing me, and most of my points have been made, and I know, in the Gulf, when we get into discussions, and you start saying, well, make an exception for this, and make an exception for -- You lose the integrity of what it is you're trying to do.

MS. MCCAWLEY: Thank you, Susan. Judy.

MS. HELMEY: I agree with Spud too that either we use them or we don't use them, because you're not going to be able to enforce the use of them, and most people in our area that use them use them for swordfish, or deep-dropping for grouper, and then, of course, if we have the disability thing, you could do -- You're still talking about a bunch of different moving parts that are going to be hard for enforcement, and so I say you either do it or don't.



MS. MCCAWLEY: All right. Thank you, Judy. Dewey.

MR. HEMILRIGHT: I kind of agree with either use it or don't use it, but this still isn't getting to the problem of cooccurring species and catching different things. To me, this is the cart before the horse, and we don't even know our universe, and we don't even know who is fishing, and we don't even know all these other things, but, yet, we're doing all these band-aid -- Just it's almost laughable, for me, to sit here and listen to the discussion of we're going to restrict somebody from a reel, and you can crank one faster, but, yet, you can flip a button, but we don't even know our universe of fishers. We should be focusing more on some type of permit system, some type of who is our universe, instead of worrying about terminal tackle and stuff you can't enforce. It's like we're just wasting -- We're kicking the can down the road, and it's not getting nowhere, and it's wasting time.

MS. MCCAWLEY: Yes, and know that we are going to have that discussion, and that's definitely on the agenda, to talk about that permit, and so it's on our list, and so, yes, that discussion is coming, hopefully today, and I'm hoping we're going to keep moving through these items and that that's coming today. Andy, you're next.

MR. STRELCHECK: Well, the benefit of going late is that a lot of my comments have already been addressed, and so I agree with a lot of the statements around the table. I think this is either you allow it or you don't, right, and I think it just complicates things to impose depth and area restrictions. I give a lot of deference to the AP and their comments, and my own experience, in terms of this -- To me, it's going to have very limited benefit for red snapper, reducing discards, just because it's commonly used for deep-dropping in areas where red snapper are less abundant. **I would like to, I think, make a substitute motion, which is still consistent with Gary's, which is to move Action 2 to Considered but Rejected, and so just remove it entirely from the amendment.**

MS. MCCAWLEY: All right. We have a substitute motion, and it's seconded by Spud. We're getting that on the board. While that's going up, I'm going to continue through the list here. I have Kerry, and you're up next.

MS. MARHEFKA: Real quick, and I have something new, and I support this being taken out, but it might be interesting to revisit this entire topic, sort of to what Chester was saying earlier, when we look at the MSE, what is considered commercial gear, what is considered recreational gear, and this isn't our only shot at it, and it's not going to get us anything here, but that might be a more appropriate time to look at gear issues.

MS. MCCAWLEY: Thank you, Kerry. Next up is Gary.

MR. BORLAND: Just to add to that, and we're probably going to take it out, it looks like, maybe, but people use electric drills with t-handle to -- So then do we have to define what an electric reel is, because you take a manual reel, and you put a t-handle on a drill, and you use that to assist reeling in, and, I mean, it's deep, right, and so food for thought.

MS. MCCAWLEY: Thank you, Gary. Next up is Tim.

MR. GRINER: I would support taking this out, and, along with what Gary was saying, and I will point out that I've never seen an electric reel that didn't also have the ability to pull the power cord off and reel it with your hand, and so, I mean, is an electric reel an electric reel if you don't have a power cord, and so, yes, I would support taking this out.

MS. MCCAWLEY: All right. We've had a lot of good discussion on this action. By removing it, it's definitely a lot less work for staff to get this ready to go to public hearing in January, and then we're set to take final action on this amendment in March, and so following that. Any more discussion? I feel like we've had a lot of discussion in this action.

All right, and so we're at the substitute motion. **Once again, if we pass this, that will become the main motion, and we'll vote on it a second time, and so the substitute motion is to move Action 2 to the Considered but Rejected Appendix. Let's see a show of hands of all those in favor of that motion. All right, and so that was thirteen in favor, and, based on that number, I'm thinking that there are no objections and no abstentions. All right, and so the motion passes.**

**That motion now becomes the main motion, and Mike is trying to catch up here with the typing, and so the main motion is now to move Action 2 to the Considered but Rejected Appendix.** Let's see a show of hands one more time, now that this is the main motion. **All those in favor, raise your hand, thirteen. The motion passes with thirteen in favor and no objections and no abstentions.** All right. I am going to turn it back to Mike to talk to us about Action 3.

DR. SCHMIDTKE: All right. Moving down to Action 3, this would consider a prohibition on the use of more than one hook per line when fishing for snapper grouper species for the recreational sector. The alternatives here are very similar to what was reviewed for Action 2, and so Alternative 1, right now, there is no region-wide prohibition on the number of hooks per line, and Alternative 2 would be a prohibition through the region.

Then there are some draft alternatives, and they're the same ones that I just reviewed. Alternative 3 considers the waters adjacent to state waters. Alternative 4 considers areas based on their depth, and there was a recommendation from the advisory panel for a depth-based alternative to be considered by the council, and so Sub-Alternative 4e here is greater than 150 feet, and that was a recommendation from the AP related to this item.

One of the primary drivers for this depth being selected, from their discussion, was to maintain the use of sabiki rigs to fish for bait in waters that are shallower than 150 feet, but there also were some discussions, along those lines, within the AP meeting, of ways to exempt sabiki rigs, based on possibly hook size or something like that, and so, if the council wanted to go a different route, then that would be another way, but the overall point was that the AP wanted to maintain access to bait fishing using sabiki rigs.

The items here describe how this is approaching the objectives of the regulatory amendment, and so, first of all, addressing the recreational dead discards throughout the snapper grouper fishery. More hooks per line increases the likelihood of catching a fish, and potentially increases the number of fish caught per drop, and so prohibiting the use of more than one hook per line would be expected to reduce the number of fish caught per drop, resulting in fewer fish caught per trip

and overall, fewer fish overall, resulting in fewer discards and the discard mortality rates being applied to a smaller number of discards.

This would also contribute to ending overfishing of red snapper, specifically, as red snapper -- Their overfishing status is primarily driven by mortality associated with dead discards, and so we have some discussion that's really along the same lines for some of these depth zones, and I won't go through all of that, but I will try to point out the places of distinction here, and one place where this is a little bit different than Action 2 is that we have a little bit more information that would support, potentially, the level of change in the catch rate, and that would be coming from data that is available through Florida FWC, as well as the council is conducting a study that's looking at a comparison of single and double-hook rig catch rates, and so there is some actual data that would look at those rates.

This does not provide information on usage, although there was more feedback on usage from our advisory panel on this action than there was on the electric reels, and there were some areas that were noted, specifically kind of north-central -- Off of north-central Florida, where there was pretty prominent use of double-hook rigs by the recreational sector, as well as off of South Carolina, and not every AP member commented, and so it may be more expansive than that, but those were some areas that were pointed out within the advisory panel meeting, and so there is at least some anecdotal information that would potentially inform usage.

There's a bit more studied information that could inform the catch rate differences that are there, and we'll try to -- That study for the catch rate differences is still in progress, and so we'll get final result of that to you all as soon as it's finished up, and we're hoping to get it finished up in between now and March, but that's in progress as well, and so we would be looking to the committee, in this meeting, to provide guidance on the range of alternatives that should be further considered and, if you would like to select a preferred alternative before public hearings, please do so.

MS. MCCAWLEY: All right. Thank you, Mike. Before I go to hands, I want to point out a couple of things, and so Kerry and I were at the AP meeting, and I think that there was a more robust discussion around the single-hook rig setup than there was around the electric reels, and it was kind of more definitive about how people felt about electric reels, versus these single-hook rigs, and so they did go around the table, and anyone that wanted to offer comments, based on where they were fishing, you know where throughout the council's region, made comments.

I would say that there were a number of folks that felt like this would be a benefit, and so just there were some nuances. If you look back to the AP report, it kind of details that, that there were some nuances there, and I also wanted to point out that FWRI has done some research on this in the Gulf, and so it is the Gulf and not the Atlantic, but it indicates that more red snapper are caught on double-hook rigs compared to single-hook, and so I see this action as providing some benefit.

It is thinking about changing angler behavior, and, the less fish that you're pulling up at once, maybe the more effective you are at releasing those fish with descending devices and getting them back in the water for increasing survival, and so I'm just putting that out there, and I wanted to try to direct you over to the specifics from the AP and bring up a study that was done by FWRI in the Gulf. I saw hands go up. Chester, and are there others? Spud and Gary and Mel. Chester.

MR. BREWER: I had a question. When we're talking about double-hook rigs, are we talking about a rig where you've got mainline and then you've got a single hook with a leader coming off and another single hook down here, or are you talking about what commonly is done in, particularly with the headboats in the area that I'm in, and we have what we call triple rigs, and that's three hooks that are joined together, and then you rig sardines to that, and I just don't know what we're talking about here when we're saying double-hook rigs.

DR. SCHMIDTKE: Thank you, and we can certainly clarify that we're talking about multiple separate rigs, and so they're single-hook, but they are separate rigs, and so it would be the former of what you were talking about, where you have that single -- That single-hooking portion of the hook, and there are at least two of them that are attached to the same line.

MS. MCCAWLEY: Go ahead, Chester.

MR. BREWER: Can that be, you know, I guess clarified in the language here?

DR. SCHMIDTKE: Yes.

MR. BREWER: Good. Then the other thing is I think that, with regard -- If we're going to prohibit, or talk about prohibiting, those kinds of rigs, the ones where you've got single hooks that are spaced out on a main leader, when you have a concern with sabiki, and I think that is a concern, a better way to control it is with hook size, I think, and not with depth or anything like that, because you've restrained it to like Number 4, Number 6, and Number 8, and then you're going to have -- You know, that's the typical sabiki hook size, and it's not really used for anything else, you know, and so, if you put that exception in, that's going to be pretty clear, and it's going, I think, work better than trying to do some sort of depth regulation or that sort of thing.

MS. MCCAWLEY: I have concerns about depth as well. Okay. Back to my list here. Spud and then Gary and then Mel.

MR. WOODWARD: This is another Pandora's Box. I am sitting here and considering that, okay, I use a variety of different sabiki hook sizes, because, if I'm trying to catch blue runners, hardtails, I am using a sabiki rig with bigger hook sizes, and, all right, what if I catch a bank sea bass on a sabiki rig that I would like to use as bait, and, well, now I couldn't technically have that, and I've got to chuck it back, because it would be -- You know, I would be disallowed from having that.

I don't know, and I think -- Then you've got lots of commercially-produced double-hook snapper rigs that the public is going to be out there buying, and they're going to be going, but, wait a minute, I just bought this at the Bass Pro Shops, and it's a snapper rig, and now you're going to write me a warning, because I'm not supposed to be using this, and, I mean, it is -- There is myriad complications from enforcing this and educating people about it, and, in the end, can we measure success? Can we measure that we've made a difference?

Intuitively, we may know it, but we live in a world of being able to prove what we know and not so much going with what we think we know, and so, again, if we're going to go forward with this, I think it becomes an either/or thing. The more you try to divide this up by depths and geography, the even more complicated it gets for people that might be trying to understand what they can and can't do.

MS. MCCAWLEY: Thank you. Gary.

MR. BORLAND: Sort of to Spud's, I think it's an either/or, or we have to have -- To be able to define -- I am all for reducing the pressure on red snapper, of course, but this one, like Spud says, is wide, right, and there's everything -- How do you tell a fisherman, you know, enforcement-wise, that -- I'm in 300 feet of water, fishing for tilefish, and I'm not really fishing for red snapper, and I drift into a hundred, and you've got all that kind of scenario.

Then, to Chester's point, unfortunately, sabiki rigs, the Japanese sabiki rigs, the hook sizes are opposite the way ours go, and so you try to eliminate hook sizes, and you've got one going in one direction and one going in the other direction, and so I don't even know how you define that one, and so I guess what I'm saying is, like Spud said, it is complex, and I don't know how we would put the guardrails around it.

MS. MCCAWLEY: Mel.

MR. BELL: This is very similar to the discussion we just had, and the one thing about this one -- We went down this road, and, when you say a two-hook bottom rig, I know what that means to me, in my region and the way we fish, and out to a certain depth of water, and you're not necessarily targeting grouper and things out there, but there's so much variation from North Carolina to Key West, in all of this, that different things mean something to different people, and it just -- Maybe it's just too complicated, and too confusing, and too taxing, from an enforceability standpoint.

I guess I am questioning the validity of even leaving it in at this point, but, again, the intention was to -- It's kind of that basic math thing. If you're bringing up two fish at one time, now you've got to deal with two fish and get them back down, perhaps, and, if it's only one, it's half the number, and so it's an imposed inefficiency in your extraction rate out of the water, but it may just be way too complicated to try to -- Because, whatever we do, I think, honestly, we should do coast-wide. If we start getting into off of South Carolina, versus off of Florida, that gets to be a nightmare as well, and so I guess where I'm going with this is I would be willing to consider pulling this out as well, but then now we don't have much left in there, but then what?

If you don't have that in there, what would be in there, and then what would be in there is perhaps addressing dead discards takes us back to descending devices, which is already something that we've promoted the use of, required the use of, and perhaps we put something in there to enhance the -- You know, the descending device usage, and, in other words, something like Dewey was talking about, is more rigs per -- Some calculation of you've got to have so many on the boat per number of passengers or something.

Then, also, again, identifying -- Being able to better identify discard rates and things, and that takes us into a discussion this afternoon about permitting and all, but, if you pull this out, you've basically got the ABC in there, which we have to do, boom, and then what have you got left, and so, before I would -- Maybe a little more discussion, but I'm at a point where I'm about ready to consider yanking this one out as well.

MS. MCCAWLEY: Mike.

DR. SCHMIDTKE: Thank you. I just wanted to remind folks of the timeline that you all have set, and just remind you of the IPT's abilities in all of this, and we can delete things very easily, but, if you're talking about replacing them with a whole separate action, and have it ready for public hearings in January, because that's when we would have to conduct these hearings, that's not -- We're not going to be able to get that done in that timeframe, and so there would also need to be accompanying discussion about an alternative timeframe for this action that may extend further than March of 2023, and so just keep that in mind as you all discuss which actions should be in and out. If there's going to be any additional alternatives, or additional actions, that's something that we would need an extension on the timeline, to be able to fully develop.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: I will talk with my enforcement colleague at the break about this, but, for Alternative 2, you know, we could define "line" and we can define what one hook per line means for you all, if you're going to continue to consider it, and so the action, or the alternative, is to prohibit more than one hook per line for the recreational sector to fish for snapper grouper species.

When you're talking about this other kind of hook, I guess, that's used for bait fish, when I look at the regulations, I don't think you can bait fish for snapper grouper species, and the snapper grouper species has to be a minimum size, and you're supposed to keep the fish intact when you possess it, which means when you hook it, right, and get it onboard, and so we're not talking about bait fishing for snapper grouper species, and so I don't know that you would need an alternative in here to allow bait fishing, you know, a different kind of thing for bait fishing, but that's just something to think about as we're going forward.

MS. MCCAWLEY: All right. We've got people in the queue. I have Tim, Judy, Andy, Dewey, Spud.

MR. GRINER: I could go either way with this, leave it in or take it out. You know, at the end of the day, I don't think that the SSC is going to have any use for this, and it's not going to mean anything to them, but I do want to point out that I think you're really opening up a can of worms, like Spud said.

I mean, I know plenty of anglers that fish exclusively with jigs, with stinger hooks on them, and you're going to try to eliminate almost every commercial jig on the market, and there's other lures out there too that are made with more than one hook on them, and they're widely used. Not everybody fishes with bait, and so I really just don't see the utility in this, and, as Spud said, this is -- It is unenforceable, and I don't see how you could do this.

MS. MCCAWLEY: Judy.

MS. HELMEY: Very good point about the jigging, but we're already restricted to the type of hooks that we can use to target red snapper and grouper, the red snapper and grouper, and so we're only able to use circle hooks already, and I do think there is some benefit in a single-hook bottom rig, if we can classify what that actually is, and a lot of people only use one hook to target, and I

know that I only use one hook to target large snapper and grouper, and so I'm sure there might be some benefit from it, and so I'm going to say that maybe we should consider it.

MS. MCCAWLEY: Thanks, Judy. Andy.

MR. STRELCHECK: I would speak in favor of keeping this in the amendment. I think, unlike the previous action, this has some quantifiable benefits, and Jessica did lead with some research and information that shows that this would reduce at least catch rates, and essentially the discards that are associated with catching more fish with multiple versus single hooks, and we seem to be kind of digressing into the details of how a regulation will be written, and I agree that the devil is in the details and that we need to probably work on some of the specifics here, some of the issues that are being raised, in terms of how we would quantify that regulation.

I would not want to allow that to prevent us from moving forward with a regulation, and so much of what we do is difficult to enforce to begin with, and it requires buy-in and compliance from anglers, in terms of the regulations, and so I think keep that in mind, and then removing it -- I would be very concerned, in terms of the record we've then built for addressing overfishing at that point, because we will have spent a year-and-a-half to essentially modify the ABC, and so I think it's important that we keep this in here and get public input, and, obviously, we can decide on a preferred now or at a later date.

MS. MCCAWLEY: Thank you. Dewey.

MS. HEMILRIGHT: I think there's ways to craft language for a single-hook rig, or a type of gear, and I know, in the pelagic longline industry, there is -- We're allowed three different types of hooks, and it's all been crafted on the size of the hook, the different measurements of the hook, and things like that, and, at the end of the day, if this was not -- If this committee decided not to go with this action, you could always do like ICCAT does and make it a recommendation to use a single-hook rig, and it seems like that seems to work for the CPCs, as I'm laughing a little bit and saying how it's a recommendation, you know, to get there, but I think there's ways to craft this language to look at something, and particularly when you look at species, as you get out deeper, where you're only allowed one fish, three fish, or something to that aspect, and I think you could also -- It would be helpful to that, also, to give that some relief. Thank you.

MS. MCCAWLEY: All right. Before I continue going through my list, I'm going to go to John.

MR. CARMICHAEL: We may have to get out of at least one weed patch to point out that the regulations on the circle hooks refers to fishing for snapper grouper, using hook-and-line gear with natural baits, and you're required to use a circle hook, non-offset and non-stainless-steel. If you go to the single hook, all you would be doing is applying to using these circle hooks with natural baits, and you can only have one hook per rig, and it would not say anything about sabiki rigs, because there's nothing about that in circle hooks, and it wouldn't say anything about jigs, unless you're putting natural bait on your jig, and then, in which case, you would need to be putting a circle hook on your jig, to have it work in the first place, but I don't think that's what people are doing. Those types of things are not covered under your existing regulation, and so they wouldn't need to factor into this regulation.

MS. MCCAWLEY: Thank you, John. All right. I have Spud and then Trish and then Mel.

MR. WOODWARD: I was going to bring up what John just said, and, you know, the devil is in the details, and I think, when you take something like this out to the public, you owe them as much specificity as you can. Otherwise, you just elicit a knee-jerk reaction of, oh my god, these people have lost their minds, more than they already have, but so, perhaps in the language of these alternatives, we need to put it in there make it clear that one hook per line by the recreational sector to fish with natural bait, to complement what John just said, because we may know that there is a linkage there, but the public is not going to know that there's a linkage there.

Back to the issue of bait, and I guess I need some clarification, because I think, if you catch -- The disposition of a snapper grouper species is up to you, and so, as long as it's compliant with the law, if you choose to use it for bait, is that prohibited? You can't use a legally-caught snapper grouper species for bait?

MS. SMIT-BRUNELLO: You're looking at me, Spud, and so I will jump in.

MR. WOODWARD: That's why I'm trying to -- Because you were mentioning about the --

MS. SMIT-BRUNELLO: Well, it would have to comply with the size limit. If it was legal, I guess you could do with it what you want, and you could eat it at-sea if you wanted to, as long as it met the minimum size limit, and, you know, there is the landing fish intact, but, I guess, you know -- I will talk with my enforcement colleague and you at the break, but, as long as the fish is legal when you catch it, yes, I guess you could do with it what you want.

MS. MCCAWLEY: I guess I would ask about 622.186, about landing fish intact in the South Atlantic, and there is a phrase in there that the operator of the vessel that fishes in the EEZ is responsible for ensuring that fish on that vessel in the EEZ are maintained intact and, if taken from the EEZ, are maintained intact through offloading ashore, as specified in this section.

MR. WOODWARD: So that means that you catch a bank sea bass, and you cannot put it on a circle hook and put it back down there to catch a grouper, not legally? Boy, that's going to be an eye-opener for some folks, when they realize that.

MS. SMIT-BRUNELLO: I believe, years ago, someone was charged, before my time, with consuming their catch at-sea, in violation of this, and I believe that that case was not favorable for the agency, when it was ultimately concluded, but I will get back with you on that.

MS. MCCAWLEY: Okay. I'm going to go back to my list. Trish and then Mel.

MS. MURPHEY: Well, after listening to all the other comments, I'm really just going to support the same thing, and I think this needs to stay in, and maybe, in my simplistic look at all this -- My take is it's obvious what a double rig is, versus what a sabiki rig is, because, I mean, even within the sabiki rigs, aren't there different little hooks, hook types and everything, and so maybe, like Andy said, the devil is in the details, but it just hits me that a single-hook rig is obvious, and a double-hook rig is obvious, and a sabiki rig is obvious, and so that's my two-cents.

MS. MCCAWLEY: All right. Going back to my list. Mel.



MR. BELL: Backtracking on my earlier whining about this, and so we've taken out Action 2, and so we don't have to worry about analysis or anything with Action 2, and so my question would be, if we leave this in, and we leave it in as it's presented right now, with a lot of alternatives and sub-alternatives, is that an okay level of -- For analysis. In other words, we're still trying to keep on this March time track, and so, if we leave it in, with that degree of specificity, and let -- Because this is going to hearings, to let the public do whatever they're going to do with it and say whatever they're going to say about it, but is that a reasonable level to still manage and get us -- Keep us on track?

DR. SCHMIDTKE: So we would need a decision on what, if any, of those draft alternatives, and so the latitudinal north/south lines or any of the depth lines, and do you want any of that in, because, if you don't, then we remove that, and we just go with Alternative 1 or Alternative 2, and we go to public hearings with that, and that's something that we kind of left the door open for you all to decide at this meeting, if you want that in or not, and then we would have direction on how to proceed from there.

MS. MCCAWLEY: All right. Let me try to facilitate the discussion of kind of where Mel is going here, and, just to let you know, as soon as we get done with this particular action, then we're going to take a lunchbreak, and so we're just trying to get through this, and so, right now, in this action, the first alternative is no action, and the second alternative is basically to prohibit this use throughout the entire council region, at all depths, and then you see, on the board here, that we need to figure out are Alternatives 3 and 4 in or out, because that affects the analysis, and so Alternative 3 would be to just prohibit this off of certain states, or, if you look at Florida, regions with a state, and then Alternative 4 is getting into at various depths, like we had talked about on the previous action.

I heard some of you saying either it's all or nothing, and, if that's where we're going, then I think you only need Alternative 1 and 2, although I'm kind of glancing at Monica, if we're not having enough range here, and so I heard some of you say that. If that's where we're going, then we don't need 3 and 4, but I am putting that out there for discussion, and so what do people think? Do we need Alternatives 3 and 4? I feel like this is just muddying the waters, but do we think the public needs to see this and talk about off of only certain states, or only certain depths, when it goes out to public hearing in January, and so thoughts on that? Spud and then Mel and then Andy.

MR. WOODWARD: I am really hesitant to add that much more complexity to something that's already going to be complicated. You know, I would say removing the geographical and the depth -- The depth thing is just a -- That's a nightmare, and geography has got its own problems, but I would -- I don't think this would suffer from having those removed, because what we're getting down to is a is it good or is it bad, and let's just keep it simple.

MS. MCCAWLEY: Okay. All right. Over to Mel.

MR. BELL: I didn't like the breakdown geographically, and that would get really confusing, but I think, if we take it to the public, the public is going to be like a massive AP, sort of, and so you heard the AP go through a lot of this, in detail, and, again, from wherever they happened to be from, and so you would probably get the same the same of thing, and it would get really confusing across the entire geographic region, and so I would be okay with taking the Alternative 3 stuff out of there, myself.

The depth, again, you're trying to deal with reducing dead discards, whether it's red snapper or other species, and, you know, do we really have a problem with barotrauma less than 150 feet, or less than a hundred feet, and, in other words, could we draw a line, and then you still allow some of this usage inside of that, because you're not so much worried about the barotrauma there, but I can take the depth out as well, but, I mean, there is a point where the depth is important, just because, maybe inside a certain point, you don't really have an issue with barotrauma to create dead discards.

MS. MCCAWLEY: All right. As I'm going to continue through the hands, I'm going to see if maybe someone wants to make a motion that would do something with 3 and 4, and so, Andy, you're up next.

MR. STRELCHECK: I'm not ready to make a motion, but, in speaking to 3 and 4, I think this really comes down to what are we trying to achieve, and, if it's specific to just reducing red snapper discards, then I think there is at least some geographic consideration as to excluding areas where red snapper do not occur, right, and southeast Florida really being that primary area, or at least less abundant.

With the depth restriction, yes, in terms of Mel's comments, you have barotrauma considerations the deeper you go, but the problem I'm having with the depth restrictions is most of the fishery is occurring in the shallower water, and so we're trying to lower the number of encounters, the number of fish that are ultimately just being released, and so I don't see a lot of value, at least in the range of the depth restriction, and so I'm more of the camp of, you know, Alternatives 1 and 2 and not considering more details for 3 and 4.

MS. MCCAWLEY: All right. Thank you, Andy. Next up is Dewey and then back to Spud.

MR. HEMILRIGHT: I have one question, particularly to the areas in North Carolina and the Mid-Atlantic Council management of black sea bass above 35,10, or 15, and so, if this was to -- How does that work, or would work, for the Mid-Atlantic Council, where they manage black sea bass, and, also, north of that area, also, is particularly blueline tilefish, and it's not -- There's no grouper, and there's not no red snapper, and so folks would have a single-hook rig, and they're allowed three fish, and they have a season, and I'm just wondering about that, for particularly the part about the Mid-Atlantic Council and their management of black sea bass north of 35,15, I believe it is, or 35/10.

MS. MCCAWLEY: Thanks, Dewey. Monica has her hand up.

MS. SMIT-BRUNELLO: Dewey, I think, to that point, the fishery management unit for black sea bass, for the snapper grouper fishery, the South Atlantic, it only goes up to that point, and so anything north of that wouldn't be affected by this, at least for black sea bass.

MS. MCCAWLEY: All right. Back to Spud.

MR. WOODWARD: Thank you, Madam Chair. **I would make the motion that we move Draft Alternative 3 and Draft Alternative 4 to the Considered but Rejected Appendix.**

MS. MCCAWLEY: All right. We have a motion, and it's seconded by Kerry. We've had some discussion. Monica, you have your hand up.

MS. SMIT-BRUNELLO: You asked me before about whether -- I guess, under NEPA, whether the range of alternatives was sufficient, and I think you've made a good -- I've heard some real good discussion as to why Alternatives 3 and 4 aren't particularly reasonable at this time, and so I think you're fine if you went this way, and I think you're fine with just Alternatives 1 and 2.

MS. MCCAWLEY: All right. Thank you, Monica, and so we've had a lot of discussion on this, if folks have any additional thoughts, and so, once again, this would move Alternatives 3 and 4 to Considered but Rejected, and this is under Action 3, and so this would not go out to public hearing. Any more discussion on this? Mel.

MR. BELL: Then the -- I guess, when we get into the regulatory language, at some point, that's where all the details of what this means, specifically as applied -- Okay.

MS. MCCAWLEY: We also -- If you noticed, Mike was taking some notes of some of the various points that you guys were wanting to clarify for the public, and so he made some notes up above in the document, and we would be trying to clarify some of those things, and there is the list that he would clarify when this goes out to public hearing. All right. Any more discussion on this? All right. **Is there any objection to this motion?** All right. **Seeing none, that motion carries.**

I am going to pass it back to our Chairman to talk to us about lunch. I'm sorry. Dewey, did you have something? We're going to go back to this. Just to clarify, when we come back, we'll still be in Amendment 35, and we've got some more things to do and more discussion to have.

MR. HEMILRIGHT: I need to ask a question about our social tonight before we break.

DR. BELCHER: Okay, and so we're looking at quarter after twelve, and we've been giving ourselves an hour-and-a-half, and I'm assuming that we still need to stick with that, for folks' experience outside of the hotel, because we ate in yesterday, and so let's go ahead and say come back at quarter to two.

(Whereupon, a recess was taken.)

DR. SCHMIDTKE: All right, and so we've been in conversation with some of the state reps about whether they would want hearings in-person or online, and where these hearings could be, and so what we are looking at is three hearings during the week of January 17, and these would be in-person hearings, and these would be held in Pooler, Georgia; Charleston, South Carolina; and Morehead City, North Carolina. Then three hearings in Florida during the week of January 23, and these would be held in Jacksonville, Cocoa Beach, and Key Largo. Then there would be, additionally, be a webinar hearing, and we would be looking at holding that during the last week of January, and so there would be a total of seven hearings, six in-person, and one of those being a webinar.

MS. MCCAWLEY: Just a question for you, and so, previously, we had talked about gag being in-person, but this is going to be in-person, Amendment 35 would be in-person, and then gag is going to be webinar now, and is that the plan?

DR. SCHMIDTKE: Yes, that's the plan, is for gag to be webinar hearings now.

MS. MCCAWLEY: So both gag and Amendment 35 would be set for final action at the March meeting, and is that right?

DR. SCHMIDTKE: Correct.

MS. MCCAWLEY: Okay. I am looking around -- Now that we have all the information, I'm looking around the table, to make sure that people are okay with that. Kerry.

MS. MARHEFKA: (Ms. Marhefka's comment is not audible on the recording.)

DR. SCHMIDTKE: There's a good chance that, if we hold a gag and red snapper joint public hearing, that one of those amendments is going to drown out the commentary of the others, and so, to be able to give each amendment the attention that it needs -- That's why we decided to do that, and then, you know, simply the timing, as far as holding the number of public hearings that we would potentially be holding in-person, versus online, and there just wasn't enough time to have in-person gag hearings in addition to in-person red snapper hearings.

MS. MCCAWLEY: Okay, and so are folks okay with that gameplan? I am looking around the table, and I don't see any hands going up, and so I'm going to assume that people are okay with that. I see heads nodding yes. If you are okay, then I think that we need a motion to approve this document to go out to public hearing. Does anyone want to make that motion? Mel.

**MR. BELL: I would move to send the document that we just worked through out to public hearing.**

MS. MCCAWLEY: Okay. All right. It's seconded by Spud to approve Regulatory Amendment 35 for public hearing. We're just having a discussion up here, and so a reminder that all of the outreach pieces of this amendment that were in the appendices -- That's in the Outreach and Education Committee, and so that part of this document will come before the council this week in a different committee. Okay. Any more discussion here on this motion to approve Regulatory Amendment 35 for public hearing? **Any objection?** All right. **Seeing none, that motion carries.**

All right. I think that staff want to talk to us a little bit about the white paper that they are working on, and we talked about this at the last meeting, and so I think that -- All right. Mike is going to talk to us about the white paper.

DR. SCHMIDTKE: Thank you, Jessica, and so I'm just bringing up the motion that you all passed, during the last meeting, directing staff to develop a white paper that would evaluate longer-term options to avoid, or minimize, discards of snapper grouper species, and I'm just bringing this back up for your attention, noting that the staff time, at this point, has been kind of locked-in on Regulatory Amendment 35, and in order to get it to the March 2023 deadline, and that's something that we'll continue working on, and this was something that you had asked for, and I guess we wanted to bring up, given the time that is being spent on the variety of projects that are going on right now.

Is this something that the council needs staff to continue doing in the same timeline, and that would be something that would really stretch us, because the same staff that are working on Reg 35 would be the ones that would be working to put together this white paper, at least from the council end, and, if this is going to be something that gets taken up by other agencies, then maybe there's something there, but, right now, both of the co-leads from the SERO end and from our end are working on Reg Amendment 35.

MS. MCCAWLEY: There is the motion from the last meeting, and so, if I understand it correctly, are you suggesting that this come back after the March meeting, or are you suggesting that this is now part of the MSE, or kind of what are the next steps, if it doesn't come back in March?

DR. SCHMIDTKE: Well, I guess I would be asking the -- Asking the committee if this is something that you all still want staff to work on, given the fact that a lot of the items that would be addressed in this white paper will be more fully addressed in the management strategy evaluation process, and that's kind of the long-term part of this ending overfishing of red snapper, and that will touch on snapper grouper species as a whole as well, and so, given that there's a great amount of overlap, and we will know more, after going through the MSE, than what we know now, in order to develop this white paper, is this something that you all just want to kind of direct to fold into the MSE process, or do you still need it in the near-term? I am looking for direction on how we should prioritize our time and our efforts.

MS. MCCAWLEY: All right. Thanks, Mike. All right. Mel and then Spud.

MR. BELL: So it sounds like the MSE process would better inform the questions and the things we were dealing with here, and so, logically -- Again, it's still important that we deal with this, and we're thinking in that direction, but it sounds like maybe it would be best to allow this to feed off of the MSE process, and so get that underway and completed first.

MS. MCCAWLEY: Okay. I have Spud and then Andy.

MR. WOODWARD: It sounds like, based on what Mike just said, we could stand-down on this, for the time being, and free up staff time to work on other things, and specifically the MSE, and then use that to, like Mel said, come back around and give us more of a comprehensive perspective on things.

MS. MCCAWLEY: All right. Thanks, Spud. Andy.

MR. STRELCHECK: I am concerned that we have really high hopes for this MSE, and we're putting all of our eggs in one basket, and I think a white paper like this can also be informative to the MSE process going forward, and we just spent a tremendous amount of time, this morning, talking about some of the challenges with discards, and, to me, the sooner we get going on talking about that, and some of the possible solutions, the better. My staff has already been working on some of these ideas, and we stand ready to assist the council staff in helping to develop the white paper, and so I would recommend not delaying.

MS. MCCAWLEY: I see more hands. Dewey and then Kerry and then Mel.

MR. HEMILRIGHT: Given the limited knowledge I have, or a little bit, enough for myself to be dangerous, with the MSE, there's going to be a little bit of a learning curve of exactly what the MSE does and what can be used, for the strategies going forward, and so anything that could help beforehand, similar to this white paper, I would agree with doing, and it might would help inform some of the MSE, and, not only that, but you're going to also have to be understanding exactly what the MSE can do, and the limitations of it, and how it's going to go forward. We're having - - I had a little bit of learning of it with the bluefin tuna, which I still don't understand, but that doesn't mean nothing, but I'm just saying that I think this would help to continue this on, because it fleshes stuff out that could be useful for the MSE. Thank you.

MS. MCCAWLEY: I know we're going to have a discussion about MSE after this, and so maybe we revisit this, but Kerry and then Mel and then John.

MS. MARHEFKA: With all due respect though, I think that I would -- I am not in support of this white paper moving forward at this time, and I want this MSE process to work, and I feel like it's just going to kick that can further down the road, and Jessica and I had the privilege of seeing the contractors do a presentation, and I know we're going to talk about this later, but, based on what we saw at the Snapper Grouper AP meeting, I feel really positive about what we can do with it.

I don't feel it's sort of the big, worrisome thing that we all think it was, because, once those guys sit down and talk to us, they make it seem very doable, and anything else, until we get to that, is a band-aid, and I don't want to wait any longer, and so I would not be in support of using staff time to do this.

MS. MCCAWLEY: Okay. 10-4, and, also, we'll have this discussion about timing of all the items when we get to Full Council, later in the week, and we look at the priorities, but I wanted to start this discussion now, and so the folks I have in the queue are Mel, John Walter, and then Tim and Trish.

MR. BELL: Thanks, and so the problem with the way this is worded is the white paper, and we would review it, in March, and so that presses as an imperative on staff, and so they can still be in the context of moving the MSE forward, and our staff and other staff working together, and some of these things may come out of that, and they could be captured, but you don't maintain the necessity to have this thing finished by March, and so I would say, without delaying, you could still kind of -- To the degree that staff can support it, you're doing some of this while you're working through the MSE process, and I don't fully understand that, and so I wouldn't consider it delaying, but I don't think holding them to finishing this white paper by March is a good idea, just given staff limitations.

MS. MCCAWLEY: I saw Andy put his hand back up, and another thing that Kerry and I were hoping is that, at the March meeting, that we could bring in the contractors, and you all could see a more robust presentation and talk to the contractors that are working on the MSE, because the Snapper Grouper AP spent hours on this, and it was very informative, and it helped us to see kind of how it's going to work, for them to go through the whole process, and it wasn't really on the list to come to the council, but, after Kerry and I saw it, we felt like, since this will really be one of the first big MSEs that we would do, that it might be informative for that to come to the council. All right. I'm going to go back to the list. John Walter, Tim, Trish, Andy.

DR. WALTER: Thanks, Chair, for the opportunity to weigh-in here. Having just completed the bluefin MSE, and chaired a lot of the meetings that that went through, both with the commissioners and with scientists and stakeholders, I can say that it's an ambitious project, and any more information that can be brought to the table is valuable, and I can see the utility in this, in the sense that the contractor, who is quite competent, and I know them well, and they did the bluefin MSE, in fact, is going to ask, well, what management options are even on the table, or possible, and I know that there's a lot of management options that seem unpalatable now, but those are still things that need to be evaluated, to show if they are indeed unpalatable or not once we've identified what the conceptual and operational management objectives are and looked at the real tradeoffs.

They're going to go to -- Who are they going to ask for the management options? They're going to go to Andy's shop and say what are options on the table, and they're going to go to the council and ask what are options on the table, and, without having some suite of things there, it's going to then say, okay, well, can you go develop that, and the question is do you start on that now, or do you delay it, and given, I think, the anticipated completion date for this, and I think it's like mid-2024, we don't have a lot of time, and so delaying anything I think is just going to be --

It will kick that down further, in terms of completing it, and knowing that the bluefin MSE took eight years to complete, and I know that you don't want to wait eight years, and you would like to have something that's implemented a lot earlier than that, and so I would support at least embarking upon this, to outline what the options are, because I think that will be informative, to start talking about them. Thanks.

MS. MCCAWLEY: Okay. We've got a lot more folks in the queue here, and I just felt like there are a number of amendments, and we're going to finalize a couple, hopefully, this week, and then a couple more at the next meeting, and it just seemed like there would be a lot more staff time freed up after March. I will just put that out there. Tim, Trish, Andy, and then Spud.

MR. GRINER: I kind of feel like we need to work on this as well. I mean, you know, I've had two runs at the presentation from the contractors with this MSE, and the last one -- I don't know how it's all really going to play out, but, you know, at the end of the day, I think the SSC has to bite into this MSE approach, and I didn't exactly get that warm-and-fuzzy feeling that this is something that is really going to be readily accepted, without a whole lot more work, and anything that we can do to shed more light on this process, and help it move, I think is a good thing.

MS. MCCAWLEY: Thanks, Tim. Trish.

MS. MURPHEY: I don't support doing this, and I didn't support doing this when we voted for it last time, and I just think it's pulling staff away from working on the MSE process, and, I mean, spending time on A35, and we'll be working on Amendment 46, and, I mean, we're not really putting all of our eggs in this MSE basket, and we've got other things going on too, between 35 and 46, and, I mean, whenever we get the red snapper count, and I just think staff time is better spent working on other things besides this, and I just think this is just going to steal away staff time, and I'm not really convinced that we'll get much more information than we already know from here, and that's my thoughts.

MS. MCCAWLEY: Thank you, Trish. Andy and then Spud.

MR. STRELCHECK: Maybe a couple of comments and then a question. The motion, and now coming full circle with it, when I made it, I was, I think, more definitive, and it got watered down to “begin development”, right, and so we’re not talking about finalizing it, and we’re talking about beginning development, and I really feel strongly that this is important, to take final action on Framework 35, and continue the momentum, in terms of addressing overfishing.

To me, there is no higher priority right now, in the South Atlantic, than figuring out how to address dead discards, and so, to me, as much time and effort as we can put into that, to be strategic and thoughtful, in terms of how we’re going to manage this fishery going forward, is really critical.

I keep hearing comments about staff time being used for the MSE, and I am curious, from John or Mike or others, and, I mean, how much time are you spending on the MSE, and what are your expectations, in terms of staff workload and time, going forward, and how that engagement will also relate to my team and staff working on the MSE?

MR. CARMICHAEL: I mean, as mentioned, we’re going to have more of a discussion on this later, and I think Chip can talk more about it, but, in general, we have a contractor that’s working on this, and the purpose of that is to limit the staff time. We’ll help facilitate, through them, you know, getting input from the constituents, and being able to provide input on things that were mentioned about what the management alternatives are, and a lot of different management alternatives have been talked about around the table, and there’s some that have been pursued more than others, and I would say, in general, you know, if the question is what are they going to evaluate through the MSE, I would say, any council members that have ideas, that you feel like may be worth pursuing for this discard problem, that maybe you haven’t thrown onto this table in a public meeting, feel free to reach out to say Chip and let him know about it, because, yes, if we want to find out what’s palatable or not, I think that would be a really good step toward that part of this particular motion.

I think, despite the things that are important, we also have amendments that are under statutory deadlines, and amendments that we need to get done, and so, while we have a discard problem, the reality is this is a discard problem that’s been decades in the making, and we all know we’re not going to solve it overnight, and we can’t stop doing all the other stuff that we’re doing as we work on this one problem, unless you all say do this, you know, and let all these other amendments sit by the wayside, but what we’re just trying to be honest with you about now, so you can think about it for Friday, is that we cannot meet the obligations for the Snapper Grouper FMP, the things that you’re going to go through this week, this committee, do the public hearings that need to be done, and come into the March meeting.

You’ve got the holidays, which slows down everybody’s work a little bit, and this meeting is in early March, and we’ve already got a full slate of hearings and meetings and other things, and we’re having SSC meetings and AP meetings and other things going on in January, and we’re going to have the busiest January we’ve had in years, and so we’re just trying to say, from the South Atlantic Council staff perspective, you’re going to have to make some hard choices as to whether we do all that stuff or we do this, and so we’re just feeling like -- It’s just really being honest.

We could say, okay, we’re not going to deliver it in March, and we’re going to work on it, but I will be honest with you. We’re not going to work on it, and we don’t have the resources to work



on it. If “staff” is a royal staff, and the agency has people who can begin working on some of this stuff, and getting information together, then, by all means, I think that would be great, but I’m just trying to be brutally honest with you guys about where your staff is, in terms of meeting the obligations that you’ve already put on us.

MS. MCCAWLEY: Thanks, John. Andy, did you want to respond to that, and then we’ll go to Spud?

MR. STRELCHECK: Yes, and I’ve always intended this to be a royal we, in terms of staff working on this, and the “begin development” certainly can be interpreted many different ways. What I was going to suggest is maybe table this conversation until we get to Executive Committee and talk about, obviously, if we prioritize this, what falls off the plate.

MS. MCCAWLEY: Thank you, Andy. Good suggestion. Spud.

MR. WOODWARD: I think there is -- If I look at this motion, when did we make this motion? At the last meeting? The intent is, I guess, the start date, whatever that means, for the MSE is when?

MR. CARMICHAEL: It’s already in progress.

MR. WOODWARD: So it’s in progress, and I think maybe some of the wording of this is a little bit confusing too, because it almost -- It’s like it’s asking the staff to evaluate things, more so than to identify things, because I think, in order to inform the MSE, it’s more about identifying options, because isn’t the MSE going to be contributing to the evaluation of the merits of options? How laborious is it -- I mean, we’ve already talked about a lot of things that might, and might not, be feasible in the future, and, I mean, how difficult is it just to put that list together, to make sure that the MSE managers have it available to them, to know what’s inbounds and what is out-of-bounds, and so I don’t know, and I guess I don’t know -- I have never been through an MSE, and so I’m not sure, but, I mean, I can certainly understand the need for them to have clear guidance on what to focus on and what not, but --

MS. MCCAWLEY: All right, and so I think we’ve had a lot of good discussion around the table, and so the next topic on the agenda is the management strategy evaluation, and so I think we table -- Nice transition, you guys, and so I say we table this discussion until we can get to later in the week, and let’s go into this update on the management strategy evaluation, and so I think we’re going to start with Chip first.

DR. COLLIER: Thank you. I really appreciate all the conversation about the MSE, and it sounds like it’s very timely that we’re giving this information to you guys. If you remember, back in December of last year, it’s when you guys agreed for us to embark on this MSE process, and so we did the first six months of doing the contracting and getting the people hired, and so now we’re into the second phase, where they’re beginning to develop it, and, when you’re thinking about an MSE, it’s almost like you’re putting together a big party, and you come up with a menu for the party in the beginning, and so the stakeholders are coming up with the menu to evaluate.

These are the items that are important to them, and so they went to the Snapper Grouper AP, at their October meeting, and got a lot of ideas for the menu, and so the next thing they did was they

went to the SSC, and so they basically took that menu and went to the chefs and said, all right, can you make this, and these are the parts that are important, and so they also have a technical working group that's going to be working on this, trying to get everything worked out, making sure that the menu that the Snapper Grouper AP applied for it can be cooked and they have the materials to cook it with.

That's what we're going to be working on next, is figuring out what can be cooked, what the model can do, what components are available, and then bring it back to the Snapper Grouper AP and see if that is exactly what they're thinking, if this acceptable to them, or adjust it, and it's going to be a long process.

Blue Matter has agreed to work with us, trying to develop as much as possible, being flexible and trying to figure out what are key issues in the South Atlantic, what data is available, how things can be modified, based on their base model, in order to get all this worked out, and so we're trying to do it in a public forum.

You know, we have the stakeholder workgroup that, if they're going to be meeting, they're going to be meeting in a public forum, and we have a technical workgroup that's generally made up of agency staff and council staff, in order to guide the development of the models, looking at the available data and trying to make sure we're not giving out any confidential data or anything like that, and so we're trying to keep it all narrow and focused with the technical working group.

We also want you guys to be involved as well. Like John said, if you have any questions, in regards to the MSE, or any issues that you're having with the MSE, please reach out to me, or even Bob, and, you know, they're going to be very involved with the MSE, and so let him know what issues you're seeing with it, but, with that, that was the introduction that I just wanted to give to you guys, and it's going to be a long process, and let's work through it, work through it together. If you're seeing any issues, please do not hesitate to speak up to us. We are all learning.

MS. MCCAWLEY: All right. Are there questions for Chip? I saw Spud's hand go up.

MR. WOODWARD: To follow your analogy along, ultimately, it will be our decision to decide if we want to eat what you all are cooking, right?

DR. COLLIER: Yes, and, I mean, that's an important component, right? You've got to make sure that the stakeholders are engaged in providing feedback on exactly how they're seeing their fishery develop, but there also is the governance issue. Can you even get these things in place that they're coming up with?

MS. MCCAWLEY: Mel.

MR. BELL: So the SSC are the cooks, or what is the role of the SSC, and what is the role of the contractor? Is the contractor just a facilitator or what?

DR. COLLIER: So the contractors -- Maybe that was a bad analogy there, where, yes, the contractors are really the cooks, but the SSC helps to cook it too, and they're going to be doing some of the reviews and making sure -- Maybe they're more like the USDA, making sure that they're using -- They are looking at the ingredients going in, and they're acceptable.

MR. BELL: Or they're DHEC, and they're checking -- So you want an A on your door, right, and not a B.

MS. MCCAWLEY: All right. Are there more questions? Yes, John.

DR. WALTER: Thanks, Chip, for that update, and we're very supportive of this process, and, in the SSC report, we have an MSE strategic plan that the center has put together, and supporting the MSEs that are done by the councils is definitely part of that, and so we stand ready to support it, and I think we've got a couple of people on the technical team, which is great, Cassidy and Scott and Erik, and so I'm really happy about supporting there, as best we can.

One thing that I think -- Because this is such a new process for many of us involved, and every MSE is unique and designed to solve the problem that is presented for it, and should be developed specifically for that, is if there is -- Maybe a guidance document would be useful for this that outlines what the process is, what the roles and responsibilities of the different players are, and where they are going to weigh-in, because, I think, from going through this, that was very useful for our decision-makers for the bluefin one, to say here are the specific points where this group is going to weigh-in, and here's where the SSC is going to weigh-in, and here is where the council is going to weigh-in.

Whether you are advising or deciding at each place is very useful, because that outlines that decision process, and, ultimately, it is exactly what Spud said, that this council will choose the management procedure, but there are different steps along the way that the SSC and that the AP will be play a role in, and I think that guidance document could be very useful for us, and I guess what I would like to see is maybe a motion to produce that guidance document, if possible, and so that would be a friendly suggestion, a recommendation, for that.

MS. MCCAWLEY: Thanks for that recommendation. I think that maybe we want to hear from Bob about the AP input, and then Jeff on the SSC input, on this, and then we can go back to that, because I think that Kerry and I wanted to propose an idea about another piece of this that could come to the March meeting, and so maybe we can roll that in together, but I am going to pass it over to Bob to talk a little bit about what the AP's thoughts were on the MSE.

MR. LORENZ: Thank you, Madam Chair. I will just state that it's kind of just a little disappointing that you weren't getting the presentation here today, because I truly wanted to watch you as you got this, based on the fact that Kerry and you got to watch us at the AP.

Around this table, the way I'm seeing it, you know, a lot of you are professional fisheries managers, and so you're proven -- To get there, you had to have science, technology, and math-type backgrounds, which seems to be baked into this a lot, and it reminds me a lot of statistical process control, and understand our AP, when we did it, and a lot of -- They're all stakeholders, and they're all stakeholders because of the fish, and you don't need to be a STEM graduate to be a phenomenal commercial fisherman, or recreational fishermen, or run a headboat, or have a for-hire boat, and so they probably had a little bit of difficulty understanding it to give any real commentary or feedback.

Basically, what I can tell you is that the AP was positive, in general, on this, and they looked it, and I will tell you a little more why, but they were positive, and they were accepting of it, saying, you know -- Thinking this could be a way to go, but understand the stakeholders like the wiggle room things that came out of the presentation for that, and some of it -- I can't give you more feedback, and like, for instance, I think people basically liked it, because, in chairing the meeting, at some point -- I wanted to stop anything of what I call negative output, and I asked people to ask questions to understand what this is all about, because it's fairly technical.

These guys broke it down, and Dr. Carruthers and Dr. Hordyk did a really good job, but, you know, if you're scientifically or technically oriented, it's a little easier to get your arms around this, and it looked a lot like what the AP might like is that it maybe smooths things out in management measures, because it looked like it asked you to think of all the various scenarios, and the things that can come into play to affect your original pathway, and your original objectives, and so you have this plan on where you want to go, maybe in the recovery of the fishery, but how it gets down, when it gets to the AP, is, oh, so you don't necessarily get upset the minute something happens that you didn't really like, because you baked some of that into your planning, your scenario planning.

If you had a snapper season, for say a weekend, and it's so beautiful that we all overfish it, that doesn't -- The way the AP would see it is, oh, does that mean the accountability measures don't kick in and that we reduce it next year, because you should be looking a little more long-ball at this, and where is that trend going, and you do expect a year of unusually good fishing, but don't forget that, later on, you're going to have a balanced year of a little less fishing.

When that was presented, and those are the kinds of things the AP looked at, you know, the smoothing that sort of thing out, and I would personally reflect a little bit, I think, and something that maybe would help out, and it's not on this AP, but remember -- I think it was eighteen months, or a year ago, and it seemed like everybody was up in arms about dolphin, and that seemed to be a little less this year, and so it seems to take into account things like that, and so that's the impression that I got, and that's the impression that a lot of the AP got.

They got to understand it a little more, because these two fellows that came in, they spent a lot of time even socially with the AP afterwards. After we ended, even though it was a few hours, they spent a lot of time, pre-dinner, having a beer and talking with people and explaining things and boiling it down a little more, to where your stakeholders, people basically interested in having and taking fish, were part of this process, and I know a few of us actually looked and said, how does this fit, and, of course, maybe, in a way, we were thinking, a little bit, can you game it a little bit, and how do you --

How does this fit in with the Magnuson-Stevens Act, and so like, for myself, I wanted to definitely review that and see where that works with respect to a lot of us got the opinion that, once you set out this management plan, you don't react so quickly to any aberration you may see in a very short timeframe, and that's about the best I can do for what the AP said with that, and it was -- Like I said, it's a little scientific and statistically-based, and, you know, that isn't the top skillset for the majority of the members, and so thank you.

MS. MCCAWLEY: Thank you, Bob. We have some questions. Dewey.

MR. HEMILRIGHT: I am trying to figure out the reason for a management strategy evaluation, and it's because we don't have all the data gathered needed for certain things, and I might be off, but was there any input from them explaining management strategy evaluation where you had one group that their catch, and different things, was pretty well accounted for, and, the other sector their catch, discards, and other things had a widely flexible and PSEs and everything else, and how did they say they mull that into a management strategy evaluation, because, if you're not going to be able to account for the stock, and so, therefore, you're not going to be able to -- If you can't account for the stock, even though you have certain placeholders that fit into the recipe, how are you going to be able to come out with a management strategy evaluation?

I probably need to spend some more time with the management strategy evaluations, because I just don't -- I've got a lot of difficulty with how this management strategy evaluation works with snapper grouper, given the big differences between the accounting of the catch of two sectors, and, even though you talk about -- You know, somebody was asking about gaming the system or something, and it's this management strategy is what you plug in to see, but we don't have -- We don't know about one side, and we've only got guesstimation, best available guesstimation, and so how is this management strategy going to spit something out?

It's not like you're given 1,300 metrics tons of bluefin tuna quota in the U.S., and you go between different groups, and they're accounted for in different ways, and that's pretty accounting, and that's how you evaluate something, but I just -- It's going to be really interesting in how the sauce is made for this particular -- For the snapper grouper management strategy evaluation, because I don't know if the management strategy evaluation authors realize just how difficult this specifically is here in the South Atlantic. There probably wasn't no question there, and it was probably more a comment, but just it's difficult.

MR. LORENZ: Well, I can tell you, Dewey, there certainly would be people, like yourself, that were on the AP thinking of this. When this was presented to us, understand that this is so new to this type of a crew that it took a lot for them just to really understand what these two gentlemen were talking about, to really -- To try to even understand what the MSE is, and so that nobody really came up with challenges like that to in our discussion, and we needed most of the time we had, in the couple of hours, just to understand what they were telling us, for the average person.

There is, exactly, yes, in the AP, every single meeting, there is the undertone, with the constant sore spot between those two, to say that we are managed and accounting for every fish we take, and here's a large, ever-expanding group that comes and goes and vacillates, and they are totally unaccounted for, but nobody on the AP brought up that kind of a question, and it was really --

It took most of what they had to listen and try to understand just what the guys were saying, and, you know, they came down with more positives that you feed in all these things, but I will tell you the way that Dr. Carruthers and Dr. Hordyk kind of said -- It almost led me to believe that that very factor, at this time, that you don't have a great accountability of what the recreational sector is doing, would be one of your inputs, along with some kind of input on the ever-rising participation rate at this time, and so it seems like -- To me, this could take into account a perfect world, where we all account for every fish, with very tight, you know, limits and control factors, or it's a hybrid between where some of you are very highly accounted for and someone like myself is not.

MS. MCCAWLEY: Go ahead, Dewey, and then I'm going to let Chip respond.

MR. HEMILRIGHT: I was wondering, and is there going to be some more outreach, or public sittings, with the MSE, with the authors of this stuff, to further ask questions, or maybe there need to be something like where, after three months, there is a webinar or something to ask these type of questions, as they developed, instead of, all of sudden, piling on with what I have interest in, or discussion, and I'm just trying to figure out how to best approach these, but something has got to be built first for me to be able to -- Not me or others to ask the questions that I am looking into asking, because I just -- There is a big disconnect of where we're at, in particularly snapper grouper in the South Atlantic.

DR. COLLIER: I mean, I think they've picked up on some of the issues that you brought up, was the recreational data is a little bit more challenging that the commercial data, as far as the accuracy, and maybe the precision, of it, and so that is something that can be built directly into an MSE, and, when you're talking about you want to have basically the car built before you can really comment on it, but they're thinking about it in the opposite direction.

They want to know what you want to evaluate, like John said earlier, and they need to know kind of what you want to look into, in order to build the best car, and is it going to be a race car, or is it going to be an offroad car, and they need to kind of get that direction on how to build the machine, and that's what they got a lot at that first Snapper Grouper AP meeting, and they're also going to be presenting at the next Snapper Grouper AP meeting, talking with them, and then we have a stakeholder workgroup that we're going to be talking with as well.

If there's any time that you want to talk to those guys, I mean, those are opportunities, and they're going to be public meetings, and so you would be able to get your input there, and, if you have any questions about what they presented, we can definitely get you, I guess, a recording of the meeting, and I thought they did a wonderful job, and, looking through some of the animations and stuff like that, I think it helped explain exactly what an MSE can do.

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

MS. MARHEFKA: Jessica and I really got a lot out of their presentation, I have to tell you, and I know, you know, all Bob's comments about the AP are accurate, and Tim and I have different reflections on how much the AP got it, and I think a lot of what -- But I think a lot of what happened also happened after hours, and so, anyway, Jessica and I talked, and we thought it would be really great if this body could see that presentation. It was too informative, I feel, for this body not to see it, and both of the contractors are very, very good at talking to regular folk, I find, because it worked for me, and I'm pretty regular.

**I understand that, to bring them in, and maybe there's budgetary concerns, and so maybe it's something that we need to formalize, and I'm not sure about that, but, if we need to formalize it, I would move that we have the MSE contractors come give us the presentation in March, because the SSC has seen it, and the AP has seen it, but we haven't seen it, and it's just -- It's good.**

MS. MCCAWLEY: All right. We're getting that motion on the board there. While it's being typed up, do we have a second for that? It's seconded by Trish. All right, and so the motion is

there on the board, to schedule the management strategy evaluation contractors to present at the March 2023 council meeting. That was a motion and a second. Mel. It's under discussion.

MR. BELL: I was just -- What you're referring to, is that available online, or can it be made available, and I'm just looking at timing or whatever?

MS. MCCAWLEY: That's a great -- We had this discussion, and like, if we just provided these PowerPoints to the council members, would that be enough, but we didn't think that that would be enough, and we felt like the actual discussion, and the back-and-forth, asking the questions and getting the answers and going to the next step, is going to be a lot more informative than just looking at the PowerPoint. Some of the slides are just pictures.

MR. BELL: So it's not like the seminars we do, where the whole thing is recorded and you have the -- It's just literally a PowerPoint? Okay.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: Just a suggestion. Given that this so important, and that the results are going to be very important for you all, please schedule enough time for the presentation and the back-and-forth that's going to happen, and maybe do it early in the week, so that people can have plenty of time to interact with these folks, because Kerry said a lot of it maybe occurs even after hours, in terms of discussion, and so I really -- Nobody wants to stay too long during the week, right, into Friday afternoon, but it is in Jekyll, and it might be a good time to stay a little bit longer, if it was helpful.

MS. MCCAWLEY: All right. Wonderful. **Thank you, Monica, and so we just added "in-person", just so it's clear that we're talking about the contractors being present in-person, and not over a webinar, to do this presentation.** Any more discussion on this motion? **Any objection to this motion?** All right. **That motion carries.** Dewey, do you have more questions, before we go to Jeff to hear what the SSC had to say about the MSE?

MR. HEMILRIGHT: I do, and how is this -- How are we going to get buy-in from the public on this type of stuff, as you go forward, and when is like the public going to have a first presentation on MSE, just in general, strategy, and not exactly what the end product is, because, sitting around the room here, we can agree and disagree on things, but there's a problem of buy-in, and, if you can't sell the product, sometimes it's hard to sell it around the table, if constituents don't want to buy it, and so what type of thing is going to be done for the public to be able to see management strategy evaluations and to comment on what their thought is, because, you know, I see a possibility, with some of this management strategy evaluation, just thinking out loud, is somebody is going to be catching less fish, and, with less fish, you don't get buy-in, and so I'm just curious of how the council and SERO is going to sell this, or be able to do something to the public to understand management strategy evaluations.

DR. COLLIER: So, like I've said, this is going to be a public process, and we're going to be doing it at the -- Using the Snapper Grouper AP as really our sounding board, as far as the stakeholders, but all these meetings are a public process, and we're going to be using information that we even gather during our public hearings for Reg 35. You know, if there are some ideas that the public is presenting on ways to improve discards, we can potentially put that to the Snapper Grouper AP

stakeholders, you know, is this a good idea, and how do you guys feel about this, and really try to figure out exactly what needs to be evaluated, and so it's going to be a building process, and we're going to be taking public comment throughout the way.

We want as many comments as we can get, and, you know, really try to evaluate as many scenarios, but, you know, there is a limit on how many things that you can do at once. We are building a tool that can be used for -- Hopefully, in the future, it's going to be adjustable, and so maybe we don't answer all the questions with the first MSE, but maybe we can do it on a second one and answer some additional questions.

MS. MCCAWLEY: All right. Mike and then Mel.

DR. SCHMIDTKE: Just, in addition, a reminder that the MSE is not the regulatory process. It's a tool being used to develop things that could be considered for a regulatory process, but it would still need to be followed by an amendment, which we would go through our normal amendment process of -- Likely, some of these public meetings could probably count for scoping, to some extent, but we would definitely need to have public hearings, and they will likely be, you know, involved there, and the council is going to have to go through their decision-making process of what pieces, coming out of the MSE, are then going to be implemented into management, and so there will be public involvement in that process as well.

MS. MCCAWLEY: Mel.

MR. BELL: I thought maybe where Dewey was going was just kind of considering that this is a new tool, and a new way of doing things, and, yes, this isn't the regulatory process, but maybe it was just of a basic introduction to the public of what an MSE even is, and I know we've talked about them before as something -- If you had -- Again, going back to our seminar series thing, where, if you had like a recorded, very simple and straightforward MSE 101 presentation that was posted on our website, the public could just say, oh, that's what they're talking about, you know, the steps, and this is what is involved, because, you know, they may be thinking that, oh, this is a new thing that they're going to do, and somehow I'm not going to get as many fish or something, but I thought that's what he was getting at.

DR. COLLIER: Sorry about that. I answered the wrong question, and I apologize, but John Walter did give us a really good presentation on MSEs, and we do have that recorded on our seminar series webpage, and so maybe we can move that out front and make that more available, and, that way, people can get an introduction to MSEs.

MS. MCCAWLEY: Dewey.

MR. HEMILRIGHT: Yes, that's what I was trying to get to, to explaining to the public, and I know -- That would be good, to see John's video, or whatever he did for a presentation, but a presentation for the public, and so that gives them a little introduction into it, and so I think that would be a good idea. Thank you.

MS. MCCAWLEY: All right. I am going to keep us moving here, and I'm going to move on to Jeff to give us the SSC feedback on the MSE.



DR. BUCKEL: Thanks, Jessica. All right, and so, to echo what others have said, the SSC received a presentation, and we felt it was excellent. The authors really broke things down and explained how the MSE was going to work, and even used examples from gag and red snapper, and so that was really helpful, and so we didn't have any comments on the model structure, and it's the standard MSE approach, but we did have comments on uncertainties and data inputs.

My first -- I have six slides on this, and I'm going to talk about some uncertainties for them, for the authors, to consider, as well as three slides on data input, and so, first, on the uncertainties, the stakeholder response to management policies isn't always as predicted, and so that's part of this process, right, a management procedure, and then they're going to assume some response from stakeholders, and that is not always predictable, and so just giving them warning about that, the uncertainties there.

The discards are not well understood, and they change through time, and so that affects the ability to predict fishing mortality, which we all know here, but it's good to make them aware, and recruitment uncertainty in our species, and many marine fish, is a pervasive challenge, and so that is certainly something they're going to have to capture in their operating model, having different sensitivities to low and high recruitment, for example.

Interactions between species in a multispecies fishery is an issue, as you all know, in the South Atlantic, and so which species are they going to include in the multispecies MSE, and issues with stakeholders switching species. When you reduce the harvest on one -- Folks switch species, and so that needs to be accounted for, and then we have a lot of data-limited species, and then, you know, some of these management procedures that have been discussed, either SMZs or small MPAs or larger spatial closures, those have spatial considerations, and there is uncertainty there, right, and our stock assessments currently don't include those.

Some other recommendations related to uncertainty are incorporating cooccurrence of species, the spatial and temporal differences in species, and differences among fleets, to investigate best time steps to use in the model, as they may differ by species, and so shorter-lived species, like a black sea bass, may be a shorter time step than longer-lived species, like a snowy grouper. This was related to model structure, and one of our SSC members recommended considering Bayesian modeling as part of updating the management strategies, inverse sampling for rare species, and then some time series approaches in the modeling.

Then the last comment from the SSC, related to uncertainty, was to -- For the authors to consult research recommendations from past SEDAR stock assessment reports to determine what has and has not been addressed regarding uncertainties.

All right, and so the next question we addressed were what are the primary concerns with the data sources, and so, again, the level of detail needed for the spatial analysis in the MSE -- If there is management procedures that require spatial closures, for example, and so, currently, the spatial distribution is not integrated in stock assessments, and, if they're basing the operating model on that -- To bring in the spatial management, that may require some -- Looking at some other data, and so fishery-dependent or fishery-independent data.

Another data source to consider is the socioeconomic data over time, and so fuel, unemployment rate, market prices, and that might help, and then the discussion you just had, in terms of the

stakeholder input, and I fully agree, or the SSC fully agrees, that getting input from other sources, in addition to the advisory panel, and so citizen science data, fishery performance reports, and then being transparent of all the different ways the input is obtained, and having a record of that would be important.

Another concern the SSC wanted to, you know, make clear to the authors is, in the South Atlantic, catchability has changed over time, and so, if they did consider use of some fishery-dependent indices, that they need to be aware that the -- Effort thirty or forty years ago is much different than effort at present day, and the current effort is much more efficient, because of marine electronics and vessel positioning systems.

Another concern is, you know, our assessments do not include changes in environmental conditions and how that might impact recruitment, or productivity, of the stock, and so there is evidence that -- We have some more recent evidence that changing environmental conditions are influencing stocks, and so we have no background for the magnitude and directionality, in terms of how species are -- The changes in abundance or distribution, and so that's really an uncertainty, but looking for potential signals that they could bring in as input.

Then, related to the last slide on the socioeconomic data, that the full SSC recommended that the SSC's Socioeconomic Panel also tackle this and provide feedback for the -- To the authors for the MSE, and then the last item on primary concerns with data sources is for -- The SSC recommended the authors look at the range of sensitivities from stock assessments to inform configurations of MSE simulations and to address uncertainties, and I believe that's my last slide. Yes, and so I would be happy to answer any questions.

Also, I would just echo -- I agree that the council should receive the presentation, and I expected that you would receive that and then the SSC would provide this feedback, and so some of this probably doesn't make sense, to many of you that haven't seen the presentation, but I am happy to, you know, come back, after you see that presentation, and after the SSC has talked about this more, and so I look forward to working with you on it.

MS. MCCAWLEY: Thank you, Jeff. Any questions for Jeff on this? Okay. I don't see any hands. Okay. To go back to what John Walter brought up earlier, maybe direction to staff to put together -- I don't know what to call it, but an outline, and a timing list, for what the various phases are of this process, and, Chip, do you have some suggestions on what to call this?

DR. COLLIER: Like John had mentioned, a guidance document, and I think we can call it that, and, you know, given that Blue Matter was the one that helped work with John on developing the bluefin, I imagine they already have a guidance document kind of developed, and so we can use their template, and then work from that, in order to fill out exactly what we're going to do in the South Atlantic, in order to help guide you along the process and make that available, and I'm starting to think -- This might be a surprise to Nick, but maybe we need a webpage on this, in order to make all the information available and a little bit more easy to access at one point.

MS. MCCAWLEY: Yes, and I think that's a great idea, because I don't want it to be lost that we have this recording of this presentation that seems to fit right in line with what Dewey was suggesting, and so maybe that's also direction to staff, is to put that in a more prominent location on the website. Monica.

MS. SMIT-BRUNELLO: Chip, I'm sure you've mentioned this before, and so my apologies, but, other than HMS doing this for bluefin tuna, has -- This council is the first council to do this, and I don't think so, but maybe you could remind me.

DR. COLLIER: So New England has done one for herring, and the Mid-Atlantic is in the process, or has completed one, for flounder, and I believe it's been used on the west coast as well, and so there's definitely examples of these being used in the past.

MS. MCCAWLEY: All right. More hands. Monica and then Mel.

MS. SMIT-BRUNELLO: So, again, you've probably done this already, but are there any lessons learned from those experiences that this council could use to make the process even better, given what these other two councils went through?

DR. COLLIER: Yes, there's definitely lessons learned, and we've been looking through those, in order to avoid them, and, you know, one of the key things is to have a facilitator that can communicate to all groups, and that's one of the things that we've done, is we've hired Kai Lorenzen as one of our facilitators, and he's a great communicator of science, and he speaks well to the fishermen as well, and so not only do we have Blue Matter, that has great communication skills, but we also have Kai Lorenzen, that's going to help us work this thing out, and so that's one of the things that we've done.

Getting as much public involvement as possible is going to be another key component, and so we're trying to do that through the APs, trying to make as many people aware as possible that we're going through this process, so they can provide their comments, as needed, but, yes, we'll definitely look through that a little bit more, and, you know, any guidance that people have, and like Dewey has been involved with the flounder MSE, and, you know, any red flags that he can throw up is always good, to make sure that we try to avoid them.

MS. MCCAWLEY: All right. Anything else on this? Mel.

MR. BELL: Just going back to where we started, I think, if I understand this -- So the way I was looking at it first is we had tasked staff, potentially, with a deliverable in March that was this white paper, but it sounds like the things that were in there are going to sort of be generated organically as, you know, the Science Center, or a contractor, or staff work on this, and then it will be captured in this guidance document or something, and so we're still moving things along, and pieces are coming in as they need to come in, and so we're really achieving what we wanted to achieve, but it's just that it doesn't look like a formal -- You know, we're used to dealing with amendments, and pushing things along, and you hand us a document, and it moves along, and so it's not quite that formal of a process, but it's going to all happen as you move through this, and so we're kind of covered, is what I'm saying.

MS. MCCAWLEY: Tim.

MR. GRINER: Mel, are you referring to the motion that we had earlier about a white paper?

MR. BELL: Yes, that's what I'm saying, is it's not a structured white paper that has to be presented, or initiated, for presentation in March, and, I mean, you're going to be working on all this stuff, right?

MS. MCCAWLEY: Tim.

MR. GRINER: Okay. I understand that, but I think you heard, from the SSC, that one of the challenges that we're faced with here is this issue of discards, and so, if this white paper helps move this MSE approach to wrap its arms, or to include this big problem of uncertainty with discards and changing discards over time, then then that's worthwhile, because I don't know that, if some time isn't spent on that issue alone, that that's just going to resolve itself through the MSE process.

MS. MCCAWLEY: Mel.

MR. BELL: So then what is the guidance document to inform a process?

DR. COLLIER: It's basically a process timeline. It's just trying to get things done, and so, a little bit to Tim's point, you know, you're using your stakeholders to guide the development of this, and it can be a little bit challenging, because it's not necessarily -- MSEs aren't designed to be a top-down approach, and so the council kind of getting input along the way is going to be good, but not controlling how it's being developed, and we want it to be developed through the stakeholders, through the APs, and through the public comment, making sure that we're evaluating everything that they think is most important.

Then, the governance part, we do have to put guiderails on it, somewhat, but, you know, it's good to evaluate everything that they are saying that's important to them, and that's how you're going to get the buy-in, because you're providing them feedback. This is exactly what we're looking at, and we looked at what you guys thought was most important in the fishery, and we tried to address it, and, based on this MSE, this is the ideal situation that could come out of it.

MS. MCCAWLEY: All right. I don't see any more hands. Chip, I really appreciate your discussion on this, and Bob and Jeff, and I think we're ready to move on to our next item. Let's take a ten-minute break, and then we'll get set up, and we'll move to the next item in the agenda, which is recreational permitting and reporting, Amendment 46.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. Come on back to the table. We're going to get going here again. We're on Item Number 3 for the Snapper Grouper Committee, and we're on recreational permitting and reporting. All right, and so the first item on the agenda is the Private Recreational Permitting Advisory Panel report, and we have a presentation, and I believe that Amy Dukes is going to give us that presentation.

MS. DUKES: Thank you, guys, very much for having me present today, and sorry this information was a little bit late to come to the table, and so I'm going to be doing the presentation from my kitchen table and not enjoying North Carolina with you guys, and so just a quick presentation, and we're going to do an overview of our last advisory panel meeting, and you guys actually did a

great job, this morning, of foreshadowing a lot of this next conversation, in your Amendment 35 discussions, and I'm excited for you guys to continue those conversations about Amendment 46, and so the advisory panel met via webinar on November 21.

This was the second meeting of our minds, and we first met back in August, and that information was presented to the council meeting at your September meeting. The items, during this particular call, included some general housekeeping, and there was a need to elect a chair and a vice chair, and I am glad to announce that Luiz Barbieri has accepted to serve as the chair of this AP, and I am serving as the vice chair. I will extend Luiz's apologies for not being able to provide this presentation himself, and he had a previous work commitment that he could not get out of.

In addition to Luiz and myself, I just wanted to remind the council of the other AP members, and it is a great mix of both state and federal partners. We have John Foster, Kai Lorenzen, Brandi Salmon, Bev Sauls, and Geoff White who also serve on this advisory committee. Our meeting was really to collect some comments and recommendations for you guys to review, based on some questions and some guidance that you asked of us to review after your September meeting, and I also want to give a moment to say thank you to both John Hadley and John Carmichael for all of their guidance and their role with this AP.

This advisory panel really discussed permitting and reporting, and there were times where we wanted to discuss them separately and then also cohesively together. When we talked about the idea of creating a snapper grouper permit, we thought about how could it improve catch and effort estimates, should it be a vessel-based permit or an angler individual-based permit, keeping in mind that the permit would have to a regional utility, and we talked about things like when it should be renewed, and how long the permit should be good for, if there should be a fee associated with that permit, and if there was an opportunity to have some education certification along the way. When we talked about reporting, we thought about the necessity of reporting, how we were going to validate that reporting, and if that reporting should be mandatory or voluntary.

Let's just jump right into the questions, and the first question that you guys proposed to the AP was how can a permit, without a reporting requirement, potentially be integrated into the existing MRIP sampling framework and the Florida State Reef Fish Survey to improve the accuracy of landings and discard estimates, and so I think the first thing is, yes, a permit can be incorporated into both of these existing sampling frameworks.

Specifically to MRIP, it would allow for us, or MRIP, to gain a more precise estimate for that private catch and effort. However, the magnitude of how it would improve those estimates is really difficult, right now, to quantify, because it's a theory, and the permit idea is still in the works, but we would rather you guys think about, if a permit were to be initiated, it would be putting the foundation in place for us to then be able to determine the opportunities that it will do for the improvement of those catch and effort estimates. We also like to discuss the long-term value of a permit, and kind of that take-home message was very positive, that, whether it was in the existing survey or the sampling design, or if a specialized program was developed, to sort of capture the data from a permit, if it were to be put into place.

From the Florida Reef Fish Survey, that is currently a survey that is angler-based, which is stratified based on our state vessel registration information, and this is a really good thing, because, if a vessel registration number was tied to a vessel-based permit, then Florida would be able to

incorporate this sampling into their already-established platform for their survey, and we could use vessel registration numbers as a way to identify those that are not yet in their existing database and be able to do some education right there, when interacting with anglers, but all of it could be used to improve those estimates.

The second question the council asked for guidance on was for us to discuss the pros and cons of a vessel permit, versus an individual permit, and it was previously recommended, by the AP, that a vessel-based permit would be preferred, and the reason being is -- I'm going to kind of go over the pros, and that is that it would help with the validation and the survey design, and it would consist of an existing permit, or it would be consistent with the existing permits that SERO already issues, and they're all vessel-based at this point. It perhaps would lower the administrative burden, and there would be fewer permits being issued at the vessel level than the individual level, and vessel permits wouldn't negatively impact any other existing programs right now.

In addition, sort of the cons of a vessel permit are vessel registration numbers needs to be tied to a permit, and it would have to be incorporated into the existing Florida state survey, and there are some limitations there with U.S. Coast Guard-documented vessels, and Florida, in particular, Bev Sauls, said it could be a challenge, but yet was very confident that it could be worked out.

A vessel-based permit would be different than what's sort of happening in the Gulf of Mexico region, where most of their state-based efforts and surveys are at the individual level, and the federal-based effort would be somewhat of a disconnect there, and then there may be a loss of some audience, because the shore-based component would be left out. It was noted that there are some fishing piers where snapper grouper species are being caught, and it may not impact catch, but it would definitely impact the discards associated with some snapper grouper species.

Question 3 was can a permit be developed for potential use in other regions, perhaps the Gulf of Mexico or the Mid-Atlantic, to ensure consistency and standardization, and we, as an AP, felt that there was an absolute need for coordination and ongoing communications with all the regional offices, and specifically the State of Florida, since they already have some permit requirements and endorsements in place, as well as the other states, keeping in mind that timeliness and information sharing is all advantageous. We actually had folks from the Mid-Atlantic tilefish permit come and present, as well as the SEFHIER staff come and present, because lessons learned can be shared, which would be of significant value for this process moving forward.

We'll keep moving, and Question Number 4 was what are the desirable terms and frequencies of a permit renewal? The AP felt that it would be best to recommend an annual permit. That way, we could help to purge out inaccurate, or inactive, vessels over time, and the timing of that permit -- It was general support of a renewal on a calendar-year basis, rather than perhaps like a 365 days from date of purchase, and, currently, there are other platforms that use that calendar year, and HMS is one, and I think the calendar year really would be mindful of the intent to be able to integrate this information with the FES, the Fishing Effort Survey, and the fishing modes that are already in play, and an annual expiration also sort of helps with a timely manner, and so you're looking at is it a stable group of vessels that are entering this fishery, or are those vessel changing through time, and then, from a constituent standpoint, it's a lot easier for folks to remember to renew a permit, or a license, if it has a specific timeline.

I actually gave the example of, for South Carolina DNR, a couple of years ago, we shifted to a 365-day recreational license, and, about a year-and-a-half into it, there was a large uptick in the number of instances when law enforcement would interact with constituents whose license, fishing license, had expired, and it was just because they kind of forgot, and so having that set date might make it a little bit more mindful for folks.

Also, under the renewal platform, when you renew a permit every year, it would allow for a quality control mechanism to be in play for permit holder information, and we all know that boats change hands, and they change ownership, and people move, and this would allow us to recognize those vessels that are leaving the fishery, changing hands within the fishery, to really be able to document that change over time, and an annual renewal would allow us to keep that in mind.

Moving on, Question Number 5 was does charging a nominal fee effectively reduce oversubscription, as well as what sort of information may be available for the topic, and so we're going to jump into the pros, and a nominal fee would not necessarily eliminate oversubscription, but it may serve to be a valuable tool. Florida noted that, if a fee is associated, they can actually have their vendors, for their licenses, sort of prompt folks, to say, hey, do you need this given permit too, or what about this license that you may not be considering.

From sort of the other side of the house, the cons, reporting could reduce oversubscription, if reporting were to be associated with the permit, one and the same, but the fees collected from a federal permit don't actually support the permit program, and we had Jessica Stephen on the last AP call, and she piped-in to let us know that all the fees associated with the SERO permits don't come back to SERO, and they go into a big pot of money, and it wouldn't actually be used to support the implementation and the management of a vessel permit.

Then we did talk about other existing groups that are already having sort of a fee, or a stamp fee, associated with their conservation, and it sort of gets to that second question about available information. The Florida snook stamp, and some of the federal duck stamps, are there, and they may incur oversubscription, but it's not always necessarily the case.

Question 6 had to do with weighing-in on the efficacy of an education certification as a proxy for a permit, and then we also discussed the mandatory versus voluntary measures. An education requirement, or a certificate, has to be mandated and required, and it would not be able to be an adequate substitute for a permit, and it's pretty much kind of a one-stop shop. The AP felt it was really necessary to require some sort of education, and the AP felt, very strongly, that this education requirement would pair well with a permit, and potentially, for both new and renewal processes, it would open up an opportunity to educate anglers about best fishing practices, go over some of the species in the snapper grouper complex that are not necessarily as widely known.

With spadefish, I can't tell you how many people don't know that spadefish is part of the snapper grouper complex until a conversation is had, and we talked about descending devices, and you guys talked about that this morning, and it could also promote other resources that are advantageous for recreational anglers. Like Fish Rules, and we're still trying to get that into everybody's hands, and we keep saying, hey, don't forget to go to this link, and download your app, and it may be able to help with some of that oversubscription, especially if we sort of followed what some of other federal partners have done. With Highly Migratory Species, if you purchase a recreational angling, or a charter boat/headboat permit from them, you watch a video, and you

answer some very general questions about it, but you're getting in front of that audience every single time.

One thing that we did think about, as an AP, is, if a vessel permit was the pleasure of the council, moving forward, you might need to discuss who needed to obtain the certificate through the process of the permit, and would it be the vessel owner, the vessel operator, or, at minimum, at least one person aboard the vessel.

Moving on to Question 7, would there be a utility in implementing a permit without a reporting requirement, and, yes, yes, and yes. Absolutely there would be considerable utility in implementing that permit without a reporting requirement, and I will go back to what we started this conversation about, improving estimates, and just being able to identify the universe of anglers could be very helpful for MRIP and S&T, to start to use some of that data in the catch and effort estimates. Exactly how, we don't know, but is there utility, and is there a way to incorporate that? Yes.

It would provide a greater benefit for implementing reporting in the future, rather than immediately, if that, again, is the pleasure of the council, and the permit sort of, again, builds that foundation for reporting, and it builds a rapport with the constituents, and little things like, even on the permit application, asking how many anglers typically fish on your boat, when you're snapper grouper fishing, is a question that none of us can really answer, and we have an opportunity to just ask one question and get an answer that could have some really good utility.

Then, when developing a permit, there does need to be some sort of understanding that reporting requirements may be in the future, and this is sort of the hook, and it's a way to leave the door open, to say we're going to go down this path, and we're going to have a permit, and we're going to see how it goes, and there might be some reporting down the road, and it keeps the constituents engaged in the process, to make sure that they have an opportunity to provide to the process as well.

All right. Question Number 8 is what are the considerations for implementing a reporting requirement that can be validated, and the AP felt that it would require a great deal of resources to validate data that was being reported. Compliance tracking would be expensive, both in the funding and the labor, the personnel that it would take to do that, and implementing reporting at the same time as a permit could be complicated, and we could use that utility of the permit from the very beginning if we don't get the buy-in from the constituents.

Just having the permit allows us to think outside the box, and perhaps a survey could be designed that would be a better route than a census, if we could then target those permitted audiences with the survey questions, to sort of figure out what might be going on when they're offshore fishing, but that thought process of, again, laying the foundation first, with the permit, and then perhaps reporting on the backside, is really a lot of the conversation that the AP was having.

Then, last, but not least, this is the last question that the council provided to us, which was to provide some guidance and discuss the pros and cons of a mandatory versus voluntary reporting requirement. The AP was recommending at least some level of mandatory measures for framework for providing some structure in reporting, if implemented. If we went down a path of just strictly voluntary data, voluntary reporting, it's definitely going to get a little cloudy, and



perhaps some limited uptake, and it may not be as useful, for the purpose of estimating catch estimates, as a mandatory data reporting requirement would, and, again, I'm going to go back to that survey.

Even if we were to do a survey based on a volunteer survey, it's still not going to necessarily give us everything we would want. Going back to more of a mandatory reporting requirement, it would maintain higher compliance, regardless of if it was a logbook or a survey, and a survey would be, of course, interviewing and surveying less participants, but it would still really give us a good idea of what's going on, and a giant point of concern, for the AP, was, if it was a mandatory, all-across-the-board reporting, that it would require some robust law enforcement, and that's another cost that has not really been factored into this, and, with that, I will take questions. I know that was kind of quick, and I wanted to be conscious of the time that you guys have on your agenda for today.

MS. MCCAWLEY: All right. Thanks for that presentation, and I appreciate you all's thoroughness. Are there questions? I don't see any hands. Dewey.

MR. HEMILRIGHT: What's the next step, and how soon could this be implemented? Building the foundation, and I think I have termed it building a house, and so I'll let you use my language, if that's so, but I am just curious, because I think this is one of the vital important things that this council could do, besides reducing red snapper discards, and it's like one of the top ones that should be right up there with get it done right now, even though it takes time.

MS. DUKES: I think I will John Hadley jump in and talk a little bit more about the specifics of Amendment 46.

MR. HADLEY: Sure. Thank you. Dewey, that's a good question, and there's a draft timeline in the options paper that we have in there, and I really emphasize the "draft" part. I think a great deal of the timing has to do with how extensive this amendment becomes, whether or not -- If it's just simply a permit, that can, obviously, move along a little bit quicker than if there's a reporting requirement or something along with that, because there is additional details that come along, and so it really depends on the range of the actions in the amendment related to permitting and/or reporting.

MS. MCCAWLEY: Thanks, John. Dewey.

MR. HEMILRIGHT: I would recommend just start off with a permit, and that's going to ease people in, the buy-in and everything in the future, but you've got to start somewhere, and a permit, with the knowledge of your universe, would be a great start, and probably the fastest way to start something.

MS. MCCAWLEY: Thank you, Dewey. Are there questions about this presentation? It looks like heads nodding no.

MS. DUKES: Thanks, Jessica. I appreciate the opportunity.

MS. MCCAWLEY: Don't go away. Susan Boggs has her hand up, and she wants to ask you a question.

MS. BOGGS: Well, I don't have a question relating to the presentation, but I was going to give you the update from the Gulf Council, and I thought you all were at the end of your discussion.

MS. MCCAWLEY: Sure. Go ahead, Susan, and thank you, Amy, for being with us today.

MS. BOGGS: Thank you, Jessica, and so that's one of the things that I didn't touch on when I gave my report the other day, but the Gulf Council -- We did discuss this at our meeting in October, and, of course, we have Alabama, Florida, and Louisiana, in the Gulf coast, that already have -- They all call them different things, but they are permits to fish in the EEZ, or in the state fishery, and so, anyway, the council did pass a motion, and what we're doing is we directed the staff to review the private angling licensing and reporting requirements in those states, to try to help define the universe, and that's our first step, but we are looking into this across the Gulf, and that was kind of our first step, to go ahead and define the universe that we already have with those three states and then see how we expand on it from there.

MS. MCCAWLEY: Thank you, Susan. Any questions? All right. The next thing we're going to go into is the Section 102 Workgroup update, and John Carmichael is going to give us that.

MR. CARMICHAEL: I will fill you in on this joint workgroup we had with the Gulf of Mexico Council addressing Section 102 of the Modernizing Recreational Fisheries Act. The title was quite long, as you can see. A little bit of background on this, and this was the workgroup consisting of council members, and it was led by the Gulf of Mexico Fishery Management Council providing the administrative lead, and so the materials and information are all available on their website.

The group met three times in May of 2020, September of 2020, and October of 2022, and COVID was not particularly beneficial to the progress of this group, for sure, nor was the loss of a couple of chairs of the group, who pursued greener pastures, apparently.

Here's what we talked about, and it will be a quick presentation, and I just grabbed a word cloud from the various things and reports, and, not surprisingly, recreational management, data, Atlantic, Gulf, species, red snapper, are things that came up quite a bit in the discussions of this group, and the first meeting was a lot of background information, just trying to get representatives from both councils up to speed on really what's going on here in the world of recreational fisheries management and the quest for flexibility, starting with a review of the Act itself, discussions from the November CCC meeting, which is where the idea for this group was hatched, reviewing the Rec Fisheries Forum, something that NMFS puts on every few years, and so, at this time, we talked about the 2018 forum.

Some of you may recall the South Atlantic doing some workshops and regional meetings on alternative recreational management strategies, a number of years ago, and so we reviewed the reports from that, and then we discussed the different things that might make a species amenable to pursuing alternative approaches.

The group came up with a number of goals for recreational flexibility, which probably worth highlighting here is certainly greater accessibility for recreational fishermen in the red snapper fishery, and there was a red snapper focus, but there was also recognition of the bigger snapper grouper and reef fish fisheries.

Stability in management, avoidance of in-season closures, accounting for uncertainty in MRIP, flexibility in management techniques, improving data collection, managing expectations, and striving for high levels of public buy-in, and so, given the discussions around the table today on many of these topics, I think these are goals that certainly this council shares and recognizes as being important, and maybe there's some concepts that make their way into what is needed out of this overall management program and how we define success, and maybe some things we look at in an MSE, in terms of what we hope to achieve.

Meeting two was in September of 2020, and we continued with reviewing information and getting up to speed on what was going on at this time, and we spent a lot of time on learning about the rec data collection programs in the Gulf of Mexico, and the South Atlantic folks weren't quite as well-versed in the many types of ways that data are being collected there, and so we put some effort into that, and we talked about the HMS angler reporting, and so remember HMS has a number of different reporting ways that they impose upon fishermen, and some things they report by species, and they have a survey, a large pelagic survey, and they also have a permit, and so they've done a lot of things for their species that factored into stuff that have been talked about by this group, and we got an update on what's been going on in our region on for-hire reporting with the headboat survey and the SEFHIER program.

At this meeting, we also talked about some other potential creative data approaches, such as creel cards, and North Carolina briefed us on their flounder panels, which they use to try and identify summer versus southern flounders, and then we talked some about the different apps, and so the MyFishCount, which the South Atlantic had developed, and then the Something's Fishy, and it might have a different name now, I think, was the Gulf of Mexico app that is still being used to gather general information from fishermen about what's going on in their fisheries.

We reviewed NMFS' efforts to bring some flexibility into the management, primarily the Headboat Collaborative effort in the Gulf of Mexico, and then the interim analyses that the Science Center has been discussing as a way to bring you, the council, more timely information on the stocks, through stock assessments.

We talked about the alternative management things that are in place, and that's familiar, because we just talked about the ABC Control Rule, and you have the carryover and phase-in requirements, and we talked about the mackerel zones, which are used in -- You know, Spanish and king have different types of zones. Here, in our Spanish, we have Northern and Southern in our commercial fishery, and so we talked about how those are used, and then we mentioned the idea of conditional accountability measures.

Meeting three, it took a while for us to get back to that, because of various things out of everyone's control, but, in October of 2022, the group met to kind of wrap-up the recommendations and discussions that had been going on now for a while, and so, first, we continued to review recreational management info, and so Andy presented his future vision for the federal recreational fisheries, that he has referenced here and has talked about, and so, certainly if you wanted to see more about that, this would be a good place to go look.

We briefed the group on our permit and reporting workgroup, as we're talking about here, and Russ Dunn talked about the Saltwater Recreational Fisheries Policy, and NMFS is in the act of

updating that this year, and so, this year and next year, they'll be working on that, and so that's something we'll keep you engaged on, and, also, we talked about the March 2022 recreational fisheries summit, and so we started on the 2018, which had happened a couple of years before, and they were able to reconvene that in 2022, and they briefed us on sort of the national issues that have come up in recreational fisheries.

Then we discussed progress on the workgroup goals, where the respective councils gave some information on where they felt like they were making progress on these things related to data collection, addressing allocations, optimum yield, and potential creative management approaches, and so there's reports from each one of these meetings that are available, and you can go to those to get more details, as you're interested, and, you know, we're not going to cover all of that here, but just to give you a sense of what was actually being talked about at each step of this process and how we came here to the recommendations.

We've talked about data collection, and we've talked about ways that people are approaching permitting and reporting and managing, and the group tried to wrap up with some recommendations that would be of use to each council, and so the Gulf Council initially discussed the permits and made a motion considering a federal recreational permit, along with their ongoing efforts in the Gulf states to define the universe, which is a common theme of the permits, really trying to define that universe of anglers. Then they also are going to consider whether it should be for all offshore species or a focus on reef fish.

The councils talked about some to apply to both councils, and one is considering how to achieve optimum yield for the recreational fleets by species, and optimum yield was a common discussion. We did, and maybe we'll hear more about this in years to come, but we did start out with some discussion on just what yield means, you know the issue of is yield just poundage, or is yield of other things, which I think we've seen some developments there, and we may continue to have discussions about that.

Councils consider adaptive management measures in response to stock condition, and so just thinking that it's a best practice that we should try to be more adaptive to how our stocks are changing, and I think, obviously, we recognize the challenge there is it can be hard to just know how our stocks are changing, and then one that would be a request the councils would make to the agency is consider revisiting National Standard 1 Guidelines, and so it's been a number of years since they were done, and the idea is to get them to look more at the modern needs of management for all sectors, and a lot has happened in recreational fisheries over the years since this was last done, and so it's probably time for another look.

They felt that technical guidance, and other tools, and applicable data, for the use of annual criteria to achieve MSY and OY, as required by the MSA, are requested, and so just really struggling, I think, as we recognize, within recreational fisheries, within these concepts of MSY and OY, and this focus on yield on the primary output of a fishery, when we hear, so often, that recreational anglers are often more interested in just access and the ability to go fishing, and certainly that's more important to them, often, than the actual poundage they may bring back in a trip.

That's a quick rundown of what a multiyear effort by the councils, and I think the opportunity for the councils to talk together in this way was certainly useful, and they shared a lot of notes and perspectives, and so that was certainly valuable from it, you know, and each council is expecting

that they will try to work these things into our efforts, as we go forward. Any questions on this group?

MS. MCCAWLEY: Susan.

MS. BOGGS: I just wanted to comment, and I was a part of this working group as well, and, after that last meeting that John Carmichael just summarized, we came out of that committee with several things for each council to look at and work on, and, because of the different elements that we each face, our council decided, at our last council meeting -- We made a motion to go ahead and disband the working group, just to allow us to all independently work on these motions that were passed, and that motion did pass unanimously, but I do think we had a lot of good ideas, and, of course, working on the permits on each side of the Gulf and the Atlantic, and, of course, the discussion of the OY and what does that really mean, but we just felt like we -- After these few years of having the few meetings that we did, that, with the discussion that we had, that now it was probably time for each council to work independently. You know, maybe later, if we need to come back together, we do, but we did vote to go ahead and disband that working group.

MS. MCCAWLEY: Thank you, Susan. Thanks for that update. Yes, I was on this group as well, although I couldn't make the last meeting, and I thought it was useful, to get these additional presentations and kind share ideas back and forth. It did, as John mentioned, hit a bit slowdown in the middle, because of COVID, and so it kind of lost momentum, and possibly even lost some of its utility during that time period, but I thought it was beneficial. Are there other questions? Thanks, John. All right. Now we're going to -- John Hadley is going to lead us through Amendment 46, and I feel like this is the long-awaited Amendment 46, and so I'm going to turn it back to John.

MR. HADLEY: All right. Thank you for that, and so we'll just -- The idea here is to kind of work through the options paper for Amendment 46, and so we'll run into a little bit of -- I won't go too much into the background information, and you've seen a lot of this information before, as far as the council's previous efforts, and one thing that I did want to take a moment to identify, and discuss, is the vision statement that you developed at your last meeting, and it's there up on the screen, but I think that was something that was very helpful, in general.

It was helpful for the AP, and it's helpful, hopefully, for the committee as well, but I just wanted to remind everyone that it is out there, and that's sort of the vision statement and intended output, or goal, of this effort.

Overall, we'll just be going over a few things for this meeting. We reviewed the AP's feedback and recommendations, and I really want to thank Amy for her great presentation on the summary of that report. If you're interested in those slides, they are up on the website, under recent documents, and, also, all the information in those slides was pulled from the AP's report, and so, if you want to see any of the additional discussion from the AP, it is included in that report, which is an attachment in your briefing book.

Since we've gone over the AP items, the next one is to consider other topics, and just as we -- I see this as something that maybe will come up organically in the discussion of the permitting and reporting items, but, you know, if there are any other topics that you think, okay, I want the technical aspects of these to be explored, feel free to speak up, and, you know, that's something

we can certainly add to the AP's agenda, and we're really looking to provide guidance on the options that the committee would like pursue in this amendment, and so kind of more high-level, conceptual thinking, and what do you want in this amendment? Is there anything that you want out of this amendment, and what are -- Kind of thinking of the bookends, and so your initial range of options that you want to explore, in general. Last, but not least, we'll be looking for a potential vote to approve the amendment for scoping, and we'll get into a little bit more discussion on it, on how you would like it to be scoped.

Dewey, this gets to your question earlier, but kind of a very tentative timeline on the amendment, and, there again, this is very malleable, and it may change, depending on the contents of the amendment, but, in general, we're looking at developing this amendment throughout the majority of -- Well, all of next year, and into 2024, looking sometime early to mid-2024, potentially, and looking at approving this amendment through a final vote. Any questions on the overall goals of today and the tentative amendment timing? If not, I will jump into the options, and we'll get into some of those details. All good? Okay.

All right, and so the first option that we're going to look at is whether or not essentially to establish the permit, and what are sort of the range of options that you want to examine in putting a permit in place, and, again, this permit is really drilling down on the private recreational component of the snapper grouper fishery, and so this would establish a private recreational snapper grouper permit to fish for, harvest, or possess snapper grouper species in the South Atlantic region.

We've gone over it before, but I will just give a quick refresher. There are several examples of private recreational permits, or endorsements, on the federal level, either issued through NMFS Regional Offices, or specifically for HMS species, ranging from tilefish in the Greater Atlantic Region, subsistence halibut in the Atlantic Regional Office, and then there's also the highly migratory species private angler permit, with a shark endorsement, which we'll get into a little bit more when we discuss a potential education requirement.

Then, moving over from the federal side to the state side, there are several examples of either permits, endorsements, or stamps that go along with the saltwater recreational fishing license, ranging from the reef fish or snook stamp, or designation, in Florida, to the saltwater information permit in Georgia, the recreational commercial gear license in North Carolina, and the shrimp baiting license in South Carolina.

I won't go over the AP comments, but there is the full list here. If there's anything that you want to come back to and touch on, we can certainly do that, and I'm going to hop on down towards the bottom here, to get at some discussion questions, and the idea here is to get some feedback from the committee on, there again, looking from a conceptual standpoint, what's in, what's potentially out, and what are your kind of bookends, and they could be this big, or they could be this big, but what sort of bookends do you want to examine when you start looking at the permitting option?

I will go over them very quickly, and there are three discussion questions, and so does the committee want to continue consideration of a private recreational permit in the snapper grouper fishery? If so, what sort of range of options do you want to consider, a vessel-based permit, angler-based permit, and how -- If it is an angler-based permit, do you want to look at all anglers, anglers fishing from a vessel, you know sort of that range of options.

What species do you want covered? Do you want to just look at the entire snapper grouper fishery, or do you want to potentially drill down on a specific subset of species within that, and are there any other options that you want to explore, under the idea of establishing a private recreational permit in the snapper grouper fishery, looking at renewal terms, charging a fee, and it seems like, based on the questions that you provided to your AP, those are some other avenues that you were at least considering, but we can certainly lay those out here and add those to the amendment, and so, with that, I will turn it over to the committee for further guidance.

MS. MCCAWLEY: All right. Thank you, John, and so I think we can use those questions there on the board to kind of help get this discussion going, and so I think we've passed kind of the obvious question of do we want to do this, and I feel this is, as I mentioned, long-awaited, and I feel like we've been talking about this for years, and so I'm assuming that we want to do this, and so then do we want this -- How do we want to consider this, vessel-based or angler-based, but, I guess, if you also don't want to do this permit, I think you need to speak up as well, and so I saw some hands starting going up, and so we'll start with Judy and then Gary.

MS. HELMEY: Okay, and, yes, I think the permit is a good idea. As you know, we have -- In Georgia, we have a saltwater permit, and it's an individual permit, and then, for the charter people, we have a state permit, and it's on the boat, which it really does cause a problem, especially if you have two captains running one boat, and that causes a problem, and, plus, I think it should be individual.

MR. WOODWARD: The state is to the person, and the federal is to the boat.

MS. HELMEY: The federal is to the boat. Okay. No, actually, the state -- The state charter license is to the boat. Well, it's to the person, but it is covered by the boat. In other words, the customers don't have to have a permit. Anyway, if we do that, I think that's a good idea, to count, that you can still count everybody.

MS. MCCAWLEY: Thank you, Judy. Gary and then Carolyn and then Mel.

MR. BORLAND: I understand Judy's point, and a fishing license is a little bit different than a federal bottom-fish access permit, if that's what we're talking about, and, obviously, I'm for it, and I believe that there will be some trouble with the vessel versus angler, especially when we talk about Florida, because boat clubs are becoming more and more prevalent in Florida, and Freedom Boat Club I think about right off the bat, and Kerry brought up this point, and it's a very good one, that, because the access is so close in Florida, and these rental boats are accessing some of that fishing ground, and so I always feel like I would vote for angler, and then there would have to be at least one angler on the boat that has a permit, and so then that would require -- If we get to it, that would require that angler to report what was caught on that boat for the day, and so somebody would be responsible for having that access permit.

MS. MCCAWLEY: Okay, and so we're capturing some notes here, but so what I heard from you was angler-based, but it also sounded like you were kind of jumping ahead to one of our other questions, which was about reporting, and it's okay, but I'm just trying to make sure we capture all these pieces.

MR. BORLAND: Like I said, initially, I was thinking, the whole time, around a vessel permit, but, when you start bringing in the complexity of Florida and the boat clubs, and the access is so close, I think it almost has to go to an angler-based permit.

MS. MCCAWLEY: All right. Thanks, Gary. Carolyn.

DR. BELCHER: The one thing I just -- I am looking to Spud too with this, but the caution on how we proceed with the conversation relative to who we're expecting to administer it, because, if there is certain things, as far as fees and permits, some of us have stuff written into code that we can't change fee structures on licenses, and so I think, you know, again, we just need to be mindful, because, outside of that, I think we all have an idea of where we want to go, but the question is, if you want it to come to the state level, we may not have the autonomy that you would expect to have, and I don't know how you weigh that in on this.

MS. MCCAWLEY: Thank you, Carolyn. Mel and then Tom and then Chester.

MR. BELL: I was just going to ask, procedurally speaking, and I know we're kind of going back and forth about which is better, vessel or individual, but could we move the document along with kind of both options in there, at this point, and not have to decide specifically right now?

MR. HADLEY: Yes. Absolutely. I mean, if that's the way the committee wants to go, we can include both. I mean, those are your bookends there, and so that's very helpful for staff, and just in general for development of this amendment, and so we can certainly continue looking at both angler-based and vessel-based.

MS. MCCAWLEY: Okay. I will also ask another question, and so I thought we had moved away from the states possibly issuing this. Is that where we are? I mean, I was looking back at the document, and it says, "federal permit".

MR. HADLEY: I believe that was one of the main recommendations that came out of the workgroup, and so I think the consensus was that this would be a federal-administered and federal-based permit, and not necessarily issued on the state level.

MS. MCCAWLEY: Carolyn.

DR. BELCHER: As long as that was on the record, and I just wanted to make sure, because I know we had kicked it around in both directions.

MS. MCCAWLEY: All right. Tom and then Chester.

MR. ROLLER: Thank you, Chair. I fully support this, this initiative, right, this amendment, and the idea of having a recreational permit is long overdue. The question that I keep coming back to though, and it really -- It carries over into all the other questions, is the vessel versus angler-based, and I keep thinking about having, you know, my internal thoughts and arguments, versus the pros and cons of one, and I keep coming back to the idea of an angler-based, just due to the nature of the fishery.



You know, Gary mentioned boat clubs, and that's not just a Florida thing, and we have them in our area, and, also, when we look into surveying, to get more data from these, I mean, we're also asking the vessel owner to try to remember what all the other people in his party were catching. Right now, from an HMS standpoint, that's a little bit different, when we're very focused on like a bluefin tuna, or a swordfish, where we're not really producing that level of discards, and so I think, going forward, in addressing other questions, I just keeping back to the idea that angler-based, simply because what we put in place -- This is -- You know, this is a heavy lift, and what we put in place is something we're going to live with for a long time.

MS. MCCAWLEY: Thanks, Tom. Chester.

MR. BREWER: I believe that it was the workgroup, and that we did reach a fairly solid consensus that it should be a federal program, because we discussed a lot of the problems that Carolyn has mentioned about you've got -- You know, some of our states, it's the legislature that runs this stuff, or permit this stuff, or if you charge a fee, and they're going to have to pass essentially a new law, and so, given those complexities, it was thought that it would be a uniform federal program.

Then, to the issue of should it be individual or for the boat, I think, to Florida's system, right now, which I think -- I mean, it is per individual, and, I mean, if you're going out on a charter boat, you're supposed to have -- At least my understanding is, and I haven't been out on one in years, but you're supposed to individually have that permit, and I could be wrong on that, but am I wrong? A charter boat is good, and then you have individual for individual boats? Which works fine too, but what I did want to emphasize is that Florida's system is -- To me, I mean, it is really simple. There is nothing to it for the individual angler to get their permit, and it's literally two to three minutes on a computer, and there's no charge.

It seems like it would be a lot easier pill to swallow if you take a good, hard look at what Florida is doing, and I certainly could agree that, you know, it doesn't have to be -- We don't have to do it on charter boats, because the captain would have the permit, and I think that would suffice. Thank you.

MS. MCCAWLEY: Just to be clear, Florida's system is only people fishing from a private recreational vessel, and it's angler-based, and so each angler onboard has to have one, and that's whether you have to have a fishing license or not, and so, even if you're over sixty-five and exempt from buying a license, you have to register for the State Reef Fish Survey, and it has to be renewed annually. Back to our list. Dewey and then Spud.

MR. HEMILRIGHT: About Florida's Reef Fish Survey, do they have to mandatory report, or is it volunteer?

MS. MCCAWLEY: So we're sending out a survey monthly, and it's a paper-based survey, and so it's a subset, and it's not a census. It's a survey of people that have fished, and so we're asking them to fill out the survey and send it back to us, and so it's more frequent than MRIP. MRIP is, you know, a wave, and the State Reef Fish Survey is monthly.

MR. HEMILRIGHT: So a follow-up question. That person that has that survey, they've got to remember what they caught that month, to fill out that thing, and so this is not like weekly, within forty-eight hours, or something like that, and so, if their memory is not as good for a month, then

it's a lot of variance there, and I was -- Even though Florida could be a template or something, I was hoping for more of something that's, you know, within a more timely manner of remembering of writing something down, and that would probably be more helpful or something, because you're going to be wanting to ease folks into this buy-in, with just a permit, and then, over the next few years, hopefully they're going to be sold on the idea of that, you know, reporting, but I think, you know, that's also the big thing, is the buy-in for it.

MS. MCCAWLEY: We also have dockside intercepts as well, and so there is State Reef Fish Survey dockside intercepts as part of this. Spud.

MR. WOODWARD: Thank you, Jessica. I think it's sometimes hard to sort out this for-hire PR relationship, and we have to constantly be reminding ourselves of that, and what we're really talking about here is private recreational. We've already got mechanisms in place for the for-hire industry, and, while perhaps imperfect, they're at least in place to try to address timely and accurate data collection from that sub-sector of the recreational sector.

I think we need to bookend this with individual angler permits and vessel permits, and I certainly don't want to delay this, but I know there was a lot of discussion, at the AP, about how you would merge a vessel permit into the MRIP sort of angler-based system, and so it can be done, and I think the AP was trying to sort of pre-suppose that there is a practicability test here that, you know, you're talking about going from thousands of vessels to millions, potentially, of people, and the scale there is vastly different, in terms of cost and all the associated things.

I think probably, you know, maybe not today, but, if we continue this into tomorrow, if Amy is here, she can maybe elaborate, if we need to, but I think, at this point, we go out for scoping with angler and vessel, and we don't really bog-down in a whole lot of details about the two, and we wait to get the feedback. I mean, I would predict that people are going to go, sure, vessel, because my buddy can have to buy it, and I won't have to worry about it.

MS. MCCAWLEY: All right, and so Spud has made a suggestion that we have both angler and vessel in the document that goes to scoping, and I see heads nodding yes, even though it seems like we're kind of leaning towards angler-based. All right, and so I feel like maybe we've covered Discussion Question 1. Sorry. Laurilee.

MS. THOMPSON: Especially in Florida, we get a lot of visitors, you know, and so what -- If somebody's grandkids came to visit them, and they wanted to take them out fishing, would they have to get -- Would they have to buy a permit for visitors?

MS. MCCAWLEY: I would say yes.

MS. THOMPSON: So I think it should be anglers, and I think they should -- The commercial guys, they have to report after every trip, and I think -- I don't think it's unreasonable that the recreational folks -- If it's online, and it's easy to do, they could just fill out the report after every trip, rather than monthly, because it is hard to remember what you did. I don't remember what I did last week.

MS. MCCAWLEY: All right. Kerry.

MS. MARHEFKA: So, again, we're just book-ending here, and so what I'm hearing is that we should -- There is support for keeping mandatory in there, and I think there is a lot of utility in leaving voluntarily in there, because, you know, the more we learn, from the AP, what's really going to be doable -- I just want to make sure that our bookends are wide, and so I suggest that we leave them both in there, as far as Discussion Question 1, sub-little (1), and then I also suggest that we keep in the immediately or phased-in.

I mean, we still have so much to learn about what we're actually going to be able to accomplish, and I don't think that we know yet that we can craft exactly what we want. We might not be able to do everything that we want to do right away, and so let's leave it all in here, right now, is my suggestion, of the total range in Discussion Question 1.

MS. MCCAWLEY: I think so, yes. Dewey.

MR. HEMILRIGHT: I think that's a good idea, to keep in the range of anglers or vessels, but, when Gary was talking about renting a vessel, these rental clubs, there is somebody that is responsible for renting that vessel, who is the master of that vessel, who is in charge of that vessel, and so it should be -- You know, the more you get to where -- If somebody takes people out there fishing, four or five people out there fishing, for fun, they're probably going to be the most experienced, or they may not be, and also the most sober, and they will be able to count how many fish somebody has caught or something, and so I'm kind of thinking more, at the end part, the vessel, or the master of the vessel, needs a license to operate, instead of having a million, or two-million, individual anglers.

The access is by that vessel, but you also have shoreside, and maybe there's two different things, that you have vessel and a shoreside angler, that is doing something from a pier or a dock that's catching snapper grouper, probably in Florida, and not in other states, but I just think that that vessel is your tie-in, and there is a master of that vessel, whether they're licensed or unlicensed, or renting that vessel, that is going to be in charge.

MS. MCCAWLEY: Let me just throw a couple of things out here. I feel like we're not narrowing anything down anything at all, and it's just like we want a permit, and we don't know what it looks like, and we don't know who has to have it, and we don't know who is going to issue it, and I just feel like this is going to be a fun scoping thing for staff, and we're not indicating, in any way, like what we're leaning towards or anything, and I'm just trying to kind of move this along, and we have been saying that we want to get this moving, and we want to get it moving sooner rather than later. If we're not trying to narrow it down, even just a little bit, is that the most helpful thing? I am just putting that out there. Susan.

MS. BOGGS: Just to add an idea, and this is coming from the State of Alabama, but what they do, and this is kind of to what Dewey was saying, is each individual angler is required to possess a federal reef fish endorsement, and that's what -- I mean, and I forget what we call it in Alabama, but, anyway, that endorsement is to go catch reef fish, but only one person on the vessel is responsible for making -- For reporting at the end of the day, and so that might be helpful.

MS. MCCAWLEY: Carolyn.

DR. BELCHER: So I'm going to nerd out, for about fifteen seconds, hopefully, but this is back to the frameworks that John Foster et al. have been working on. The question is what's your lowest common denominator of interest, because you can do different sampling approaches, and you can do a cluster analysis of vessels, which has your sample of people in that, and it's still an individual estimate of fish per person, or you go to the individual people, and it's just a matter of what's the best bang for your buck with the sampling approach that you used to produce that estimate.

I think, in the situation we're talking about, vessel versus individual, it's a good way to go, but, as you know, you start getting too far afield, and it's back to what Jessica is saying, and you're basically right back to, well, do we census or survey, you know, and it's -- I mean, even the Census Bureau has run those things, and they've tried doing things with getting censuses, and they've been told that, no, you're a Census Bureau, and you can't use a survey to do census stuff, and so you've got to be careful with what you're asking for and what you want out of it.

I think we do need to hone-it down some, but the vessel versus angler is one of those things that, again, what's the best way that you're getting your precision and accuracy, and can you get accurate clusters of people in a vessel to be representative of the population of anglers, and that's what it comes down to.

MS. MCCAWLEY: Okay. Andy and then Tim.

MR. STRELCHECK: First, I want to lead with I fully support, obviously, a recreational permit, in whatever form, and where I'm struggling, and I guess it's on two fronts, and I think this has been the struggle for a while, is, one, we do need to, obviously, come up with a range of alternatives, and go through the NEPA process, but we have an expert working group that is providing us kind of the scientific advice, in terms of how to best design the program, right, and we shouldn't be kind of reinventing, and we really need to be listening to them heavily, in order to design this.

The harder challenge, for me, is the administrative part of this, and I don't want to throw cold water on it, but, right now, it scares me to death, in terms of how we could federally administer this, right, and we're talking orders of magnitude more permits, and we're not getting the benefit of any funding to support that work, right, and so it's other duties, as assigned, for my office, and that doesn't directly then feed back into recreational data collection and management.

With that said, I mean, I almost think we need to still take a step toward understanding what the roles and responsibilities could or could not be with the states, in terms of administering a federal permit, or not, right, because we have, I think, some similar challenges here, in terms of how to move this forward.

MS. MCCAWLEY: All right, and so I have Tim and then Mel.

MR. GRINER: I was going to suggest that we hear from Andy, but, you know, I think Andy is absolutely right. I mean, we've got this workgroup that should be working out the details and how we move along, but, at the end of the day, somebody has to administer this thing, and the State of North Carolina -- It brings in some other issues here, and, if we're going to tie reporting into this, well, we don't have a JEA in North Carolina, and who is going to pick up the ball in North Carolina, if you don't have a permit, and who is going to go sampling anybody in North Carolina, and so,

you know, I think, really and truly, there's only -- I do think it needs to be broad, what we're doing here, but, at the end of the day, we've got a workgroup that needs to be working closely with whoever it is that's going to administer this nightmare.

MS. MCCAWLEY: All right. Mel.

MR. BELL: To Andy's point, I totally get the administration concerns and all, and I think that's why the AP recommended to us to maybe go the route of vessels, so that it's not necessarily orders of magnitude, and it's thousands versus -- Well, you've got nothing now, but it's more like we're dealing with the for-hire vessels, and there would be more vessels than that, but it wouldn't be as many as millions of people, or whatever, and so I think that's why they recommended that, but, for our purposes right now of bookends, I thought we were just trying to leave those options open for further development.

Then, to the point about -- I think it needs to be a federal permit, and, because we're one of those states, we would have to go our general assembly and create a law that requires it, and then, you know, I can see where folks would be asking, well, you know, why are we administering a permit for a federal requirement, I guess, but we would be one of those states that would, you know, have to go that route, but I think, if you go to why they recommended to us a vessel, that's why, to keep the numbers down.

MS. MCCAWLEY: We've got lots of hands going up, and John came to the table here, and I feel like we had already passed the state versus federal discussion, and, with all these various groups, including the one that Spud was the chair of, we had looked at this, immensely, and, ultimately, that group made a recommendation, to this committee, that it be a federal permit, and so I feel like you guys sent us off to work on that, and we worked on it, and we came back with that, and now we're rehashing it again. Before I go to the other folks on the list, let me go to John for a minute.

MR. CARMICHAEL: Yes, that's right, Jessica, and I appreciate you reminding that, because we had a working group of council members that worked on this for probably over a year and reviewed things in the Gulf, things to the north, HMS, lots of different ways, and they reviewed state things, and they got into the nitty-gritty and weedy details of actually getting state permits in and the realities of that and what was best for this fishery.

Then, as a result of that, yes, you came up with some recommendations, and you created what Amy reported on, is a technical advisory panel, and so that group has met twice, and I feel that -- You know, John, jump in, and Amy is probably listening, but if you think that I'm not right on this, but I feel like this group has gone as far as they can go with the guidance that you have given them.

The last meeting of this group was amazing, and these are people that really know the ins and outs of reporting, and they are highly experienced, and they have been dealing with it for years, and, you know, this is the state people doing it, as well John Foster was on there, from MRIP, and he was, you know, very clear about how different pieces of data can be folded into their surveys, and working with Florida, et cetera, and so I feel like that advisory panel has gone as far as it can go without some real guidance from the council.

You know, to me, the next steps, for them, would be if you were to say, yes, we're going to do a permit, and we want it to be like this, and are you committed to the federal permit, and are you going to go out with that as an option, and are we going to talk about the different actions that are in here, such as the potential for reporting and that sort of thing, and we talked about that workgroup, and this advisory panel, as kind of an extended scoping process, to get a lot of input. These are all public meetings, and everything we do is public meetings, and we've talked about this at numerous council meetings, at our APs, at the SSC, and so we've gotten a lot of feedback, along the way, that has guided us to this point.

I really think what we need, from the council, as Jessica said, is some decisions here on, you know, are we really going to go forward with this, and, to me, it's sort of go or no-go. If we're not going to go forward with it, because of, you know, the limitations of a federal permit, that it may not be able to be funded by the agency, then I think you say this was a considered but rejected, but we can't do it, you know, because we've got a lot of time and energy invested in it. Then, if you do want to go forward with it, then we do need to make some decisions, and we would really like to go through and do a formal scoping process, of some sort, to, you know, put a pin in that, and then be able to move on.

MS. MCCAWLEY: So we have a queue here. We have Spud, Andy, and then Carolyn.

MR. WOODWARD: I was going to try to help you move this along, Madam Chair, but I think John brought up something, and it puts Andy in an awkward position, because a question that we're having to ask here is, is it even feasible to pursue a federally-administered permit for the private recreational sector, and that's probably not a question that you can answer right now, or easily, because you don't know what the magnitude of it is, because it depends on what it is, but suffice it to say that it's going to be something that you've never had to do before, and it's going to be on a large scale, and, you know, we know what SEFHIER --

The burden that that's placed on the agency, and the challenges, and so, you know, in terms of proceeding with scoping, we have an unknown, that I'm not sure we can get an answer to, and so I think we default to scope, and then we scope the bookends, because, if we took the advice of the AP, which is probably what we'll end up deferring to, on the technical aspects of it, there wouldn't be a lot of range of alternatives.

It would be a vessel permit, and it would be this, and it would be that, but I think we're obligated to give people a range of choices, through a scoping process, and we don't have a lot of range here, and it's either angler or vessel, and, you know, I would say that we probably don't even have a lot of flexibility on what we're going to cover with it, and it's probably all snapper grouper species, or then we start parsing out fifty-something fish into some subsets, and that's not going to be very practicable, from scoping, and, you know, I think that we can agree that it probably needs to be renewed annually, somehow or another, whether it's 365 days from the date of purchase or on a set date, but they said a set date, and so what do you do?

What do you do when you have the big unknown of can -- Will we go through the whole process of developing Amendment 46, and passing it, and watch it just stop, because it cannot be feasibly implemented? Then what have we done? We have led ourselves, and all of constituents, down a road and failed to deliver, and I think that's the last thing we need to do, and so sorry, Andy, but I just --

MR. STRELCHECK: I apologize for maybe throwing some cold water that wasn't necessary, in terms of the discussions that have taken place so far, and so I think Spud's exactly right. We have to proceed under the decision that's going to go forward, and develop the permit, and what I think we're going to have to do, and I will have to work out with Monica, is, you know, we can't incur cost obligations without the appropriated funds to support those activities, right, and so the agency has to make a determination of do we have the funds available to support this, or we don't, or we get additional appropriations to support it in the future, right, and my hope has always been to have a model that's similar to what the states have been doing, which is a permit program helps to both fund the administration of the permitting as well as, potentially, data collection, or augmenting and supporting additional data collection.

Those, to me, are a win-win, right, and we're getting the information about the permit as well as the money for data collection, and the problem is, right now, any funds that we, as the federal government, would collect can only be to cover the cost of administration, and they go into the General Treasury, and so I think we can probably put the necessary caveats on an amendment, for the time being, with the recognition that we might get to the end of the process, and have set high expectations, and that might not be able to move forward until appropriated funds become available.

MS. MCCAWLEY: All right. Mel.

MR. BELL: Well, it was sort of to that, and I think, yes, we need to move forward with this, and understanding the caveats that need to be in place, but I'm thinking, if we move forward with it -- If we build it, the person with the checkbook will show up, and that's my -- I am confident in that. If we build it, they will come with the checkbook.

MS. MCCAWLEY: All right. Gary.

MR. BORLAND: I just had a comment from one of the AP members that texted me, but one of the reasons they recommended vessel, going back to the vessel or angler, was understanding the effort and the size of the -- Maybe finding our horsepower or size of boats and other pieces that we need, from a vessel and effort standpoint, that was probably pretty important to understand, through the info.

MS. MCCAWLEY: All right. I'm going to let Kerry talk, and then I'm going to try to focus us back here on kind of what we want to do here, at the end of the day, on this document. Go ahead, Kerry.

MS. MARHEFKA: Well, that's kind of where I was going, because I'm at a loss as to -- Given Andy's last comments, and Mel, and, if we're going to build it, the way we want to, are we building our dream scenario, and the workgroup's dream scenario, or are we going to try to be cognizant of the financial limitations, because that makes me wonder about things like do we include reporting, or do we move that down the line, and things like that, and so I just don't know what the best approach is. Is it to be, you know, cheap, or is it to build the thing we really want to happen, knowing it may not happen?

MS. MCCAWLEY: Mel, can I go to John, to try to suggest a path forward here, because I feel like we're doing a lot of circling.

MR. HADLEY: I appreciate that, and, really, the intent here -- We're going to have several meetings to get into the details on, you know, whether or not you want to go one route or another, but the idea here, here again, is just to set the general concepts that you want to have in this amendment and move forward with. Just looking at the intent of these discussion questions, it was -- You know, here you've laid out you want to continue considering a permit, and you want to look at angler permits and vessel permits.

You know, moving down, do you want to just keep looking at the whole pie, and I think the answer is yes, but I just wanted to make sure, you know, that's the intent of the group, and we can do that, but just let's keep looking at the complex in general, and then are there other options that you want your AP to explore, your IPT to explore, looking into renewal terms and charging a fee, and I don't think that's something that's really been spoken about at the council table, but it seems like, through the discussion questions, those were some topics that the committee may want to look into a little bit further, and so I don't know if that helps a little bit in kind of forming the intended outcome of this discussion.

MS. MCCAWLEY: Okay, and so maybe what we want to do here is try to come up with these bookends, like we were starting to do, and get this ready to go out to scoping, and so, maybe between now and 5:00 p.m., we can go through these questions a little bit more and help staff prepare something that they can get ready to be scoped, and does that sound like a plan here?

It seems like we're saying a federal permit, and we're now down to question -- We want to include both mandatory and voluntary, and we want to include individual angler versus vessel, and then are we thinking all snapper grouper species, and so the complex as a whole, and I hear yes over here, and just any more discussion on that? I am looking around the table, if people want to comment on that. Mel.

MR. BELL: Just real quickly, I mean, you guys are set up differently right now, and everything in the complex, at the moment, is not really -- I mean, they're all important fish, but they're really not, and so, I mean, there may be an ability to -- Maybe we don't look like your list, but we look at something a little bit less than the whole list.

MS. MCCAWLEY: I am good with that, but what does that subset list look like? Would you like to make a suggestion that's going to go to scoping? Spud.

MR. WOODWARD: Well, I think, if we're going to offer an alternative like that, we need to match what Florida has done, and that's really the only thing we've got out there as a subset of the snapper grouper complex that's already established, because, if you would be parsing this out into all these different little combinations, people are going to go, what the heck, and why does it matter if a bank sea bass is in there or not in there, you know, and so, I mean, I would say bookend it with that. It's everything or what is in the Florida reef fish permit right now.

MS. MCCAWLEY: All right. Sounds good, and so there's thirteen species in there, and we'll pass those over to staff. Any more discussion on the species? All right. Then down to Question Number 3, and I'm going to turn it back to John to explain Question Number 3 a little bit more.



MR. HADLEY: Sure, and these are just other topics. You know, the other two options that we have in here, that we'll get to in a few minutes, relate to an education -- Whether you want to have an education requirement and whether you want to have a reporting requirement, and so that's already in the document.

There are a couple of items just, there again, based on the questions that you asked your AP of do you want to look into specifying the renewal terms, and potentially charging a fee, and, you know, I think the IPT can help answer what is a council decision-point and what's more of an agency decision-point, in that regard, but is that something that you want us to bring back to you, your staff, more information on some of those items, or are there any other items that may fall under that category?

MS. MCCAWLEY: I see heads nodding yes, that people want more information, and I've heard folks talk about annual renewal around the table, and so it seems like we're wanting information on that. The fee, it sounds like what I heard from Andy is possibly a fee that would cover the cost to administer the program. Andy.

MR. STRELCHECK: Monica can correct me, but we can only charge essentially our administrative costs for issuance of the permit itself, right, and so it's on a -- I don't know often we renew it, annually or multiple years, but --

MS. SMIT-BRUNELLO: Right, and we can get more info on that, but it's -- There is some sort of process where that amount is accessed and figured out each year, or every two years.

MR. STRELCHECK: So I think it's a yes or no fee, you know, but then we're locked-in, in terms of how much we can charge, and we would have to determine that at the time of issuance, or implementation, of the program.

MS. MCCAWLEY: Okay. Got it. That was helpful.

MR. HADLEY: All right, and so we covered the permitting aspect of it, and so the permit side of things, and the other relates to discussion of establishing an education requirement to potentially go along with the permit, should it be established, and this has been a discussion that's come up, and it came up during discussion of Regulatory 35, and some sort of education requirement, or implementation, and so this could be paired with your private recreational permit, as the AP noted.

Just very quickly, kind of high level, there are some examples of this, particularly with highly migratory species, and the private recreational shark endorsement on the permit requires permit holders that recreationally fish for or harvest sharks must obtain a shark endorsement that requires an online shark ID and fishing regulation training course and quiz. There are other examples on the commercial side as well that require an education requirement.

Kind of thing out of the box, out of the fisheries realm, there is education requirements along the lines of hunter safety courses that look at educating new hunters on matters such as regulations and ethical practices and practices revolving around safety, and so, with that, you did have some recommendations from your AP, and, again, the recommendations generally were in favor of, that an education requirement would be a great opportunity and pair well with a private recreational

permit, and we're just looking for additional guidance on really whether or not you want to continue consideration of an education requirement in this amendment, and, if so, just some of the specifications, there again the bookends, and it doesn't have to be an exact decision on which route you want to go, but, generally speaking, do you want to continue consideration of an education requirement in this amendment?

MS. MCCAWLEY: Chester.

MR. BREWER: While I would like to see that, I think we're straying over into the Cadillac area, from the standpoint of, you know, what it would cost, and I'm not sure whether that's -- I don't know enough about, you know, federal regs and tax whatever it is that you have to work through on your appropriations, and I don't know whether you could term that as being part of the cost of administration, to put on these training courses, and I tend to think not, but, if you could, then you've got a lot more expense that you're going to have to try to --

That you're going to have to collect from the people that want to get these permits, which we looked at as being, you know, something that would be very simple to obtain, very inexpensive to obtain, and, therefore, it would not meet a whole lot of headwind. I don't think we -- While I would love to do it, I just don't see putting an educational requirement in there is something that we're going to end up doing, and so I don't think we need to spend staff time on that.

MS. MCCAWLEY: Yes, I kind of agree with Chester that maybe we can do it in a different format, with some of the outreach tools. Andy and then Mel and then Trish.

MR. STRELCHECK: I mean, we do have, I think, some existing models, like through HMS, in terms of online training that they have to take before getting permitted, and what I think I would be interested in doing is reserving the option to be able to include educational training in the program, but not necessarily mandating it at the outside, right, so that we don't necessarily have to come back to this, at the council level, to start a new amendment and modify the program, and so I don't know how that would work, in terms of how we could set up the alternatives and actions, but, to me, the more we can kind of frontload the potential for building the Cadillac by adding parts to it over time, I think the better we would be.

MS. MCCAWLEY: All right. I think we've captured that, in what John Hadley is putting notes on the board there. Mel and then Trish.

MR. BELL: I was just going to say that you don't have to over-engineer this thing. I mean, we're already doing it with HMS stuff, and it can be simple and online, at the time of renewal, and you just complete this very simple little -- Watch the video, and whether you want them to answer questions or not, but just take the training.

I mean, we do this with all of our shellfish fishermen. They have to -- Every year, they have to watch a video, and so it doesn't have to be really expensive, and it's stuff we already do kind of online, and so I think Andy's approach is fine to kind of leave it in there, and we can decide whether it's mandatory or not, but it doesn't have to be overly-engineered, or extremely expensive, to pull off. States are already kind of doing some of this stuff, with online educational aspects of different things as well, and so it's not -- It doesn't have to be that complicated or expensive. I had something else, but I forgot it.

MS. MCCAWLEY: All right. I'm going to Trish.

MS. MURPHEY: I was going to say I think we should include the education requirement, at least for scoping, because it's something -- When we go back to Amendment 35, we're talking about, in our appendix, to have education, and here's another avenue to get that education, and I think the same with what Mel says, and our leaseholders have to go through a real simple education, and, actually, I think there is a little test in the end, and we don't have to require it every year during renewal, and you could -- I mean, this is getting into the weeds, but you could require it just your first time, every five years, and it can be something, again, that's simple, and so that -- I think it would be a big piece to go ahead and frontload.

MS. MCCAWLEY: Okay. Yes, we're taking notes up there, and so it's an option, it looks like, that would go to scoping. Tom.

MR. ROLLER: I certainly really -- You know, I really agree with Mel's comment, in the point of don't over-engineer something, and I link back to the HMS shark endorsement video, which I have watched many times, and it's amazing what that video and quiz can accomplish in just a few minutes, and that's what I see a potential education element potentially looking like, and it doesn't have to be so specific. You watch a video, and it's this is a descending device, and this is a great app you can use to identify these species, and I think that that's a really -- I mean, that's about as good outreach as we can get, right, and so, at the very least, I think, going back to Andy's comment, we have to at least maintain this option as a possibility.

MS. MCCAWLEY: Thank you, Tom. I think have enough on this particular question. All right, Mel.

MR. BELL: So I remembered what it was. This can also dovetail with our emphasis on the use of descending devices and best practices, and, if you can communicate that to people, and you have a captive audience to do it, it's consistent with what we're already doing, and that was it.

MR. HADLEY: Okay. Thank you for that. Then, moving on, this is sort of the final piece to the puzzle, or at least as it's been designed so far in the amendment, but looking at implementing reporting, and so, really, the overall -- I will kind of skip to some of the general topics, but, you know, there are other examples of reporting on the federal level, and so there is, you know, some sort of potential framework, or blueprint, there.

However, the AP did note that there were several notable challenges in implementing reporting, and they reiterated this twice, at each one of their meetings, noting some of the financial and labor resources necessary, the reporting burden on permit holders, administrative burden, enforcement, and validation of data, so that it can be used in management, and so there's certainly a benefit there, but there are some challenges that come along with that, and so I won't go into the AP comments again, since you already went over those, but we're looking for some general feedback, from the committee, along the lines of do you want to consider, or continue consideration, of a reporting requirement within the snapper grouper fishery, or do you want -- If so, do you want to implement it immediately, or maybe leave the option open, to be phased-in at a later date, and, along the lines of what sort of species would you want to cover, the entire complex, and I think it was mentioned, for permitting, looking at the species that Florida covers in the reef fish permit,

and so, with that, there again, looking at those bookends, and I will turn it back over to the committee.

MS. MCCAWLEY: All right, and so it seems like we've talked about, yes, we want some reporting, and it seems like, maybe for scoping, it would be reporting either in the beginning of the program or at some point in the future, maybe is the other bookend, and then I'm assuming that, for the species that you would report on, I think we would want to match the ones that you would want to have the permit for, and I see heads nodding yes, and so it's either all of them or some subset, and, right now, the subset is the thirteen species for the State Reef Fish Survey. I am looking around the table, to see if people have other ideas. Spud, Mel, and Tim.

MR. WOODWARD: I think we've got to be careful about how we address this in a scoping document, because people are going to want to know details, and what do you mean reporting, and who has got to report, and so, when you open up that reporting can of worms, people start asking very specific questions about who has got to do it, how often, and, you know, it's -- If you just say mandatory or voluntary, and then, obviously, people are going to go, well, of course, voluntary, and I don't want anything mandatory, and so I think that's the problem with trying to scope something like this.

I even go back to that first option about the fees and all that, and I'm not even sure we should even scope that. I mean, those are the mechanics of how you do something, and, if you start asking people, well, do you want to pay for something, or do you want it for free, well, I think I can pretty much predict how that's going to turn out. Hey, would you like to give the federal government some more of your money? Oh, sure. You know, sign me up for that. So I think we need to be careful about how we use a scoping process to inform an administrative procedure.

I mean, you've got to be careful, because you don't want to scare people off, and I'm going to throw another monkey-wrench into it, and I'm sorry, but I was prompted to do this, but I want to take everybody back in history to the National Saltwater Angler Registry. We all -- Well, most of us, except for a very few states, implemented the procedures necessary to be exempt, and so it's going to come up, somewhere in this process, of okay, so if you create this federal permit, are you going to give me, as a state, the option to create something that I can use for my anglers to have an exemption from this? For example, Florida, and say we chose that thirteen species, and could Florida be exempt from that permit? I mean, it's already a precedent, and we've already done it, and so how or should -- How does that even get woven into this tapestry of Amendment 46?

MS. MCCAWLEY: Okay. I've got hands up. Mel and then Tim and then Dewey.

MR. BELL: I was just going to -- Right now, for species, we've got everything in the complex, fifty-five or whatever it is, or we've got thirteen, and I don't recall what --

MS. MARHEFKA: Deepwater, shallow grouper --

MR. BELL: Well, I mean what we had already kind of agreed to, I thought, was you were setting bookends up at everything or thirteen, right, and so something in the middle would be anything that we use an ACL to manage, and I don't know what their thirteen are, off the top of my head, but there's probably other things that have an ACL that we're dealing with, and that's just something in the middle, if you wanted to do that.

MS. MCCAWLEY: Okay. I have a suggestion. We have a list of people, and so I got this from what Spud was saying, and so I think he's right. I don't know that all of these options -- That we really want to scope every single one of these things, and like the fee is a good example of do we even really want to scope that, and so I was talking to John over here, and he can make a list of everything that we said that we want to take to scoping, and he can put it in a single document in the committee report, and we can look at that, and, when we get to Full Council, we could delete some of these items.

That way, we're not going back, here again, on all of the things that we just said to put in the document, but, when we get to Full Council, we'll delete anything that we don't want to go to scoping, and a fee is a good example, and then approve the document for scoping that has those concepts in it, and so that's just a thought. Tim, Dewey, and then back to Spud.

MR. GRINER: I was just curious as to what are those thirteen species in your reef fish.

MS. MCCAWLEY: They are mutton snapper, yellowtail snapper, hogfish, red snapper, vermilion snapper, gag grouper, red grouper, black grouper, greater amberjack, lesser amberjack, banded rudderfish, almaco, and gray triggerfish.

MR. GRINER: Okay. Yes, I think that we just have to have the option to do everything or those thirteen, because I'm not sure those thirteen would really get us much, to tell you the truth. I mean, there's no porgies in there, and there's no grunts in there, and there is no -- I mean, guys are just going to go fishing, and they're going to go grunt fishing.

MS. MCCAWLEY: Right, and it kind of depends on what your goal is, and so we had some specific goals with our Florida State Reef Fish Survey, and, clearly, there are some species on there that might not be important for the entire council region, like mutton and like yellowtail and like hogfish, but they were really important to us in Florida, and so I just wanted to put that out there. Okay. I'm going to go back to the list here. Dewey and then Spud and then Trish.

MR. HEMILRIGHT: I think you need to be upfront with the public about there could be a fee for this type of stuff that you're doing, because the purpose of -- I mean, what's the purpose of this permit? It's to get a universe of the anglers, because you've got a resource out there that's being fished on, that we know very little about the amount of catch that is doing it, and so, you know, you need to be upfront with it. I mean, it's that buy-in part.

You talk about the National Saltwater Registry, and, well, what did that actually do? It did nothing, and, well, it -- Probably, the states, it enhanced some of their fisheries, but the money that's collected from doing it, and so that's what this would be, to enhance the federal fisheries, to see who, you know, is out there fishing, and so I wouldn't be afraid, you know, to -- I mean, the public is not stupid, and there's people reading the minutes of this meeting, and they're online, and they see what's happening, and they're going to be -- You know, this stuff isn't free, and so there's going to be a charge. We have to -- When we renew our permits, I think it's twenty-five dollars for -- There's a five-dollar add-on or something like that, but I just think you need to be upfront, because this whole thing is important, because, I mean, it's way overdue, and this, at best, is three years away.

MS. MCCAWLEY: Thank you, Dewey. I have Spud and then Trish, and then I'm going to try to suggest a path forward here.

MR. WOODWARD: I think the difference -- I think people may know that there may be a fee, but I don't think we can scope alternatives that will inform what that fee is ever going to be, and I would recommend that we don't even address this Number 2, on what is subject to reporting. I mean, you've got a permit that's going to allow you to do this, and your reporting is going to be configured however it needs to be to match up with the survey methodologies to get you the best information on the complex, and so I think, again, asking the public, well, you're going to have to have a permit for either all of them or this subset, but then you may only need to report this little group of -- It will be very confusing to people in a scoping process, I think.

MS. MCCAWLEY: All right. Thank you, Spud. Trish.

MS. MURPHEY: Just thinking out loud, and I'm not as nerdy as Carolyn, but my thought is, you know, we're already kind of putting a big lift here, in just implementing a permit, and that implementation itself is going to be big, and the big thing is at least we've started getting a handle of our universe, and I think we can hold off on the reporting, partly because, you know, are we going to do a survey, and, you know, are we going to require them to report on an app, and, I mean, are we going census or the other one, survey, or what, and so I just think -- Then just, you know, going through what the AP had suggested, you can build off it in the future, on whether you need mandatory reporting, or even voluntary, but at least you've got the universe.

MS. MCCAWLEY: All right. Thank you, Trish, and so let me just make a suggestion here, and so we've had lots of good discussion and lots of good ideas here, and so John Hadley is going to write this up, and it will be in the committee report, and we can look at all of these topics that we've suggested going out for scoping, and then we can go in and delete any of them, based on the latter part of this discussion, about do we really need to scope every single one of these pieces, and so we'll look at this list again later in the week. I am going to turn it back to John Hadley, to talk a little bit about when this would be scoped and what is the mechanism for scoping.

MR. HADLEY: Sure. Thank you. Assuming that this is approved for scoping, we're looking for feedback on how you would like it scoped, and also some of the timing, and, if it were to be scoped before March, as mentioned in some of the previous discussions, there's a lot going on with other amendments, as far as staff on the road and different public hearing sessions and whatnot.

You know, if the idea was to scope it before March, we could hold some webinars, and you also are going to have -- You have other outlets to receive public comments on this topic, and your technical AP, as well as the Snapper Grouper AP, will be discussing this, later on in the spring, and so there are other public input outlets, if you will, in addition to the council meeting itself, where you could receive scoping, or scoping-esque, comments, to go along with that, but we're looking for feedback, if that's the sort of thing -- So, in summary, we'll look towards some of the other meetings that you have, your own meeting, and then potentially a webinar or two that is really focused on scoping comments for this.

MS. MCCAWLEY: Thanks, John. I like the idea of the webinar, and what do other people think about this, and what council meeting should it come back to, especially thinking about the workload discussions. Spud.

MR. WOODWARD: Well, I think we're going to winnow this down to relatively few questions in a scoping document, and I think it lends itself to virtual input, and so I think, unless it just unduly burdens staff, and interrupts other things, if we can do it before the March meeting, it will help us keep the momentum going on this, and maybe help us refine things, at the March meeting, a little better than we've been able to do.

MS. MCCAWLEY: Okay. We can certainly put it on the list and look at it during the priorities discussion, also later in the week, and I would also suggest us not approving it for scoping until we look at that final list, in Full Council, and winnow that down a little bit. Any other ideas here? Mel.

MR. BELL: I was just going to say -- I mean, I like the virtual idea with this, initially, and one thing to keep in mind is the public has come to us with this, and not just Dewey, but the public has come to us with this, and I know there's going to be resistance to the details, but it's something that there's actually been some support for, and so I would expect that to carry through, and it looks like we're actually listening, and we're moving towards this, and so, I mean, I think we'll actually get some good feedback, and some good, you know, direction on this, and some acceptance.

MS. MCCAWLEY: All right. Thank you. Anything else on this document? All right. I am going to pass it back to Carolyn to wrap us up for today, and I believe we're coming back at 8:30 in the morning, and we'll still be in the Snapper Grouper Committee, and we will be working on the gag and black grouper amendments.

DR. BELCHER: Yes, what Jessica said. It's five o'clock, and we'll adjourn for the evening, but we'll start back at 8:30 tomorrow, in Snapper Grouper again, with gag and black grouper. Laurilee.

MS. THOMPSON: I have a question, and it goes back to the Florida Keys Sanctuary discussion, and I received some information from Leann from the Gulf, but it was after we had already had the discussion, and it refers to the draft letter, and so, in the draft letter, it says that the South Atlantic Fishery Management Council supports the expansion, all the expansions, of the Florida Keys National Marine Sanctuary.

However, the shrimpers in the Gulf do not, and so I was wondering, and I know it's a draft letter, but we're going to have a Shrimp AP meeting on January 18, and can that letter wait to be sent until after -- Then, if we get input from the Shrimp AP, and they don't support the expansions, how does that information get out to the rest of the council? I mean, does the council have to weigh-in, or will the letter be -- Can the letter be altered, the draft letter, just based on input from the Shrimp AP, and I'm sorry to bring this up now, but I figured it was better to do it today than Thursday afternoon, and so that's my question.

MS. MCCAWLEY: All right. Let me try to answer those questions, and so the first question is can we include input from the Shrimp AP, and, yes, that was the reason -- That was the intent, and the letter, the South Atlantic Council letter, is not due until sometime in late February, the 23<sup>rd</sup>, I

believe, and so I believe that you also gave direction to council staff to work with FWC, following the AP meeting, to try to finalize the letter, but I will turn it to Myra, if you want to add anything to that.

MS. BROUWER: Not really, and I think you covered it. What we can offer to do is send a draft out to the council, for you all to see it, before we officially submit it.

DR. BELCHER: So we're recessed for tonight, and we will see you at 8:30. Dinner is at six o'clock, and it is an easy walk down the way, if anybody is interested in walking.

(Whereupon, the meeting recessed on December 6, 2022.)

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DECEMBER 7, 2022

WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at the Blockade Runner, Wrightsville Beach, North Carolina, on Wednesday, December 7, 2022, and was called to order by Chairman Jessica McCawley.

DR. BELCHER: Okay, everybody. We're going to go ahead and get started. We're going to do a little out of order, and the AP report is going to come after the overview from Allie, relative to gag and black grouper.

MS. MCCAWLEY: Wait. There he is.

DR. BELCHER: Well, maybe we don't have to do that. Okay. Well, welcome to Wednesday morning. We're back into Snapper Grouper, and so, Jessica, it's yours.

MS. MCCAWLEY: All right. Thank you, Madam Chair. We're going to start this morning with the gag and black grouper amendment, which is Amendment 53, and, before Allie takes us through the decision document, we're going to go to Bob Lorenz to talk about the Snapper Grouper AP recommendations.

MR. LORENZ: Okay. Thank you, Madam Chair. This is interesting, Amendment 53 with the gag and black grouper management plan, and, unlike things -- You know, where we go around at the AP, where we had -- You know, there is very mixed opinions on snapper, but, this one, people are almost in unanimous agreement, with respect to doing something for gag grouper.

It was interesting, to me, watching this come along, having watched these councils over the years, that -- It's interesting, when somebody says something, to just keep an eye on in the back of your head, because it may be something that comes forth in the future, because there was a council member that did bring this up that I saw, seven years ago or so, and, that council at the time, it didn't really go anywhere, but someone on your council, from Georgia, down near Savannah, that



way, did bring this up as a concern, and a lot of us, at the time, were like, well, not much really going on, and I think that was involved with the council.

The reason I kind of knew it, that I took note of it, was right here, off of Wrightsville Beach, someone who commercial fishes, and now crabs, but, back forty years ago, two or three miles off of here, those little coquina rocks, there were gag grouper, and we'll never get them back to that, but, since then, it's kind of unanimous, and the biggest thing with the AP is, yes, definitely something has to be done. They can certainly understand that it's overfished, and we are experiencing overfishing, and then I guess there's the ID issues.

One of the things with our -- With the AP is it seemed like, I guess, the issues with putting the black and the gag together is due to identification issues with I think, particularly, the recreational sector, and so, again, here's one of these that there was a little more talk, and I think consideration, in south Florida than the rest of us, who don't see anywhere near as many of these animals, and the black would be more an incidental catch up this way.

We show, on our -- Mike is not here. I'm doing this without Mike, and one of the things we found is that there were some mixed opinions on it, but mainly where the mixed opinions come will be on the seasons and the locations, and, right now -- You know, we do have the spawning season closure, and there is a lot of talk of extending it into May, and that's mainly where it comes up as an issue, though we do have a few that certainly don't want like, as an example, December cut out, and, personally, in an area like this, I don't know what that would mean, to cut it back, if you're trying to do spawning stock. I know, in other groups, like the red, you could extend it to May as a way, because here, in North Carolina, you've found fecund females and ability to reproduce.

What we have is an opposition, from just about anybody, to not closing May, and the reasons come from different reasons. One from the for-hire, and it's not quite as big, but it does kind of launch a bottom-fishing season for them, for the people that want it, and this is a big deal with the few headboats that we have left, and this was really a big deal from Georgia into North Carolina, for those type of boats, that you not close all of May, because that's the beginning of the summer season, once the schools let out.

It's a time to have a bunch of people jump on the boats, because it is one added thing that can provide a lot of excitement, if it comes up on the boat, and they're not going to get that many, but it helps drive traffic and clients onto the boat.

Therefore, we had discussions that people were a little more open to closing only a portion of May, a week or two here or there, and, in fact, as we came up to this way, in the north, you know, maybe some tolerance out to May 15, but I think they would prefer not closing in May, but a little bit of it, if that tends to help, extending it a little bit, there was some tolerance for that, but there will be a lot of resistance against losing the entire month of May.

I believe, in the paperwork that we had, when it first came to us, I think you had a recommendation for the commercial sector for a 300-pound trip limit, and some people, coming from the commercial sector actually, said they would prefer a 200-pound commercial limit to any closure, particularly in the month of May, and, I mean, the weather is just cutting it down then, or it just comes to that 200 pounds, and that seems to be the limit that a lot of the folks -- The smaller folks that go out for snapper grouper, it seems to be that they can bring in a box without about 200

pounds of fish, and that certainly makes their operation worthwhile, and that is certainly preferable to a closure, and that's probably something you've heard with most of the species that we ever talk about, and people always prefer an opportunity to try to fish, versus having a closure, and so more time and a little less is always good.

Granted, there is a point of diminishing returns, where seasons get too small, or that sort of thing, and things don't become worth it, and you can get there, in some of the species, and, hopefully, with this one, we're upfront so far that this doesn't become like the red snapper did, and so, as I mentioned previously, not opposed to that 200 pounds, and we, particularly up here, we do not necessarily have -- We're not opposed to aligning the gag grouper closure with the red grouper closure, and what would be interesting is if you did that up here in North Carolina, and you do include the full month of May, which apparently would be a hardship for some of our smaller commercial operators up here, but thinking if we kind of got that together, and I know it works around this region, and it may also in South Carolina and in Georgia, where those gag are out a little deeper earlier in the season, like in May, and you're going to go out there and see them in 150 and 200 feet of water, and you don't get the opportunity to get them in at sixty, ninety, or a hundred feet, like you can early in fall and that sort of a thing.

That's one of the options, and, as you always say, there's always this balancing act, and it reminds me of when we were talking about the hooks and the electric reels, and some folks would say, all right, if you've got to take some time, would you take a little in December and a little in May, and, again, everybody is going to come back at you, and they're going to want to protect as much of May as they can. Thank you.

MS. MCCAWLEY: All right. Thank you, Bob. Any questions for Bob, and so we'll -- Those responses, or reactions, to this document from the AP, they're placed inside the decision document, and so we'll be going through each one of those things as we go through the specific topics, but any questions for Bob at this point? All right. I don't see any hands. Thank you, Bob. I'm going to pass it over to Allie, to start walking us through the decision document.

MS. IBERLE: All right. We've gone through the background on gag, for several meetings now, and we've got a lot to get through today, and to get done, and so I'm going to move us ahead to the black grouper section that I added into this document, and so in September is when you guys added black grouper into this amendment, and so I went back and kind of dug up some stuff as a background for black grouper, and so the black grouper stock was scheduled to be assessed through SEDAR 48 in 2017.

However, there were concerns regarding the uncertainty in commercial landings, and recreational estimates, and so that assessment was stopped, and so, currently, black grouper is part of the shallow-water grouper complex, and it has that same annual spawning season closure, and it's part of the three-fish aggregate, and it also has a twenty-four-inch minimum size limit, just like gag.

The other item that I included there is, in February of 2022, if you remember back at the beginning of this amendment, we had some discussion about spearfishing, in regard to gag, and that was taken to the Law Enforcement AP, and I will note that the Law Enforcement AP noted concerns over identification issues between gag and black grouper, and so I added that in there, because of the reason that we included black grouper in here, and so just food for thought, as we move through.

I kind of tried to organize, since we've got a lot going on in this amendment, the proposed management changes, and I am not going to read these bullets for you, but I highlighted the species, just trying to keep things separate, and so we've kind of increased the list of things that we're doing in this amendment, and so try to keep everything separate.

Then I really want to make sure that we understand the objectives for this meeting, and so we're going to be reviewing all the changes that we made in September, and we made some substantial changes to kind of the structure of the actions and alternatives, and we added gag, and so we'll be going through and reviewing all of those changes, and then we approved this amendment for public hearing in September, and we'll talk a little bit more about public hearings once we wrap up, but we need preferred alternatives for that list of actions there, and so we made changes, and hopefully the actions are good to go, and we can pick preferreds for those, and then we have two sub-actions that currently, and have for I think two meetings now, have the no action alternative selected as the preferred.

I have included a draft motion, if that preferred stays this time, to move those actions to Considered but Rejected, but we'll discuss that when we get there, and so any questions on objectives for this meeting, before I move forward?

MS. MCCAWLEY: Any questions on the objectives? All right. Seeing none, back to you, Allie.

MS. IBERLE: All right. The other thing that I want to make sure that we get done, during this meeting, since -- Moving us into timing, that's kind of a good segue, and so our timing for this amendment is that we will be approving all actions, and approving for review, at the March meeting, and so usually we have a meeting where we approve actions, and then at the following meeting is when you guys give final approval, and so we're going to be condensing that, and so I want to make sure that -- I've got some prompts for myself, to help guide discussion, to make sure that we have all the rationale that we need for all of your preferreds. Then a really -- Go ahead. Sorry.

MS. MCCAWLEY: Back on that table, if you scroll back up to that timing table, it says conduct in-person public hearings in January, and I guess we'll get to this at the end, but aren't we talking about, instead, doing in-person hearings for red snapper and doing webinar hearings for gag? Can you talk a little bit about that?

MS. IBERLE: Yes, and my apologies for that line item. That should be webinar public hearings, and so we kind of discussed that, a little bit, when we were talking about Reg 35, that we think it would be best to do this as a webinar, just so we can make sure that we get the input for gag, and, actually, another great segue, and, speaking of the public, I did want to make sure that the council -- You guys received I think it's up to three really great comments regarding gag for the comment period for this meeting, and I will chat about those in a minute, like where they're applicable, but definitely go ahead and check those out. I think they mainly pertain to the commercial sector, talking about the closure and the trip limit, and so make sure you check those out.

All right, and so a recap of September, since we had a lot of changes, and I will go through this quickly, and so we had the OFL in the purpose and need, and you've seen this through other amendments, and we kind of nixed the OFL, and so you'll see the changes there. Action 4b, that

commercial spawning season closure, you asked for specific input from the AP and the public, and we've haven't gone to the public yet, but we've got some feedback from the AP about that closure and maybe extending it through May.

Action 5a, which is the recreational vessel limit for gag, you removed the six-fish vessel limit, and you removed those vessel limit increase alternatives that we brought to you, and then you directed staff to revise the action to include vessel limits for per day for the private recreational component and per trip for the for-hire component, and then you directed staff to include an alternative, which turned into a sub-action, to prohibit captain and crew from retaining the recreational bag limit.

For Action 5b, which is the rec spawning season closure, again, kind of the same thing as the commercial spawning season closure, and that action essentially duplicates for the recreational sector, and then, finally, you made a motion to include actions that modify the recreational management measures for black grouper, due to identification issues. That will take us into the purpose and need, and so we removed the OFL in September, and so the only changes that were made to the purpose and need were the addition of black grouper, and so any comments or concerns on the purpose and need statements?

MS. MCCAWLEY: I noticed, in the sentence that has black grouper, it says, "modifications to management measures and accountability measures", and, technically, we're not modifying the accountability measures for black, and so I don't know if that's clear or if the sentence needs to be rearranged just a little bit.

MS. IBERLE: I think we should rearrange that a little bit, and so, if you will give the IPT license, we can make sure that that's clear, and we'll probably just add another sentence to include black grouper, to kind of untie that, if everyone is okay with that.

MS. MCCAWLEY: All right, and so I don't think we need a motion on that, but just direction to staff, maybe, to make it clear that we're not modifying the accountability measures for black grouper, but just the management measures, and so Allie is going to get that on the board there. All right. Anything else on the purpose and need? I don't see any hands.

MS. IBERLE: All right, and so we can go ahead and jump into the actions, and so Action 1 will establish a rebuilding plan for gag, and so, obviously, we received a stock status, from SEDAR 71, of overfished and experiencing overfishing for gag, and we've been talking about the parameters for the rebuilding plan for some time now, and so your alternatives are to not establish a rebuilding plan, which is, obviously, not a viable alternative, to have a rebuilding plan using T<sub>min</sub>, which would be seven years, and then your current preferred, which is using T<sub>max</sub> of ten years.

I will touch, briefly -- We had some non-consensus feedback from the AP that there was concerns over the success of the rebuilding plan, due to how quickly catch levels increase throughout the rebuilding timeframe, and so, as we move out, we have those ten years, and the catch level actually exceeds the current catch level, further down the line, and so I think that's where those concerns kind of arose, and then I will, really quickly, review your summary effects. Again, the full effects are in your draft amendment, which is in your briefing book.

For biological effects, again, Alternative 1 is not a viable alternative, and any rebuilding timeframe that rebuilds the stock quicker would be expected to have greater biological benefit. Therefore,

Alternative 2 would provide that highest benefit, followed by your current preferred. For economic effects, rebuilding plans don't have a direct economic effect. However, a rebuilding plan with a shorter timeframe has the highest implied long-term economic benefit, and so, again, Alternative 2 would be expected to have the highest implied economic benefit, followed by your current preferred.

Then, last, but certainly not least, social effects, and, generally, the shorter the rebuilding plan, the more severe the harvest restrictions, and so, considering those short-term social effects, Preferred Alternative 3 is likely to have fewer negative social effects, when compared to Alternative 2, and so, before I turn it over, I want to make sure that, as we discuss this, we address that AP comment of rebuilding success, and does the council have any concerns over the success of the rebuilding plan, and then, also, consider all the other actions in this amendment, and does the council feel that the actions that are taken in the amendment are going to ensure that there's success in the rebuilding plan that you've chosen.

MS. MCCAWLEY: All right. Thanks, Allie. Okay. Is there discussion on Action 1? You've heard some of the concerns from the AP, and we've selected a preferred alternative here, and the concerns were about, I guess, the projected ACL in the coming years, and is there any desire to change the preferred alternative? Any discussion here on this item? Andy.

MR. STRELCHECK: I mean, just in response to the AP comment, I don't recall exactly when the next SEDAR assessment is for gag, but it's going to be sometime in this window, and during the rebuilding plan, and so we can always make course corrections. The other, I think, challenge that I will just note, and I'm not sure we really have any options at this point, is that 2023 is the first year of the rebuilding plan, but we're not going to be implementing this until mid to late 2023, and so you potentially could be starting off with higher catches in 2023 than what is actually projected in the rebuilding plan, which then slows the rebuilding plan thereafter.

MS. MCCAWLEY: Thanks for that, Andy. Any more discussion here on this? Are we still good with our preferred? Okay. I see heads nodding yes and thumbs-up. All right. Back to you, Allie.

MS. IBERLE: All right. That brings us to Action 2, which will revise the acceptable biological catch, total annual catch limit, and annual optimum yield, and so we received updated catch levels from SEDAR 71, and we also need to incorporate those MRIP-FES recreational estimates, and so the tables that you see, for each of these alternatives, is how it will be set up in the amendment, and Alternative 1 retains the current catch level, and so not a viable alternative, and Preferred Alternative 2 sets your ACL and OY equal to the updated ABC. Alternative 3 sets your ACL and OY equal to 95 percent of the updated ABC, and then Alternative 4 sets ACL and OY equal to 90 percent of the updated ABC.

We reviewed most of these figures, and I want to touch, one more time, on Figure 3, and so we've seen this, but this is kind of a look at how the fishery has been operating from 2015 to 2019, and these are total landings, and they include MRIP-FES estimates, and then the blue bars are your ACLs underneath the rebuilding plan for your preferred and for your Preferred Alternative 2, and so you can see, in 2023 to 2027, your catch levels are below where the fishery has been operating. By 2028, your catch level would be above the average landings, total landings, from 2015 to 2019.

For summary effects, like I mentioned, Alternative 1 is not a viable alternative, and, when we're looking at biological effects, a higher buffer between the ACL and OY is expected to increase biological benefit. Alternative 4 is the alternative that provides that highest benefit, and Alternative 2 does not provide a buffer, and so, therefore, we would expect the least biological benefit.

For economic effects, all alternatives are expected to be initially constraining on harvest, like we saw in that figure, and Preferred Alternative 2 has the highest ACL, and therefore the highest potential economic benefits, and Table 2 shows you the estimated change in net economic benefits for the commercial, recreational, and then both sectors combined, and so I kind of pulled that out, so that you guys could see that, but I'm not going to go through each dollar amount.

Then, for social effects, ACLs don't have a direct effect on resource users. However, higher ACLs generally equate to higher social benefit. Therefore, your preferred would be expected to have the highest social benefit, and then, before I turn it over, in the bio effects, obviously, we talked about no buffer between the ACL and the ABC, and so, like with the previous action, reflect on the actions throughout the rest of the amendment, and do we feel as though the other actions will be sufficient, without having a buffer between the ACL and the ABC, and so, with that, I will turn it over.

MS. MCCAWLEY: All right. Thank you, Allie. Is there discussion here on this one? We already have a preferred. Andy.

MR. STRELCHECK: It must have been a tough night for some folks. Sorry. Just to comment -- That was probably inappropriate of me. I am trying to lighten the mood. The difference between the OFL and the ABC, or ACL, to me, is the most critical here. If the OFL was very close to the ABC, then I would be recommending that we reduce the ACL, to provide a larger buffer between the overfishing limit, in this case, because there is already a larger buffer between the OFL and the ABC, and I don't think there's a need to reduce the ACL further.

MS. MCCAWLEY: Yes, I agree. Great point. Any more discussion? I see heads nodding in agreement on that, and I assume we want to stick with our preferred. It looks like people are nodding yes. Okay. Back to you, Allie.

MS. IBERLE: All right. Thank you so much for that discussion. Action 3 will revise the gag sector allocations and sector annual catch limits, and so, again, we have updated catch levels, and we're incorporating those recreational estimates from the FES, and so we need to look at our allocations.

Alternative 1 would retain your current percentage of 51 commercial and 49 recreational, but it would apply it to your updated ACL, and Alternative 2 allocates 36.37 to the commercial sector and 63.63 to the recreational, and I will talk a little bit about the methods for these other alternatives in just a second.

Alternative 3 allocates 43.0 percent to the commercial and 56.94 to the recreational sector, and then we see some highlighting here, and so this your current preferred, and, previously, we had some nice lengthy paragraphs for these alternatives, and so, in our last round of edits for the amendment, we streamlined this language and put all of those details into the discussion for that,

and so we kind of mirrored that here in the decision document, and so this kind of just shows you the allocation percentages, and so the commercial and recreational allocation percentages would change each year from 2023 to 2032, where they would remain in place until modified, based on, and then your two sub-alternatives, and so that three-year average and a five-year average.

We've kind of more appropriately renamed this the split reduction method, and we felt that was more appropriate than share-the-pain-share-the-gain, and so that will be, going forward, that we're transitioning over, and so then these tables here just show you each sector ACL and then the coordinating percentage.

You still have the summary table here, and so I mentioned Alternative 1 keeps those same current percentage allocations and applies them to your updated ACL. Alternative 2 takes the method that was used to determine those allocations, and so the landings distribution from 1999 to 2003, and it recalculates using the MRIP-FES recreational landings, and so, when you recalculate that, that's where the 36 and 63 percent and change come out, and then Alternative 3 uses the Comprehensive ACL allocation formula, and so that's typically used for unassessed stocks, and red porgy used it, and so it's included as an alternative here, and, then again, the split reduction method -- We've gone through that a little bit, and so I'm not going to go into the details, but, when you look at these tables here -- I was showing you these alternatives, and these massive tables that would have never really fit into the amendment, and so we've broken them down, and it's the same information, but just presented a little bit differently, but let me know if there are any questions on this alternative.

Then these figures you've seen before, and so we're essentially looking at that same figure that we looked at with the total landings and total ACL, but we've split this by sector, and so the bars are going to be each one of your allocation alternatives, and that dashed line is commercial landings from 2015 to 2019, and then the same thing for the recreational, and so the bars are your alternatives, and the dashed line are the recreational MRIP landings from 2015 to 2019.

When we looked at -- We did a season analysis for these alternatives, and there's a lot going on in this table, and so I'm going to just direct your attention to your current preferred, which is Sub-Alternative 4b, that split reduction, a five-year average basis, and so, when we look at the bookend analysis, in 2023, for both sectors, we're expected to have a pretty early closure, and those initial catch levels are very constraining on harvest.

By 2027, a late fall closure, or mid-fall closure, for the recreational sector, and no expected closure for the commercial, and then, by 2032, no expected closure for each sector, and I say closure, and those dates are when the ACL would be expected to be met, and so we have to think about AMs, and how the AMs function, and so that wouldn't be a hard-and-fast that the season would close on those dates, and this is based on projected landings.

MS. MCCAWLEY: All right. Kerry.

MS. MARHEFKA: Just a question, and sorry if I missed it, Allie, but is this based on current trip limits, the projected closures, and bag limits, or our preferred?

MS. IBERLE: (Ms. Iberle's comment is not audible on the recording.)

MS. MCCAWLEY: Okay. Spud.

MR. WOODWARD: I just wanted to point out a typo on that Preferred Sub-Alternative 4b. The total ACL, with 2023, should be that 175,632 number and not the 85,326.

MS. IBERLE: Thank you.

MS. MCCAWLEY: Thank you, Spud. Anything else? Once again, we already have a preferred on this one, and are we good with the preferred? We've had a lot of discussion on this one in the past, and I'm just making sure that folks are okay. I see thumbs-up. All right.

MS. IBERLE: All right, and so I am going to review the summary effects for this action, and so, for biological effects, biological effects have the potential to decrease if the sector with historically higher discards receives a higher allocation, and the recreational sector has historically higher discards, versus landings ratios, and I put in there -- We have more information in the draft amendment, and so it's in Chapter 4, Table 4.3.1.1, and so if you want to reference, or if you want to see more information about that.

Considering that, Alternative 2, 3, and 4a could incur negative effects, since they allocate more to the recreational sector, and Preferred Alternative 4b is not expected to substantially differ from Alternative 1, since the allocation percentages would be very similar, and I will remind you that the percentages shift to 50/50 pretty early on in your preferred, and they stay 50/50 throughout the rest of the rebuilding plan and then until modified.

For economic effects, economic benefits may increase if a sector is allocated more of the ACL, obviously, and decrease if they receive less, and so, under Preferred Alternative 2, the following net economic benefits are expected, and so, in Table 9, you can see the change in potential net economic benefits for each sector and then both combined.

Then, for social effects, social benefits may increase if a sector is allocated more of the total ACL and decrease if their sector ACL is reduced, and both sector ACLs are expected to be constraining on harvest in the beginning of the rebuilding plan, just because of those reduced catch levels, and then the one thing that I did want to make sure that we discussed is have a little bit of discussion on how your preferred alternative ensures that this allocation scenario doesn't give an excessive share to any particular individual, corporation, or entity, and that language might sound familiar, because it is National Standard 4, and so I just wanted to make sure that we discuss and make sure that your alternative ensures that.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: I mean, I personally -- I assume that matters mostly for the commercial sector, right, and an excessive share to any -- I can't imagine one person is the winner in this scenario, and am I wrong? If it is, can it be me? No, I'm just kidding. Kidding, kidding, kidding. No, but I don't see any way -- I mean, commercially speaking, at a 300-pound trip limit, there is no way one person can have a windfall, and so I don't think that is applicable in this situation, from a commercial perspective.



MS. MCCAWLEY: Anybody else? I feel like this is the whole premise to what we were formally calling the shared-pain-shared-gain, because I think gag is important to both sectors here, and so, no, I don't see any one individual benefitting here.

MS. IBERLE: All right. That brings us to Action 4, and so Action 4 deals with commercial management measures for gag, and so we have two sub-actions, the commercial trip limit and the commercial spawning season closure, and so we'll start with the commercial trip limit. We were considering modifying the commercial trip limit to achieve -- We were considering the commercial trip limit to -- I just got wrapped around the axle. Sorry about that. I was thinking spawning season closure.

Modifying the commercial trip limit to constrain harvest to those reduced catch levels. I'm back. All right, and so Alternative 1 is your current trip limit of a thousand pounds gutted weight until 75 percent of the commercial annual catch limit is met. Then you have a step-down to 500 pounds gutted weight, and we've talked a little bit about the efficacy of that step-down. None of your other alternatives have a step-down, and we've talked about that as well, or not incorporating one, and Alternative 2 is a 200-pound trip limit, Alternative 3 is a 300-pound, 400, and 500, and then Alternative 6 you first saw in September. That starts with a 300-pound trip limit and increases to 500 in 2026 and then to a thousand pounds in 2027, where it would remain a thousand pounds, without a step-down, in 2027.

I will remind you that the way we developed this alternative was based on projected landings and when the ACL wouldn't be met under those projected landings, and so, the way it's written right now, those dates would be codified, and the trip limit would increase, regardless of rebuilding success, or how the fishery has been operating, and those would be hard-and-fast dates.

These first couple of bullets are discussion on that step-down, and I think we've covered that enough, and, for time's sake, I'm going to switch to our analysis, and so Figure 6 in Table 12 -- These were pre-Alternative 6, and so I'm going to keep moving through, and so this Table 13 shows you kind of the explanation of how we got to Alternative 6, and so it talks about those projected landings and how that alternative was developed, and then Table 14 shows you the date the commercial ACL is projected to be met under each trip limit alternative, and you can see your preferred, your current preferred, is highlighted, and so, again, in 2023, you've got very constraining catch levels, and so a pretty early closure date there. Then 2027 and 2032, you're not expected to see a closure.

Just touching really quickly -- Going back to that advisory panel feedback, I really boiled it down into two bullets, and Bob provided a great summary, and there was some back-and-forth between the pros and cons of the trip limit and the closure, and so that May -- Opening in May was really important, and so most of the discussion centered around wanting a lower trip limit, versus a closure.

Then, for our effects section, biological effects are not expected to differ among alternatives, in terms of risk of overfishing, because all of our sector ACLs are limited to the sector ACL, and so you're not risking overfishing. Under Alternative 6, the commercial trip limit would be increased, regardless of whether adequate rebuilding occurs, which could have negative effects on the stock, and then reducing the commercial trip limit could extend the length of the commercial season.

Therefore, alternatives that provide the largest trip limit could result in a shorter season and increased risk of discards.

For economic effects, lower trip limit would allow for lower levels of revenue over more trips, thus potentially decreasing net economic benefits through decreased net revenue, and, under Preferred Alternative 3, there is expected to be a roughly \$93,000 reduction in net economic benefits in the 2023 fishing year.

Then, finally, last, but not least, social effects, and a lower trip limit may extend the commercial season. However, trip limits that are low may make trips too inefficient and too costly. All alternatives, assuming the preferred alternatives from Actions 1 through 3 are applied, are expected to be constraining. The increasing trip limit under Alternative 6 is likely to result in some social benefit as access to the resource is restored over time. Then I just want to make sure that we discuss your preferred. Does your preferred make trips too inefficient, or too costly, and have some discussion on that, and, with that, I will turn it back over.

MS. MCCAWLEY: Okay. I see lots of hands going up. I guess let's start with Bob, and then we'll go to Kerry.

MR. LORENZ: Thank you, Madam Chair, and when I first came in -- Allie and I thought this might be better to tag-team a little bit on some of this, rather than me just go through everything that was discussed with Amendment 53, and so I did provide you the input about the commercial trip limits, but just one thing I wanted -- The commercial sector was adamant on, and they got actually universal, unanimous support from the AP, was that continue to exclude, and they wanted the language "any and all" commercial modifications to black grouper management from Amendment 53, since this says gag and black, that they want to exclude any commercial modifications to the black grouper, and this is strictly stick with the gag here. Thank you.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: Allie, can you go back to Table 13, please? I'm just curious about the terminology, and it says, "commercial ACL overage", and I'm thinking what it means is that's the amount -- We would close early, and like the overage part, and we don't really go over, and, personally, I would like it if the IPT team could edit the name of that, because I think it's misleading, and it looks like, every year, we're taking more fish than we're allowed, and we know that, while it may go over a tiny bit, based on projections, we would never be allowed to go over by 117 percent.

MS. IBERLE: I agree that that is a little misleading, and so, essentially, what this is is when the projected landings would be above the commercial ACL, but, with the accountability measure, yes, you're correct, and the terminology -- Yes, we'll revise that. Thank you.

MS. MCCAWLEY: Tim.

MR. GRINER: Thank you, and, yes, I just wanted to reiterate support for our current preferred. You know, currently, 83 percent of all the trips are under 250 pounds anyway, and, as Andy said, we've got a chance -- We're going to have another stock assessment, before this is all said and done, and so that will give us a chance to revisit our rebuilding timeframe, and I don't see any need

to have built-in step-ups, with hard-and-fast dates, and so I really would like to keep our preferred. Thank you.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: If I may pile on to the rationale, I agree with Tim, and I think we're also dealing with a species that aggregates to spawn. I think, if you're on one of the 17 percent of trips that catches more than 250 pounds, it worries me that it's a localized population depletion, and so I feel like, in the benefit of the species, that is not doing well, we really need to be conservative, in that manner, and so I agree with Tim.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I'm just curious, and when is the next gag assessment scheduled?

MS. MCCAWLEY: We're working on an answer, because we think they changed the date. Okay. It's still 2025. All right, and so it sounds like we are wanting to -- Even though the AP is suggesting the 200-pound limit, that we are suggesting sticking with our preferred alternative of the 300 pounds, and I feel like we'll have this conversation again on the other actions, but any more discussion on the commercial trip limit on this action? All right. Back to you.

MS. IBERLE: Okay, and so the next sub-action is modifying the commercial spawning season closure, and so we're considering modifying the commercial spawning season closure to allow for an increased opportunity for gag to spawn before being harvested. We went back to the drawing board on the way that the language is set up on these alternatives. We looked at the amendment that modified the red grouper, and we essentially copied-and-pasted and changed it for gag, just for consistency purposes, and so that's why these are highlighted, but the actual meat-and-potatoes of each alternative has not changed, and so I'm going to use Table 15.

Currently, your preferred is no action, which would retain the current January 1 through April 30 spawning season closure. Alternative 2 would provide an additional month in May, and Alternative 3 would provide an additional month in December, and Alternative 4 would provide two additional months, one in December and one in May.

If you look at Figure 7, it shows you kind of a spread of the commercial landings by month from 2017 to 2019, and that dashed line is projected landings, and so we've heard a little bit of feedback on how important May is, and we can kind of see that here, that we've got a lot of landings in May, and it kind of tapers out through the rest of the year.

I'm not going to go through each of these one of these bullets, and Bob covered it really well, but, essentially, what we heard was May was a very important month, specifically for commercial, but also for the recreational sector, and so you'll notice that this feedback kind of covers all three of the spawning season closure sub-actions, and so the commercial and the recreational gag and the recreational black grouper. They noted that May is a really important month for both sectors for gag and for recreational for black grouper.

For biological effects, a longer spawning season closure provides the most biological benefit to the stock. Therefore, Alternative 4, followed by Alternative 3, 2, and Alternative 1 would provide

the highest biological benefit. The current spawning season does encompass peak spawning though, and so, according to the literature, we do have peak spawning encased in that current spawning season closure.

For economic benefits, a shorter season would reduce short-term economic benefits, and so, from a short-term economic benefits perspective, Preferred Alternative 1 would provide the highest economic benefits, followed by Alternative 3, 2, and then 4. For social effects, a spawning season closure will be a tradeoff between biological benefits and extending the closure for increased commercial opportunities, if it remains unmodified, and so Preferred Alternative 1 would cause the least amount of disruption to the commercial fishing businesses, as fishermen have already adjusted their practices to this closure, and, therefore, Preferred Alternative 1 would provide the most access for fishing communities, followed by your other alternatives. I have a draft motion here. After we discuss if we want to retain the no action alternative, the IPT would suggest moving this action to the Considered but Rejected Appendix.

MS. MCCAWLEY: All right. Discussion on this? From the decision tool, it seems like the May closure offered a significant reduction, but I understand, and you can see from the graphs, that May is a super important and popular month here. Right now, we have Alternative 1, no action, as our preferred. If we're going to stick with that, then the IPT is suggesting that we move this entire action to Considered but Rejected, and I'm just looking for some thoughts here on this. Kerry and then Tim.

MS. MARHEFKA: I think we're probably both in agreement that we're getting the -- **We've captured the peak spawning season months already, and I don't know that we're going to get the bang for the buck there, and we've heard feedback that it's a very important month for many of the commercial fishermen, and so I would move that we move this to the Considered but Rejected part of the document.**

MS. MCCAWLEY: All right, and so we have a motion. Do we have a second? It's seconded by Tim. Under discussion. Tim.

MR. GRINER: No, and I'm fine now.

MS. MCCAWLEY: Okay. Any more discussion on this particular motion? Andy.

MR. STRELCHECK: I mean, just a couple of comments. I mean, there's certainly the benefits of having the closure extended into May, when there is still some spawning occurring, and I'm not sure that there's substantial benefits from that, given that it's toward the tail-end of the spawning season, and what I don't like about Alternatives 2 through 4 is that they would be for gag only, and so you now have discard issues with gag while you're potentially targeting other grouper species, and so I think I'm good with the motion on the board.

MS. MCCAWLEY: Thank you, Andy. Any more discussion on this motion? All right. **Is there any objection to this motion?** All right. **Seeing none, that motion carries.** Trish.

MS. MURPHEY: Allie, I've just got a question. As far as process, does this -- When it gets moved to rejected, does it stay in the plan anywhere, or does it just go away?

MS. IBERLE: So it stays in as a record, and so you'll always be able to reference it in that appendix of the amendment, but it will go away from the decision documents that I review with you, and it will go away from the lineup in Chapter 2 and Chapter 4 of your amendment, but it will still be in there.

MS. MURPHEY: Okay, and so, just to ask a question about the wording of the new cut-and-paste stuff that you added, I am kind of confused about the "no person may fish for". Does that mean - I know this was -- Should that be -- You've got "harvest and possess", which possess is -- I just wondered if you needed that "may fish for", because I'm thinking that I can still fish, but I just can't keep them, and then I just wondered, if that was the case, then how enforceable is it, because I could just say that I'm not fishing for gag, and so, anyway, I just kind of wanted to bring up that wording, and so, especially since it was pulled from the other, I didn't know whether that was a - - Anyway, whatever your thoughts are on that.

MS. MCCAWLEY: Then you get into should it say "targeting", and, I mean, I don't know what it should be there, and I don't know if you have any thoughts on that, Allie.

MS. IBERLE: I think that there's definitely some confusion there, or I can see where the confusion is arising, and I will look to Monica, but I will say that, if this gets moved to Considered but Rejected, I don't know that it's crucial to have the wording correct, but I will defer to Monica.

MS. SMIT-BRUNELLO: I agree with you. I don't think it's crucial at all, and I think that it tracks the language of the regulations, and that's why it's written that way, so that it's covered as fish for, harvest, or possess, and I cannot tell you why they added "fish for", but, anyway, I believe it's in the regulations.

MS. MURPHEY: All right. It just threw me when I read it, and so, anyway, okay. Cool.

MS. MCCAWLEY: Thank you, Monica. Anything else on this action? All right. Back to Allie.

MS. IBERLE: All right. That brings us to the suite of sub-actions under Action 5, which modifies recreational management measures for gag, and so, starting with Sub-Action 5a, that establishes a recreational vessel limit for gag, and so we've got some pretty constraining harvest, or ACLs, for gag, and so we need to establish a vessel limit that will help constrain harvest to those updated ACLs.

Alternative 1 retains your current bag limit, which is one fish per person per day within the three shallow-water grouper aggregate, where no more than one grouper can be gag or black. We modified this action, and this kind of suite of alternatives, in September, and so this is the result of those modifications. Alternative 2 establishes a private rec vessel limit for gag of either two fish per vessel per day or four fish per vessel per day are your Sub-Alternatives 2a and 2b.

Alternative 3 establishes a for-hire recreational vessel limit for gag of two or four fish per vessel per trip, and so that's where the difference lies there, and so, for the private rec, you have a per-day vessel limit, and, for the for-hire, you have a per-trip.

Figure 8 shows you -- This was our initial figure that we brought to you, and it shows you MRIP and headboat, and then Table 17 shows you the predicted percent change in landings per

recreational trip. If you take a look at Figure 9, Figure 9 separates it out into the three components of private, charter, and headboat, and so it gives you a little bit more information about the distribution of gag harvested per trip, and, as you can see, very often, it's one gag per vessel.

When you look at Table 18, this is the predicted percent change in landings with the current suite of alternatives, and so this table can get a little confusing, but it's got all the information that you need, and so, when you're looking at the alternative, you have to match it up with the column, and so the columns are your sector component, and then you have your alternatives, which gives you the different vessel limit, and so you can look at those percent changes there. If it has a dash, it just doesn't apply, because it's the other sector.

I wanted to take some time to go through the AP feedback on this, and I kind of broke this down into three parts, some non-consensus feedback, and there were some informal votes, and then your formal vote motions, and so there was concerns noted over the abuse of the per-day vessel limit, and so they talked a lot about the per-day and per-vessel limit, and there was talk of preferring the four-fish vessel limit, or trip limit, for both components of the recreational sector and not separating it out.

When they had some informal votes, we talked about the two gag per vessel per day for the private and for-hire components, and you can see how that shook out, and two gag per vessel per day for private and four per vessel per day for for-hire, and no one was in favor of that, and then one gag per vessel per day for private vessels and two fish per vessel per day for charter, and then a division of fish per headcount for for-hire vessels, and so, from ten to twenty people, you would be allowed to retain six fish, and, anything over thirty, you would be allowed to retain ten fish, and so we had eight in favor.

Then it went to a formal motion, and so they recommended that the council consider the gag recreational vessel limit be one fish per vessel per day for the private component and two fish per vessel per day for the charter component, and, depending on customer count for the headboat, with ten to thirty people having a six-fish vessel limit and anything over thirty a ten-fish vessel limit per day, and that motion passed. We had one more motion that did fail, and they recommended the council consider the gag recreational limit be one fish per three people on a vessel.

I will go really quickly through the effects section, so that we can discuss that AP feedback, and so biological effects are not expected to differ too much among alternatives and the risk of overfishing, because we're limited to the recreational ACL, but reducing -- That should say the recreational vessel could extend the recreational season, and, therefore, alternatives that provide the largest vessel limit could result in a shorter season and an increase in discards.

For economic effects, establishing a vessel limit would result in a reduction in harvest and economic benefits, and you can see there, in Table 19, and this is the comparison of the estimated change in recreational landings of gag and associated net economic benefits there, and then, finally, for social effects, vessel limits are going to be a tradeoff between longer access during the fishing season and vessel limits that make trips too inefficient, or costly, and sector components that have more restrictive vessel limits may have more negative social effects, and so, with that, I will turn it over.

MS. MCCAWLEY: All right. I think we definitely need a discussion on this one. Spud, would you like to start?

MR. WOODWARD: Yes, ma'am, Madam Chair, and we've probably seen this before, and I don't remember, but the question is, out of the annual estimated recreational landings, what percentage do headboats account for? I mean, I think it's a relatively small percentage, but I'm just curious, because, obviously, if you consider liberalizing that -- I am just trying to understand what the risk factors are, you know, in terms of doing what this alternative motion from the AP might result in.

MS. MCCAWLEY: So we've had this discussion before, and you're right, and I had this question come up, and Allie has highlighted something there on Figure 9, but the sample size is really small there. While you're looking at that Spud, I'm going to go to Bob, to talk a little bit more about what the AP's comments were.

MR. LORENZ: Yes, and, if you're going to wrestle with this a bit, I will let you know that the AP wrestled a lot with this, and, as Allie showed you, from our motion, it was approved, but note the scoring, and I asked that we score it for you, on how it was approved, and there were five yea, three nay, and eight abstentions. There were just some that couldn't quite get their arms around it quick enough and feel good to make a decision in the timeframe we had, without taking most of the day to continue on this, and so I just wanted to bring that to your attention. It was a tough one. It was really tough for us.

MS. MCCAWLEY: I will remind everybody that we definitely need to pick a preferred here on this item, and this is a toughie. We did see some information that most vessels are really only catching one per vessel, and so I feel like we're going to have to make some hard decisions here about what to do. Judy.

MS. HELMEY: That is true about normally we're catching -- On the charter end of it, for six people, we normally catch one to two fish a day, and not every day, and so that's my comment.

MS. MCCAWLEY: Trish and then Tim.

MS. MURPHEY: So I struggled with this one, very much, just from talking to folks in North Carolina, and folks that work on headboats, and weighing access, needs of access, for folks, and, I mean, I guess, in this case, I always think of my cousins in the mountains, and the only way they're going to fish is they're going to go on a headboat, but the -- I guess, with the gag being in the situation it is, and then just seeing that, in general, they only catch one a day, and then, also thinking about my cousins, and I'm not sure they would know what a gag was anyway, and so, you know, they would be going out there to fish.

I'm just going to throw it out there, and this is not a motion, but maybe -- Well, I don't know, and do I need it? I just think that maybe the Alternative 2a and 2b might be the way to go at this point, just looking -- You know, just based off what I read and some of the input and the discussion where the committee, you know, wanted to do the for-hire, the ten to twenty people and -- It just seems like that would just be a nightmare to deal with, and so I don't support that at all, but, based off of their input, and the scoring of who was in favor, I think I would support doing a two gag per vessel per day, regardless of sector.

MS. MCCAWLEY: Thank you, Trish, and so, just to clarify, I think you mean 2a and 3a, just to -- Because that matches the words that you said for those vessel limits, and basically matching the vessel limit, and that's what you meant, right? Okay. We'll call that a soft motion, and it wasn't really a motion yet, but just throwing that out there for discussion, and so, basically, it would be the same vessel limit for all, and I agree that I think gag is bad shape and that we need to do something across-the-board here, and we can always come back and change this later, as the stock rebuilds, but, unfortunately, I feel like we're at the point where we need to make some hard decisions. All right, and so I had more folks in the queue. If you want to get in the queue, raise your hand, and so I have Tim, Spud, and then Gary.

MR. GRINER: Thank you, Madam Chair. Yes, this is a little difficult. I mean, when I look at the harvest per vessel, for private, charter, and headboat, you know, it's clear that there's not a lot of trips with more than one gag, and so that's where we are today, and so part of me thinks that we should just leave it like it is, and it's going to be confusing to change, and the other thing I worry about, because gag is in bad shape, is, if we change it from what it is right now, and you've got a charter, or even a private rec, where there's four guys out there, and they're all fishing at the same time, and they're not fishing one at a time, and so, if four guys are fishing, and four guys hook up with a gag, and it's not one per person, then we've kind of defeated the purpose of this, right, and we're throwing three gags away, or two gags away, however many we had over what this new vessel limit may be. I think there's a lot of benefit and safety in leaving it like it is. If these harvest per vessel, for private, charter, and headboat are accurate, I don't see that we're really going to do much damage by leaving it like it is. Thank you.

MS. MCCAWLEY: All right. Spud and then Gary.

MR. WOODWARD: These vessel limits are always a vexing issue to deal with, because, you know, a big part of the appeal of recreational fishing is opportunity to capitalize on, you know, that day, when things are happening, but I do think we're dealing with a situation where a stock is in pretty dire straits, and that, you know, a two fish per vessel per day wouldn't be limiting, and I go back to sort of like the commercial trip limit. We're going to be revisiting this in the not-too-distant future, and we can fine-tune this, and so I will support what Trish has said, and I'm certainly willing to make that as a hard motion, if you want me to.

MS. MCCAWLEY: Yes, go ahead.

MR. WOODWARD: **I will move that we select, as our preferred, Sub-Alternative 2a and Sub-Alternative 3a under Sub-Action 5a.**

MS. MCCAWLEY: All right. We have a motion, and it's seconded by Trish. I have a list of folks here. Gary, you're up next.

MR. BORLAND: I am with Spud, and I think the only wording I would like to see is I do believe the for-hire vessels -- That we should word it that it is per trip per day, and, if they take two trips -- I think it's small, but I think they should have the ability to be able to keep that limit on each for-hire trip that they take that specific day, which would be a max of two trips, if you want to call it, and I think that's important.



MS. IBERLE: As the motion reads, your preferred would select a two fish per vessel per day limit for the private component and a two fish per vessel per trip for the for-hire, and I just wanted to make sure that was clear.

MS. MCCAWLEY: Okay, and so, just to clarify, that matches the motion for the preferreds that were selected. Okay, and so Allie highlighted it there on the board, and so is there more discussion? We have a motion on the board here to select those two preferreds that are highlighted on the screen. Tom.

MR. ROLLER: Thank you, Chair. You know, I've struggled with this issue, because, looking at all the -- Originally, going back to Tim's comment, there's really not much benefit, right, of having these lower limits, but the stock is in really bad shape, right, and so I've been looking at this more over kind of the long-term of the rebuilding plan, where two would be very constraining to fishermen in a few years, but, then again, when we've had comments here, from you, Jessica, as well as Spud, that this is something we can go back and change, and, being that we said that on the record, I am more comfortable with this motion, and supportive of it, given the status of the stock.

MS. MCCAWLEY: Yes. Good point. All right. Any more discussion, before we vote on this motion? We're getting the motion pulled up again, and there it is. Andy.

MR. STRELCHECK: I am supportive of the motion. I think it's probably a little too late in the process, but, you know, we run into this issue, with charter and headboats, just because of the difference in passenger capacity, and differential impacts on one versus the other, and, although it's complicated, maybe, in the future, we need to think about, you know, a number of fish per set number of passengers. Most of our for-hire vessels are six passengers, and so you could do a vessel limit that's based on kind of increments of six people, going forward, and so that accommodates then headboats, that might take thirty or forty or fifty people, and I'm not suggesting that now, but I think that might be a more equitable way of dealing with these vessel limits for the headboat sector.

MS. MCCAWLEY: Noted, and that's something that we can consider maybe as the stock rebuilds. Judy.

MS. HELMEY: I would just like to go on the record to say that I do agree with the two per person for the charter, but, like Tom said, I do want to know that we can change it, in the event that it says so. Thanks.

MS. MCCAWLEY: All right. Thank you, Judy. Anything else on this motion? **Once again, the motion is to select Sub-Alternative 2a and Sub-Alternative 3a for Sub-Action 5a.** That's not confusing at all. All right. Any more discussion? Spud.

MR. WOODWARD: Just a follow-up to what Andy said, and I think perhaps this six-pack boat, versus headboat, thing could be something that we address in the management strategy evaluation too, because it really cuts across more than just gag grouper.

MS. MCCAWLEY: Good call. Any more discussion? All right. **Is there any objection to this motion?** All right. **Seeing none, that motion carries.**

MS. IBERLE: All right. That brings us to Sub-Action 5b, which would modify the recreational spawning season closure. These look familiar, because they're the same language, same alternatives, from the commercial gag spawning season closure, and you currently have the same selected preferred, no action.

Table 20 gives you a rundown on those months, and, again, just the additional month in May, winter, or two additional months, winter and May. The same figure that we looked at for the commercial sector. However, this is for the recreational sector, and so looking a little bit different, and we still heard, from the AP, again, that May was a really important month for the recreational sector as well, and I will go through effects, really quickly.

Longer spawning season closures, again, provide higher biological benefit, and these are essentially repeated from the commercial sector, because these effects don't change per sector, and short-term benefits, short-term economic benefits perspective, your preferred would provide the highest economic benefit, and so, obviously, the more economic benefit, the longer the season. Social effects, there are tradeoffs between the biological benefits and opportunity to fish, and so Preferred Alternative 1 would cause the least amount of disruption to the recreational sector, as it would the commercial sector, and so the same discussion here. I have a draft motion for you, if you would like to retain your current selected preferred, and we could move this action, or sub-action, to the Considered but Rejected Appendix.

MS. MCCAWLEY: All right. Thoughts on May? Judy.

MS. HELMEY: I am in favor of the preferred alternative action, Number 1.

MS. MCCAWLEY: All right. Thank you, Judy. Others, what do we think about May? Spud.

**MR. WOODWARD: We've had this discussion before, and I am certainly willing to make this motion that we move Sub-Action 5b to the Considered but Rejected Appendix.**

MS. MCCAWLEY: All right. Motion by Spud, and it's seconded by Mel. Is there more discussion on this, and so, once again, we just did this on commercial, and this is the same month here for recreational, and our preferred is already no action for the month of May. Is there more discussion on this? All right. **Any objection to moving this sub-action to the Considered but Rejected Appendix? All right. Seeing none, that motion carries.**

MS. IBERLE: All right. That brings us to the final sub-action under Action 5, and this was discussed in September, and added, and it would prohibit the retention of gag by captain and crew, and so we were considering this to constrain recreational harvest, additionally, to those, again, updated catch levels. We have two alternatives, and Alternative 1 would continue to allow for captain and crew to retain the recreational bag limit, and then Alternative 2 is the gag bag limit for captain and crew on a for-hire vessel, with a federal for-hire snapper grouper permit, is zero.

When we looked at this action, the MRIP files do not categorize captain and crew, and so the retention of captain and crew had to be assumed when the catch exceeds the party size, and so, if there's more fish on the boat than there are people, then you're assuming that the captain and crew retained the fish, and so, from 2017 to 2019, all for-hire and private trips reported no more than

one gag per angler per trip, and so, assuming the customer is retaining the fish over the captain and crew, then prohibiting the retention of captain and crew is not expected to have much effect on the for-hire sector.

That was a little -- I hope everyone followed the logic there, and so, really quick, on the AP feedback, they recommended that the council consider Alternative 2 as the preferred, and everyone was in favor of that, and so, for biological effects, a reduction in landings from captain and crew are hard to quantify, because surveys don't provide us that information, but Alternative 2 would reduce the daily bag limit, and so, in theory, it could provide a longer recreational season.

For economic effects, removing the captain and crew bag limit would likely result in a reduction in harvest and economic benefits, and so Alternative 2 would be expected to reduce economic benefits for some fishing trips, and, since the recreational sector ACL is expected to be fully harvested in 2023 and subsequent years, the total consumer surplus in the recreational gag fishery is expected to be similar between alternatives.

Then, finally, for social effects, removing the captain and crew bag limit could adversely affect captain and crew satisfaction if they are retaining gag, and slowing the rate of harvest may have positive long-term social effects, and so we would need a preferred for this sub-action, and so, with that, I will turn it over.

MS. MCCAWLEY: Thank you, and so, yes, we don't have a preferred yet, and we've talked about this before, and it seems a little odd, for gag, that it's in bad shape, and then we would -- We put this vessel limit in place, and now we would allow captain and crew to also have a bag, and it's just, to me, another way to exceed the vessel limit that we already established, and I feel like this is another thing that could be looked at as the stock rebuilds, but I will pass it over to Spud.

MR. WOODWARD: I am not opposed to, you know, continuing to keep this in, but I think the two-fish vessel limit has sort of rendered this a little bit null and void, in terms of practicability, because, I mean, you know, if you can only keep two fish, you're never going to have any fish left over for a captain and crew to retain anyway, and so, you know, the simplistic part of me says put it in the Considered but Rejected and come back and visit it in the future, if we do liberalize vessel limits, where there would be an opportunity for captain and crew to retain, but, with that said, I'm not opposed to leaving it in there and having it as a preferred alternative, but I think it's more of a paper exercise than it is actually going to change things, but that's just my opinion.

MS. MCCAWLEY: Gary.

MR. BORLAND: I mean, Spud spoke to it, but I do believe, also, that the vessel limit fixes this problem, right, and the for-hire -- The crew doesn't need to keep one, if it's a vessel limit, and so that's the way I would vote.

MS. MCCAWLEY: Okay. Tim and then Tom.

MR. GRINER: I just wanted to make sure I was understanding it that way, that it wasn't something in addition to the vessel limit, but this was something separate, but it's included in the vessel limit, correct, and so, if a captain just took one person out, and the vessel limit was two, you could -- Then their vessel limit, by default, became one.

MS. MCCAWLEY: So we're debating that up here, that about how this gets worded in the text of the rule, because it might not be clear, and then, even though it's supposed to be a vessel limit, it might not be clear whether the captain and crew could have an additional fish on top of that vessel limit, and so we're debating, and we're not sure that that's clear. We think the vessel limit would trump it, but we're not sure, and I think it would have to be written that way. Tom.

MR. ROLLER: You all are getting to what my question was, is what does this -- Does this apply -- As long as this isn't increasing the daily bag limit, I'm comfortable with it, right, and like increasing the vessel limit, I'm comfortable with it, and I think we need that clarification, because, otherwise, it is, you know, rendered moot by the vessel limit, but my other comment, real quick, is that my only other hang-up here is just the confusing nature of it, and what I mean by that is not wording, but the fact that we allow retention by captain and crew of some fish, and not others, and this one and that one, and then that gets into the whole thing where we're breaking down regulations so much that they get harder to follow. If vessel limit trumps everything, I'm also kind of in the spot that we shouldn't try to make it more confusing.

MS. MCCAWLEY: Okay, and so a couple of things. Maybe we would offer direction to staff here that we think that the vessel limit is really a vessel maximum, including everyone onboard being the captain and crew, and so maybe that's direction to staff, that, when they work on the text, or to the IPT, that, when they work on the text for the vessel limit, we really mean everyone. Okay, and so I see heads nodding yes, and I'm going to go back to the list of hands here. Laurilee, Gary, then Chester, and then Mel.

MS. THOMPSON: Well, if the goal really is to reduce the number of fish that are being pulled out of the ocean -- You could have a group of people that were attending a convention, and they just want to go fishing for the experience, but they don't have any way to keep the fish, or do anything with the fish, and they could give them to the captain and crew, and so, if you really, truly want to reduce the number of fish that are being caught, that would be -- You know, that would make it very clear that the captain and crew cannot keep the fish.

MS. MCCAWLEY: All right. Thank you, Laurilee. Back to Gary.

MR. BORLAND: Yes, but, I think, to be very clear, I think the vessel limit is the maximum limit, and that's it, right, and, if the fishermen, the clientele, want to give -- When they get back to the dock, if they want to give the fish to the captain, that's up to them, but the vessel limit is the maximum number of fish caught per vessel, kept per vessel, per day, and that gets us the outcome we want to reduce harvest.

MS. MCCAWLEY: You're right, because I have Carolyn here, who has apparently had more coffee than me, and she said that it's not worded that way, nor can we fix it, because it said "per trip", and so, technically, the captain and crew could have multiple trips in one day and take home the vessel limit, kind of like what Laurilee is saying, from every single one of those trips, and so, at the end of the day, captain or crew could have six fish, or more. Go ahead, Gary.

MR. BORLAND: We talked about two trips, can that be written in, where it's a maximum of two trips per day per for-hire vessel? I mean, that's -- In my experience, that's typically the most trips

that any captain would take, two half-day trips per day, and could we write it in that the maximum number of trips per for-hire vessel is two per day? That would be my suggestion.

MS. MCCAWLEY: Okay. Let's -- I wouldn't want to do that, because I feel like now we're telling them how to run their business, and so maybe people noodle on that. Chester and then Mel and then back to Judy.

MR. BREWER: I guess I've had enough coffee, because I was going to say the same thing, that what are you going to do about multiple trips, but I -- As we talk about this, and I remember the years-long discussions about captain and crew keeping dolphin, and, in the end, it just got so wrapped around the axle that -- You know, I don't even remember where it ended up, but I think we ended up saying that, no, they can't keep them, and it just got too complicated, and so I think we're probably -- Now that we've talked about all these different things that could come up, I think we're getting to that point here, and I think that it's not going to make a huge difference one way or the other, in all probability, but I think, from the standpoint of just keeping this where somebody can understand it, maybe, we just say no retention by captain and crew.

MS. MCCAWLEY: All right, and the action is in there already, as opposed to going back to the vessel limit and adding in the maximum number of trips that a for-hire vessel can take, and so I'm just throwing that out there. Mel and then Judy.

MR. BELL: I am getting coached by my staff, who deal with this all the time and say they get questions about this constantly, and anything we can do to make this very clear would be helpful, because it comes up, and not just with gag, obviously, but so if -- I realize that it may look like that doesn't do anything for us, but, if it helps clarify things, and minimizes confusion for people, and the number of questions we get, I would be fine with it.

MS. MCCAWLEY: Okay, and so it seems like we're circling around towards possibly selecting Alternative 2, to try to be clear, because we're debating what the interpretation is of the vessel limit, and does the vessel limit really mean only two, or does it really mean technically four, and so, Judy.

MS. HELMEY: Now I am confused. If we go with the two fish per trip, per vessel, and I have one person on the boat, he can keep two fish?

MS. MCCAWLEY: No, and I think that still the one per person is in place, and so there's a one-per-person maximum.

MS. HELMEY: No, and, I mean, if you change it to two fish per trip.

MS. MCCAWLEY: You still have the one-per-person limit, and so it's --

MR. WOODWARD: It's the most restrictive.

MS. HELMEY: The most restrictive, and so you only get one fish. Okay, and so then you're saying that -- So we can keep the one fish, but, if he catches two fish, we can't keep that second fish.

MS. MCCAWLEY: No, because it goes with the most restrictive, which is one per person, and, if you only have that one on the boat, but we're also saying that it seems to be open to interpretation as to whether the captain and crew can keep a limit, and so, if we allow them to keep it, and there's only one person onboard, then now the captain and crew have a limit, and so you can take the vessel maximum, and so that's part of what we're debating here.

MS. HELMEY: The vessel maximum would be two?

MS. MCCAWLEY: Yes.

MS. HELMEY: In other words, no matter how many people, up to six, or one person is on the boat, and he can only keep one, but, if we have one person on the boat, and we have two fish, we can't keep but one.

MS. MCCAWLEY: Unless the captain or the crew keep the second fish, and that's part of what we're debating. Monica had her hand up. Monica and then back over to Spud.

MS. SMIT-BRUNELLO: Well, I was just thinking that, to me, a vessel limit seems straightforward, in that you cannot have more than that amount that you say that you can have on the vessel, but, perhaps, if you wanted to keep this in, the IPT could work on it and come up with examples and put it in the discussion, so that it would be clear to you, when you take final action in March, as to which way you want to go. Then I could work with the enforcement attorneys to make sure that that's how they would read it too.

MS. MCCAWLEY: Okay, yes, because this definitely comes up for law enforcement and anglers debating, and captains debating, whether it can or can't happen. All right, and so I'm going to go back to the list. Spud and then Andy and then Kerry.

MR. WOODWARD: I think what's causing this confusing is we're doing bag limit and vessel limit, and these two terminologies are causing confusion, and perhaps it would be best to let the IPT look at how we can clarify this language, because it's almost like you're saying, well, you're a for-hire captain, operating in for-hire mode, but you get to sort of be a recreational fisherman and keep your bag limit, you know, while you're in for-hire mode, and I think that's where this confusion is coming from, and it's been perpetual, from that same kind of problem, and so maybe this could benefit from some further improvements in the language, so it doesn't have this confusing mixture of modes kind of attribute to it.

MS. MCCAWLEY: Okay. Sounds good. Andy and then Kerry.

MR. STRELCHECK: I guess I'm thinking about it from the standpoint of what gains would this provide, in terms of any reductions to protect gag, and I think the result of that is very minimal, almost nothing, because it would really only apply to trips where you have a single passenger aboard a vessel, at this point, and that's, I'm pretty sure, infrequent, right, and I struggle with this. The vessel limit is constraining, and, obviously, we could always change the vessel limit, or get rid of the vessel limit, at the final action, and so, originally, I was going to recommend that we just do away with this action, and I'm almost of the opinion, right now, that let's choose a preferred, keep in the document, and come back to this in March for final action.

MS. MCCAWLEY: Yes, that was kind of my discussion as well. That way, that would allow us to look at some wording on the vessel limit, and then this would still be in there, if we wanted to select it, if we didn't think the wording on the vessel limit was adequate. Kerry.

MS. MARHEFKA: I think I would love some clarification, from anyone here who is more familiar with how this really operates, and are the captain and crew feeding their families with this, and like how important is this captain and crew? I don't know enough about the industry, and so hopefully we would hear some of that at public comment, and figure out how big of a deal it is, but I would also ask anyone here who is more familiar with how important this is to captain and crew.

MS. MCCAWLEY: Judy.

MS. HELMEY: Well, since we usually -- I have a lot of customers that just charter the boat, one person, and so that second fish -- My thought would be, if it's a trip limit, whether you have one or six, you should be able to keep two fish. I mean, I know what you all are saying, the least amount, but, if you call it a trip limit of two fish, or let us keep one, let the captain and mate keep a fish, because that's almost -- For me, it would be crazy for me to be able to have to tell them we can't keep that second fish.

Also, a lot of customers, even if they don't want the fish, we send them to the local restaurant, and we have a deal with them where they can complete their experience by taking the fish over there and cooking them for them and having really fresh fish, and so, you know, it's just -- I think we should try to consider leaving this in there, but, if you're going to go to two fish anyway, what difference would it make?

MS. MCCAWLEY: Okay. Let me make a suggestion for how to move forward here. My suggestion would be to choose Preferred Alternative 2, have this go out to hearing, and then us figure how to fix this, between the vessel limit and this, at the final hearing, because you've got some of us saying don't allow the captain and crew to have a bag limit, and others are saying, yes, let them, within the vessel limit, but maybe we telegraph, to the public, that we're considering this, and wanting their feedback on it, by selecting Preferred Alternative 2, and then we fix this, at the final hearing, after we get the feedback, and does that sound like a plan? Mel.

**MR. BELL: Yes, ma'am, and I would be willing to move that we select Alternative 2 in Sub-Action 5c as a preferred.**

MS. MCCAWLEY: All right. We have a motion. Do we have a second? It's seconded by Spud. All right. We've had a lot of discussion on this. I understand that we might not all be on the same page on it, and we might not end up with this when we get to the final hearing, but that will let the public know that we're kind of considering this, one way or the other, whether it's through this sub-action or whether it's through the vessel limit, but that we are considering not allowing the captain and crew to be part of this overall limit. Mel.

MR. BELL: Again, I think it's also important to keep in mind that we're talking about one fish here, maybe, or something, but we also have concerns about gag, and it may seem like just one fish that we're kind of arguing about, but, you know, gag has some issues, and so we are trying to be, you know, a little bit more conservation-minded here.

MS. MCCAWLEY: All right, and we also gave direction to the IPT to look at the vessel language, specifically, and come back with a solution here. Dewey.

MR. HEMILRIGHT: Is gag in any worse shape than snowy grouper? Is the snowy grouper regulation one snowy grouper per vessel, no matter captain or mate or six people or ten people or twenty people or whatever, and so it's one fish?

MS. MCCAWLEY: Yes, but it's not clear there either, and so this is in the snowy amendment as well, to consider none for captain and crew. Staff says it's not in there.

MR. HEMILRIGHT: Another thing, you know, is, of course, the captain and crew, if they get a chance to keep a fish, a gag grouper, they're going to keep a -- I mean, that's like a no-brainer. Maybe it could be a learning experience of how to use the SeaQualizer, or descending device, if you catch that second fish, and you can practice. If you have one person onboard, you can practice descending that fish, and see how it works. I mean, either you're going with one fish, because there's a problem and a reason, or you go with two fish, because you're not sure about the language. It seems pretty cut-and-dried, but I guess it ain't.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I think this is another one that needs to be considered in the MSE, because it's a global issue, and we keep wrestling with this, sort of at the species level, and we really need to sort of look at this, from the thirty-thousand-foot altitude, and decide what do we need to do and what do we not need to do, and set up sort of a standard approach to this, so that we don't have to do this every time we deal with a species that might be overfished, or leaning that way.

MS. MCCAWLEY: I agree with all of those comments, and so, once again, we have a motion on the table to select Alternative 2 as the preferred, and that will let the public know that we're considering this. Any more discussion on that? Tom.

MR. ROLLER: Real quick, I agree with Spud on that, and Trish and I were just talking about that, because it's kind of my opinion, when it comes down to this, that we have to look at this sort of like complex-wise, and I think just to make things less confusing, when we talk about captain and crew limit, right, and so this needs to be -- Did you say thirty-thousand feet? I think that's how we need to look at it.

MS. MCCAWLEY: Okay, and so are we ready to vote on this? All right, and so are we -- **Are there any objections to selecting Alternative 2 as the preferred here? No objections. All right. Seeing none, the motion carries.**

MS. IBERLE: All right. That brings us to Action 6, and this is the final action that pertains to gag, and so Action 6 will revise the gag recreational accountability measures, and so we're looking at the accountability measures to make sure that any overages -- To prevent overages and address them as they happen, especially with those updated catch levels that are going to be pretty constraining on harvest.



Alternative 1 retains your current AM, and I'm actually going to use Table 21 to walk through these, and so, currently, you have an in-season accountability measure, where, if the recreational landings exceed the sector ACL, and the current season closures, then the post-season AM has three triggers, that the recreational landings exceed the recreational ACL, the total ACL is exceeded, and the stock is overfished. If all three of those conditions are met, then the recreational landings are monitored and, if need be, the ACL for the following year is reduced by the overage.

Alternative 2 is NMFS would annually announce the recreational fishing season end date, and so your start date would still be the end of the spawning season closure, and they would announce the end date, and so, essentially, announcing the season length. Alternative 3 removes that in-season accountability measure, and then it uncouples the post-season accountability measure, and so you're no longer dependent on stock status or the total ACL being exceeded. If the recreational ACL is exceeded, then the recreational season for the following year is reduced by the amount necessary to have the ACL not be exceeded.

Your current preferred is kind of a mash-up of Alternative 2 and Alternative 1, and so you're retaining the current in-season accountability measure, and so, if recreational landings exceed that recreational ACL, the current season closes, and then you uncouple the post-season, and so you're not reliant on stock status or the total ACL. If the rec landings exceed that ACL, then the season is reduced, in the following year, by the amount necessary to prevent the rec ACL from being exceeded. The advisory panel discussed this AM, and they recommended that the council continue to consider Preferred Alternative 4 as the preferred for Action 6.

When considering biological effects, the effects would be expected to be greater for any alternative that provides timely and realistic options to trigger and implement the AM, and so it's kind of essentially why we're re-looking at these AMs, is making sure that they are functional, especially with these reduced catch levels. In-season AMs may not be able to be implemented in time for fisheries with short seasons, which we're expecting in the early years of this rebuilding plan, and so, considering those factors, the biological benefit would be greatest under Alternative 1, followed by Alternative 2, Preferred Alternative 4, and then Alternative 3.

As far as economic effects, they can be examined on a short or long-term basis, and so negative short-term effects could occur when AMs are put in place that result in more closures and paybacks and less access, and the situation would, in turn, result in long-term benefits, because the AM would ensure sustainable harvest and contribute to rebuilding, and so it's kind of a which side of the coin are you looking at.

Then, as far as social effects go, AMs don't have a direct social effect, but in-season closures and paybacks can have negative social effects when access to the resource is restricted. Preferred Alternative 4 retains that in-season closure, which, if triggered, could have negative social effects, but it removes the payback provision, which would prevent direct and indirect negative social effects, and so, with that, I will turn it over for discussion. We have a preferred on this one, and so we don't need to pick one.

MS. MCCAWLEY: All right. Is there any desire to change our preferred alternative here? I don't see any hands up. All right. I'm going to suggest taking a ten-minute break, and, when we come back, we'll continue into the black grouper actions. All right. Ten-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to go ahead and get going again. All right. We're going to move into the black grouper actions of the document, and I'm going to turn it back over to Allie to -- Once again, the black grouper measures are only for the recreational sector, to try to match those up, because of identification issues. After Allie goes through some of the background on this first action, which is Action 7, and it's actually Sub-Action 7a, I will give you a little bit more information about why we have these identification issues and why FWC is suggesting that we match up these regulations, and so I'm going to pass it over to you, Allie.

MS. IBERLE: All right and so, before I jump into Action 7, which has three sub-actions, your recreational vessel limit, the recreational spawning season closure, and then retention of captain and crew, and so it's those same three sub-actions that you had for gag, for recreational gag, and we're duplicating them for black grouper.

Before I go into these, I want to make sure that, as we're discussing all three of these sub-actions -- We included black grouper for the first time in September, and that's when we started discussing including black grouper in this amendment, and why some of the identification issues, is what we mainly discussed last time, and so, moving forward, I want to make sure that, as we discuss these, we hit on why including black grouper will aid in gag grouper rebuilding, and so we do not need to modify black grouper catch limits.

We included it because of concerns over identification, and so how will including black grouper aid in gag grouper rebuilding, and then does this benefit offset any reduced efficiency in the black grouper fishery, and so, if you're implementing recreational management measures for black grouper, you're reducing efficiency in that fishery when you don't need to, necessarily, from a catch level perspective, and so some things to think about as we move through the discussion of these sub-actions.

Sub-Action 7a would establish a recreational vessel limit for black grouper, and these look familiar, because it's the same exact suite of alternatives that you saw for gag grouper, and so we have the no action, and, currently, there's that one black grouper per person per day within the three shallow-water aggregate, no more than one can be gag or black, and so, currently, the bag limits are tied together, in a sense. Alternative 2 would be a private recreational vessel limit of two or four fish per day, and then Alternative 3 would be a for-hire vessel limit of either two or four per trip.

We looked at black grouper landings, and so, from 2017 to 2019, nine charter trips, and twenty-eight private trips, in MRIP-FES reported black grouper, and so Figure 11 kind of shows you the breakdown, and, again, it's similar to gag, and the vast majority are catching one black grouper per vessel, and this figure separates it out into private, charter, and headboat.

Table 22 shows you the predicted percent change in landings per trip from the current one-fish-per-person-per-day limit, and so, here, you can see the two per vessel, and four per vessel, and how that changes for private and for-hire. Then we just looked at how the black grouper -- How often, or how close, they've been getting to the ACL for this fishery, and so, from 2017 to 2021, black grouper landings have averaged below 50 percent, and less of the ACL, and so, in Table 23, you're looking at how much of the ACL they harvested that year, and so the five-year average was

47 percent of the ACL, is what they're catching, what's being caught. Then, when you look at the SEFHIER data, 1 percent of charter trips showed an overlap between gag and black grouper.

Looking at the effects, obviously, it's the goal of the council to implement black grouper recreational harvest constraints to indirectly benefit the gag fishery, or that's what has been discussed thus far, and so Alternatives 2 and 3 represent sub-alternatives that are expected to constrain harvest, compared to Alternative 1, and Sub-Alternative 2a is expected to be the most constraining on the private recreational sector, which could increase discards. Alternative 2b is not expected to constrain harvest, and then 3a, like 2a, is expected to be constraining, but for the for-hire component, which could increase discards from that component of the rec sector, and, then again, Sub-Alternative 3b is expected to have very little reduction in harvest.

For the economic effects, since Alternative 2 and 3 will restrict black grouper harvest, these alternatives would be expected to decrease net economic benefits, when compared to Alternative 1, and then, last, but not least, social effects, and the vessel limits are a tradeoff, again, just like we talked about for gag, between longer access to the fishery and the vessel limit that makes trips inefficient and costly, and that kind of comes back to what I hit on before we started, is that we're reducing the efficiency of this fishery, when we aren't necessarily needing to. With that, I will turn it over for Sub-Action 7a.

MS. MCCAWLEY: All right, and so let me add to some of this discussion here, and so black grouper is one stock in the Gulf and the South Atlantic, and the regulations, right now, are identical to gag grouper, because of identification issues, and, also, black grouper is one of the species that FWC steps in and does the stock assessment for, like we do for yellowtail, and it goes to the SEDAR process, and so we couldn't complete -- One of the reasons we could not complete the stock assessment last time is because of the identification issues between black and gag grouper.

Since gag is in poor health, we're trying to get consistent regulations between gag and black, so someone doesn't bring in a black grouper in south Florida and say, oh, this wasn't a gag, and this was a black grouper, when really it was a gag, and, also, the regulations are the same in the Gulf and the Atlantic, for both gag and black, size limit and everything, and so we're trying to keep this consistent, and I'm trying to think if there's anything else that I am forgetting here.

I think that black grouper is back on the SEDAR schedule, and I'm not sure of the year, but, yes, we're thinking that the identification issues might be getting better, but, since gag is in poor health, we're thinking that, in order to prevent overharvest of gag, that the black grouper regulations need to be the same, and it's going to help with enforcement. I would also make a suggestion that, for all of these sub-actions, we select the same preferreds that we just selected for gag, in order to continue to match-up these regulations. Spud.

MR. WOODWARD: Just a question. When you have that sort of chronic underage of your ACLs, I'm just curious, and is the feeling that the stock is abundant, and people just aren't exploiting them, as available, or has it actually declined in abundance, and the encounters have diminished, and, I mean, that's just kind of a stark example of you've got a high ACL and a persistent trend of underharvesting, and I was just kind of curious.

MS. MCCAWLEY: That's why we thought that having the black grouper assessment was important, and then, when we tried to embark on this, we couldn't really tease this apart, and so

they're looking at the data a little bit more and trying to think about this differently, how can we get a stock assessment for black grouper, and, also, those of you that were on the council, way back when, and so I think between 2012 and 2014, there was an entire workgroup on south Florida fisheries, and that looked at yellowtail, and it looked at black grouper, and it looked at goliath, and it looked at other species and possibly transferring the management of those particular south Florida species over to the State of Florida.

Ultimately, that didn't pass, and so that was a joint amendment between the two councils, and the workgroup had folks from both councils on it, but this was one of the species that was discussed for transferring the management over to FWC, but the goal of all that was to unify the regulations in south Florida, and I can show you some maps.

If you were on the sanctuary special council webinar, you saw that, down in south Florida, it's just a conglomeration of -- You've got the sanctuary, and you've got Florida state waters, Gulf federal waters, and state waters of the Atlantic, federal waters of the Atlantic, and the Dry Tortugas National Park, Everglades National Park, Biscayne National Park, all together down there in south Florida, and so it's really hard for anglers, and so, on any one trip, they might be in at least four or five jurisdictions on a single trip, and so trying to keep those regulations consistent in south Florida.

There are some years that black grouper landings are actually more from state waters than they are from federal waters, but it really depends on the year, and it's somewhat of a rarely-intercepted species in MRIP, but we -- I agree, Spud, and I don't know that we know what's going on, and that's why we were looking forward to the stock assessment last time, and Luiz Barbieri sent a long list of the reasons why we couldn't complete the assessment before, but they're working on trying to resolve some of those issues, one of which was this whole identification problem, and so are the reports -- Are they really black, or are they really gag? It's hard to say, and so I don't know that we know the status of black.

What's the pleasure of the committee here? Do we want to select the same preferreds? Okay, ad so it seems like people are saying yes, and I see people nodding yes. Do we want to direct staff to go through and select all the same preferreds? Okay. I see people nodding yes. Do you want to maybe make a motion to that effect? Kerry.

**MS. MARHEFKA: I would make a motion to direct staff to choose the -- To mirror the preferreds we chose for gag grouper for black grouper, for all the reasons that Jessica explained to us at the opening of this.**

**MS. MCCAWLEY:** All right, and so we're getting that typed on the board. Do we have a second to that motion? It's seconded by Spud. All right, and so select the same preferreds for black grouper sub-actions as gag, and then so staff will get that fixed up for the committee report. There's the motion, and it's been seconded. Any more discussion on this black grouper/gag grouper confusion? All right. **Any objection to this motion?** All right. **Seeing none, that motion carries.**

**MS. IBERLE:** All right. Well, the only other thing that we had left was reviewing the rest of the black grouper sub-actions, which are the spawning season closure and the captain and crew bag limit, but I feel like that motion kind of wrapped us up.

MS. MCCAWLEY: Do we need to talk about the public hearings in January?

MS. IBERLE: Okay, and so, as far as public hearings go, the dates, I believe, and, sorry, and I should have had these ready, are the 9<sup>th</sup> and the 10<sup>th</sup> of January, or the 10<sup>th</sup> and 11<sup>th</sup> of January, and so we were planning to have those as webinars, and we talked a little bit about that during red snapper, or Reg 35, making sure that this gets the separate attention that it deserves, because it's a pretty important fishery, and so I have a draft motion there, just to kind of solidify that we are holding the webinar public hearings, that those dates work for everyone, and then we can kind of get that on the books.

MS. MCCAWLEY: All right. Would someone like to make that motion? Spud.

MR. WOODWARD: Actually, just a clarifying question, and so, under Sub-Action 7c, we don't really have a mirror, and I hate to do this, but that Alternative 2 is to allow the retention of the bag limit for black grouper by captain and crew, and so is our intent to -- So it would be -- I see Alternative 1 is may retain the same daily bag limit as allowed for each passenger, and then Alternative 2 says captain and crew may retain the same daily bag limit of black grouper as allowed for each passenger, and so something is wrong.

MS. MCCAWLEY: Yes, and so it would be --

MS. IBERLE: I can fix that wording.

MS. MCCAWLEY: Right, and it would be selecting Alternative 1, no action, would mirror what we did with gag.

MR. WOODWARD: No, because we're not allowing bag limit retention for gag grouper. With some further wordsmithing, this one would allow -- Actually, both of them ---

MS. MCCAWLEY: All right, and so Allie is fixing the wording. Thanks for pointing that out. We're on it, and we're fixing it. Okay. Good catch, Spud. All right. Back to -- While she's working on that, are we good with the two webinar public hearings in January, and then we would see this document for final action in March, and are we good with that? We would need a motion to consider this for public hearings in January. Mel.

MR. BELL: Thank you, Madam Chair. **I move to direct staff to conduct two webinar public hearings in January of 2023 for Amendment 53.**

MS. MCCAWLEY: All right. Motion by Mel. Do we have a second? It's seconded by Tom. Any more discussion on that? **Any objection?** All right. **Seeing none, that motion carries.** I am going to pass it over to -- First to Susan and then Andy.

MS. BOGGS: Thank you, Madam Chair, and so we will be taking up gag grouper at our January meeting, and so I hope you have C.J. studied up on it, but I have made detailed notes, so that we can try to mirror some things that you all have done, and so this has been a good discussion for me, for preparing for that meeting in January. Thank you.

MS. MCCAWLEY: Thank you so much, Susan. All right. Over to Andy.

MR. STRELCHECK: I just wanted to, I guess, get people thinking, between now and when we come back to this, either Thursday or Friday, and I mentioned, earlier, that the rebuilding plan starts in 2023, and our amendment here won't likely be in place until the second-half of 2023, at the earliest, and the Secretary has authority to do interim rulemaking, and I think this is an appropriate use of interim rulemaking, given that you are working on Amendment 56 to end overfishing and rebuild the stock, and so my suggestion is we come back and discuss this on Thursday or Friday, and potentially request an interim rulemaking of the service to simply implement the preferred catch limits for gag, for both commercial and recreational, for 2023, and none of these other kind of regulatory changes, and then the service would have in-season authority to close when the commercial catch limit is met, as well as when the recreational catch limit is projected to be met, and just food for thought, and I'm not asking for a decision now.

MS. MCCAWLEY: Thanks, Andy. Any questions for Andy on that? All right. I think that this concludes our work on Amendment 53, and so next up, in the discussion, will be snowy. All right, and so we don't have any AP comments on this item. They just got a really quick update of snowy, and so we're going to dive right into the decision document, and so I'm going to turn it back to Allie.

MS. IBERLE: All right. This potentially could be your last meeting for snowy, and so we've gone through the background, and, again, for time's sake, I'm going to kind of breeze through Table 1, and so we got the results of the SEDAR 36 update, and it indicated that the stock is overfished and experiencing overfishing.

Snowy does currently have a rebuilding plan, and that's not being modified through this amendment, and so we've got four actions, the catch levels, sector allocations, your recreational season, and then recreational accountability measures. We have taken this to public hearings, and you guys have reviewed the public hearing comments and approved all actions, and you have preferreds, and so, today, what the plan is is it's just to review everything. I am going to ask for additional discussion, just to make sure that our rationale is fleshed-out, and then we'll have an opportunity to approve for formal review, and so that's the rundown for this one. Obviously, we are at the finish line, and so, like I mentioned, formal review for this meeting.

At the last meeting, not too many changes, and so we reviewed the purpose and need, and we removed that OFL, like the other snapper grouper amendments, and then you guys approved all actions, and so I'm going to pause on the purpose and need, give that a minute, and make sure that there's no final edits to the purpose and need. If not, this will be the purpose and need, moving forward, and I also wanted to note that we have draft codified text in your briefing book for this amendment, and so we have that available, and the final draft amendment is available in those materials as well, and so I'll pause here and see if there's any edits to the purpose and need.

MS. MCCAWLEY: All right. Are we good with the purpose and need statement? We don't need any changes? I see people nodding their heads no, and I think we're good here. Back to you, Allie.

MS. IBERLE: All right, and so Action 1 revises the acceptable biological catch, annual catch limit, and annual optimum yield for snowy. We received the new ABC out of SEDAR 36, and so we're updating to incorporate those new levels, as well as incorporating the MRIP-FES

recreational estimates. Action 1 retains the current ABC and ACL, and so it's a non-viable option. Preferred Alternative 2 revises your ACL and OY and sets them equal to the updated ABC.

Each one of these alternatives has two charts, and this is because of the units of this fishery and the nature of how the ACL is collected, or expressed, and so the top one gives you pounds gutted weight, which matches the commercial sector, and the bottom gives you numbers of fish, which matches how the recreational sector is tracked. Alternative 2 would set your ACL and OY equal to 95 percent of the updated ABC, and then Alternative 4 would set your ACL and OY equal to 90 percent of the updated ABC.

Similar to gag, we have a figure, and you guys have seen this before, and so I'll go quick through it, but it just shows you how the fishery has been operating compared to those updated catch levels, and so that dashed line is total landings, including recreational landings, with MRIP-FES estimates, from 2015 to 2019, compared to those blue bars, which are your updated catch levels under Preferred Alternative 2 for Action 1.

Figure 2 shows you kind of a comprehensive history of commercial and recreational MRIP-FES estimate landings from 1986 all the way out to 2019, and so that gives you an idea of how landings have been trending, and then, for effects, for biological effects, Alternative 1 is, obviously, not a viable option, and then, as we talked about with gag, any buffer between the ACL and ABC provides increased biological benefits, and so, with Alternative 4, you have the highest buffer, and your current preferred, Alternative 2, doesn't provide a buffer.

For economic effects, all alternatives are expected to be constraining, and so there is a reduction that's constraining on the total ACL. Preferred Alternative 2 has the highest ACL, and, therefore, the highest benefit, and so Table 2 shows you the estimated change in potential net economic benefits for both the commercial, the recreational, and then in total.

Then, for social effects, again, ACLs don't have a direct effect on resource users, but we are noting that communities in Florida and North Carolina are most likely to be affected by this action, and that's where most of the snowy fishing occurs, and higher ACLs generally equate to higher social benefit. Therefore, your preferred would provide the highest social benefit.

When we think about the rationale for our preferred, Magnuson-Stevens does not preclude OY and ACL from being set equal to the ABC, as long as neither exceeds the OFL, and so we're in the clear there, and the council has frequently been setting ACL and OY equal to the ABC, and so, while snowy grouper are overfished, and experiencing overfishing, the council has decided to forego the buffer between the ACL and the ABC and rely instead of on the current rebuilding in place that was established through Amendment 15A, as well as management measure modifications, to prevent overfishing and ensure that the stock is rebuilt on schedule.

I added a draft statement in there, to just kind of spark some discussion and reflect on are the actions and alternatives, throughout this amendment, sufficient to constrain harvest to the reduced updated catch levels, and how, and so, with that, I will turn it over.

MS. MCCAWLEY: All right, and so a reminder that this is final action at this meeting, and so this is our last chance to look at this document. Folks should be reviewing the language here, reviewing -- Do we have a preferred on this one?

MS. IBERLE: Yes.

MS. MCCAWLEY: All right. Reviewing our preferred and making sure we're still good with that. Any comments or discussion on this one? Dewey.

MR. HEMILRIGHT: Not that it's going to change the outcome of what this amendment is, but, particularly for North Carolina, and parts north of Cape Lookout, this is just going to -- This next snowy grouper stock assessment is going to just continue to be worse. You have cooccurrence catch in the species, and with the recreational industry, and none of this is taken into account, and so, while we have a rebuilding schedule that's going to be put in place here, in the next stock assessment, none of this is going to get better.

It's just going to get worse, because we're not accounting for that catch, and, in certain places, where this catch is, it's small fish, and so, even though this is an exercise of trying to end overfishing, and overfishing is occurring, it has had some drastic effect on boats who historically fish for larger-sized snowy grouper, and this is just going to continue to get worse, because we're not accounting for the catch of cooccurring species, particularly in the recreational industry, and so, even though if you have a two-month season, you can still drop down, and you're going to catch snowy grouper, and they're going to die.

This is just an exercise in -- I mean, probably, the next stock assessment, and I don't know when that is, but it's going to continue to get worse until something changes with accounting for the catch of the recreational industry, not only in this, but also other snapper grouper species, and I will believe that what I'm saying here, and looking at it, and how we've come up with the size of the fish, you know, and the way we're accounting for the MRIP thing, of accounting for 2,000 or 3,000 fish that's allowed to be caught, is a grossly-underestimated catch, and taking, of discards, and it is what it is, but it's not going to get no better.

Basically, it will be a failure, even though this will go forward, and it just -- It affects some folks, both in Florida and North Carolina, and it's just one that I'm not very happy with the outcome of it, but it is what it is, but I just feel like I had to give them comments. Thank you.

MS. MCCAWLEY: I would add that we are trying to match up the season, the two-month season, with blueline tilefish, because those two species are caught together in south Florida, and so we are trying, with the season in particular. Dewey.

MR. HEMILRIGHT: Well, one thing about trying to do that -- The biomass, and I'm a broken record, for blueline tilefish is north of Cape Hatteras, and there is no snowy grouper, to any amount, or amount of landings, north of Cape Hatteras, where the snowy grouper is. Your cooccurring species is south of Hatteras and down off of Florida, and so, if you look at this year, on blueline tilefish, where they had a good mahi season, and yellowfin tuna fishing, the July season for blueline tilefish -- They underperformed, on their ACL, by probably 75,000 pounds, and so they were not able to catch -- You know, had an equal chance to catch it, and our issue is where there is cooccurring species, and not only that, but you also have the SADL deepwater survey that's giving you some insight to where these cooccurrence is happening at, and so, while we're trying to align the Florida season, one size doesn't fit all, with that alignment.



At the same time, you have to give an opportunity for folks to land the blueline tilefish, a reasonable opportunity, where there is no snowy grouper that far, and so I just wanted it on the record, because I think the record is important, and I think the record is going to be important in the future of some of these things that come out, because this isn't going to get no better. You know, maybe five or ten years down the road, when we've got some recreational reporting, and some different things like that, maybe, but it's going to be too late then.

What's happening with the commercial industry is that you're watching, little by little, people trying to piecemeal certain things together, just to survive, and, as people age out, the permits are getting sold and going to Florida, where people are subsidizing their income to go fishing, which they're allowed to and all that stuff, but it's just the big picture of what's happening here, and snowy grouper is one where North Carolina -- It used to be probably a good amount, or 50 percent, of the catch, and, when you also looked about north of Cape Lookout, up by Hatteras, you had the size of the fish were large, twenty to fifty-pound fish, and you don't see that everywhere else, and so that's just an oversight, and I know I've probably talked too long, but, you know, this is not going to get no better, and it is where it is. Thank you.

MS. MCCAWLEY: Thanks, Dewey. All right, and so, on this particular action, it doesn't seem like there's a desire to change the preferred here. Are we good? Okay.

MS. IBERLE: All right. That moves us to Action 2, which revises sector allocations and sector annual catch limits for snowy, and so we updated those total catch levels, incorporated those MRIP-FES estimates, and so we're revisiting those allocations. Alternative 1 retains your current allocation percentage of 83/17 commercial and rec and applies them to your updated catch level. Again, we have two tables, depending on the sector, for the units there, and so we see the commercial table in pounds gutted weight, and then you have a recreational table in numbers of fish.

Your current preferred alternative is to allocate 87.55 percent to the commercial sector and 12.45 percent to the recreational sector, and then Alternative 3 would allocate 73.36 to the commercial sector and 26.64 percent to the recreational sector. We have another figure looking at commercial landings and comparing those, again, kind of visually, to your updated commercial ACL, and so you see that gap between where the fishery has been operating for the past five years and those updated catch levels.

The same thing for the recreational sector, and, going over kind of the methodology between each one of your alternatives, and so, again, Alternative 1 just takes your current percentages and applies them to that updated catch level. Preferred Alternative 2, just like with gag, uses that same method that you got to 83/17 and recalculates it, including the MRIP-FES recreational landings estimates, and so that's where you got your current preferred percentages, and then Alternative 3 uses that Comprehensive ACL Amendment allocation formula, and that formula is shown there.

For effects, for biological effects, the biological benefits have the potential to change the result of sector allocations, if there's a notable difference in discard mortality rate. However, according to the SEDAR 36 update, the discard mortality rate for both sectors is 100 percent, just because of the nature of the depths in which this fish is caught. There is not expected to be a notable change in fishing effort, or behavior, as a result of the allocation alternatives considered, and biological effects are not expected to be substantially different between alternatives.

For economic effects, economic benefits may increase if a sector is allocated more of the ACL, and so, under Preferred Alternative 2, the following changes are expected, and so, in Table 3, you can see the estimated change in potential net economic benefits for each sector and then for the total. Then, for social benefits, social benefits may increase if a sector is allocated more of the total ACL, and then both sector ACLs are expected to be constraining on harvest, because of the reduced catch levels.

Some bullets that kind of summarize the rationale thus far for this action is landings of snowy grouper have been historically higher for the commercial sector, and Regulatory Amendment 20 used the average landings from 1986 to 2005 to determine your current allocation, but this method used MRIP-CHTS recreational landings estimates. You guys have decided that the average landings from 1986 to 2005 was still the best method to determine allocations, and, therefore, you chose Alternative 2 as the preferred, which uses that same method, but it incorporates updated recreational landings estimates.

The council recognizes the need of the commercial sector, which historically comprises most of the snowy grouper landings, and determined that Preferred Alternative 2 strikes a balance between the needs of the two sectors, making this alternative fair and equitable, and so, to make sure that we kind of round-out the summary of your rationale, consider, other than historic landings of snowy grouper, what justification behind the commercial -- What is the justification behind the commercial receiving a higher sector ACL, and so think about the fishery occurs in deep water, and, therefore, is it targeted less by the recreational sector? Just think about how the fishery plays out in regard to allocations and making sure that your alternative, your preferred, is fair and equitable, and, with that, I will turn it over.

MS. MCCAWLEY: All right. Any discussion here on this particular action? We're on Action 2, and we already have a preferred. Any more discussion that we want to have here? Andy.

MR. STRELCHECK: I mean, with allocation decisions, I think it's important that the council build a little bit more of the record, and I don't recall, with our past discussions, but both of the time series that have been used for landings are fairly dated, right, and they end in either 2005 or 2008, and was there reasoning, in terms of why we weren't using more recent data? I don't recall.

MS. IBERLE: I believe the 240-foot closure had something to do with the reason that the later years weren't included, because, although it wasn't instituted for very long, there was concerns over that affecting the landings for those years, but that would be my recollection, from the discussion thus far, and closures. Thanks, Myra.

MS. MCCAWLEY: So more discussion here? Andy.

MR. STRELCHECK: So, I mean, oftentimes, the challenge with using more recent years of data is that the regulatory environment has become much more complex during that timeframe, right, and we're talking about a fairly small shift in the allocation, 4 percent, as proposed, and we, obviously, know this is a commercially-dominated fishery, or sub-sector of the snapper grouper fishery, and I certainly appreciate Dewey's comments about the concerns with regard to recreational catch estimation, and that we may be not fully capturing the fact that the recreational sector has kind of expanded with their deep-drop fishing activities.

Overall, the analysis does not have like a resounding economic benefit to -- Alternative 3 produces greater net economic benefits than Alternative 2, but it's fairly marginal, right? I mean, we're talking \$100,000 or less, in terms of the differences between those net economic benefits, and so, from an allocation standpoint, I don't think that's a resounding reason why we would choose one over another. Then, you know, from a biological standpoint, I guess I would at least lean on that the commercial sector is heavily regulated, and we can close the fishery very easily, and so that helps us, obviously, with quota monitoring, especially with an overfished species, but I certainly welcome others, in terms of rationale and justification for the allocation decision.

MS. MCCAWLEY: Thanks, Andy. Kerry.

MS. MARHEFKA: Thanks, Andy. You said a lot of what I would have said, which I appreciate, because you say it better, but I would like to talk about the economic impacts. If you look at -- I am currently looking at Table 3, which talks about the benefits from Alternative 2 compared to Alternative 1, there is no explanation there, as far as -- I'm assuming commercial is ex-vessel value, and there is no explanation about where those recreational numbers come from, and I'm not going to win this battle here, but I would like to go on the record and say that I feel that just using ex-vessel value isn't really indicative of the economic benefits that are attributed to the commercial industry, and so, therefore, I would argue, anecdotally, because I can't make the case right now, that that number isn't exactly accurate for what you will see in economic benefits from this small shift in allocation.

MS. MCCAWLEY: Thank you, Kerry. Anybody else want to have a discussion on this here? I assume we don't want to change our preferred. Dewey.

MR. HEMILRIGHT: Can you scroll back to where -- What the preferred is for the years and the allocation between each other, whether it's in pounds of fish and the weight for the commercial side of things? Can you scroll up just a little bit further, because I think -- I need to see the recreational amount of fish. Okay, and so -- This is what this would be starting in 2023, if it was to be 87.5 to 12.45, correct? Okay, and so you have 104,000 pounds, and it's split between two seasons.

Just furthering -- For the recreational side, 1,668 fish is what you can keep, and that's not accounting for no discards. That is not accounting for multiple-hook rigs, and that's not accounting -- I mean, it's just so way underestimated of what we have going on here, and going forward, that it's just incredible, as we look at this, and a continuation of what's going to happen in the future, and, when you go to the pounds of the commercial industry, and you put a dollar value on that, that dollar value, I would venture to say, for that, hundred-and-I'm-going-to-say-five-thousand pounds in 2023, it's probably \$700,000, whole fish.

Then you whack that down whatever the percentage is, and I see anywhere from thirty to forty-dollars a pound that grouper are going for, and I'm watching, as the commercial industry continues to have to decrease and decrease, and, not only that, but the recreational-sized fish here, these 1,668, what size fish are they going to be?

I don't never see no three and four-pound fish on social media in this, and, I mean, this is just a prime example that has hit home with me, and some of my fellow fishermen in the northeastern

part of North Carolina, of just -- My word is "absurd", but that ain't the right word, and it's just how we're missing -- There is a lot of room for improvement here, and I don't see how it's going to get any better with this amendment and with the continuation, because it's going to have to be five or six years before anything changes, but these numbers are just -- You know, for the recreational industry, of 1,668 fish, and that includes no discards, and, you know, when we go do a stock assessment, it's almost like we need to be accounting for the discards for each sector of what they're doing, because I fear that -- And what's going to be the weight of the fish, based on how many samples and stuff like that, because, if you took that number, and you put thirty pounds on a fish, or twenty-five pounds on a recreational fish, or fifteen pounds on a fish, all of a sudden, these numbers have switched.

There's just -- I will leave it at that, but there's just big problems, and I wish I had the answers to fix it, because I am very good at pointing out a problem, but I ain't very good yet on how to fix it, but these are just crazy numbers, and this is from North Carolina to Florida, and, you know, we just -- In the future, if you have better reporting, and a better idea, and these ain't going to be enough fish for the recreational industry. I mean, this is only what they're keeping, and this has nothing to do with the cooccurrence of discards, and there is plenty of them out there.

MS. MCCAWLEY: I'm going to let Allie talk about this, because discards were accounted for, and so I'm going to let Allie explain.

MS. IBERLE: So, in this caption here, we were given the ABC and OFL in total removals, and so we went back to the assessment, and the assessment states that 95.4 percent of total removals of snowy are landed, and 4.6 are dead discards, and so, when we were calculating that ABC, that 4.6 percent dead discards was removed, and I think the discards that you're talking about are once those 1,600 fish are caught, and they're fishing for cooccurring species, that there's concerns over discards above that 1,600.

MR. HEMILRIGHT: One follow-up thing is, if 96 percent of the fish are caught, and the stock assessment is assuming the 4 percent discards, which sector is the 4 percent discards coming from, and what's that amount?

MS. IBERLE: That 4.6 is just overall, and so 4.6 percent of the fish that -- Or 95.4 percent of total removals are landed, and then 4.6 are dead discards, because the discard mortality rate is 100 percent.

MR. HEMILRIGHT: But we don't know who it comes from, and it's just in the assessment?

MS. IBERLE: Not from the assessment.

MS. MCCAWLEY: All right. Kerry.

MS. MARHEFKA: Just briefly, I want to say that like I hear you, and I'm with you, and I do agree that we have a bigger problem here, and we're not going to solve it in this, and I feel crazily optimistic that, with what we're doing with Amendment 46, and permits, and we're going to know the better universe, and we're going to hopefully be able to do some things there, and with the MSE, is where I'm hoping that, you know, these issues that are concerning you, and all of us, are

going to be addressed, but we're just not going to get them done -- We've got to do what we've got to do here, is sort of how I'm taking it.

MR. HEMILRIGHT: I understand that, and I'm glad if you're optimistic. I am not, and so I just want to voice my comments rooted in the reason why I'm not optimistic for five years down the road, when the commercial industry -- When a lot of infrastructure won't be here because of stuff like this.

MS. MCCAWLEY: All right, and so it doesn't seem like there is any desire to change the preferred alternative here, and I think that we're good, and I'm going to pass it back to you on the Action 3, modifying the recreational season.

MS. IBERLE: All right, and so we've got roughly a 43 percent reduction in harvest needed to achieve updated catch levels, and so that's why we're considering modifying the recreational season, to help constrain recreational harvest to these reduced catch levels, and so, for Action 3, Alternative 1 would retain the May 1 to August 31 season.

We talked about -- When we were formulating these alternatives, we discussed this more in waves, because, looking at season closures, it makes more sense to look at season closures for this fishery in waves, but we've got dates here, and the highlight is I apparently thought there was thirty-one days in June, and so I corrected that, and so Preferred Alternative 2 would modify the recreational snowy grouper season to begin on May 1 and end on June 30, and so that's open on Wave 3. Then Alternative 3 would modify the recreational snowy grouper season to begin on July 1 and end on August 31, and so that's Wave 4.

The annual recreational landings of snowy grouper have been less than 10,000 fish, and 2012 was kind of an outlier year, and then it was noted, in Regulatory Amendment 20, that most recreational landings, particularly in Monroe County, Florida, occurred in May or June, and so Figure 5 shows you seasonality of recreational landings, and so, obviously, these red areas are when the season is closed, and you can kind of see that we've got a spike in May, usually tapering off, and 2018 was kind of an outlier, where we had some high landings at the end of the summer.

Then, as I mentioned, we looked at this kind of in waves, and so Table 4 looks at the landings by wave, and so these bold lines of this table are the open season, and so then we looked at this based on a three-year average and a five-year average, and so there's a decent amount of uncertainty, and so these averages are pretty different, when you're going forward and looking at the next table, which is Table 5, and this shows you approximately how long the season would be open, in wave lengths, with your updated recreational season and updated recreational catch.

If you're looking at the middle chunk of this table, we have it sectioned out into the three-year or five-year average baseline, and so you're either basing it off of 2017 to 2019 or 2015 to 2017 landings, and that's where this is coming from. If you're basing it off of a three-year average, you get approximately one wave, or sixty-one days, under the Preferred Alternative 2 season length for this action, and then, based on the five-year, you have less than one wave open, underneath your preferred alternative.

Summarizing effects, Preferred Alternative 2 and Alternative 3 would both shorten the season by the same length, and so it would be two months, which is expected to provide biological benefit,

as fishing mortality would be lower than under the current four-month season. Preferred Alternative 2 would keep the recreational season open during the peak spawning month of May, which would provide less biological benefit when compared to Alternative 3.

Discards could increase, if the snowy grouper season is shortened and fishermen continue to target blueline tilefish in areas where the two species cooccur. Currently, the recreational seasons for blueline and snowy match, and then, in Amendment 52, which is under development, and we will discuss after lunch, or you all will discuss after lunch, that would retain the current blueline tilefish season of May 1 to August 31, and so keep that in mind.

For economic effects, generally, a longer season results in higher economic benefits, and Preferred Alternative 2 and Alternative 3 would have lower potential economic benefits, versus Alternative 1, and, last, but not least, for social effects, Alternative 1 would provide the most access, and, therefore, the highest social benefit, and then, for Preferred Alternative 2 and Alternative 3, social effects would be dependent on whether or not access was available during recreational -- During times when recreational landings have typically been highest, and so May and June, and Preferred Alternative 2 provides access during that wave.

Summarizing your discussion thus far, and formulating our draft rationale, substantial reductions in harvest are needed to achieve these updated catch levels. Shortening the recreational season would help constrain recreational catch and contribute towards achieving reductions in catch under the new recreational ACL, and, therefore, contribute to the current rebuilding plan. The May through June season, under Preferred Alternative 2, was selected because it allows for harvest when there has been, and is predicted to be, an increase in landings during the fishing year, indicating that is when most recreational fishermen need access to the fishery, and to coincide with at least a portion of the recreational blueline tilefish season.

Some things to consider, as you all discuss this action is, because of the overall reductions in catch, why are commercial management measures not being considered, when the sector is receiving a higher allocation, and so this is just something to make sure that we've discussed everything pertaining to this action, and, based on past discussion, the current in-season AM for the commercial sector will ensure that commercial harvest is constrained and that any additional management modifications would make trips too inefficient, or costly, and so just some things to jump-off from, and, with that, I will turn it over.

MS. MCCAWLEY: All right, and so I mentioned earlier that it's important, at least for Florida, for us to have the same season for snowy as it is for blueline, and we've heard Dewey's concerns on this topic, and, right now, with our Preferred Alternative 2, those things are lined up. Any additional discussion here on this particular action and the preferred alternative? All right. I see heads nodding no, and so I will pass it back to you.

MS. IBERLE: Before we move off of this one, this kind of sub-bullet underneath that draft statement, I just want to make sure that the council is in agreement that, kind of based on the past discussion, that we're relying on that commercial AM as reasoning behind not having commercial management measures, even though they're receiving a higher allocation.

MS. MCCAWLEY: Tim.

MR. GRINER: Thank you for that, and we can just keep reiterating that all the way through every single species that we fish on commercially. I mean, we are constrained and constrained and constrained, and so I don't know what more of an accountability measure you could add than closing when you've met your quota. Thank you.

MS. MCCAWLEY: Thank you, Tim. Any more discussion here? All right. Back to you, Allie.

MS. IBERLE: All right. Thank you, guys, for that discussion, and that leads us to our final action for this amendment, and that is to modify the snowy grouper recreational accountability measures. You will notice some edits to Alternative 2, and so, just for clarification, we added in the statement of "Remove the current recreational in-season accountability measures", and I guess we should start with Alternative 1.

Obviously, Alternative 1 retains your current AM. Alternative 2 is the -- I like to think of it as the season announcement alternative, and so we wanted to make sure that it was clear that, if that's the alternative you chose, that it would remove the current in-season AM, and then we put a caveat in there, with a date of May 1, and so that date would be dependent on the Preferred Alternative 2 for Action 3, and so that would change if -- You know, it doesn't seem like your preferred has changed, and so we should be good there, but that caveat was included.

Your preferred alternative, and I'm going to use my handy-dandy AM table to go through the rest of these, and so your preferred alternative is to remove the current in-season accountability measure and then uncouple that post-season accountability measure, and so, as it stands currently, the recreational landings need to exceed the recreational ACL, the total ACL needs to be exceeded, and the stock needs to be overfished for the post-season AM to be triggered. You will no longer have the total ACL, or the stock status, be a factor in that, and so the post-season AM will be triggered if the recreational landings exceed the recreational ACL, and the recreational season for the following year would be reduced by the amount necessary to prevent the recreational ACL from being exceeded. Alternative 4 is that mash-up between Alternative 1 and Alternative 3, and so it retains that in-season accountability measure and uncouples that post-season accountability measure.

Going over the effects section, really quickly, the biological benefit would be similar amongst alternatives, and all alternatives contain attributes that would lead to both benefits and adverse effects, from a biological standpoint, and so I'm not going to read through all of these, and I will highlight, on your Preferred Alternative 3, you are removing that in-season AM, and it could have an adverse effect, but the post-season AM would be more effective in that scenario.

For economic benefits, again, kind of the same thing, and there's benefits and cons to each alternative, and so I will just focus on your preferred, and so similar effects to Alternative 2, but, with the removal of the in-season closure, there is a potential for higher harvest, and then therefore economic benefit, when compared to Alternative 1, and then, finally, social effects, and closures in season length and data variability can cause negative social effects. However, functional AMs provide long-term social benefit, as they ensure sustainable harvest.

Just like with biological and economic, there is social pros and cons for each alternative, and so, for your preferred, Alternative 3, no in-season closure would provide increased fishing

opportunities within the current season. However, the removal of the two post-season triggers could lead to a variable season year-to-year, if ACL overages occur.

Our discussion on this action and preferred, up until this point, accountability measures are being modified to ensure effectiveness, specifically with the short season, and eliminating the in-season closure will be most effective, because data are not available in time to implement an in-season management under a two-month season in the preferred alternative for this action.

Just food for thought, and NMFS can issue an in-season closure for short seasons, using data from previous years, and so is there -- I want to make sure that there's discussion on why the council wouldn't want to rely on this method. Then uncoupling the total ACL, stock status, and recreational ACL in the post-season accountability measures will prevent potential disruptions to the commercial sector, because of the post-season payback, and so, with that, I will turn it over.

MS. MCCAWLEY: All right. Any discussion here? Tim.

MR. GRINER: Just try to help me understand a little bit, and so, on our Preferred Alternative 3, we're going to uncouple any in-season accountability measure, but we're going to have the post-season accountability measure, or is it opposite?

MS. IBERLE: (Ms. Iberle's comment is not audible on the recording.)

MR. GRINER: Okay, and so, if they exceed their ACL, then they're going to reduce the following year, but we are allowing -- We have a statement in there that says, "However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best scientific information available, that it's not necessary". If you ran over one year, and you reduced your ACL the following year, how could you not think that -- What would make you think that you wouldn't run over again the second year? I don't understand what best scientific information could come available that would not make you reduce that ACL the following year.

MS. MCCAWLEY: I don't know that I know the answer. Andy.

MR. STRELCHECK: I mean, I will say that I don't think we've frequently, if at all, used that provision for most of our accountability measures in the South Atlantic, and I can think of numerous examples in the Caribbean, where we have data-poor species, and there's been data improvements that have been happening, and catch limits were being triggered simply because the landings data was getting better, right, and it didn't necessarily mean that there was more fish being landed, but just that their reporting was improving. This is kind of just a caveat, in the event that there are circumstances where science, information, tells us that something might have changed in the system that is outside of the control of the fishermen and how we're monitoring against the catch limits.

MS. MCCAWLEY: All right. Other questions? If we don't have other questions or comments, we have a draft motion there, because there were some changes made, and so we need a motion to approve the modifications to Action 4, Alternative 2, if someone would like to make that motion. Come on, Mel.



MR. BELL: All right. **I move to approve the modifications to Action 4, Alternative 2 in the document.**

MS. MCCAWLEY: All right. Motion by Mel, and it's seconded by Carolyn. Any discussion? **Any objection?** All right. **That motion carries.** We have a draft motion here to approve the amendment. Ultimately, when this is in Full Council, it will be a roll call vote, and maybe we don't want to make this right now, because we still have public comment tonight, and so maybe let's just wait and pick this up in Full Council. All right. I think we're done with the snowy grouper amendment for now. Thank you so much, Allie, and now I think -- Well, let me ask the Chair. I am going to pass it to Carolyn, and she's going to talk to us about lunch.

DR. BELCHER: As long as it's not going to mess anybody up for anything else that's going on for them at lunchtime, I am going to suggest that we break now, 11:30 to 1:00, and then come back, rather than start something before lunch and then pick it back up, and so 11:30 to 1:00, and we'll be back here, and we'll pick up with golden tilefish and blueline.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We're going to get going again here. Please take your seats, and we're diving into Amendment 52, and I'm going to turn it over to Roger, to start walking us through the decision document.

MR. PUGLIESE: Okay. Good afternoon. Everybody received, in their packages, and Attachment 5a was the draft amendment, and this is the decision document, and you have the draft codified text also provided, and so I will walk through the decision document, and, with Amendment 52, we are at a stage where the council had selected all the preferreds at the last meeting, and had adjusted the one action with regard to the recreational season to no action, and, really, this is a refinement of the information and providing rationale. The purpose and need was approved previously, actually two council meetings ago, and it is on the board, if there's any discussion or thoughts about any needs on that, and I think this is what we have now.

MS. MCCAWLEY: All right. Are there any modifications, or changes, on the purpose and need statement here? All right. I don't see any hands. Back to you, Roger.

MR. PUGLIESE: Okay. Moving on, we'll go directly into the actions, and Action 1 is to revise the acceptable biological catch, total annual catch limit, and annual optimum yield for golden tilefish, and the alternatives presented are the no action, which is the current ABC of 342,000 pounds gutted weight, based on the Marine Recreational Information Coastal Household Telephone Survey, the historic information, and Preferred Alternative 2 is based on the new information, to revise the acceptable biological catch and set it equal to the most recent recommendation of the SSC and revise the total annual catch limit and annual optimum yield for golden tilefish and set them equal to the recommended acceptable biological catch.

The recommended acceptable biological catch is inclusive of the recreational estimates from the Marine Recreational Information Program's Fishery Effort Survey, and the table below it shows that, in 2023, the ABC is 435,000 pounds gutted weight, which translates to a 435,000-pound total ACL for the fishery. Alternative 3, and that's the preferred alternative of the council, and Alternative 3 and 4 are step-downs of 95 percent of the ABC and 90 percent, respectively.

The council -- The Magnuson Act does not preclude the OY or ACL from being set equal to ABC, but it cannot exceed the OFL, and so the council frequently sets the ACL and OY equal to ABC, but it has to be, again, below the OFL. A revised ACL would be specified based on the most recent assessment and the SSC's recommendation of the ABCs that were adopted in SEDAR 66, including landings using the MRIP-FES, rather than the previous CHTS data.

Per the guidance provided in the rule, the council has chosen to specify OY for the golden tilefish on an annual basis. The council also has chosen to set OY equal to the total ACL. Because golden tilefish is neither overfished nor overfishing, the council determined a precautionary additional buffer between ACL and OY and ABC was not needed. In general, the ACL cannot exceed the ABC, and it may be set annually or on a multiyear basis, and that's what we have as the core draft rationale.

MS. MCCAWLEY: All right. Are there any changes, or modifications, or questions, or concerns, about Action 1, or any desire to change our preferred alternative? It looks like heads nodding no.

MR. PUGLIESE: Okay. That moves us on to Action 2, which is to revise sector allocations and sector annual catch limits for golden tilefish, and, under the alternatives, Alternative 1 specifies the no action, which would retain the present allocation, commercial allocation, of 97 percent of the total ACL for golden tilefish, and the current recreational allocation of 3 percent for the total annual catch limit for golden tilefish. Within the commercial sector, 25 percent of the total ACL is already allocated to the hook-and-line sector and 75 percent to the longline component.

The council's Preferred Alternative 2 is based on applying the same catch information sequence with using the new FES numbers, which resulted in an allocation of 96.7 percent of the revised total ACL for golden tilefish to the commercial sector and a 3.3 percent allocation to the recreational sector, and, again, the same allocations between -- No changes in the allocations between hook-and-line and longline, and, as I mentioned before, the allocations were already set, and that was back in Amendment 18B. It allocated the commercial annual catch limit to the two gear sectors, with 25 percent to the hook-and-line sector and 75 to the longline sector.

The allocation, at that time, restored the access to the resource for the hook-and-line fishermen to portions observed prior to 2006 and during time periods that were -- That they historically had actually harvested golden tilefish, in the late summer and early fall.

The council reviewed the recent catch history for hook-and-line and showed that, between 2016 and 2018, it had been slightly under the allocation, and then, between 2019 and 2021, they actually slightly went slightly over. In addition, the council's advisors did not recommend changing the allocation between the components of the commercial sector at this time, and so the council subsequently chose not to consider changes in the current allocation between the two commercial components.

The recreational sector accounts for a fairly constant, but small, portion of the harvest, given that golden tilefish is a deepwater species, caught further from shore, and in greater depths than most of the other species in the complex, and that's really the crux of this action, is the separation between -- Or the distinction between commercial and recreational allocations. Considering the limited recreational effort for and harvest of golden tilefish, the council views the revised

allocation as a fair and equitable allocation between sectors that is reasonably calculated to promote conservation and does not give any equity and excessive share of harvest privileges. The council determined that this allocation division encourages a rational and well-managed use of the golden tilefish resource and also optimizes social and economic benefits.

MS. MCCAWLEY: All right. Is there any desire to change the preferred under Action 2, or any more discussion on this action? This is Action 2, and we've selected Preferred Alternative 2. All right. I see thumbs-up.

MR. PUGLIESE: Okay. Moving on to Action 3, this is to modify the fishing season for the commercial golden tilefish hook-and-line and longline components, and the alternatives were no action, to not modify it, and basically the existing fishing season for golden tilefish is January 1 through December 31. Then there are two alternatives.

Alternative 2 is for hook-and-line, with three sub-alternatives that were starting on January 15, 22, and February 1, and then the preferred alternative of the council is to modify the fishing season for the commercial longline component, and the preferred alternative is January 15, and two other sub-alternatives were January 22 and February 1.

In the analysis that was done, subsequent to this, the hook-and-line sector is showing no projected closure within the timeframe, for either the no action or Alternative 2, and, for the commercial longline component -- If you look at Table 3, really, you have to focus on 2023, and that's using the actual allocation, and some of the other ones were historical, based on what came out of the assessment, and it provides a closure date of April 5.

MS. BROUWER: I just wanted to clarify that this action -- When I think you last saw it in September, it referred to changing the fishing year, and so the IPT thought that would be a little problematic, and the stock assessment uses annual landings that are on a calendar-year basis, and so what this action would do is essentially just delay the beginning of the longliners starting harvest with that particular gear to January 15, I think is the preferred, but the fishing year would remain the calendar year, and I just wanted to make sure that was clear.

MS. MCCAWLEY: Tim.

MR. GRINER: I think that's where the confusion is coming in, because that's causing a little bit of heartache among the longliners, and so, by doing that, what you've effectively done is you've closed the season for two weeks, and that's not what they have asked for. They have asked for a delay, or for their season to start on January 15, and end on January 14, and they haven't asked for two weeks off of their season, with a closure for two weeks, and so I think we need to address that, because, if they can't start on January 15, and have the season go back to the 14<sup>th</sup>, they want to go back and just leave it like it is.

MS. BROUWER: Okay. Well, so, that fishery is usually -- You know, the ACL for the longline portion of the commercial sector is typically caught in just a few weeks, and so it's very unlikely that, you know, shortening -- That they're even going to get anywhere close to the end of the year, but I see what you're saying, and that's why I wanted to make that clarification, but, because it's kind of a derby-ish kind of fishery, it's really not going to make a difference.

MR. GRINER: They recognize that as well, and I think their concern is, in the future, if things change, or if there's a situation where, for whatever reason, there's quote left over, and then that quota comes back, to be available to them again, later in the year, but they don't ever want to have a period that the fishery is closed. They want just to use the accountability measure of already meeting the quota.

MS. MCCAWLEY: Monica and then Andy.

MS. SMIT-BRUNELLO: Thanks, Tim, because that wasn't at all clear before, and the only thing that the council discussed was the start date of the season, and it was never discussed in terms of having the fishing year go into the next calendar year, and so it was my suggestion, actually, that said just change this to "season", as opposed to "year", and that's what the IPT discussed, and we went forward, and so I appreciate that clarity, because it wasn't clear, to me, from the record at all.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Well, and I will go back to some comments that I made earlier, in that -- I mean, ultimately, this is kind of functionally equivalent to setting the fishing year, because they're catching the quota so quickly, right, and we can always come back and change that, right, and I recognize that that means that that's an added complexity, but I don't see them coming close to even having a year-round fishery on this.

This past year, and I was just looking, they had a season that was two-and-a-half months, and then we reopened less than a month later, just because there was some additional quota left on the table, but they were closed by sometime in April, right, and so I hear your concerns, and I'm just not sure, in the short-term, that it's really going to be an issue for them.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: I know Myra just said it, but I was also having a side conversation with Tim about this, and can we go over, a little bit, the benefits of having a January 1 fishing year again, so that we can sort of weight the costs and the benefits for these guys?

MR. PUGLIESE: Okay. Well, the whole purpose of looking at the delay was really to try to provide them a delay. No?

MS. MCCAWLEY: That's not what she's asking. Myra, do you mind coming back to the table, please? This whole fishing year versus season is the question.

MS. BROUWER: Well, so I guess, you know, delaying the start of the commercial longline -- I'm going to call it a season, because that's just easier, but delaying it responds to the industry wanting to have a little bit more time, at the very beginning of the year, after the holidays wrap up, to kind of get themselves ready. It would also to allow -- To give the hook-and-line guys a little bit of a head-start, fishing with that particular gear, and then take advantage of the market conditions in the beginning of the year, when shallow-water grouper is closed, and there's a demand for a white-meat fish, and so, for all of those reasons -- But what I was going to say is, you know, Roger can go back up and go over the -- Summarize the biological, economic, and social effects, if that's what you were wanting to do.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: So that's not the -- I know all that. My question is, and sorry, and I don't know it all, but I just mean like I have a general understanding of why we're doing that. You had said something about the actual bookkeeping fishing year starting on January 1, and it provided some benefits when it came to the data, and so when they start fishing -- I know why they want to do all that, but what is the down-side to us moving the fish year start to January 15 and ending it on January 14, and that's what I want to know, is what is the negative side of that?

MS. BROUWER: I think, if you change the fishing year for the commercial sector, then the hook-and-line component would also have a separate -- You know, they would have to start whatever you guys set as the date for the fishing year, because it would be for the entire commercial sector and not just the gear components of the commercial sector, but what I was alluding to earlier, and this is, you know, what I have heard, that, in a stock assessment -- For example, in black sea bass, the fishing year for black sea bass is not based on a calendar year, and I've just heard that it creates a little bit of a conundrum, sometimes, for stock assessment purposes, and to avoid that, but certainly Chip can probably elaborate on that sort of thing.

MS. MCCAWLEY: Go ahead, Chip, and then I'm just going to try to restate something Myra said.

DR. COLLIER: The other thing to remember is there is a different sector, and so you would also have the recreational sector that would have a different fishing year, and so combining those, to figure out how to match it up with the ABC, or the total ACL, it does lead to challenges.

MS. MCCAWLEY: All right. First to Tim and then to Dewey.

MR. GRINER: Well, see, I guess that's one of the issues with the document here, is that, the way we have this set up now, this does not allow the hook-and-line to start ahead of the longline. The way the alternatives are, it's either Alternative 1, no change for anybody, or Alternative 2 is the hook-and-line modifies and starts either the 15, 22, or February 1, and there is no option for it to stay at January 1.

MS. BROUWER: That's just the way -- It's a little bit weird, the way it's structured, but, basically, since the council did not choose Alternative 2, essentially, that allows that component to just stay the way it is, which the start date for that component of the commercial sector would still be January 1. It's implied in the no action, and the fact that you have not selected that alternative as a preferred, but I realize that it's a little confusing, and so it's a good clarification to have on the record.

MR. GRINER: So that's just, by default, it goes back and stays where it is.

MS. BROUWER: Yes.

MS. MCCAWLEY: So then let me try to restate this and make sure that I understand it, because I feel still confused here too, and it sounds like, by getting rid of the words "fishing year", and now going to "season", we're just changing this for one sector of the commercial fishery and not the

other, and I'm just confused about which way we've changed it to. Now we're at "season", and we were at "fishing year", and, when we were at "fishing year", we were changing that for all portions of the commercial, and that's the part -- That's why I'm super confused here.

MS. BROUWER: Okay, and I apologize for having introduced this confusion, and everything seemed to be going well, and so the request was from the longline endorsement holders to be able to officially start fishing with that gear on January 15, or sometime in January, and January 15 is currently the preferred. The hook-and-line fishermen do not want to wait until the middle of January to begin fishing, and they want things to stay the way it is, and so what the IPT recommends, in order to allow for that, instead of splitting this into two actions, one for longline and one for hook-and-line, is just to have separate alternatives and simply select the one that pertains to the longline component, and, that way, you're not changing anything for the hook-and-liners, and does that help?

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: I understood, from the last discussions, at past meetings, when you've all looked into this, and maybe it was Laurilee, but part of this -- Maybe Laurilee said this, but a big part of the reason for this too was to try to get to get them into the Lenten season, around Easter, when prices are higher for golden tilefish, and so that was -- Again, Myra, I've very glad you brought this up, because I think proposed this change that made us go into confusion, but that was my understanding, and it was being delayed, the start date, to January 15 to try to get the longliners only into the Lenten season.

MS. MCCAWLEY: Okay. I am going to ask some more questions, but, Roger, can you go back up to the Alternatives 2 and 3, please? Okay. To try to do what they originally asked, it seems like we're saying the longline fishery -- With this action, the way it's worded right now, the longline component will start later, and I believe they said start on January 15, and, yes, I understand it's because of Lent, but then, the hook-and-line component, if we do not change the start date to some other number, they will get to go first, and so their fishery will open, and they're starting to fish, and then the longline component comes in later, and is that -- That's how this is worded right now, and that was the original intent? Okay. Myra is nodding her head yes.

MS. BROUWER: Correct, and, also, to clarify, and to just add justification for that, the hook-and-line sector is limited to 500 pounds per trip, whereas the longline sector has a 4,000-pound trip limit, and so it's also a way to optimize the availability of product in the market and to avoid oversupplying it and bringing the price down during a critical part of the year.

MS. MCCAWLEY: Okay. I am going to go back to hands, and so, Tim, did you have more?

MR. GRINER: Yes, and so I guess I'm still not understanding what the real issue would be if their season, or if the season was actually -- For the longline, it was actually January 15 through January 14, and what difference does that two weeks make, either from a stock assessment, or for anything, and I can't see how any data would change in that two weeks of non-fishing.

MS. MCCAWLEY: Carolyn.

DR. BELCHER: It's not your non-fishing, but it's the two weeks that carry into the next year, and so you're starting later in the year, and so, when you think about, like as we're collecting the data, there's a period in which you validate, after that last month is done, and so you would wait for like 2022, and we would be getting the final numbers in March. Well, if you need those first numbers for January, they're not going to be finalized for another time window.

For those two weeks of January, if there is catch in those first two weeks, they're not going to be validated until much later into the 2023 year, and so, if you're trying to do a stock assessment, you're not going to be able to do that, because your data number is splitting two calendar years, which is how they're collecting the data. You do annual CPUEs, monthly CPUEs, and, if you start splitting time series, you don't have the data kept up in time to be where it needs to be for you to do the assessment, and so there's going to be a lag. If you wanted to do it and say, well, our last year is going to be 2019, you may have to wait eighteen months to get the finalized numbers for 2019.

MR. GRINER: Right, but we're acknowledging that you're never going to have any more data after three months anyway, because the fishery is going to be over with.

DR. BELCHER: You would be surprised, because people do turn in late reports. Data is always being -- It's being vetted and checked, and it's never finalized.

MS. MCCAWLEY: The ABC is set on the calendar year, and so let me just keep thinking, and I'm going to come back to you. Dewey, I'm going to skip you and go to Laurilee, and I feel like she can help -- I think she can help explain this a little bit better, and then I'm going to come back to you, Dewey.

MS. THOMPSON: Well, I think, in looking at the email that was sent to some of us, it appears that some of the longline endorsement holders -- I don't think this individual speaks for all of them, but it looks like some of them are concerned that, as the stock builds, that there could be a possibility that they could make lose two weeks out of their fishing year, but I don't -- Honestly, I don't see that happening, but we could also -- You know, just like we did with the Option 6, way back in the gag grouper, where they had the step-ups in catch, and we decided not to go that route, because, with future stock assessments, if the stock is really improving that well, we can change it at a later date, and I see no reason to upset the apple cart right now, and I really don't think that every single longline endorsement holder would want to go back to the January 1 opening date, the way that this email represents.

MS. MCCAWLEY: Then maybe this is a question for Myra, and some person cannot hold both a hook-and-line and a longline endorsement, and so, if you have one, you cannot have the other, and is that right? Okay. All right. Over to Dewey.

MR. HEMILRIGHT: Roger, can you scroll back up to where you had the amount of fish given to the commercial and the recreational industries, and it's in numbers of fish, for the recreational industries, and I think it was like 2,300 fish, or something like that, and I was just curious about the size of the fish, and I think I asked that question before, but I might have asked it for snowy grouper, a couple of meetings ago, but the ACL there, for 2023, is 2,559, and what size fish is that based on, to come up with that average, because, on social media -- Well, I will let you answer, to tell me what the poundage is first.

MR. PUGLIESE: When we addressed this, we went back in, and it's based on 5.61 pounds, and that's from the stock assessment, using data from 2016 through 2018.

MR. HEMILRIGHT: I don't remember seeing no five-pound fish, and so it's just another furthering of snowy grouper, the same thing here with -- Does anybody see any five-pound fish on social media? Basically -- Yes. Okay. I just -- We're going down another conundrum of the information that's given here, from the survey that's produced, is not believable, and all the above, and so I just want to make sure that's on the record, because there ain't no five-pound fish, and there's probably a sample size, if there was, of maybe one or two fish, because you don't see that on social media, five-pound fish. You see everything larger, fifteen or twenty or thirty-pound fish, and so that number right there could be a crazy number. It could be way more than 3.3 percent of the poundage there, and so I am just pointing that out, and I'm sure everybody else already knew that, but I'm just pointing it out for the record. Thank you.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Well, I always appreciate Dewey's comments, but I will just make a point that we shouldn't be basing decisions on what we see on social media, and I certainly, if I had a social media account, would not post my small fish on that social media account. I will post my biggest fish, but your point is well taken, Dewey, and I'm not trying to be funny about this, right, and so I think there is dynamics with this stock assessment, especially with data-limited species, and poorly-sampled species, in terms of the amount that are infrequently sampled, that create some challenges for us, in terms of how we estimate average weights and quantify the abundance of fish.

I just wanted to keep that in mind, and I think this is something we need to continue to work toward, in terms of improvements with the SADL survey and improvements with coordination with the Science Center, and as we refine these assessments, and hopefully get them more in alignment with some of the observations that you've been making and sharing with us, and so thanks.

MS. MCCAWLEY: Thank you. All right. Laurilee.

MS. THOMPSON: When will we start seeing data from the SADL survey being used?

DR. WALTER: I think, and I'm trying to look at the SEDAR calendar, as to what the next one that would be responsive to that, and the goal is to -- I think it's got three years under its belt now, and the goal would be that, at least the biological information that comes from that, the age composition, could get incorporated into any one of the assessments pretty soon, and we should be able to have indices coming out of it, also, fairly soon. They will be pretty short, to start out with, but let me look at the calendar and see which one would be the next one on the docket for being used, but we think it's going to have a lot of utility, particularly for those mid to deepwater species.

MS. MCCAWLEY: Chip.

DR. COLLIER: 2024 is when blueline and golden tilefish are going to have some operational assessments, and, like John Walter said, it's mainly going to be focused on incorporating the age



data, and the survey has changed a couple of times, and, the first couple of years, they've been modifying the survey a bit, and so it's a bit of a challenge to get the review done for it right now, and they are narrowing down on potential options for the best survey design.

Once they get that, then I think we can really focus-in on the review, to make sure that it is going to be an acceptable survey to be used in stock assessments, and, once it gets that review, then it can be incorporated, and so the age data is going to go in first, like John said, but it's probably going to be a bit more time before the CPUE data can be used for an index of abundance, potentially the following stock assessments after the 2024.

MS. MCCAWLEY: All right. Let's try to get back to the discussion of -- I appreciate these side comments, side questions, but I really want to try, since we've been debating it and had some confusion here, I want to try to get to the bottom of Action 3. I am thinking, based on the conversation here -- All right. There are the alternatives, and so, right now, they've marked our preferred alternative as 3a, because that was kind of how we interpreted this before.

Yes, we've gone from "fishing year" to "fishing season", and I think, based on the conversation, that we're okay with that, but I'm just trying to restart and finalize this discussion here, to make sure we're okay, and so what this is doing is it's changing this start date for the fishing season, for the longline component only, and not the hook-and-line component, and the hook-and-line component would start first, and I'm just trying to be clear what's happening here. Are we all okay with that, how the language has changed, and does everyone understand what's happening? Okay. It seems like that everyone is in agreement here and we're good with the preferred alternative.

MR. PUGLIESE: No motion is needed. Moving on, we'll move to Action 4, and Action 4 is modify the recreational accountability measures for golden tilefish, and the original alternative, no action, would retain the existing, which has the in-season closures already established in place, as well as the post-season that required the need to have the fishery overfished, as well as the total annual catch limit exceeded.

Alternative 2 would, again, also retain the current recreational in-season accountability measures, but the difference is it would limit it and reduce the length of the fishing season in the subsequent year, based on the amount of recreational overage, and the preferred alternative is to remove the recreational accountability measures that close the recreational sector in the season, and the National Marine Fisheries Service will annually announce the length of the recreational fishing season, based on catch rates from the previous season, and the fishing season will start on January 1 and end on the date that National Marine Fisheries Service projects the recreational annual catch limit will be met.

The council is proposing modifying the recreational accountability measures to prevent the ACL overages and to render the measures more efficient. Preferred Alternative 3 is the most suitable among the alternatives considered to prevent persistent overages of the recreational ACL and that NMFS would account for any overages by annually announcing the length of the recreational fishing season, based on projections of when the recreational ACL would be met. Recreational harvest of golden tilefish would continue to open on January 1 of each year. The council is also proposing the elimination of the in-season accountability measures for golden tilefish and

modifying the AM to establish the closure date for the following fishing year based on previous landings. That's what we have.

MS. MCCAWLEY: All right, and so, once again, this is the recreational accountability measure, and we already have a preferred alternative here. Is there any desire to change our preferred alternative? Any more discussion on this accountability measure? Okay. I don't see any hands.

MR. PUGLIESE: Okay. We'll move to Action 5, and Action 5 is to modify the blueline tilefish recreational bag limit. Alternative 1 is no action, and the current recreational bag limit is three per person. Captain and crew of for-hire vessels with valid federal South Atlantic charter/headboat snapper grouper permits are allowed to retain the bag limit quantities of all snapper grouper species.

Preferred Alternative 2 would reduce the recreational blueline tile bag limit to two fish per person per day, and Alternative 3 would reduce the bag limit to one per person per day, and the second preferred alternative of the council is to not allow the retention of blueline tilefish by captain and crew. As you see in Table 5, the predominance of catch for this fishery is about 72 percent to the charter industry, and a number of these tables, figures, have been provided before, which show you the differences between the percentages of trips and catch when you've had contributions by captain and crew and, subsequently, contributions with excluding captain and crew, and you see some benefits to providing those additional fish to the catch later on.

Reducing the blueline tilefish bag limit from three to two fish per person, and prohibiting -- That would be Preferred Alternative 2, and prohibiting retention of the bag limit of captain and crew are expected to keep the recreational landings of blueline tilefish from consistently exceeding the recreational ACL.

MS. MCCAWLEY: All right. We have a preferred alternative here. Is there any desire to change this preferred alternative? All right. Seeing none.

MR. PUGLIESE: Moving on to Action 6, and Action 6 is to modify the blueline tilefish recreational season, and this is the one that the council did change, at the last meeting, to no action, and, right now, the preferred alternative is no action, do not modify the blueline tilefish recreational season. The current recreational season is May 1 through August 31, and so retain that four-month season. The alternatives, beyond that, are May 1 through July 30, June 1 through August, May 1 through June 30, and July 1 through August 31.

The current four-month recreational season is basically a compromise to address the needs of the recreational fishery targeting blueline tilefish in Florida and in North Carolina. The council views the length of the existing recreational season as necessary, considering that charter vessels account for 72 percent of the catch of blueline tilefish, and they generally shift to bottom fishing and target blueline tilefish during the summer, in July and August, when catches of both dolphin and tuna start dropping off. Florida representatives noted that this season would also take into consideration the cooccurrence of snowy with blueline off of Florida, and that's what we have for this.

MS. MCCAWLEY: All right. I am going to go to hands. Chester.

MR. BREWER: Roger, I had a question about Action 5, and I'm sorry to be going back on you, but are we allowing -- You went kind of fast, and so I wasn't sure, but are we allowing -- Okay. Never mind. Now that I read it again, it's fine, and I just wanted to know -- We're not allowing the retention of captain and crew, which makes a difference when you're talking about per-person, as opposed to per-vessel.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: Could you just repeat what you said, Chester, on Action 5 about not allowing retention?

MR. BREWER: Not allowing possession by -- Or not allowing, essentially, an additional fish to be kept, or an additional fish to be kept by the captain and crew. When you have a per-person limit, that can have a real effect. If it's per-vessel, then your effect is a lot less, and so I just wanted to make sure that we were not allowing retention by captain and crew.

MS. SMIT-BRUNELLO: Well, maybe I'm confused. Alternative 1, no action, says that captain and crew, with valid permits, are allowed to retain bag limit quantities of all snapper grouper species during the open recreational season. Preferred Alternative 2 says reduce the blueline tilefish bag limit to two per person per day, and I don't -- Am I misunderstanding it?

MS. MCCAWLEY: We have a second preferred in there.

MS. SMIT-BRUNELLO: There it is. Number 4. Thank you. I feel better. I'm sorry.

MR. BREWER: Don't worry about it. I missed it too, and that's why I asked that we go back.

MS. MCCAWLEY: All right, and so back to Action 6. This is the season action, and there are the alternatives on the board there, and so Roger is right that we changed this, at the last meeting, to no action, which is the May 1 through August 31 season, and we're trying to line this up, at least in Florida, with the snowy season, and the snowy season is May and June, and so just making sure that there's no other discussion on this particular action here. Okay. Andy.

MR. STRELCHECK: Well, I think I was actually the one kind of arguing to go back to the no action at the last meeting, and, you know, Dewey talked earlier, and it is still a substantial concern of mine, with these deepwater species cooccurring with one another in certain areas, and we are setting ourselves up where blueline harvest may occur when snowy grouper is closed, right, and so you're going to be discarding then snowy grouper, to the extent they're interacting with blueline, and so I think it would be good to discuss, again, whether or not Alternative 4 would be something we would want to shift to. I recognize that that would mean a shorter blueline season, and maybe not catching the full catch limit, but it does have the added benefit of, obviously, reducing those discards for cooccurring species, and I know you've talked about aligning the seasons as an important step for FWC.

MS. MCCAWLEY: I will start, and that would certainly work in Florida, because it lines up with the snowy season. My recollection, at the last meeting, was that that didn't line up for every state, which is why -- I think that different states are accessing the fishery in different months, and so it

was my understanding that the compromise was to go back to no action, to accommodate various states. Do others have more discussion on this? Dewey.

MR. HEMILRIGHT: So here's how to fix it. You put Alternative 4 in, but then you have, above a longitude and latitude, the season opens, a different season that gives the opportunity for the charter boats, which catch seventy-some percent of the blueline tilefish north of Cape Hatteras, where you don't have cooccurring species, because, clearly, if you have a May and June season, your data shows, from probably the past -- Since 2016, that you only catch probably 20 percent of your ACL of 116,000 pounds.

The cooccurrence is vitally important in the snowy grouper, but, north of 35, 30, it's strictly blueline tilefish, unless some miracle happens and a grouper comes around, and so it's difficult, but, at the same time, you all have to reasonably give an opportunity to a sector to harvest this quota, and, at the same time, you're trying to achieve something that needs to be -- You've got two things that need to be achieved, and that cooccurrence is vital for snowy grouper, and so I don't know if it's too late, or somehow do some modification above a point, because it's proven, through 17B, the closure, where we did exempted fishing permits in North Carolina, and it's shown through the SADL, and it's shown through various other things we've done, that you catch blueline tilefish, and you don't catch grouper, and so how to fix that, and allow opportunity for the charter industry that needs, predominantly, probably the fish in July and August, which your data shows that, versus May and June, when there's mahi and tuna, which your data shows that also, is how to fix that.

Maybe it doesn't fix it here, but it's something to work for in the future, because it's a definite difference, at a dividing line, of where there is blueline tilefish, and there's nothing else there yet, and I don't know how to address it any other way.

MS. MCCAWLEY: Thanks, Dewey. Andy.

MR. STRELCHECK: Dewey, you've raised some similar points in past meetings, and, you know, I think the challenge before us is we're at final action at this meeting, and I don't think, at least the golden tilefish fishermen, are going to want us to delay, because they're looking at a quota increase, and I think you brought up some reasonable options that potentially this council could pursue, but I think it would have to be through some sort of subsequent framework action at that point.

MS. MCCAWLEY: Yes, I agree, and I think that we've had good discussion on this in the past, and I think we came to that exact same conclusion. If we're going to keep moving this at this speed, and it's set to be finalized this week, we would have to do that in a separate action. Dewey.

MR. HEMILRIGHT: Is it a framework-able action, what I'm discussing, as a possibility, because that would be a year timeline. I mean, it's something that is definitely needed, and I don't know if we have to go through a whole other amendment, and I'm not trying to hold this up, but I just know what the landscape is.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I would have to look to Monica, but it depends on, obviously, the actions and alternatives we consider, and potentially setting us up for some sort of geographic allocation of quota, and I don't know if allocation could then be -- We couldn't do it under a framework, and it would have to be an amendment at that point, if we're allocating the quota to different geographies.

MR. HEMILRIGHT: You wouldn't be allocating a quota. You would be allocating a season, and you would have a reduced bag limit of what you're saying of two fish, and your data shows the limitations that is allowed, and so I don't think you're giving a specific quota to north of Cape Hatteras, or something like that, and you're saying here's your season, and, based on our knowledge, this is what you're going to catch, and we have the ability to shut it down.

MS. SMIT-BRUNELLO: So you can do seasons and bag limits and those sorts of things via your framework, and maybe I can talk with you, at the break or something, and get a good idea of what you have in mind, but some of these things that you're just talking about, yes, those are framework-able.

MR. HEMILRIGHT: It is vital for both of these things, and not to hold this action up, but snowy grouper needs that cooccurrence protection, and folks need to be able to harvest their blueline tilefish that is a clean fishery, and there's nothing else there but blueline tilefish, at this time.

MS. MCCAWLEY: A couple of things, and so the next stock assessment for blueline I think may be completed at the end of 2024. Yes, thumbs-up on that, and so another stock assessment coming on blueline, and so I will look to the committee, and do we want to stay with the preferred alternative being no action, or do we want to do the Alternative 4, which just sets it to May to June? Thoughts? Mel.

MR. BELL: It seems like, if you just leave the preferred as it is right now, Alternative 1, you're going to cover what needs to be covered, and I think that's why we -- That was part of the discussion for how we ended up with that anyway.

MS. MCCAWLEY: Yes, you are correct. All right, and so I just wanted to make sure that we had good discussion on this, and it seems like we're wanting to stay with this preferred, which is kind of a compromise. All right. Back to Roger.

MR. PUGLIESE: Okay. That brings us on to Action 7.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: So I realize this is final action, but, given that we're going with status quo, no action, should we remove Action 6 to Considered but Rejected?

MS. MCCAWLEY: Sure.

MR. STRELCHECK: All right. **I will make a motion to move Action 6 to the Considered but Rejected Appendix.**

MS. MCCAWLEY: Okay. Motion by Andy, and it's seconded by Mel. Is there any discussion on that? This is because we've selected the no action alternative on this particular action, which is Action 6. Any discussion? **Any objection?** All right. **That motion is approved.**

MR. PUGLIESE: Okay. That moves us on to Action 7, which is to modify the recreational accountability measures for blueline tilefish, and this essentially tracks identically what we did under golden, and so, again, Alternative 1 is retaining the existing in-season accountability measures, and the post-season accountability measures are the ones that have to have both the resource overfished, as well as the total annual catch limit exceeded, to be able to trigger that.

Alternative 2 is essentially still retaining the in-season closure, but, in that case, National Marine Fisheries Service could reduce the length of the recreational season, based on the overages. The preferred alternative, again, is to remove the current recreational in-season accountability measures, and National Marine Fisheries Service would annually announce the length of the recreational fishing season, based on the catch rates from the previous season, and the fishing season will start on May 1 and end when National Marine Fisheries Service projects the recreational annual catch limit will be met.

The council is proposing to modify the recreational accountability measures for blueline tilefish to prevent overages of the recreational ACL and to render the accountability measures more effective. In addition, Preferred Alternative 3 is the most suitable among the alternatives to consider for a relatively-short recreational season, which is May 1 through August 31.

MS. MCCAWLEY: All right. Once again, we already have a preferred here on this accountability measure, and is there any desire to change this preferred? I see people nodding their heads no. Then there is only one other draft motion, I guess, left, which would be to approve this for secretarial review, but don't we want to wait until after we take public comment tonight, and then we'll do this in Full Council? Carolyn is saying yes. Laurilee.

MS. THOMPSON: You've going to hate me, but I've been sitting here reading this email from this guy, and, you know, he concludes it and he says, in no way were we were looking for a seasonal closure that could affect us in future management plans or amendments, and the only way that I see that this could affect it is if the endorsement holders choose to go to IFQs, and, in that instance, if somebody wanted to use their privilege of fishing their IFQs whenever they wanted to, they would lose those first two weeks of the year. That's the only thing I could think of where that would impact it.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: If they really wanted to go to IFQs, you all would have an amendment that would establish all of that, and you can get rid of that two-week closure, and so that wouldn't affect them at all right now.

MS. MCCAWLEY: All right. I am going to come back to I think we're done with this amendment for right now. Thank you, Roger. I appreciate your work on this. All right. We're going to ask Bob to come back up here and talk to us about the other AP recommendations that we haven't already covered in the agenda.

MR. LORENZ: Thank you, Madam Chair, and our AP meeting was very long, but here's some of the other items that we got to and that are of interest, and I will give you the AP's input. The commercial electronic logbook amendment, what we're saying there, in summary, was that there's a general support for changing to the electronic platform and getting away from a paper-based system, and they did have some questions that came along on whether the end-of-the-year economic questions would continue to be required.

I think there's kind of a wish that they would go away, but that came up, and they wanted to know, you know, if there is some consideration, or there would be concern in the future of any confusion about how the reporting requirements would be affected if someone owns multiple permits under separate corporations, and so, you know, would they be applying it for every corporation, and so that was that, and there was general support for the commercial electronic logbook.

The NOAA proposed speed regulations, we actually discussed that more than you might think we would, and we actually came through with I believe it was a motion on that. Some of what is under there actually it was made as a motion within our AP, and the recommendations were what you see there, to use dynamic management zones for the vessels of the smaller, twenty-five to sixty-four-foot, length, and concentrate the speed restrictions around the inlets where boating activity funnels, and it seemed to be the hits here, or I guess one of the latest ones that went public, a year or so ago, I believe was in north Florida, or the St. Augustine area, and, you know, that's all occurring near the inlets, very close to shore, and not offshore.

Describe the economic consequences to snapper grouper fishing, especially to the charter/headboat industry, and the folks that spoke out the loudest on that, and it's a consideration, and I may want to make some public comment later on this, are the headboats, and this kind of really puts a crimp on their type of operation, due to the speeds with which they need to take, particularly when you get into Georgia and South Carolina and North Carolina, to get out to the fishing grounds.

For a headboat, by the time they could get out there and drop, it's almost about time to get in, and so this is really a choke for them, and this is a real choke on the business. It's got them around the neck when this goes, and then we talked about things, and we brought up -- We went sort of in blue-sky thinking of really hoping there's a leverage that get towards the use of leveraging technology for this, and we brought up the thing that I could program my truck so that, if I'm playing with my cellphone, and you hit the brakes in front of me and stop, I'm not going to hit you, and so the truck will take care of that, and so maybe there's things involved in -- With all this technology that is out there today, so much focused -- I would almost challenge the manufacturers out there for boating equipment and all.

All that's out there, with sonar and fish finders, and all this kind of stuff, and you can't come up with something that could detect, you know, where these animals are, and maybe stop the boat, and you already have, you know, things like auto-pilot things, and things like that, and so that was there, and they said the biggest crunch is -- This was more the headboat people that were hurting, of which we have two, and we have a retired captain, and we have someone that is very active right now, and, without a doubt, they said this hurts.

The Florida Keys Sanctuary Restoration Blueprint, it's a south Florida and a Florida issue, and people were very passionate about this, and you'll see Richard Gomez's name down there, and he's extremely passionate on this, though other AP members are kind of -- You know, they have

been behind him, and we did make a motion, and that motion is up there, and it doesn't say it's a motion, but they don't support any additional fishing closures on this sort of a thing.

Richie brought up, and was actually very thankful for something you all did, and I believe -- I wasn't present to hear, and I wasn't there, but I believe, in Charleston, you had some give-and-take, or some kind of presentation, or maybe it was in public opinion, where somebody asked about this, and Richie said the answer that was there, probably because all of you were sitting there and looking, was beyond anything that he ever got, after being two years involved in this, where apparently you can join this sanctuary, as some kind of member or something, or get actively involved, where he tried to really do something to move the needle on a little bit of fishing, and he has come to the conclusion that it's, like in a fight, and the fishermen, the recreational and commercial, are the smallest ones in the fight, and so they're the ones that everybody, you know, wants to pick the fight with, and, again, that's Ritchie's opinion, or where he comes from this.

I know, from listening to the Florida Keys presentations, that there are so many stakeholders involved in this, and so many NGOs and things involved, that there are massive considerations, but, there, we outlined some of the few, and I think it was a feeling of a little more equity between fishermen and divers, and divers, due to the non-consumptive nature of their activities on the reefs, are getting better press, and a better play, on this than your consumptive users, than fishermen, and so it seems to be leaning there, and certainly other NGOs and things that want to support all conservation and no use of any consumptive use of resources whatsoever, and they very much can get behind diving, and they can't get behind -- And snorkeling, but they can't get behind fishing.

Then it got into, you know, a little bit of complaints, and we understand all the issues that can't be addressed, that are so difficult, that there didn't seem to be -- No one is really trying to take on some of the problems that are down there, that also contribute to this, and it isn't just fishing, and it's just the low-hanging fruit. You have rampant development, and you've got boat ramping and all the boat participation in Dade County, and you've got phosphate mining, and you've got agriculture and all that sort of thing that is contributing to that degradation of the habitat, which, of course, is going to degrade fishing and is going to, when we are fishing, have an effect.

Richard made a lot of comments, and so there's -- One of the things the AP would like to do is we would like to get behind him a little bit, a little bit of camaraderie there, and we would request, when the council makes a recommendation, or something comes up with their opinion, at the very least, to mention something about how some of the fishermen in the Keys feel, in the case of Mr. Gomez, and maybe attach the transcribed comments that he made to it, just as an appendix, and these people are reviewing thousands of pages of input anyway, and so some extra pages from this man would probably make himself, and a lot of us who support him, feel a little better, and so thank you, and I ask you for that.

There was a comment from somebody that we consider reducing the recreational minimum size limit, and we've been told the assessment is ongoing, and I guess you all are aware of the fact that nobody catches near their ACL or anything, and I'm a little unsure, and I know, at one point, the commercial limit, size, was smaller than the recreational size, and so they're just saying could it be considered and assessed, and they would certainly endorse an ability to take sea bass an inch or so, or maybe smaller, as a way of catching them and having that fish available.



Some specifics have come out, obviously, from our stakeholders, and sometimes these only represent one or two people, initially, and their interests, and to increase that trip limit or to allow permit stacking, and we're going to put that on the agenda for a future meeting.

The barrellfish, that's very specific, and I know I had two council members, after Key West, talk to me about this, that you want a fishery management plan under barrellfish, and it's such a -- There aren't many that anybody is pursuing, but this is coming out of a Florida Keys -- I guess another area that could possibly apply would be when you get up towards Hatteras, where these fish are, you know, a little more available, but, anyway, we would like to let you know that was brought up again, and it would probably be brought up by the same member at another AP, and so, if you do have the pleasure of time, at some point, to just think about it, and, if it's like this is not something we could ever put on our plate for now, that kind of feedback might be nice, or I will be probably going over this again next time.

Folks wanted to enable -- Just general comments, but quicker switching of the permits between the vessels, and the council to set a target number of permits for considering removal of the two-for-one policy.

MS. MCCAWLEY: So we've had some hands go up. Do you mind if we stop you and ask some questions, Bob?

MR. LORENZ: Sure.

MS. MCCAWLEY: All right. Go ahead, Andy.

MR. STRELCHECK: Can you talk a little bit more about the quicker switching of permits? I am asking from the standpoint of my office, and I guess permit transfers, and is that the intent there?

MR. LORENZ: I'm sorry, Andy, but, at this point, I would need -- That actually has come up from the chairman before me, Jimmy Hull, who had brought that up, and I wouldn't want to answer, at this point, and I would be a little off, at least my memory on remembering precisely what he wants on that, but that has come up before, but I don't think I can speak intelligently for that for him.

All right, and then, once again, after the MSA, there was a member that considered will you look at the following goals for future management, and, you had discussed these, as a potential of spatial closures by the state, with expiration dates, and I guess we may try these for a while, and I presume, by expiration, it means like a sunset sort of thing, that we would only do this for so many years and see how it works.

Rotating closed areas within each state, probably for conservation of one species, and require AIS for bottom fishing, and you've done -- There again is establish the recreational permit with education and the reporting requirements, and, in the AP, the commercial component of it, when you're reading that sentence, in the end, the ultimate goal is the reporting requirements that they would like those of us in the recreational fishery to do, and along with consideration of rebuilding reef habitat, some ideas, and there was like why not promote aquaculture, and I think that may have been mislabeled by that individual, because I know, from private discussions, he was of the thought that there might be able to be hatcheries for certain kinds of fish, and like it came up of

why isn't there a hatchery for red snapper, and so people are talking about that that may not know everything about, scientifically, how difficult that may be, but I just wanted to let you know those ideas are out there and floating amongst some of the AP members, as that maybe it could help. Thank you, and that's the end of the miscellaneous things that we discussed.

MS. MCCAWLEY: Thank you, Bob. Are there any more questions for Bob about these other items discussed by the AP? John.

DR. WALTER: Thanks, Bob, for that really nice summary, and I'm curious, because it does say one member proposed the council consider, and I'm kind of wondering what the thoughts of the AP are on a number of those ideas, because some of them are intriguing, and some of them are ones that the council, and the agency, have been considering, in particular aquaculture, but what were the other members -- Are these things, ideas, that are going to be kept in the mix?

MR. LORENZ: Yes, and one thing is other items, for us, with our AP, it's synonymous with your other business, and this is newer things that people want to consider, and so just like, further up, the barrefish, and there is nothing talked about, and this was -- This was not critiqued, or reviewed, by other members of the AP, and it was the very end of our AP meeting, which was extremely long, and, yes, we kind of went through a lot of this in about fifteen minutes, and so this stuff was not qualified, and nobody was challenged, or asked to defend their point of view, on this, and these were just ideas of things that we may want to discuss, and that also came up, how so many things --

The AP meetings are getting long, and what you're asking us to do is taking us the full two-and-a-half days to get through, and other things that some AP members want to talk about, or coming from that way, and so the top-down things, coming from out of this council, they're being covered. If you want anything bottom-up, which this all represents, we just don't get to it, and, you know, I've kind of stayed with the AP, and Mike and I would like to work on finding a way to address that sort of thing, and see if there's a way we can get these things off-hours or whatever, whatever might be legal for us to get a little more of this discussed, so I could answer that kind of question for you, where somebody could come up with an idea, and it just doesn't get in front of you and we all really haven't discussed it.

MS. MCCAWLEY: All right. Are there more questions for Bob? All right. Thank you, Bob, for that report. We really appreciate you being here this week. Then, next on our list, are items for Other Business, and I've heard of one item that has come up for Other Business, and that's a discussion about SMZs, and I'm going to pass that over to Kerry to start that discussion.

MS. MARHEFKA: Thanks, Jessica. I think I've mentioned it before, but we're getting closer and closer, and our special spawning SMZs sunset in 2016, and, at the rate we do things around here, I was hoping that I could convince my fellow committee members that this moves on to the -- I am now calling it the spreadsheet of doom, and, when we discuss things in Executive Committee, for planning purposes, I would just really hope that there would be some support to start working on these.

I know we had folks here, earlier this week, from the Nature Conservancy and other places that are interested in spending a little money and going in and re-looking at these areas, with a lot of the scientists who looked at them the first time, like Devil's Hole, and so I think, while it's on our

agenda, and we're talking about it, I think that gets more high-profile, to get some money in there to look at these things, and so, basically, I'm just asking that we can move this onto the spreadsheet, I'm hoping, when we all discuss things in Executive Committee, because I think 2026 is not that far off.

MS. MCCAWLEY: All right. Mike is working on capturing that somewhere. Do we want to have more discussion of that, or do we want to wait to continue that discussion when we get to Full Council and start talking about the priorities? Any more discussion on that right now? Spud.

MR. WOODWARD: I guess just a question, and so what process will be necessary to extend them? I mean, what is it? Is it a framework, or what is involved, and what's the labor requirements?

MS. MCCAWLEY: That's a great question, and I don't know if I know the answer to that. Myra and then Kerry. I'm sorry. Monica and then Kerry.

MS. SMIT-BRUNELLO: Rats. I thought she was going to come up and answer it. There's a special SMZ framework process that was established in, what, 1983 or whatever, when the council put the FMP in place, and I would be happy to look at that and see whether it fits under that, or whether it fits in another framework process, but I would be happy to tell you that by Full Council.

MS. MCCAWLEY: All right. Kerry.

MS. MARHEFKA: As a matter of a fact, reading from Snapper Grouper Amendment 36, where we modified the framework procedure to allow spawning SMZs to be added and/or modified through framework action, without going deeper, tells me that probably the modification part is where we can extend them through framework.

MS. SMIT-BRUNELLO: Well, right, and I was thinking about that, but I don't know what the sunset provision actually did, and so I don't know if that would fit under there. I think it would, but I'm just not sure.

MS. MCCAWLEY: All right. Thank you. Spud.

MR. WOODWARD: The reason I asked that question is because I think that helps inform our scheduling of how far back away from 2026 do we really need to make sure this sits up at the top of the spreadsheet of doom.

MS. MCCAWLEY: Just wow. Now we're calling that priorities the spreadsheet of doom. Okay. So what other items for Other Business need to come before the Snapper Grouper Committee? Anything else? All right. I don't see any more hands, and I will conclude the Snapper Grouper Committee and pass it back to you, Madam Chair.

(Whereupon, the meeting adjourned on December 7, 2022.)

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Certified By \_\_\_\_\_ Date \_\_\_\_\_

Transcribed By  
Amanda Thomas  
January 17, 2023

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*Respectfully  
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Doreen

**SAFMC      December  
Council      Meeting**

**Attendee Report: (12/5/22 - 12/9/22)**

Report Generated:  
12/11/2022 11:02 AM EST

**Webinar ID**  
338-488-243

**Actual Start Date/Time**  
12/06/2022 07:54 AM EST

**Duration**  
9 hours 9 minutes

**Attendee Details**

<b>Attended</b>	<b>Last Name</b>	<b>First Name</b>
Yes	AYALA	OSCAR
Yes	Allen	Shanae
Yes	Aukeman	Trip
Yes	Bailey	Adam
Yes	Baker	Scott
Yes	Barger	Jeff
Yes	Bell	00 Mel
Yes	Bianchi	Alan
Yes	Bonura	Vincent
Yes	Borbely	Bernard
Yes	Borland	Gary
Yes	Brouwer	Myra
Yes	Bruger	Catherine
Yes	Bubley	Walter
Yes	Calay	Shannon
Yes	Cermak	Bridget
Yes	Chaya	01Cindy
Yes	Conklin	Chris
Yes	Corbett	Ellie
Yes	Cox	Derek
Yes	Cross	Tiffanie
Yes	Crosson	Scott
Yes	Dancy	Kiley
Yes	DeJohn	Frank
Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Dorman	Holly
Yes	Dukes	Amy
Yes	Dyar	Ben
Yes	Finch	Margaret
Yes	Fitzpatrick	Eric
Yes	Flowers	Jared
Yes	Floyd	Brad

Yes	Foss	Kristin
Yes	Franco	Dawn
Yes	Garber	Rudolph
Yes	Gentry	Lauren
Yes	Glazier	Ed
Yes	Gore	Karla
Yes	Gray	Alisha
Yes	Griner	00 Tim
Yes	HEMILRIGHT	DEWEY
Yes	Hadley	John
Yes	Harrison	Alana
Yes	Hart	Hannah
Yes	Heffernan	Katie
Yes	Heyman	Will
Yes	Hiers	Homer
Yes	Hildreth	Delaine
Yes	Howington	Kathleen
Yes	Iberle	Allie
Yes	Iverson	Kim
Yes	Kappos	Maria
Yes	Karnauskas	Mandy
Yes	Keppler	Blaik
Yes	Klasnick	01Kelly
Yes	Knowlton	Kathy
Yes	LARKIN	Michael
Yes	LaRoche	Kelcie
Yes	Laks	Ira
Yes	Lazarre	Dominique
Yes	Levy	Mara
Yes	Long	Vivienne
Yes	Malinowski	Rich
Yes	Martinez	Adrian
Yes	Mata	Cheyene
Yes	McCoy	Sherylanne
Yes	McManus	Brian
Yes	McWhorter	Will
Yes	Mehta	Nikhil
Yes	Morales	Harry
Yes	Muffley	Brandon
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Newman	Thomas
Yes	Ni	Andy
Yes	O'Shaughnessy	Patrick
Yes	Oliver	Ashley
Yes	Package-Ward	Christina
Yes	Patten	Willow



Yes	Ponte	Marisa
Yes	Poston	Will
Yes	Pugliese	01Roger
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Records	David
Yes	Reeder	Kelly
Yes	Reichert	Marcel
Yes	Riggs	Thomas
Yes	Roller	00Tom
Yes	Salmon	Brandi
Yes	Sauls	Beverly
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Shertzer	Kyle
Yes	Sinkus	Wiley
Yes	Smart	Tracey
Yes	Spurgin	Kali
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Sweetman	CJ
Yes	Takade-Heumacher	Helen
Yes	Travis	Michael
Yes	Vecchio	Julie
Yes	Vinent	Daniel
Yes	Walter	Kate
Yes	Waters	James
Yes	Williams	Erik
Yes	Withers	Meg
Yes	Wolfe	Wes
Yes	Wyanski	David
Yes	brewer	00chester
Yes	gloeckner	david
Yes	hallett	fletcher
Yes	kittle	christine
Yes	merino	joy
Yes	moss	david
Yes	sandorf	scott
Yes	thomas	suz
Yes	thompson	laurilee
Yes	vara	mary

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
2022 COMMITTEE MEMBERS continued

**MACKEREL COBIA**

Tom Roller, Chair  
Spud Woodward, Vice Chair  
Robert Beal  
Carolyn Belcher  
Mel Bell  
Gary Borland  
LT Cameron Box  
Chester Brewer  
Tim Griner  
Judy Helmey  
Kerry Marhefka  
Jessica McCawley  
Trish Murphey  
Andy Strelcheck  
Laurilee Thompson  
Mid-Atlantic:  
Dewey Hemilright/Skip Feller  
Staff contact: Christina Wiegand

**SEDAR**

Carolyn Belcher, Chair  
Trish Murphey, Vice Chair  
Robert Beal  
Mel Bell  
Tim Griner  
Kerry Marhefka  
Jessica McCawley  
Andy Strelcheck  
Staff contact: Chip Collier

**SHRIMP**

Laurilee Thompson, Chair  
Mel Bell, Vice Chair  
Gary Borland  
LT Cameron Box  
Jessica McCawley  
Trish Murphey  
Andy Strelcheck  
Spud Woodward  
Staff contact: Roger Pugliese

LT. Patrick O'Shaughnessy  
Jamal Ingram

Frank Helies  
Dr. John Webster

① Susan Logg

② Rick DeVictor  
Monica Smit-Sunello

Bob Lorenz

**SNAPPER GROUPE**

✓ Jessica McCawley, Chair  
✓ Kerry Marhefka, Vice Chair  
✓ Robert Beal  
✓ Carolyn Belcher  
✓ Mel Bell  
✓ Gary Borland  
✓ LT Cameron Box (web)  
✓ Chester Brewer  
✓ Tim Griner  
✓ Judy Helmey  
✓ Trish Murphey  
✓ Tom Roller  
✓ Andy Strelcheck  
✓ Laurilee Thompson  
✓ Spud Woodward  
Mid-Atlantic:  
✓ Dewey Hemilright/Earl "Sonny" Gwin  
Staff Contact: Mike Schmittke

**SPINY LOBSTER**

Jessica McCawley, Chair  
Chester Brewer, Vice Chair  
LT Cameron Box  
Tim Griner  
Kerry Marhefka  
Andy Strelcheck  
Laurilee Thompson  
Staff: Christina Wiegand

Dewey Hemilright  
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✓ Ashley Oliver  
✓ Meg Withers

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~~Fishery Economist & FMP Coordinator~~

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SEDAR

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~~Habitat & Ecosystem Scientist~~

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**SAFMC      December  
Council      Meeting**

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**Duration**  
9 hours 24 minutes

**Attendee Details**

<b>Attended</b>	<b>Last Name</b>	<b>First Name</b>
Yes	Allen	Shanae
Yes	Aukeman	Trip
Yes	Bailey	Adam
Yes	Baker	Scott
Yes	Bell	00 Mel
Yes	Bianchi	Alan
Yes	Bonura	Vincent
Yes	Borbely	Bernard
Yes	Borland	Gary
Yes	Box	Cameron
Yes	Brouwer	Myra
Yes	Bublely	Walter
Yes	Cermak	Bridget
Yes	Chaya	01Cindy
Yes	Conklin	Chris
Yes	Conley	Mary
Yes	Cox	Jack
Yes	Cox	Derek
Yes	Cross	Tiffanie
Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Dukes	Amy
Yes	Finch	Margaret
Yes	Fitzpatrick	Eric
Yes	Flowers	Jared
Yes	Floyd	Brad
Yes	Foss	Kristin
Yes	Franco	Dawn
Yes	Gentry	Lauren
Yes	Glazier	Ed
Yes	Gore	Karla
Yes	Gray	Alisha
Yes	Guyas	Martha

Yes	HEMILRIGHT	DEWEY
Yes	Harper	Rich
Yes	Harrison	Alana
Yes	Hart	Hannah
Yes	Helies	Frank
Yes	Hildreth	Delaine
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Yes	Karnauskas	Mandy
Yes	Keppler	Blaik
Yes	Klasnick	01Kelly
Yes	Knowlton	Kathy
Yes	LARKIN	Michael
Yes	LaRoche	Kelcie
Yes	Labocchetta	Mark
Yes	Laks	Ira
Yes	Lazarre	Dominique
Yes	Levy	Mara
Yes	Lucey	Sean
Yes	Malinowski	Rich
Yes	Masi	Michelle
Yes	McCoy	Sherylanne
Yes	McCoy	Taylor
Yes	McPherson	Matthew
Yes	Mehta	Nikhil
Yes	Morales	Harry
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Newman	Sondra
Yes	Newman	Thomas
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Yes	Records	David
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Yes	Reichert	Marcel
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Yes	Smart	Tracey
Yes	Smillie	Nick
Yes	Spurgin	Kali
Yes	Stam	Geoff

Yes	Stemle	Adam
Yes	Stephen	Jessica
Yes	Sweetman	CJ
Yes	Takade-Heumacher	Helen
Yes	Travis	Michael
Yes	Uchino	Pepper
Yes	Vecchio	Julie
Yes	Walia	Matthew
Yes	Walter	Kate
Yes	Whitaker	Rom
Yes	Williams	Erik
Yes	Wolfe	Wes
Yes	Wyanski	David
Yes	brewer	00chester
Yes	gloeckner	david
Yes	merino	joy
Yes	moss	david
Yes	oden	jeff
Yes	sandorf	scott
Yes	thomas	suz
Yes	thompson	laurilee
Yes	vara	mary
Yes	vinent	dan