

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPER COMMITTEE

**Villas by the Sea Resort
Jekyll Island, Georgia**

March 5-7, 2024

Transcript

Snapper Grouper Committee

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Attendees and Invited Participants

Shep Grimes
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Monica Smit-Brunello

Dr. Jack McGovern
Clay Porch

Observers and Participants

Other observers and participants attached.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened at The Villas by the Sea Resort, Jekyll Island, Georgia, on Tuesday, March 5, 2024, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: We're going to get going here in the Snapper Grouper Committee. Our first order of business is Approval of the Agenda. Any modifications, additions, changes to this revised agenda? Does anybody know any items for Other Business that you already want to bring up under Other Business? Andy.

MR. STRELCHECK: I would like to just, me personally, just share a discussion of a vision for snapper grouper, going forward.

MS. MCCAWLEY: All right. I've got it. Any other business? Kerry.

MS. MARHEFKA: Super small and quick, but I would just like to ask a few questions about leasing and the reporting situation.

MS. MCCAWLEY: All right. Anything else that people know of already that they want to bring up under Other Business? All right. With those modifications, any objection to approval of the agenda? All right. Seeing none, the agenda stands approved. The next order of business is Approval of the Minutes from the December Meeting. Shep.

MR. GRIMES: Thank you, Madam Chair. Page 20, top of the page, towards the end of the first paragraph of my statement, to word "effect" should be "effort". Thank you.

MS. MCCAWLEY: All right. Got it. Any other modifications to the December minutes? Any objection to approval of the minutes, with that change? All right. Seeing none, the minutes are approved, and, next up, we're going to go into a briefing on the exempted fishing permits. We're going to start with Rick, and then, when we get into the Florida EFPs, Kristin Foss and I have a presentation for you guys.

MR. DEVICTOR: Thank you, Madam Chair. When we receive EFP applications, one of the first things that we do, per the regulations, is send letters to the Coast Guard, the states, and the council, which we've done. We sent that out last Friday, and then we get on the agenda to go through the applications, and, in this case, of course, you're going to present, and so I won't go through detail, and I'll just talk at a very high level what was in those EFP applications. I will just let you know first that we are talking -- Well, I'll back up.

You saw the series of Fishery Bulletins that went out in September, where we had a notice of funding opportunity for projects looking at ways to reduce discards, through different management approaches, and then we sent out a Fishery Bulletin, in early February, announcing that NOAA Fisheries had made a decision recommending which ones to recommend get funded, and there were five studies, and three of those studies would require an exempted fishing permit, which you're going to hear about today.

I will just note that we are talking to one other applicant that got funded, and we may have an exempted fishing permit coming from them. We're still working with them, and deciding, but,

right now, we have three to bring forward to you all, and I'll talk about the next steps after this in a second.

Like I said, I will just walk through the letter real quick, and, again, this was sent, I think, last Friday, and so, of course, these three exempted fishing permit applications are from FWC, and you will hear about the details in a second. The purpose is to develop a better understanding of recreational catch and discard rates for red snapper and other snapper grouper species.

What they want to be exempted from is listed in the letter, the regulations, and so there is three of them. One is closures of the recreational sectors for red snapper, bag and possession limits of red snapper, and ACLs and AMs for red snapper. They are looking for one year, that exempted fishing permit for one year, and you'll hear more about it. They are splitting their study up into quarters, and so this would be through -- It would start on July 1 through June 30, if we give them the exempted fishing permit.

Real quick, three studies. One is they will utilize a study fleet, working from Cape Canaveral north, and they have this unique snapper grouper aggregate bag limit of fifteen, and I say "unique" because it's not in the regulations, and this is a bag limit that they've come up with, and that's in our letter, on the back, the specific species that would go with it, and like only one fish would be gag, black, or scamp, and only one fish can be greater amberjack, et cetera, and so a fifteen-fish aggregate, and then this particular study has a vessel limit of sixty red snapper, and so, if you reach your fifteen fish, you have to stop fishing, or, when the vessel reaches sixty, everyone on the vessel has to stop fishing, and so that's the first study.

The second and third studies are very similar. One is Cape Canaveral north, and one is Cape Canaveral south. They're going to choose 200 participants, through a lottery system, and they're going to split those -- It's 200 per quarter, and then they're going to split them into two groups, a control group of 100 fishermen, an experimental group of 100 fishermen, and the control will fish normal, under normal regulations, and the experimental group would be allowed to harvest three red snapper per person per EFP trip.

Then they have that fifteen-fish aggregate limit, and, once they reach that limit, they're required to stop fishing, and so, again, you'll hear more about these in their presentation, but I'm just quickly pointing out that they have additional requirements, a hail-in and hail-out, to report through a mobile app, take an educational online course, and pre and post-participation surveys. Our letter contains the maximum red snapper that would be taken through combined -- Through those combined three studies, and so I will stop there, and I was just quickly going over the studies.

The next steps is you will see a Fishery Bulletin that comes out, and we'll publish a Federal Register notice, and there will be a comment period with that, and then we'll ultimately decide whether or not to provide them with the EFP, after reviewing the comments, and, of course, after -- Once we hear what the council thinks of the studies too, your comments. That's all.

MS. MCCAWLEY: All right. Thank you, Rick.

DR. SCHMIDTKE: I just wanted to note, for the committee, that those EFP applications are in your briefing materials. As you're looking through them, this is kind of what you're looking for,

the title pages for each one, and so that's kind of the format, and you can reference those, and follow along, as you discuss, or think about, the next presentation that FWC will give.

MS. MCCAWLEY: All right. Thanks, Rick. Thanks, Mike. Just to have a few slides here to help orient you, because those EFPs are kind of lengthy, and so, as you heard from Rick, FWC submitted three separate proposals. The goals of the proposals, all three proposals, are there on the slide, and, as you will see, and Rick just mentioned, the plan would be to start these in July of this year and run them through June of the following year.

All right, and so there are three studies. Two are in what we think of as the hotspot area in northeast Florida, which is that graphic there on the left, and then two are -- Or one is over in southeast Florida, and so the line that's delineating the difference there is in Cape Canaveral, and that's the NASA vehicle assembly building. There is already a line there in rule for black sea bass traps, and so it already exists in FWC's reef fish rule, that particular line, and so we'll get into what study does what, but two of the studies are in that hotspot northeast Florida area, and one of the studies is in the southeast Florida area, and so south of the hotspot through the Keys.

All right, and so this table should help with the three proposals, and so one proposal is called the study fleet, and then the other two proposals -- One is the hotspot fleet, and one is the southeast Florida snapper grouper fleet, and so you can see the next line, and two are happening in northeast Florida, and one south of there, and the study fleet is actually vessel-based, and so looking at people that are captaining private vessels, and then, also, for-hire vessels as well are able to participate in the study fleet. The other two are private-angler-based, and so angler-based.

The number of participants, and so we'll be doing this by quarter, and so there will be ten folks selected for the study fleet per quarter, and they would fill out an application, submit it to us, and we would go through a whole screening process that is talked about a little bit in the EFPs, but the intent would be to select five private vessels and five for-hire vessels per quarter, for a total of forty, and the study fleet would take -- I believe it's up to three trips per quarter, as part of the study fleet, and we'll get into kind of what all the study fleet is going to report.

The other two proposals are lottery-based, and so, if you are somewhat familiar with FWC's goliath grouper lottery, it would be run similarly to that, where people actually go to our FWC Go Outdoors Florida licensing system and apply there to be part of this fleet. Each quarter, we would be selecting 200 people for each one of these studies, and there would be -- Right now, we're suggesting 100 of those, half of those, would be the control group, and so they would fish as normal, but still be doing some of the items listed here, and then the other folks would be able to take snapper, take red snapper, and then also abide by this fifteen-fish limit that I will kind of get into on the summary here, which is the next row.

Both, or all three, proposals, or both columns here, folks will be testing out this fifteen-fish aggregate bag limit, and so, on the right side, that would be angler-based, and so the angler could be on a private vessel, or they could be on a for-hire trip and testing out this fifteen-fish aggregate bag limit, and then, on the study fleet, every individual on that vessel would be testing out the fifteen-fish aggregate bag limit, whether that's a charter trip or a private vessel.

In the study fleet, they can bring in red snapper, up to sixty red snapper, per vessel. On the other two proposals, you're taking up to three trips per quarter, where you could have these red snapper

harvest opportunities. In one of the proposals, I believe they get three snapper, and then, the other proposal, they get two snapper, and is that right, Kristin? So, as I mentioned, the experimental control group, and folks are selected via a lottery.

Then everybody, across all of these proposals, would be completing an education course, and we do have experience, FWC does, in doing these online education courses, and so people would complete the course, and they would have a hail-in and hail-out, and they would be doing this on an app that we're building right now, and so the building of the app is actually outside of these proposals, and it's being worked on by FWC right now, in-house. There would be a data validation component, where people would be doing these things on the vessel, and then we would also be meeting all of the study fleet participants at the dock, and then a subset of the other two proposals -- A subset of those folks at the dock, and not every single angler.

You would have a little logbook that you could fill out on the boat, on write-in-the-rain paper, but the intent is that, when you get back to the dock, you would be filling out this app that FWC is developing. Our social science group at FWC will be working on angler satisfaction surveys, both before the trip and after the trip, including some one-on-one interviews, especially with folks that are in the study fleet and people that are going to be fishing as normal as part of the control group.

We're also going to be using angler incentives, or at least that's the plan. I think that there are some questions from NOAA Fisheries about how that would work, and if we have the ability to do some giveaways here as part of the program, but that would be say after someone takes the first trip, and they report about it in the app, and then maybe they get a set of circle hooks, and then they go out on their next trip, as part of this program, and they complete everything on the app, and then maybe they get a t-shirt, and so that's what we mean by angler incentives, and I will look over here to Kristin, to see if there's anything else that you want to add here or things that I forgot.

MS. FOSS: I will say that -- I think Jessica had mentioned in, but we're limiting, both in the study fleet and in the other fleets -- You know, it's a number of trips for each of these, and so, within the study fleet, they are limited to three trips per quarter, and the hotspot fleet is three trips per quarter, and then the southeast fleet is two trips per quarter.

MS. MCCAWLEY: So when a person, or a vessel, a captain here, is selected per quarter, it doesn't mean that that person can't be selected in a future quarter, but there is discussion about did you do everything in the quarter that you were part of. If you're part of the control group in the hotspot in southeast Florida fleet, then maybe that gives you kind of like a preference point, almost, in being selected for the folks that could actually take red snapper in a future quarter, and so, just because you're selected in say one quarter, it doesn't mean that you're selected to do this the whole year.

The plan would be that there are people that are testing out these concepts all twelve months of the year, and red snapper would, in theory, be brought in all twelve months of the year, as part of this process, and so, that way, you're looking at discards, you know, during all twelve months, since, right now, people are only bringing in red snapper during the summertime, during those short mini-seasons, and then also testing out things like how that aggregate bag limit may change, and so there's a table.

If you look at the EFPs, there's a table in there indicating that, right now, per angler, depending on the time of year, you could be taking anywhere from forty-something fish, per person, and these would be snapper grouper species, in certain months of the year, depending on what's open and what's closed, and so what we're suggesting here is testing out this fifteen-fish snapper grouper aggregate bag limit, where, once the individual angler has reached that fifteen-fish aggregate, they would be required to stop bottom fishing.

We're looking into how long does it take for each angler to reach that limit, how long does it take the vessel to reach the sixty red snapper max per vessel, if they even get to that, and maybe they get to their fifteen-fish aggregate bag limit first, and so looking at all these different components here, but really testing out this aggregate bag limit, how that affects discards, once people have to stop bottom fishing when they reach that snapper grouper aggregate.

All right, and so then, in the past, you guys have had some questions for us, when we've talked about some of these concepts, and so I already talked a little bit about this aggregate bag limit, that people would have to stop bottom fishing, thereby reducing discards, so people aren't continually discarding fish throughout that time period. The way that we have the bag limit listed, and it's detailed out in the proposal, it considers the current federal regulations, as well as species stock status.

I mentioned that FWC has developed multiple education courses like what we would be developing here, and we have that in place right now for shore-based shark fishing and to fish on the Skyway Pier, to mitigate interactions with seabirds there at the Skyway Pier that have become entangled in fishing line. Also, I mentioned that we're working on an app. The app is already underway in development right now, and it's being built in-house by FWC. As part of the app -- Some of the things that it will do is allow people to let us know their intent to go out on one of these EFP fishing trips. They would let us know when they're coming in, and so that way -- The study fleet, we're meeting all of those vessels, but, the other fleets, we would have the option to meet those vessels at the dock.

They can also give us information about the trip, the species that they're catching, the number of discards, the species that they're discarding, and then I also talked a little bit about these angler satisfaction surveys that will be led by our social science team. Anything else that you want to add, Kristin?

MS. FOSS: No.

MS. MCCAWLEY: Okay. All right. This is a chart that we have in the study fleet, and the other two proposals as well, and this is the one for the study fleet, and so this is letting folks know kind of which part of the trip people are going to do all of these different things, and so, prior to the angler harvesting, there's a number of items that would happen, everything from the educational course, and there are some other preharvest requirements, so things like do you have a Florida fishing license, or are you exempt, are you signed up for the State Reef Fish Survey, have you indicated, in the app, of your intent to go out on the fishing trip?

Then, in the middle, there are the items that would occur during the day of harvest on one of these EFP trips, and then, following harvest, in the far-right-hand area, indicating -- So this one is the study fleet, which we're meeting all of those boats at the dock, and so you can see some of the

things there, the semi-structured interviews, the satisfaction surveys, and those types of things, like the captain uploading the data app, as part of this.

Then this is what that looks for the other two particular fleets, the non-study fleets. It looks a little bit different, and maybe not as many things post-harvest as there are for the study fleet. Another component in the study fleet is, if you're on a private vessel, we'll also be using GoPro cameras, and so we'll have some observers on some of the for-hire trips in the study fleet, and then, in the private vessels in the study fleet, we'll have GoPros on there, and so what we're looking at, with the GoPros, is how is the trip happening, kind of validating what people are doing on the trip, but, also, were the instructions that we were giving people prior to the trip -- Did they make sense? Were people able to actually follow those instructions when they were conducting the trip, and so we'll be able to see that with observers on the for-hire trip and then with the videos on the private angling trips. All right, and so that's -- There's some backup slides back there, depending on what type of questions you guys have, but we're happy to answer any questions. Tim.

MR. GRINER: Thank you, and thank you for that presentation. That's pretty exciting, and so, on the study fleet, you said you were going to take some biological samples after they returned, and, well, what's the disposition of the rest of the fish? Are you taking all the fish, or are you just going to sample a few of them, because these guys can also have a saltwater products license as well, correct, and so will these -- Will there ever be a chance that those fish can enter the market?

MS. MCCAWLEY: So a couple of things. We weren't intending for any of those to be commercial trips, but your saltwater products license can serve as your Florida fishing license, but we do have, indicated in there, that we would also want you signed up for the State Reef Fish Survey, et cetera, but it's not a full-retention study fleet, and so it's full retention red snapper, up to sixty fish per vessel, and so, when those fish come in, we are taking biological samples, including genetic information that is going into the Patterson close-kin-mark-recapture study looking at the red snapper population as a whole on the Atlantic coast. Go ahead.

MR. GRINER: Yes, but, you know, sixty red snapper could easily end up being 600 pounds of red snapper. You know, a ten-pound average is not going to be unfathomable at all, and so that's a lot of fish to figure out what they're going to do with it, and I'm just worried that, you know, some of that is going to find its -- That's going to find its way to the market. That's a lot of red snapper for one boat, for one or two people, say.

MS. MCCAWLEY: Yes, and it's a great point. Kristin is over here taking notes, and so I appreciate that. That wasn't our intent, but maybe we need to think a little bit more about some safeguards to put that in place. I mean, law enforcement, our law enforcement, will be aware, and we will have copies, assuming that we get the EFP, copies of those onboard the vessel, but, yes, it's a great point, and so maybe we need to think about that more.

MR. GRINER: Thank you for that.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Just to clarify, on either a private recreational trip or a charter-for-hire trip, none of those fish can -- You need a saltwater products license on that trip, and those fish can't be sold commercially, and so, if they were, it was done on the black market. I also think that it's not

a sixty-fish aggregate per boat, and you have to have -- In that instance, you have to have four anglers, at a minimum, all of whom caught 100 percent red snappers with their fifteen-fish aggregate, and then, if you had more than four anglers, you would be capped, correct? Perhaps we should visit reducing that sixty fish, because I agree that that is a lot of fish for a rec trip.

MS. FOSS: We don't have like a limit for the number of anglers on that private vessel, or that for-hire, but we just capped the number of red snapper, because we didn't want there to be like a normal amount of red snapper coming back.

MR. SPOTTSWOOD: Right, but, on a charter-for-hire trip where there's only one angler, you only have one -- Assuming the captain had a bag limit, you only have thirty fish total that you can keep on that trip, and that's the cap.

MR. GRINER: No. The cap is sixty.

MR. SPOTTSWOOD: Exactly.

MS. FOSS: Correct. The cap would be sixty, but that could be something we could look into.

MS. MCCAWLEY: That's a great point, because I don't think it's spelled out the way you're indicating it's spelled out. Spud.

MR. WOODWARD: I'm just curious, and so let's assume that I get drawn out of the lottery, and so I've got three trips that I can take in a quarter, and say I go out, and the weather is bad, and I come back in. So either I fish for a very short period of time, or I don't ever fish at all, and do I get a do-over for a trip? I guess is there a minimum length of a trip to qualify as a trip?

MS. MCCAWLEY: No, and you've hailed-out that your intent was to go out on the trip. If you had to abandon it due to weather, there would be a way to indicate that in the app, and then we would probably have to talk to you further about if you're going to try to redo that trip or not. The intent would be that you couldn't redo the trip, but I guess it kind of depends on the unique circumstances of that angler, because, also, you could indicate, in the app, of your intent to take a trip, and you get to the dock, and you can't go, because the weather is too bad, and that person never even actually initiated the trip, and so we're hoping that there's a way, in the app, which is under development now, that we could work through those things. Trish.

MS. MURPHEY: So how is it going to work with the fifteen-fish aggregate, along with the sixty red snapper? I mean, if I got -- I'm out there, and I've caught half of my fifteen aggregate, but then I ended up with the sixty -- Am I going for both, and whichever wins, or -- I'm kind of unclear on that.

MS. MCCAWLEY: Yes, whichever comes first, and so maybe you don't end up encountering a bunch of red snapper that day, and maybe you get to your fifteen-fish aggregate first, before the boat ever gets to the sixty red snapper.

MS. MURPHEY: Okay, and I just want to add that the sixty fish -- The sixty red snapper are a little -- That seems awfully high, also, and I kind of have to, you know, weigh-in with everyone

else, and, you know, I get that you need to have something for everybody that's worthwhile to go out, but I kind of worry that sixty might be a little high.

MS. MCCAWLEY: All right. Thanks for that. I appreciate it. Other questions or comments or thoughts? Andy.

MR. STRELCHECK: Well, I guess I just want to make some comments, but I yield to any more questions first. I'm not seeing any. So, one, thank you to not only the Fish and Wildlife Commission, but the State of South Carolina, who received awards for proposals, and thank you for thinking outside the box.

You know, the questions that I'm hearing around the table are exactly where we want input, right, and so we appreciate, obviously, that feedback. Rick, and some of my team, had a chance to sit down with Jessica and Kristin and C.J. and talk to them. Each of the grant award recipients receives a review of their proposals from the review panel, and my recollection, Jessica, is you guys were going to try and take a look at that.

Some of the things that they raised were valid, or may be appropriate for modifying your proposals, and some things were just clarifications that weren't understood well, right, and, when we've done rulemaking, and I will look to Rick here, right, and, when we've done rulemaking, periodically, sometimes we'll go out and we'll ask the public for input on a specific aspect of that rulemaking, and so certainly we can do that here with the exempted fishing permit process surrounding the aggregate bag limit, or the quantity of red snapper retained.

Then I guess the other thing I will mention is that the decision to issue the exempted fishing permit ultimately will lie with me, but I will look to you, obviously, in terms of any recommendations or input. We don't have the public comment period open right now, but we will soon be moving toward that, and we'll have a public comment period for these EFPs.

MS. MCCAWLEY: Thanks, Andy. Trish.

MS. MURPHEY: I think I understand this, but I just want to make sure that I understand it, but it is exempted from the ACLs and the ABCs, and those fish are not going to count against those, and is that correct?

MR. STRELCHECK: That's correct, and so, by its nature, it's an exemption from the regulations.

MS. MCCAWLEY: Any other questions or comments? Myra.

MS. BROUWER: Thank you. I just want to make sure that we're clear, and I thought whatever gets taken out under an exempted fishing permit needs to be -- I mean, it can't be over the ABC. For red snapper, we have ABC equal to ACL, and I believe it's equal to the OFL as well.

MR. STRELCHECK: I may have misspoke at a prior meeting, but what I will say is that they're two separate, independent decisions, right, in terms of where we set the catch limits and the regulations and then what we exempt from those regulations, and so the EFPs are coming in requesting exemptions from specific regulations, such as the quantity of fish to be harvested, or

the time in which those fish are harvested, or the bag limit under which they're harvested, right, and so we would consider that in terms of the exempted fishing permits.

MS. MCCAWLEY: All right. Anything else on this topic? Anything else, Rick, from you?

MR. DEVICTOR: I think the normal process is you wait for the public comment period this week, and then you revisit this decision at Full Council. Thank you.

MS. MCCAWLEY: Thank you, Rick. All right. Next up on the agenda, since I don't see any more hands, is the presentation on the projections for the 2024 recreational season for red snapper and gag, and I'm not sure who is going to give us that.

MR. STRELCHECK: I do not have a presentation. I will just give a verbal update, and I'll start with gag. As you're aware, we implemented Amendment 53 in October of last year. Upon implementation of Amendment 53, we closed the recreational sector, because we had determined that the annual catch limit that was being newly implemented had been met. There is both an in-season closure for the accountability measures, as well as a post-season accountability measure, that reduces the length of the following season, and so, for the recreational sector, we will reopen on May 1, and the projected season would close on June 15, and that is very consistent with what our projections were showing in Amendment 53, and so there would be a very short recreational gag season this year.

For commercial, it's a little bit different, but what we do is we subtract any overage that we had from the prior fishing season from the 2024 catch limit for the commercial sector. Last year, we had an annual catch limit for commercial of a little over 85,000 pounds, and the commercial landings totaled 150,000 pounds. Similar to recreational, right, we weren't able to implement the closure until the final rule went into place for Amendment 53, and that resulted in a 65,000-pound overage of the catch limit, and so subtracting that from this year's new commercial limit, which is 128,000 pounds, we would be left with a 2024 catch limit of 62,922 pounds. We don't project the commercial season, and that would just be the allowable catch limit for commercial, and we close when we estimate that that catch limit has been met. I will pause there, to see if there's any questions about gag.

MS. MCCAWLEY: I am looking to see if anybody has their hands up. Are there questions on gag? All right. I don't see any hands. Back to you, Andy.

MR. STRELCHECK: Before we move on, like all of our accountability measures, we will push out Fishery Bulletins and notify, obviously, the industry of these changes. I don't know the timing of that at this point, but certainly we'll do that in advance of the May 1 opening.

Red snapper, I do not have a season projection for you. When we pushed out the notice of funding opportunity award recipients, we noted, in that Fishery Bulletin, that the agency is evaluating, under our authority of the Magnuson Act, whether or not we will take any sort of interim measures to address overfishing of red snapper, given that we, as a council, have now deliberated over that for the last two-and-a-half or three years and have made zero progress, and so the agency, right now, is currently evaluating options.

Those options are very similar to what was being considered in Reg Amendment 35 for setting the catch limits, and we expect to be sharing letters with the states this week, and those will not contain a final decision by the agency. We expect to announce a final decision later this spring, in terms of any adjustments to the catch limits, if we proceed forward with adjusting the catch limits.

If we adjust the catch limits, those, obviously, affect, obviously, how long the commercial sector would remain open, as well as how long the recreational season would be, but, based on the landings that we've seen in recent years for the recreational sector, even if we don't make any changes, we would have no more than a two-day fishing season, right, which, to me, is not palatable to anyone, and I'm really frustrated about it, and I really want to work with this council to get out of the box we're in right now, because I think we certainly owe our constituents better than a two-day fishing season. That's all I really can share at this point, and I don't have all the details, other than to acknowledge that we are evaluating interim measures for addressing red snapper overfishing.

MS. MCCAWLEY: Thank you, Andy. Questions? Are we in the afternoon lunch lull? No questions? Tim.

MR. GRINER: Thank you for that, Andy, but you're confident that there will be a commercial opening, and it will look very similar to what we've been dealing with in the past, the same limits, and then we just end when we end?

MR. STRELCHECK: Are you referring to gag or red snapper?

MR. GRINER: Red snapper. Sorry.

MR. STRELCHECK: I am making no commitments whether or not we will have a commercial or recreational season or not, and so the range of alternatives in Amendment 35, Reg Amendment 35, ranged from status quo to catch limits equal to zero.

MS. MCCAWLEY: Any more questions? All right. I don't see any additional hands. All right. Next up, we're going to dive into wreckfish, and Christina is going to come up here and walk us through wreckfish.

All right, and so remember that wreckfish has a subcommittee, and so the subcommittee met, via webinar, on February 8, and so what we're going to be doing is kind of running through what the subcommittee decided, and so the subcommittee is -- Myself, Kerry, Tim, and Andy are on the subcommittee, and so, as we kind of walk through this document, you're going to see the decisions that were made by the subcommittee. Feel free to ask questions, and I'm going to look to Christina, and I think our goal is, at this meeting this week, we would approve this for public scoping at the June meeting, and seek to finalize this at June, and is that -- Okay. Christina says yes.

There's also some things that the subcommittee could not resolve at that meeting in February, and so you'll see some additional text boxes kind of explaining things, and so I think that there are some discussions, and decisions, that will happen today as we walk through the document.

MS. WIEGAND: Just as a refresher on sort of where we are with Amendment 48, and so this is an amendment that was originally addressing actions that were recommended based on the ITQ

review that was completed back in 2019, and so we originally had sort of a smaller scope of actions, and then, on further review, especially of the CFR, it became clear that switching from the paper-based system to an electronic system was going to require some additional decisions, and it wasn't quite as simple as we had hoped, just transferring the current system over to an electronic system, and so we expanded the scope of the document to include actions related to participation and eligibility in the wreckfish fishery, and we also added in some actions to address monitoring of the fishery, and so those are the actions you will sort of see here in this document, and that's what the subcommittee really focused on in February.

MS. MCCAWLEY: All right, and so I'm not going to walk through all the directions to staff, and you guys have that document, but, the ones that have text boxes, I am going to point those out. One of the directions to staff was to modify the language of Action 3, which is the permit requirements title, to clarify that it's permit requirements to commercially harvest wreckfish, and so the text box there indicates how Action 3's title has been changed. All right, and so then Motion 1 from the subcommittee was to select Alternative 2 as the preferred under Action 4.

MS. WIEGAND: So the preferred alternative that the subcommittee selected here would require that, in order to open a shareholder account, an entity would need to be a U.S. citizen, permanent resident alien, corporation, partnership, or eligible to own and control and control a U.S. fishing vessel and hold a valid commercial snapper grouper unlimited permit, and so the part about U.S. citizenship is required by Magnuson, and that's why that's in there, and then the second part of that now preferred alternative would be holding the valid snapper grouper unlimited permit, and, again, this is to open an online account.

MS. MCCAWLEY: All right, and so I'm going to keep walking through here. Folks, if you have questions, comments, or concerns, please raise your hand, and I will stop, and so we're not moving these motions today on behalf of the subcommittee. The motions are already made, and approved by the subcommittee, and then we will seek to approve them as a council, in Full Council later this week, and so just being clear, and the process is confusing to me every time, but Christina clarified that that's what we did last time, and we'll do that again this time. All right, and so Motion Number 2 was to select Alternative 3 as the preferred under Action 5. Do you want to add anything here, Christina?

MS. WIEGAND: Just a note that this is the requirement for obtaining and maintaining shares within the online system, and so, again, you have to be that U.S. citizen or permanent resident alien, and then the key thing here is, to obtain shares, you must have a valid commercial snapper grouper unlimited permit, and then, to maintain those shares, you must have valid or renewable commercial snapper grouper permit. The reason that "renewable" language is added to the maintain part is understanding that fishermen may sort of move in and out of valid and renewable status throughout the year, and so we wouldn't want, you know, delays in renewing a permit to result in their shares being revoked and so that's why that "renewable" language was there.

MS. MCCAWLEY: Carolyn.

DR. BELCHER: This is probably more in the weeds than we need to be, but I did want to point out, for consistency's sake, and to make sure that we're being politically correct, the use of "aliens" has been frowned upon in this current administration, and so we might want to change that language. I'm just putting it out there, to be consistent across -- It's non-resident.

MS. MCCAWLEY: Thanks for that, Carolyn. Christina is taking some notes. All right. Moving on to Motion Number 3, it was to select Subalternative 3b and 3a as preferred under Action 6. I'm going to pass it back to Christina.

MS. WIEGAND: So Action 6 looks at share divestment for accounts that require permits, and so this is tied to that previous action. Now that the subcommittee, and presumably the council, has required that snapper grouper permit to maintain shares, there needs to be a process in place for what happens if someone is no longer in compliance with that regulation, and so we're looking at two things here.

Alternative 2, 2b, that the subcommittee has selected, allows current shareholders one year following the effective date implementing that action, one year to become in compliance, and so if any of the current shareholders need to move around permits on vessels say, they have one year to be in compliance.

Then Alternative 3 addresses the time period sort of after this amendment has been implemented. If a shareholder is no longer in compliance with that requirement, they then have one year following the end date on a permit to come into compliance before their shares will be revoked by NMFS and redistributed, which is the next action, and so there's a couple of things that I want to note here.

One is we added some specificity to the language for those alternatives, specifying that it's the end date on the shareholders snapper grouper unlimited permit specifically, and then one of the things the council asked us to do was to provide some definitions on sort of what is a permit end date, and what does that mean, and so we've got a couple of definitions here.

When we're talking about the regulation effective date, that's the date the regulations in Snapper Grouper Amendment 48, specific to obtaining and maintaining wreckfish ITQ shares in the online system, becomes effective. That language is there because we sort of, at this point in time, don't know how any final rule will be written, and it's possible some actions in this amendment become effective before others, and so it's not the effective date of the amendment, and it's the effective date specifically of the requirement for maintaining wreckfish shares, and that date would be listed in the final rule that's then published in the Federal Register.

Then you have the permit end date, and this is what we're talking about in the preferred alternative, and that's the date when a permit is no longer valid for harvest. Permits do remain in a renewable state for one year from the end date, and so permit end dates can be triggered by a number of different things, permit transfers, sale of a vessel, end of a vessel lease agreement, and expiration of the permit.

When we're talking about expiration of the permit, permits valid for one year from the effective date, and this is known as the expiration date -- When a permit expires, the expiration date then becomes the end date, and then, finally, if not renewed, a permit will be terminated one year after the permit expiration date. This is all very confusing, but, basically, the point we want to get across is that, from that end date, fishermen have a year to renew.

MS. MCCAWLEY: Questions about any of those definitions there in that box? Okay. All right. Motion Number 4 was to select Subalternative 4b as preferred under Action 7.

MS. WIEGAND: All right, and so Action 7, again, tiers off the previous action. If someone, you know, is not in compliance with the requirements to maintain shares, and doesn't become in compliance within that year period, then NMFS would reclaim those shares and redistribute them out to the remaining shareholders, and the council, or the subcommittee, selected redistributing those shares based on the proportion of total wreckfish landings over the most recent three fishing years, and one important thing to note here, that is included in the discussion of the document, and is relevant for wreckfish, is, if a shareholder has met the share cap, they are then not eligible for the redistributed shares.

MS. MCCAWLEY: All right. I don't see any hands. We're going to move on.

MS. WIEGAND: So the next thing we have to discuss is the council asked for more information on what wreckfish reporting requirements means for Action 8, and I will get into, you know, the details of Action 8 in a second, because this is one of those actions where a preferred alternative has not been selected yet, but we wanted to note that, in that action, when we're talking about wreckfish reporting requirements, we're talking about the coastal fisheries logbook, which will, of course, be a requirement upon implementation of this amendment and the commercial e-logbook amendment.

Up-to-date personal information in their permit application, for example confirming citizenship, telephone number, mailing address, et cetera, and then their landings reported in the online system, and so those are sort of the three things we're talking about when we talk about wreckfish reporting requirements, and then I did ask for some more information on sort of the administrative burden to NMFS of putting reporting -- Being in good compliance with reporting requirements in place, and so it was noted that, you know, monitoring reporting requirements in cost recovery fee submission -- The agency would need to develop some database code to authorize actions within the online system to meet the criteria for obtaining allocation from shares, and so requiring the unlimited permits -- It would already require sort of database connections to the permit system, and then requiring good standing with reporting requirements and cost recovery submission would require some additional database coding, and so it would be some administrative burden on the agency.

I am going to go ahead and scroll down, and we will need a motion to select a preferred alternative under Action 8. Here, your current alternatives -- You've got, you know, there's no online system, and so, right now, to obtain annual allocation from shares, you simply have to hold active wreckfish transferable quota shares. Alternative 2 is, to obtain annual allocation from shares, an account must hold a valid or renewable commercial snapper grouper unlimited permit, and this would be consistent with the previous actions in this amendment, and then Alternative 3 would require shareholders to be in good standing with respect to collection and submission of cost recovery fees, and 3b is wreckfish ITQ reporting requirements.

MS. MCCAWLEY: All right. Would the committee like to select a preferred?

MS. WIEGAND: I will say that more than one preferred can be selected underneath this action.

MS. MCCAWLEY: All right. Kerry.

MS. MARHEFKA: **I think what I want to do here is make a motion that we adopt Alternative 2 and Alternative 3 as our preferred.** My rationale, and hopefully I've got this right, and my head is a little wrapped around the axle when we get to this stuff, but -- Sorry. **2 and 3a and 3b.** My rationale has been sort of what I believe has been our approach, as certainly a subcommittee, but I think as a committee and a council, is what we are consistently trying to do, in these actions, is make it so that anyone who has allocation shares actually has the ability to harvest the catch that they've been allocated, so that there's never a situation in which someone is accumulating allocation and that fish cannot be fished for, and so that's my rationale for that.

MS. MCCAWLEY: All right. Thank you, Kerry. Do we have a second? It's seconded by Tim. It's under discussion. Andy.

MR. STRELCHECK: We discussed this during the subcommittee, and I think the main concern I have is really with that Subalternative 3b, which is what are we talking about, in terms of reporting requirements, and we really haven't put detail around that at this point, and that could mean a lot of things, and so I think, if we're going to proceed with this, we need to be more specific. I would lean toward Alternative 2, Alternative 3, and Subalternative 3a.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: Yes, I'm fine with that. That makes sense to me.

MS. MCCAWLEY: Kerry, did you want to modify your motion for a preferred?

MS. MARHEFKA: Sure. **I will modify the motion to read: Select Alternative 2 and Alternative 3a as the preferred alternatives for Action 4.**

MS. MCCAWLEY: All right. Is the seconder, Tim, okay with that modification? Tim.

MR. GRINER: Yes, I think so. I mean, just the fact that you've still got to have a valid snapper grouper, and you're not going to get that, and it's not -- You're not going to get that if you're not up-to-date on your reporting requirements across-the-board.

MS. MCCAWLEY: All right. Any more discussion on this selection of a preferred? **Any objection?** All right. **That motion carries.** All right. Then the subcommittee moved into Motion 5, which is to select Alternative 2 and Alternative 3 as preferred under Action 9.

MS. WIEGAND: So this action -- While the previous action addressed receiving allocation from shares, Action 9 addresses receiving allocation through transfer. The subcommittee's selected preferred alternatives would require that someone receiving allocation through a transfer held ITQ shares and was associated with a valid snapper grouper unlimited permit. Again, this is consistent then with the requirements to harvest and the requirements to obtain and maintain shares.

If it's helpful, and we've sort of talked about all of these actions being consistent, and so one of the things that the subcommittee asked the IPT to do was to create a graphic that sort of explains how a given vessel -- What they would need to do in order to participate in the commercial

wreckfish fishery, and so we sort of walked through it action-by-action, and so the first step is you would need to be eligible for an online account, and so you would have to have United States citizenship and have a valid snapper grouper unlimited permit.

Then you would need to be able to obtain and then maintain your ITQ shares. Again, the U.S. citizenship, and, to obtain the shares, you need a valid snapper grouper unlimited permit, and then, to maintain those shares, you must maintain a valid or renewable snapper grouper unlimited permit. Then, to get the allocations from shares, and this is the preferred alternative that you guys just selected, and so it's not reflected here, but you would need a valid or renewable snapper grouper unlimited permit, and you would need to be in good standing with collection and submission of cost recovery fees.

If you wanted to obtain allocation via transfer, you would need to be a United States citizen, have wreckfish shares and that snapper grouper unlimited permit, and then, last, but not least, to harvest the wreckfish, you would need to have shares and the valid snapper grouper unlimited permit, and so I know it seems like a lot, and I believe the important thing here, based on conversation you all have had at this table, is making sure those are consistent.

MS. MCCAWLEY: All right. Thank you, Christina. Tim.

MR. GRINER: Maybe I'm confused a little bit here, and so, here, we're saying you've got to be a United States citizen, but, earlier, we said you could be a permanent resident alien, and so don't we have to -- I mean, I understand some heartburn with that word, but that's in the tax code, and that's a defined term, you know --

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

MR. GRINER: Has it? Well, either way, here, we're saying citizenship, but, earlier, we said there's another class of people that this applies to.

MS. WIEGAND: Yes, and so it's that full definition, and this was just me trying to be brief in creating this table, but, yes, it's a U.S. citizen, a permanent resident alien, non-resident, and it's that language that's in the act.

MR. GRINER: Thank you.

MS. MCCAWLEY: Thank you. Monica.

MS. SMIT-BRUNELLO: Just to clear up the use of "permanent resident alien", that is what is in the Magnuson Act, and so, even though -- I understand what Carolyn was bringing up, but we'll - I advise you to keep using the language that is in the act.

MS. MCCAWLEY: All right. Thank you, Monica. All right. Moving on here, the subcommittee made Motion Number 6 to select Subalternative 2a as preferred under Action 10.

MS. WIEGAND: Action 10 allows the Regional Administrator to retain annual allocation before a commercial ACL reduction, or a commercial quota reduction, and so this -- To avoid any confusion, this would only be relevant if the council had gone through sort of their process and

made a decision for, you know, whatever rationale to reduce the commercial ACL. It would allow the Regional Administrator to withhold that, so that, when allocation is sent out at the beginning of the year, there's not a situation wherein now NMFS has to go back in and sort of reclaim shares or we've allowed overharvest.

However, if, based on the preferred alternative selected here by the subcommittee, that reduction hadn't happened by June 1, the full ACL would be released, and, again, the subcommittee asked us to specify that the amount that was withheld would be equivalent to whatever decrease in the ACL was approved by this council.

The next thing we're going to talk about is Action 12, and this is the prelanding notification requirement for commercial vessels participating in the wreckfish component of the snapper grouper fishery, and one of the things that we were asked for was a bit more information on what sort of the NMFS-authorized method would be, and we used that language in the alternative, and so that would mean that fishermen were able to log into an electronic system and submit the prelanding notification through the electronic system that's being developed.

NMFS would also pay for a call service to staff a twenty-four-hour line, where the call service would simply ask and enter all the required fields within the prelanding notification and then submit on behalf of the fishermen.

One thing we want to note here, and it's going to be important when I get into the language of the action and alternative, is that, while "landing" has sort of a broad definition, within Magnuson, for these purposes, we would be defining "landing" as arriving at a dock, berth, beach, seawall, or ramp. This matches the Gulf IFQ definition, and so, to be clear, when we're talking about landing, that does not include offloading fish, and so here is sort of the language for the alternatives under that prelanding notification action.

It notes that the owner, or operator, of a snapper-grouper-unlimited-permitted vessel participating in the wreckfish component of the snapper grouper fishery is responsible for ensuring that NMFS is contacted at least three hours, but no more than twenty-four hours, in advance of landing, using the NMFS-approved method, which is what I just talked about, and then, when providing advanced notice of landing, they would include the expected date and time of landing, the preapproved landing location, the estimated weight of wreckfish onboard the vessel, the dealer where the wreckfish are to be received, and the identity of the shareholder and vessel.

MS. MCCAWLEY: We have some specific comments from the Law Enforcement Advisory Panel on this action, if Scott could come up here and talk to us a little bit about this.

CAPTAIN PEARCE: Good afternoon. Thank you. In January, you all asked us to take a look at some of the recommendations, or talk about, you know, the prelanding notifications, the preapproved landing locations, as well as offloading hours, and so the following are comments that were made by members of the Law Enforcement Advisory Panel.

One of the members wanted us to know that prelanding notifications -- That, regarding prelanding notifications, it was noted that the wreckfish fishery has been a self-regulating fishery, especially considering its small size. Enforcement efforts, at the state level, depend on guidance from NOAA

and the council, and it is important to remember that law enforcement agencies have limited resources and must prioritize their efforts.

Requiring prelanding notification would help enforcement monitoring, as wreckfish vessels aren't being intercepted at the dock currently, because there is no way for officers to know when the vessels might be landing and offloading catch. Having an estimate of amount, weight, or numbers of fish being brought to shore would help law enforcement officers determine how much time will be spent inspecting the vessel or monitoring an offload. A three-hour prelanding notification would provide adequate time for law enforcement to respond and meet the vessel at the dock for offloading, and the Law Enforcement Advisory Panel would not recommend shortening that time period.

There has been no requirement that the wreckfish fishery be monitored by law enforcement. The Law Enforcement Advisory Panel suggested the council also think of creative ways to monitor this fishery, based on its smaller size. Preapproved landing locations -- The language of the alternative should be "publicly accessible via public roads and navigable waters", and that was one of the recommendations. There may be issues with private residences being approved as landing locations. The Law Enforcement Advisory Panel's preference would be disallowing private residences as preapproved landing locations.

I know, in Florida, with the Gulf, some of the -- We run into some issues with private residence being approved as landing locations, and people -- You know, they get upset when they saw law enforcement at a private residence, and, also, you know, one of the big things we talked about in the meeting was we want to make sure that whatever we do is safe for law enforcement, for the fishery, and private residences is always a very -- You know, if you're going to work this fishery, you would rather not have to go to somebody's private residence to do it, and it is one of the more dangerous places for law enforcement to interact, and so we recommend that you do not include, or consider, private residences as a prelanding location. Offloading hours, offloading hours between 6:00 a.m. and 6:00 p.m. would increase opportunities for law enforcement presence during the offloading, and that is all.

MS. MCCAWLEY: Thank you, Scott. Are there questions for Scott? All right. I don't see any hands. Thank you, Scott. Back to Action Number 12, where we need a preferred. We need to select a preferred here. I guess one of my questions is still this electronic system that the fishermen are going to use, in addition to the phone line, and I guess we don't know what that electronic system will be, and I would look to Andy and Monica, and I know I asked that before, at one of our subcommittee meetings, and any thoughts about what the electronic system would be?

MR. STRELCHECK: I mean, we would design it very similar to what the Gulf programs have, with regard to prelanding notifications, and we could probably get a screenshot or something to share, if you wanted to see kind of a mockup of what that looks like, but it's essentially just a simple data entry form for doing those notifications.

MS. MCCAWLEY: But it doesn't have to be VMS, because the Gulf uses VMS, but I see heads nodding that it doesn't have to be VMS, right?

MR. STRELCHECK: Correct, and one of the questions I had asked my team was, even though VMS is an option in the Gulf of Mexico, how many people actually report a prelanding notification

based on other means, and those other means include the two options we're talking about here, and, surprisingly, 35 to 45 percent of our IFQ fishers are still reporting using those other notification systems.

MS. MCCAWLEY: Thank you. That was helpful. Amy.

MS. DUKES: Scott brought up a really good point, and it was one that I was going to make. When you are reading the prenotification information, it specifically says "time of landing". Well, time of landing is often three o'clock in the morning, or midnight, and I'm wondering if that needs to be looked at from an offload time standpoint instead. We have many boats that land in the middle of the night, but we don't offload until the next morning, or they offload in the middle of the night.

MS. WIEGAND: So this would be landings, and so the vessel is able to land, and then you just wouldn't be able to offload the fish until that 6:00 a.m. to 6:00 p.m. time window.

MS. MCCAWLEY: Would the committee like to select a preferred here? Kerry.

MS. MARHEFKA: Where was Amy a year ago? I still would have lost, but at least I would have had, you know, more in my corner. Okay. **For Action 12, I make a motion that we choose Alternative 2 as our preferred alternative.**

MS. MCCAWLEY: For Action 12? All right. Motion by Kerry, and is there a second? Tim. It's seconded by Tim. Any more discussion? I feel like the subcommittee has talked about this quite a bit. **Any objection to this motion?** All right. **That motion carries.** Monica.

MS. SMIT-BRUNELLO: I have a question, just in terms of defining what we mean by "landing", and I guess it's not in the action itself, and so, like Christina said, the Magnuson Act has kind of a broader definition of what "landing" would mean than what will be used here, and so one idea that I had is maybe it's just clear, at the end of Alternative, I guess, 2, to just write in that "landing" means all the things we think it means, so that it's very clear for everybody.

MS. MCCAWLEY: All right. Christina is taking some notes. While she's taking those notes, Kerry.

MS. MARHEFKA: I think we already took action on this at the subcommittee, and we aren't looking at it today, but, when Scott was going through their recommendations, there was that comment about sort of an accepted landings site, and one of the things that just struck me as -- You know, for instance, one of the landings sites outside of Charleston -- I guess the definition of "public", and, in other words, like this is down a road that is not maintained publicly, and I suspect it's not even technically a public road, to your point, and it's not maintained, certainly, by anyone.

I just want to make sure that, at some point, these guys aren't going to get hung up because, for instance, there's a commercial dock there, but it's also where the family lives, and it's down a dirt road that is not necessarily a public road, and I don't know, you know, for sure that it's not public property, but I would be surprised if it is, but it is legitimately a commercial dock at the end that the general public can go visit. I would be surprised if it is. It's not maintained by the county, that I can tell. Partway down, and so to the boat landing it is, and then the rest of it -- All the land

surrounding it is owned by the family. I just don't want to get caught up in the minutia of that, but I want to make it clear what the definition of "public" is.

MS. MCCAWLEY: Look at what Christina has highlighted here, and you're right that we've already approved an alternative, the subcommittee has, in Action 13, but read that landings locations must be publicly accessible via public roads and navigable waters, and no other condition may impede free and immediate access to the site by an authorized law enforcement officer, and so it's sounds like it's the "via a public road" is the problem there.

Okay, and so then a question for Andy that we were debating here is, is there a way that they could have an approved landing location, like this one we're talking about here, that's not accessible via a public road, but it could still fall under the approved category, or, because this is too specific, it can't be used.

MR. STRELCHECK: I think the immediate answer is I don't know, and maybe what would be good is, Kerry, or, Amy, could you provide the specific location information, and Jessica Stephen thinks she knows which one you're referring to, and she thinks it probably would be a valid site.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: I think what you're looking for is at a location that's accessible and open to the public, and you could have, for example, a condominium road, or a private road, that gets to a marina that is open to the public that should be an approved site, but I think what you're looking for is something that an officer doesn't need a warrant to access the site.

MS. MCCAWLEY: All right. I agree, and I see thumbs-up from Andy. All right, and so Christina is indicating that we might need to make some modifications to this particular alternative under Action 13, and this is not the last time we'll see this document, and so we can talk about that the next time see this. All right, and so, believe it or not, we are done with everything from the subcommittee meeting in February, and I would be looking for a person to make a motion to approve this amendment, which is Amendment 48, for public hearings at the June 2024 council meeting. Would someone like to make that motion? Laurilee.

MS. THOMPSON: **I would like to make a motion that we approve Snapper Grouper Amendment 48 for public hearings at the June 2024 council meeting.**

MS. MCCAWLEY: All right. Thank you, Laurilee. It's seconded by Kerry. It's under discussion. Any more discussion? **Any objection?** All right. **That motion carries.** How many years have we been working on this?

MS. WIEGAND: Brian originally started this amendment, and so I think it started in 2019.

MS. MCCAWLEY: All right, and so we have a timing and tasks motion that will go into the Snapper Grouper Committee report. Would someone on the committee like to make the timing and tasks motion? Carolyn.

DR. BELCHER: **I make the motion to adopt the following timing and tasks: conduct public hearings for the Snapper Grouper Amendment 48, which is wreckfish, during the June 2024**

council meeting; continue to develop Snapper Grouper Amendment 48 for wreckfish for final approval consideration at the June 2024 council meeting.

MS. MCCAWLEY: All right. Motion by Carolyn. Do we have a second? It's seconded by Tim. Any discussion? **Any objection?** All right. **That motion carries.** Monica.

MS. SMIT-BRUNELLO: Just a question, and so the subcommittee will no longer need to meet, and is that correct?

MS. WIEGAND: I mean, I never want to say anything positively until Full Council, but, with the information that I've got right now, the subcommittee would not need to meet again.

MS. SMIT-BRUNELLO: Okay, and so since -- I would just urge you all -- I know you've probably already done this, because it's in your briefing book, but we went through Amendment 48, just the highlights really, in essence of what the subcommittee went over and different motions that needed to be made and those sorts of things, but I would urge you all to look at it thoroughly, because there are at least fifteen actions in there, and that's not counting subalternatives and all those sorts of things, and so, if you're going to be taking final action in June, then you'll want to make sure that -- I'm assuming, at that point, we'll go through the whole document in June? Okay. Thank you.

MS. MCCAWLEY: All right. Anything else on wreckfish? All right. Great job, Christina. Great job, subcommittee. Let's take a fifteen-minute break. When we come back, we'll be working on scamp and yellowmouth grouper.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to get started in Snapper Grouper Amendment 55, which is scamp and yellowmouth grouper, and I believe we're going through this visually pleasing, very pretty decision document that has been created, and I'm going to pass it over to you.

MS. IBERLE: All right, and so I tried to streamline this document a little bit, for the sake of time, because we've got a lot in this amendment, and so I took out all the background information, but I did want to remind you that you have all of that kind of supplementary information in your draft amendment, and that is Attachment 2a.

We left the ABC values in there, just so you can compare, as we're moving through actions, but this is kind of what I really wanted to stop on first, and that's the objectives for this meeting, and so, in December, you reviewed a preliminary analysis of the actions that we brought to you in December. We have since added some actions, according to the recommendations from that meeting, and we've updated your analysis.

It's going to be crucial to pick some preferreds, specifically for allocations, today, to help really move that analysis along and make it so we can kind of tailor it a little more and make it more into a tool, instead of siloed, which it is right now, and I will talk a little bit more about that as we move through the document.

That kind of segues nicely into timing, and usually I kind of just speed through this, to make sure that everyone is on the same page, but I wanted to stop and take a minute to have a little bit of a discussion on the tentative timing, and so, right now, we're just reviewing updated analysis and selecting preferreds as you guys see fit. We don't have this scheduled to be approved for public hearings until the June meeting, but what I really wanted to pause and talk about is when this amendment would be approved or considered for final approval.

Right now, in the spreadsheet of doom, we have it listed as being approved for final approval in September of 2024, and this timeline is going to be a little tight, but, if we were to push it back to December, the IPT has talked a little bit about timing concerns on the other end of the process, and so, after the council staff submits this amendment to NMFS, that rulemaking that happens after it leaves council staff, and so I wanted to turn it over and just see if the council is still comfortable with a September timeline and then any other concerns with timing that we might have, and, also, to remind you, we are under a two-year deadline for this one, and so I will pause here for discussion.

MS. MCCAWLEY: All right. Any comments on the timeline? Andy.

MR. STRELCHECK: I'm happy to speak. I don't know why, but, no, I would just say that I think it's better to buffer for the two-year timeline, and, if the schedule slips, right, we should reevaluate, but, at this point, I think we stay the course and see where we get to.

MS. MCCAWLEY: All right. Thanks for that discussion.

MS. IBERLE: All right, and so that brings us to the purpose and need statement. We did have a little discrepancy between this document, and it went into your briefing book, and the amendment document. The words "fishery management plan" is removed from your draft amendment.

MS. MCCAWLEY: Tim.

MR. GRINER: Could we go back to that schedule for a minute? This could -- I want to make sure that, going forward, when we're looking at these final approvals, that, as much as we can, keeping the timeframe of Magnuson, that we don't submit this late into the year, to where we could get back into a situation where it gets implemented in the middle of a fishing year, and we've already run over our quota, and we have a payback the next year.

I think September is probably -- It could be on the verge of doing that, and so you could end up -- You know, at the end of November, or the first of December, you could close a fishery and end up having to -- For a four-week period, you're going to end up giving back a bunch of fish, and so I think we need to be very, very aware of when we submit these for final approval, and it should be done such that the timing does not impact a current fishing year with an overage. Thank you.

MS. MCCAWLEY: Thank you, Tim. Good point. All right. Thanks for that. Shep.

MR. GRIMES: Thank you, Madam Chair. Well, I guess, I don't -- I mean, I understand generally where Tim is going with it, but implementing it later in the year -- If you delayed it, and it comes in -- I mean, the point is it comes in and gets implemented partway through the year, and, if the catch limit is reduced for that year, and you're judging what the catch was for that year relative to

that catch limit, you want it earlier in the year, rather than later, so that you can constrain harvest to it and not result in an overage that you have to pay back. I think, in most instances, you're not paying back -- I don't think you're paying back that many overages anyway, but I just wanted to mention that. Thank you.

MS. MCCAWLEY: Thank you, Shep. Tim.

MR. GRINER: Shep, you know, yes, early in the year, before a season actually started, would be one thing, but, you know, gag grouper is a perfect example. You know, if that would have been implemented when we were at 83,000 pounds, we would have never run over it, but it didn't, and it happened after we had already fished normally on the ABC that was in place prior to implementation of the new amendment, and so that's all I'm saying, is that, if you can't do that -- If you can't implement it to prevent overage, then it's better to wait for the following year, when you have a chance to let the new ABC take effect without any overage, or ACL I mean.

MS. MCCAWLEY: Thank you, Tim. Andy.

MR. STRELCHECK: Ideas are flowing today. We just talked about wreckfish, and, in the Gulf, I have been provided authority to hold back, essentially, quota until a date certain, based on kind of rulemaking timelines. That, I don't think, could only apply to IFQ, and you could apply it to non-IFQ species, and so that's something we may want to consider for these reductions, when we're implementing rebuilding plans, to address Tim's concern.

The alternative, which may be more problematic, would be -- Because you're under a two-year timeline to implement the rebuilding plan, right, and you can't like ease into the rebuilding plan and set the catch levels at the current levels and kind of postpone implementing the catch limit later, and so I just mention that, and I don't think we're ready to talk about it now, but I think it's worth discussing, because I think Tim brings up a valid point, and it really puts us, in the Fisheries Service, in a difficult spot, to be shutting things down immediately upon implementation of actions.

MS. MCCAWLEY: Okay. Allie is going to type up some direction to staff here, and so she's making some notes, and I guess I would say watch what's going on the screen and see if you think that this is capturing this discussion. Tim, can you see that?

MR. GRINER: Yes, I can, and so I guess I had another question. You know, for -- When we're looking at these rebuilding -- We have a rebuilding timeline, and if -- Are we able to change that rebuilding the first year, so that, if we were in the middle of an amendment, and gag would have been a perfect one, and could we have set year-one of the rebuilding to 2024, instead of 2023, and then it wouldn't have mattered whether or not it was implemented in the middle of 2023, and do we have the ability to determine what that first year is going to be, so that we could have an amendment that -- We could submit it in September, but year-one of the document was not going to start until the following year, regardless of when final approval was, or regardless of when rulemaking took place and it was codified in the text.

MS. MCCAWLEY: All right. I see a hand from the audience. Come up to the microphone, Nik.

DR. MEHTA: Thanks, Madam Chair. Tim, unlike gag -- Like scamp doesn't have a split season or anything like that, and it's just the spawning season closure from January to April, and, if you look at the analysis that you will see in actions further down this document, that Allie will go through, both sectors fish when the fishing season starts in May, and so it ramps-up in May, and then it really shuts down pretty much like the end of August, mid-August, and that's when most of the fishing for scamp occurs in the current ACL situation.

Now this species is overfished, and so there will be some reductions, and, therefore, you will see the analysis, where you will see when the rec sector closes, how soon it closes, and the commercial sector as well, but you may want to look at that analysis, and maybe that won't be as big of an issue with scamp as it was with gag. Thank you.

MS. MCCAWLEY: All right. Shep.

MR. GRIMES: Thank you, Madam Chair. To answer his question on the timeline, the National Standard 1 Guidelines specify that calculating Tmax, and the time periods for rebuilding, you start those on the year that you anticipate that the plan will be implemented, and, in this case, you have a two-year deadline. If you're taking the entire two years to implement it, to develop it, you don't have a lot of flexibility on when you're going to implement it, because you took the two years to develop it. If you wanted to move in with something and act more quickly, then maybe you could take those into consideration when you implemented it, because you would have that two-year timeline, but, in this case, I don't think you have much flexibility to do that.

MS. MCCAWLEY: All right, and so we have some direction to staff there, and I will just read that. Keep in mind the timeline of an amendment with regard to implementation of new catch levels to prevent overages in the following fishing -- Do we need "year"? All right, and then example of gag grouper. Do we think that captures it? Okay. Tim says yes. Shep looks confused. Okay. All right. I think we're good here, and I'm going to turn it back to you, Allie.

MS. IBERLE: All right. That brings us back to the purpose and need. Again, that deletion is just making sure that your purpose and need in this document matches the purpose and need in the draft amendment. We revised the purpose and need in December. The IPT has made several small just wording changes, and so what we'll look for today is for the council to approve the purpose and need statement as they're written with this highlighted removal, and, essentially, what the IPT has been trying to do is just make sure that the purpose statement, since there's a lot going on in this amendment, is concise, but not too wordy, and so we've been trying to kind of hit that middle ground of getting all the information in the purpose captured without it being too wordy, and so, with that, any discussion, or questions, on the purpose and need?

MS. MCCAWLEY: Any comments or questions? Ultimately, we're looking for a motion to approve the purpose and need here. Trish.

MS. MURPHEY: **So I move to approve the purpose and need statement.**

MS. MCCAWLEY: All right. Motion by Trish, and it's seconded by Spud. Any additional discussion? The changes are highlighted there on the screen. **Any objection?** All right. **The motion carries.**

MS. IBERLE: All right. I will go ahead and dive right into our actions and alternatives. My kind of tactic for today in going through these, since we have additional actions, is I'm going to go through the actions that you have preferreds selected kind of quick, and, if you have something that you want to dive back in on, stop me, and then we can kind of go back, or, if you want to go back to an action later, but I was planning on only pausing on the ones that we really need to dig in on. In addition, your decision document only contains action and alternative language for actions that we really need to dig in on, and so we have summary tables that we'll walk through.

Action 1 was reorganizing scamp and yellowmouth, and so essentially taking yellowmouth out of the friends group, and putting it with scamp, as was suggested, based on the assessment, and you selected Preferred Alternative 2, which would establish the complex, and then remove yellowmouth from the South Atlantic shallow-water grouper complex.

Then that brings us to Action 2, which involves the subactions for the stock status, or stock determination, criteria. Action 2a was your MSY, 2b was your MFMT, and 2c was your MSST. You have preferred alternatives, 3 for 2a, Preferred Alternative 3 for 2b, and Preferred Alternative 3 for 2c, and so, essentially, we're starting with an MSY of F 40 percent SPR. All of the subsequent subactions depend on that determination, and so you're taking that MSY and carrying it through the subaction.

The one subaction that we don't have a selected preferred for, which is 2d, which is your OY. In previous meetings, we were referring to this as long-term, or equilibrium OY, and I think we have been used to assigning an adjective to OY, because we're usually looking at an annual OY, but, within Magnuson, we were only specifying when there was an annual OY, and OY is just the target, and so we've dropped that adjective, and we're just thinking of OY as that optimum yield target, and not annual, not long-term, and it's just your OY, and so nothing has changed, and that wording is just gone.

The other thing that has changed with this subaction is that we have two draft alternatives that the IPT discussed after the December meeting, and so, in December, you saw Alternative 1, and, obviously, that's not establishing anything. Alternatives 2, 3, and 4, and those are a percentage of your FMSY.

The additional alternatives that the IPT discussed, and then we have presented here, are taking the F 45 percent SPR, or F 50 percent SPR, and having those represent your optimum yield. I know we talked that this would require additional work from the Science Center, I believe, and so I'm not sure if these -- I know that was kind of like an eleventh hour, and we might need to talk more about that, and so I'm going to quickly review all of the draft motions, because I've got a lot on this one, to kind of help us whittle down what we need to do with 2d, and so, if the council does want to add those two draft alternatives, I have a motion for that.

The other thing that the IPT discussed is there's quite a bit of alternatives for this subaction, and so it might be a good thing to whittle down those -- All of those alternatives to the ones that the council really thinks would be the most appropriate for that action, and then I do have a draft motion to select a preferred for this subaction as well, and I know that was a lot, but I will hand it over.

MS. MCCAWLEY: All right. Thank you, Allie. Shep.

MR. GRIMES: Thank you, Madam Chair. Well, I think I can dispose of this first one quickly, and so I'm the source, on the IPT, for Alternatives 5 and 6, and my thinking was merely that we had specified MSY in terms of SPR proxies, and historically I -- Historically, because I am old, and I am thinking historically, that that's how we used to do it, and so, a few minutes ago, I had the discussion, and Clay came up and explained to me why they no longer want to do it that way, and he suggested doing it this other way, and that old approach is not preferable, and so it came from me, and I don't think it's something that's worth pursuing, and I'm sorry that I raised it. Thank you.

MS. MCCAWLEY: Thank you. All right, and so Allie is saying we don't need a motion to remove those, because technically they're not in the document yet, and so that dispense with one of the items here. All right, and so a couple of things. Do we want to pick a preferred, and are there other items that we want to remove here and send to the Considered but Rejected? Tim.

MR. GRINER: Well, to me, I think we should have an alternative in there -- I mean, since we changed from 30 percent SPR to 40 percent, and we've already -- We've already, you know, made it a little bit easier there, and so why can't we have an alternative that is 100 percent of FMSY? I mean, I would like to see that as an alternative in there, for sure. I mean, we've already -- You know, we've already gone from 30 percent to 40 percent, and so I feel like there's no reason why we can't go 100 percent FMSY.

MS. MCCAWLEY: Well, I saw an attorney put their hand up. Let's hear. Shep.

MR. GRIMES: The old one, right? Well, on some basic level, I guess I would say, yes, you could set OY equal to MSY, and keep in mind that OY is defined as MSY as reduced by social and economic considerations, and so you're effectively saying there are none that would justify reducing catch, or reducing OY below MSY, and, conceptually, I think that's very difficult to justify, and perhaps you could, but, in this case, I think, if you set it -- The ABC is reduced from the yield at FMSY, right, because that's going to be your OFL value, and so I wonder if, in effect, if you're setting it at the yield at FMSY, and that's the OFL limit, then you're setting OY basically above your ABC, which doesn't seem right.

MS. MCCAWLEY: I think I got lost.

MR. GRINER: I definitely got lost there.

MS. MCCAWLEY: Okay.

MR. GRINER: So I guess what I'm saying is this is a brand-new complex, and so why would we not start -- If we're already being conservative, more unconservative, for uncertainty, or for life history, or for whatever reasons, and we're already moving from 30 percent SPR to 40 percent, and it's a brand-new complex, and why would we -- What reason would we not have to set it equal to MSY?

MS. MCCAWLEY: Shep.

MR. GRIMES: Thank you. Sorry, and I was just throwing one thing -- Well, I think, for one, it's overfished, and you're in the situation you are, apparently, because something hasn't been sufficiently conservative with the stock, right, and it's an overfished state, and, you know, we should be taking into account rebuilding. The other aspect of it, I would say that -- I mean, the 30 percent, it's not like you've reduced it because you're decided suddenly that you're taking a more precautionary approach.

I mean, yes, that is a more precautionary approach, but it's coming to you because the science has indicated that is the appropriate standard for it, which also relates back, maybe, to why it's in an overfished condition to begin with, and so, you know, I think there's more logic on the side of taking a more precautionary approach, in this case, rather than coming in and saying, oh, well, it's a new stock, and everything is great, and we don't need to worry about precaution, and we can just set our targets equal to our limits. Thank you.

MS. MCCAWLEY: Tim.

MR. GRINER: I do agree with some of that, but we don't know why -- We don't know why the stock is in the shape that it's in, and we don't know that it's because of fishing mortality. We have no data to support that. You know, it simply could be some bad years of recruitment, and we don't know what that fish has done over the last two years, because we don't have the data to support it, and so all I'm saying it it's not a big difference, but it seems, to me, without having any better reason to do it, that you would start at 100 percent. That's all.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I'm not sure that I'm going to help, but I will try. We have to specify OY. It's a requirement, but, really, it's kind of a lost concept, now that we require a system of ABC and annual catch limits and annual catch targets, right, and, if we're really doing this well, and right, we are looking at the socioeconomic effects, and how we then reduce from MSY to achieve, obviously, that optimum yield.

I guess a couple of comments. I mean, I hear what you're saying, Tim, in terms of the F 40 percent is more conservative than F 30 percent, but I guess I would reiterate that, based on the life history and the vulnerability of these grouper species, right, there are scientific reasons why we would want to set those targets in place, right, and I can see how you view it as more conservative, but the reality is that there's protections needed for species, given their life histories. I think we struggle with OY, simply because it's not really something we readily use, and we don't define it well, in terms of how we estimate it.

MS. MCCAWLEY: Okay, and so then how are we going to pick a preferred here? All right. Let's keep moving through the document and then come back.

MS. IBERLE: All right. The next action is Action 3, which is your rebuilding plan. Again, I'm going to go through this one quick, because we have a preferred. You guys selected Preferred Alternative 3, which is Tmax with a rebuilding timeframe of ten years, with the rebuilding plan ending in 2035.

Then that brings us to Action 4, which is the setting the ACL and ABC. Again, in December, you selected Preferred Alternative 2, which would set the total ACL equal to the ABC, and the other thing that I wanted to note is that, as we continue to move through the document, all of our projections are -- You're going to see your allocation alternatives kind of apply to some of the management measure actions, and I will walk through those tables when we get there, but all of these projections are going to be assuming a total ACL equal to ABC, and I will reiterate that again, so that it makes sense when you're looking at the tables, but this is going to carry throughout the rest of the document.

Then that brings us to Action 5, and that's one of the ones that we need to dig into, and this is sector allocations, and so each column is going to be one of your alternatives, and so Alternative 1 is not shown in this table, because it's just not establishing allocations. Alternatives 2 and 3 will utilize the split reduction method, and we used that for gag in Amendment 53, and the difference between Alternative 2 and Alternative 3 is going to be the basis years, and so Alternative 2 uses 2018 to 2022, and then Alternative 3 uses 2013 to 2022.

If you remember back to Amendment 53, your percentage, and therefore your sector ACL, changes every year from year-one until the end of the method, and then that percentage, and sector ACL, would remain in place until modified, and so that's why you're seeing a percentage, and then a corresponding sector ACL, for these methods.

Alternatively, Alternatives 4 and 5 use those same year ranges, but it's a distribution of landings, and so the distribution of landings from 2018 to 2022 and the distribution of landings from 2013 to 2022. In those alternatives, the percentage allocation remains the same, and you're just seeing the sector ACL.

Just as a quick reminder, the current scamp allocation percentages are 65.34 percent commercial and 34.66 recreational. I know we haven't really dug into the split reduction method in a while. If you would like a refresher, I put a quick two-pager, that's not specific to any amendment, on the split reduction method, and so it explains the method and then gives you that shadow shark example that we walked through, and I think at one of the March meetings actually, years ago, and it's crazy. That's there, and, if you would like me to walk through that at any point, let me know.

Then getting a preferred alternative for this action -- What that will do is we'll be able to go back and look at the projections and say, okay, we want this total ACL, these allocations, and then we will be able to play with possibly making a decision tool, or making things a little bit more comprehensive, so we can kind of play a little bit with the projections, more so than we have right now, because there's a decent amount of alternatives for this action, and so we're analyzing each of those alternatives, and so I think this one would be an important one to kind of dig into and make sure we have a preferred, and so, with that, I will turn it over.

MS. MCCAWLEY: All right, and so we need to pick a preferred here. Just a reminder that split reduction is share the pain and -- Formally known as share-the-pain-share-the-gain alternatives, and I guess I would ask Allie, and so can you remind me -- It looks like we're looking at like a five-year average, versus a ten-year average, on some of these alternatives, and why did we do it that way? Why did we pick five -- Did we pick that at a previous meeting?

MS. IBERLE: Yes, I think you guys discussed that -- We were in St. Augustine, and so June of last year, and I think that was when we were first digging into this.

MS. MCCAWLEY: Carolyn.

DR. BELCHER: Allie, is there a chance that Alternatives 4 and 5 are reversed, because I'm looking at your Alternative 2, which has the 2018 to 2022, and your first -- In 2025, the commercial is 43,775, but that's what is in Alternative 5, which is 2013 to 2022.

MS. IBERLE: Let me check on that, and, if it is reversed, then we'll get it switched, and I can make sure, in Full Council, that we're presenting the correct table, but I want to make sure that I dig in and make sure that's right.

DR. BELCHER: Thank you.

MS. MCCAWLEY: Tim.

MR. GRINER: Well, in my way of thinking, I think the five-year -- Whichever one you pick, I think the five-year is more representative of where we are today with this fishery, and so I just wanted to add that, that I like the 2018 through 2022 timeframe the best.

MS. MCCAWLEY: So, as the person that made up share-the-pain-share-the-gain, do you also like that type of allocation alternative here?

MR. GRINER: I do. I think you're really -- In this instance, I think you're really starting to split hairs. I mean, at the end of the day, if it rebuilds properly, then we're all going to be okay, and so I think, when you really look at these numbers, you're splitting hairs here. It's probably within a percent of where you were originally, and so, yes, and, I mean, it's kind of -- That was kind of the whole way to look at that share-the-pain-share-the-gain, or that split reduction, is that, you know, it somewhat makes it an equitable thing across-the-board for everybody.

MS. MCCAWLEY: So, based on what you just said, the five-year average and the split reduction method, it sounds like what you're suggesting here is a Preferred Alternative 2 here, under this action, and would you like to make that motion?

MR. GRINER: Well, I think before we -- I think we should have some more comment on it from others first.

MS. MCCAWLEY: All right. Tom.

MR. ROLLER: Thank you. I agree with Tim, in the sense that, looking at Alternative 2, it's more representative of where we are in the fishery today, but I will add that Alternative 3, when we look at the season and how that plays out, it does give a considerable amount more fishing days to the recreational community, for not very much in the way of poundage, which really isn't going to impact the commercial industry's bottom line, and so there's a lot of potential economic benefit there, that Alternative 3, which I'm more supportive, for that reason.

MS. MCCAWLEY: Thank you, Tom. Others have thoughts here? Okay. Allie has a suggestion that we can go through some of these projections and come back, and would that help? Okay. I see heads nodding yes. Back to you.

MS. IBERLE: All right. That brings us to Action 6, and so Actions 6, 7, and I believe 8, are going to be new, and so we didn't have these in December, and this was a suggestion to add during the December meeting, and so the IPT developed these, based on your suggestions, and so Action 6 will reduce the commercial and recreational fishing season for scamp and yellowmouth grouper. We did include action language here, but I'm going to use this handy table.

Alternative 1 is no action, since this is the status quo, and I will note that none of these alternatives -- From what we heard in December, the council is not intending on modifying the annual spawning season closure, and so you will see, in every alternative, January through April is going to be grayed out, and so the spawning season closure will remain in place through this amendment, and we're not messing with that.

Alternative 1, no change, will be opening on May 1, and then remaining open throughout the end of the year. Alternative 2 is the most conservative alternative, which would open May 1 and then close at the end of July. Alternative 3 would open on May 1 and close at the end of August, and then Alternative 4 would be opening on May 1 and closing at the end of September. Again, this bullet point just says the closure is not being modified under this action, and then, again, before we go to the projection tables for this one, we're assuming that the total ACL is set equal to the ABC, and so that's what you're looking at.

The projections for the most restrictive alternative, and so Alternative 2, there's a three-month season, and they don't predict either sector reaching their ACL, because that's the most restrictive season. The landing trends from 2018 to 2022 show that landings really ramp-up in May, after that spawning season closure ends, and then they peak again at the end of the summer, in July and August, and then they taper off from mid-August into September, and so the projections, which I will flip to in just a second, show that there's a closure, for both sectors actually, and we were just looking at it in a wave, versus a date for the commercial, and the closure is kind of hitting the sweet spot before the landings taper off, and so I think maybe revisit these, and look at the landings trends for this timeline, really comparatively to your projections, when making a decision on this action.

Figure 2 is the recreational landings by wave, and so Wave 4 is an important one, once we look at these projection tables, and that's the July and August wave, and so you can see that landings ramp-up in May and June, and then they ramp-up again in July and August, but then, in September and October, and so Wave 5, those landings are tapering off kind of naturally. Then Figure 3 is the same thing, and, obviously, not per wave, but this is for the commercial sector. Again, landings are spiking in May, and then we have another kind of jump-up in August, and then things are tapering off by the end of the summer.

I am going to zoom-out a little bit here, so you can see this whole table, and so Table 2 is just for the recreational sector. There's a lot of information in this table, and so I want to kind of orient everyone, and so the columns -- Each column is an allocation alternative, and then each chunk of rows is going to be a season alternative, and so that's kind of how you're looking at this, and so we discussed maybe favoring Alternative 2 for allocation, and so, if that's the alternative that you

were thinking of, you're going to be following this chunk all the way down, and, again, this is just for the recreational sector.

This first top chunk is Alternative 1, and so ACL being met, again, in Wave 4, and so this is the wave that landings, according to data from 2018 to 2022, are starting to taper off. However, this is a closure before those landings have tapered off, and then this second chunk here is that most restrictive season, and so, obviously, no closure projected there. Then Alternative 3, and you're seeing a Wave 4 closure until 2028, and then the same thing with Alternative 4, and so you're seeing a Wave 4 closure until 2028.

Table 3 is essentially the same thing, but you're looking at it for the commercial sector, and, therefore, you're given an approximate date that the ACL would be met, instead of a wave, but it's looking very similar, and so the Wave 4 is that July and August wave, and so you're seeing essentially the same time, around the same time, closure for the commercial sector. Again, no closures with that most restrictive season, and then, here, we're seeing the end of August, and then the end of August, or early September, for Alternatives 3 and 4.

I do have a draft motion in here for you guys, if you are thinking you're ready to select a preferred on this one. I know that was a lot of information, and let me know if you want me to stay on anything, but I'm going to go back up to this to start us off.

MS. MCCAWLEY: Thank you, Allie, and, Tim, I saw your hand up just a minute ago.

MR. GRINER: Thank you. Well, now I'm thoroughly confused, because, first of all, I don't think we can pick a preferred here until we pick a preferred under Action 5, but, when I look at Table 2, I'm not sure it's making a lot of sense to me, and so, under Alternative 2, even though the ACL is growing every day, you've got their days being stagnant, and that doesn't make sense, and, if you look at the differences between all of the alternatives, you're only talking about, in the worst case, a thousand pounds, and so how could a thousand pounds of fish, recreationally, go from ninety-two days to 153 days? It doesn't make sense that that little bit of fish could change the fishing timeframe, the season, by that drastic amount. I just -- I think we've got to revisit these tables, because I don't think the data is correct.

MS. IBERLE: I just want to make sure that I'm understanding, and so you're saying why is there no closure under Alternative 2, versus the closure that's projected under not changing the season at all? I just want to make sure, so that I know how to respond. Sorry.

MS. MCCAWLEY: I thought that he's also saying -- So in the column that you've highlighted, I think he's saying that, under Alternative 2, why is it static at ninety-two days, approximately, and why is that static?

MS. IBERLE: Because under that season alternative for that allocation, there is no closure projected. Sorry. Ninety-two days is the length of the season under that alternative, and so, since you're not having a closure projected, you would have the full season open, and the full season would be ninety-two days under that alternative.

MS. MCCAWLEY: So there's not a quota closure, but you just have the spawning season closure, and so you have the maximum number of days outside the spawning season, and that's why it's identical, because you're not meeting the quota. Did that explain it? Okay. Tim.

MR. GRINER: Not really. So are you saying you're setting the season first, to be May 1 through July 31?

MS. MCCAWLEY: So she has it pulled up there on the screen, and so, in Alternative 2, it's saying of the available fishing -- They're always going to be the same, and you're not going to meet the quota, and so you can see how many months you're not able to fish in that particular option, because you've constrained the season, the fishing season, so much.

MS. IBERLE: So under Alternative 2, and, again, that's the most restrictive of all of your alternatives, you would only have three months open, and so, January 1 through April 30, it would be your annual spawning season closure. The fishery would open on May 1, but then it would close on July 31 regardless. That would just be the end of the season.

MS. MCCAWLEY: So it's closing because you've selected a fixed season, and it's not closing because you've met the quota.

MR. GRINER: Well, I mean, it's still not making any sense to me. If Alternative 2 -- The recreational fishery has 23,000 pounds of fish to catch, right, and, under Alternative 4, they have 23,675, and, under Alternative 4, they have 24,685, the first year, and how can that amount of fish last two months longer?

DR. BELCHER: So think about it from the no action, right, and so, basically, if you go back to your calendar, you have the closed months. You have nine months that are available to you to fish, right, and so it takes -- By this, if you say Alternative 2, under the intersection of Alternative 2 down the column, but across with Alternative 1, it takes 104 days to close the season, based on what your limit is, and that's how I'm looking at it. It's the season would last -- With the 23,675 pounds, you would catch that in 104 days under the current action, or the current alternative, and so, when you drop down into Alternative 2, where you're looking at the season of May 1 through July 31, it's ninety-two days static, and so, if it takes you 104 days without any constriction on this N, in ninety-two days, you can -- You're not closing because you hit your total poundage, and you're closing because ninety-two days is not going to capture all of that amount. The poundage isn't your closure, and the days fished are closing it.

MS. IBERLE: So, in this first chunk of Table 2 -- This might help, and so, under allocation Alternative 2, in the no action alternative, you're open for approximately 104 days, closing in Wave 4, and so there's not a huge poundage difference between those allocation alternatives, correct, and so then, when you're looking -- You're coming over here to this next chunk, and you've only changed from 104 days to 108 days, and so that's kind of the -- Sorry. That's the difference in your allocation alternatives.

The difference in this large chunk of projections, versus this large chunk of projections, is that, because you've constrained that season so much, you're not hitting it, and so, while you're only changing from 104 to 108 between allocation alternatives, if you change the season none, if you really restrict the season, then you're not expecting a closure, because that date is so restrictive.

MS. MCCAWLEY: We're going to go to Kerry, and then we're going to come back to Tim.

MS. MARHEFKA: Well, I'm not trying to clear anything up, but I understand. I actually got there before you, which is very rare. My question is overall -- I'm trying to think of why -- Where this came from, that we decided we needed an alternative to constrain the commercial fishing season outside of just the regular ACL and in-season closures. Have we talked about this before, and I just wasn't paying attention?

MS. IBERLE: I just think this came up kind of in that like blanket of putting management measures on the table in December, and so, when we -- I think we talked about the dates at Full Council, just looking at, you know, when the fishery was tapering off, and, again, if you don't feel it's appropriate, then the action doesn't need to be included, and so it's the council's decision. If you feel that, in looking at these projections, that it's not going to be beneficial, then we can -- Then the IPT can remove it.

MS. MCCAWLEY: So let me try to restate some of what she's saying. We decided that, hey, why don't we -- At the last minute, at Full Council, we said why don't we try to look at some management measures, but we didn't have anything like this, and we didn't know what this was going to look like, and so one of the options that we told Allie to put in there was look at when the fishery tapers off, and end the fishing season then, and so you can see what that looks like, and that seems like not a good idea.

MS. MARHEFKA: Yes, and I guess I just -- Which makes sense for me, the way we manage these fisheries, because we manage recreational fisheries different, and we don't do in-season closures and all of those things, and I am surprised to see that it was thought of to be a good idea that we would consider managing commercial fisheries that way, and --

MS. MCCAWLEY: That's the thing that confused me when we first started going through this.

MS. MARHEFKA: I think that's probably throwing us off a little, and so certainly I would suggest that it's not appropriate to manage commercial fisheries that way, because we already have a mechanism for constraining commercial catch once we have met our quota, and so, at the very least, I would like to chuck that out of there.

MS. MCCAWLEY: Okay. Good, because that confused me as well, and so that kind of articulated one of the reasons why I was confused. Does that help, Tim?

MR. GRINER: Yes, and that's what brought the whole thing to my mind, when I saw that from the commercial side, and I said, well, that's not how we operate, right, and we don't operate that way, and there's no need to look at that, and then I started looking at it on the recreational side, and I'm thinking, well, why would they want to do that either, because, the way they operate now, the service has the authority to make a projection and close the fishery when they see that they're getting there, and that's the way it's always been, and that's the way it's done.

I mean, I will let the recreational sector weigh-in and fight for themselves, but it's certainly not appropriate for the commercial, but for -- You know, from a recreational standpoint, I don't see why you would want to do that. I mean, every year, you're getting a little bit more fish, and why

wouldn't you want to fish on them, you know, and let weather take its place, let the natural pace of fishing take its place, and see where you end up, because every year is going to be a little bit different, you know, just from an effort standpoint, with weather and everything else.

MS. MCCAWLEY: I saw Chip come to the table.

DR. COLLIER: I will say that recreational might be a little bit different than commercial. You know, we rely on a survey to estimate recreational catch, and it is divided into time periods, and so, for that to -- To be able to use the survey, and to get accurate date, or get a data that matches the survey, you might have to go with a season, as opposed to trying to maximize the landings, whereas, for the commercial fishery, because they report daily, and you have the ability to close within the season and not actually impact your survey, that might be a reason to consider why it's treated differently.

MS. MCCAWLEY: Go ahead, Tim.

MR. GRINER: Well, then it may be helpful to look at this chart and have all of these different season dates run through for every single alternative, right, and so now you're -- I mean, why would you not look at Alternative 2 with a fishing season of May 1 through December 31? Why are you not --

MS. MARHEFKA: That's what it's doing. There's Alternative 2.

MR. GRINER: Here's Alternative 2.

MS. MARHEFKA: No, this Alternative 2, versus this -- There is two different Alternative 2s.

MR. GRINER: I see it now. Thank you.

MS. MCCAWLEY: Okay. I have a suggestion. I would say that maybe we just look at the recreational season and remove commercial season from this action. Does that sound like a good plan?

MR. GRINER: Thank you.

MS. MCCAWLEY: Okay. All right. Allie is capturing that. I am looking around the room at other people, and we're thinking that they really wanted to see a separate commercial season, then please speak up now. Otherwise, in order to stick with how we've normally managed some of these species, to eliminate some of this confusion, we're saying we're not going to look at a season for the commercial sector and instead focus on a season for recreational. Okay. I see thumbs-up. All right. Kerry.

MS. MARHEFKA: I can hopefully move us along a little further too, but I wanted to clarify that, by season, we still intend to have the normal closure, and then what happens after that, but I would like to suggest, possibly, that we move -- Okay, and so, in this case, because of this grid situation, and we want to get rid of something, and are we getting rid of both? In other words, the season -- Yes, just the season right now, and that's what we're operating on, right?

I think what I'm trying to do, and I think you get where I'm trying to go, is I would like to move Action 6, Alternative 2, to Considered but Rejected, the one that constrains the season, no matter what, to ninety-two days, to below what you have to catch it, and it doesn't seem like a viable alternative that we would want to consider in the future.

MS. MCCAWLEY: All right.

MS. MARHEFKA: **I will make that motion, if we need to to move things at this point.**

MS. MCCAWLEY: Okay. Motion by Kerry, and it's seconded by Amy. It's under discussion, and so does everyone understand what's happening here? We've basically taken the commercial part out of this action. If you look at the alternatives, it's still there for now, and it will get fixed at Full Council, and so, when we're moving Action 6, Alternative 2, to Considered but Rejected, you're really looking at that solely for recreational and moving it to Considered but Rejected.

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

MS. MARHEFKA: Please make that after "modifications to the verbiage and language", and do we need "verbiage and language"? Is that redundant? You can say whatever you want to say, and you get the gist.

MS. MCCAWLEY: All right. The motion maker is fine, and the seconder is good? Okay. I am looking at Amy, the seconder. You're fine? Okay. Good. Any more discussion on this? Do we understand why we're moving this to Considered but Rejected, because it's not utilizing all the quota? All right. Any more discussion? **Any objection?** All right. **Seeing none, the motion carries.**

MS. IBERLE: Really quickly, before I move off of this one, I have a draft motion, and we don't need to use it, but I have a draft motion to select a preferred for this one. I just wanted to make sure that we weren't considering that before we move off of it.

MS. MCCAWLEY: Well, do we need to look at the previous action, like Tim was saying, and pick a preferred on that, and then come back over here and pick the preferred?

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

MS. MCCAWLEY: Okay. Maybe both of these are a Full Council selection. Okay. Maybe we can knock it out now.

DR. BELCHER: Except Allie has got to check numbers before we can do that, right, the column swap?

MS. MCCAWLEY: You're right. Okay. Never mind, because we're not 100 percent sure these are the correct numbers, and we're not going to pick a preferred until we certain of that. Okay, and so no more preferred discussion on the previous action until Full Council, and then we will come back here to this newly-modified recreational season action, and pick the preferred at Full Council, and is everybody okay with that? Okay. Andy.

MR. STRELCHECK: I will go with the consensus of the council. What I was going to note, if we're going to come back to this in Full Council, is really need to think about the record, with regard to why we're selecting the allocation, right, and why is it fair and equitable, in terms of the distribution between the sectors, and how is this providing the greatest net benefits to the nation, right, all of those things that really are providing those socioeconomic benefits, and so, if we can be prepared to discuss that in more detail at Full Council, that would be beneficial.

Then I will note, since we were just talking about the recreational fixed season, you know, I often hear complaints, from recreational anglers, about the Fisheries Service coming in and setting the season, because it can be very disruptive, and we provide it maybe a month or two in advance, versus something that's, you know, fixed and kind of preplanned for them, and I don't like being in a position where you're taking the season all the way to December 31, and then I'm having to set the season each and every year, and it's constantly changing. I recognize that it depends on the accountability measure selected.

Looking at the alternatives that were on there, Alternative 3 certainly, to me, certainly brackets the core summer fishing season, which, to me, is beneficial for recreational anglers, and it also covers two major waves for MRIP, which is what were shown, in terms of kind of the spikes in landings, and so I would just lean towards that, as we get to Full Council.

MS. MCCAWLEY: All right. Thanks for that discussion. We made some notes about needing some additional information when we select the alternatives on allocation. Back to Allie.

MS. IBERLE: All right. That brings us to Action 7, which the IPT has split into two subactions. Subaction A deals with the bag limit, and Subaction B deals with establishing a vessel limit, and so, in December, we heard that you wanted this to kind of -- It looks very similar to the vessel and bag limit for gag grouper, and so I'm going to start with the bag limit, and so that's going to be this top chunk.

We don't need to pay too much attention to the recreational component or the vessel limit for this first subaction, and so Alternative 1, no action, both the scamp and yellowmouth, have a three-fish bag limit within the grouper aggregate. Alternative 2 would modify that to be two fish, either scamp or yellowmouth, and so, essentially, those fish, those two fish, are scamp/yellowmouth, and you're not identifying between the two within that grouper aggregate, and then Alternative 3 would be one fish, again scamp/yellowmouth, thinking of them as a single species, within the grouper aggregate.

Then Subaction 7B would be establishing a vessel limit. Currently, there is no vessel limit, and so Alternative 1, again, you're just looking at the current bag limit. The way that we've been kind of setting up vessel limits is that they're still restricted to the bag, and so that's how gag grouper kind of operated, and so, in this first column here, you would be dependent on whatever you chose for Subaction 7A for the bag limit that would ultimately restrict that vessel limit.

Then, as far as the recreational component, and so, again, we're looking at this in 53 with gag, in having a different vessel limit for private rec versus for-hire. For-hire, for the purpose of this subaction, is charter and headboat, and so you would be establishing a two or four-fish limit, and, again, "fish" being scamp/yellowmouth, and so you're not identifying between the two. It's either/or.

So two fish for the private component, four fish for the private component in 2A and 2B, and then two fish for the for-hire or four fish for the for-hire, in 3A and 3B, and so I did include your alternative language here, so you can see that. Table 4 looks at the percent change in landings for each bag limit under 7A and 7B, and this is based off of landings from 2018 to 2022, and so you can see, obviously, under the more restrictive bag limits, you're going to have a higher percent change, and then, under the more restrictive vessel limits, you're going to have a higher percent change.

Figure 4 shows you the distribution of scamp and yellowmouth grouper angler harvest from dockside intercepts, and so the vast majority of headboat is going to be that key-lime color, and then private charter, and so this is kind of displaying a little bit different from how your alternatives are set up, and so private and charter are lumped together within this figure, whereas your alternatives are lumping charter in with for-hire, and so just keep that in mind as you're looking at this figure, but the darker green is going to be private and charter, and then you have the number of angler trips, and so the vast majority of headboats, one per person, and then we've got a little bit more variation in the private and charter, mainly one fish, but you're seeing some people catching two, three, four, and so on out. Then Figure 5 is very similar, but this is per vessel, and so, again, key lime is the headboat, and the darker green is private and charter, and then you have the amount of vessel trips displayed there.

You're going to see a very similar set of tables for these projections. This first one is you're looking at the bag limit, and so the same deal. The vertical columns are each of your alternatives. Sorry, your allocation alternatives, and then each chunk is a different bag limit, and so this is a bag limit, and each vertical section is an allocation alternative, and so this first -- Again, Table 5 is bag limit alternatives, and then, in Table 6, you're looking at the vessel limit, and so I'm going to go back up to Table 5. Again, you're seeing a lot of Wave 4, Wave 4, Wave 5, and, again, I wanted to remind you that Wave 4 and Wave 5 is when landings are naturally tapering off for this fishery.

Then similar situations for the vessel limits, and so, again, you've got vertical columns are your allocation alternatives. Chunks of rows are your vessel limit alternatives, and so a lot of Wave 4 here, again, and so that was a lot of information, but I'm going to hand it back over, and I will go back up to this table to start us off.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: Allie, can you scroll to the -- It's page 20 in the PDF document, and it's the lime-green bar chart. I'm curious, and the gag/yellowmouth still confuses me, as far as what's currently allowed versus what we're going to allow, but it says no action, right now, is three fish within the grouper aggregate limit, and, if you look at these charts, there's a lot of catch over three fish, and am I not understanding that correctly?

In other words, 5 percent -- There's a full 5 percent, or what looks like 5 percent, of angler trips that are catching ten-plus fish, because, in theory, if the bag limit is three, anything to the right of three is illegal, and so I'm just curious, and I would be curious to know, because one of the things -- It's been a long time, and, if this is true, or, well, I guess, I don't -- It's been a long time since we could actually see a bag limit where we're like, oh, if we go to one, it will make a difference,

or, if we go to two, it will make a difference, but this would need to be accurate to sort of ascertain that.

MS. MCCAWLEY: Can we take a ten-minute, and then we'll check on some of these things? So a ten-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to get going again, and we think we have some answers, and so come on back to the table, and I'm going to turn it back to Allie, and we're actually going to go back to the sector allocation action first, and then we'll go back to the green bar graphs.

MS. IBERLE: All right, and so, Carolyn, your suspicion was correct. I had the basis years for these mislabeled, and so I just highlighted them in red, and so Alternative 4 -- These are the values based on 2013 through 2022, and so Alternative 4 is the ten-year, and then Alternative 5 is the five-year, and so those values are just now matched with the correct year basis, and, again, my apologies for that confusion, and so that was a pretty easy -- It was just a mislabeling issue there. Do you want to flip back to Action 7? It's up to you guys.

MS. MCCAWLEY: So then did you want to talk about picking a preferred, since we have figured out the answer to this question? I see people nodding yes, and so I've heard two different things about that table, and do you mind scrolling back up just a little bit, please? Thank you, and so it seemed like we had some discussion -- Well, let me back up.

It seems like our discussion is kind of honing-in around the split reduction method, and we heard one suggestion for Alternative 2 and then another suggestion for Alternative 3, and you kind of saw how these alternatives are playing out, when we looked at like the recreational season, et cetera, and so do we want to select a preferred here? I will put it back to the committee. It's seeming like we want Alternative 3, but I don't want to speak for the committee. Trish.

MS. MURPHEY: I was just going to say that I kind of prefer Alternative 2, for kind of the same reason that Tim said, that it just reflects, you know, the recent -- What's going on recently, and so that's my logic behind that.

MS. MCCAWLEY: Okay. Tom had a different suggestion for Alternative 3, and I don't know if you want to make that argument again, Tom.

MR. ROLLER: I would very much like to make that argument. Thank you, Jessica. You know, thinking about in terms of equity, and what it brings to the fishing community, Alternative 3, for a very small change of allocation, right, gives the recreational community a lot more fishable days, right, to very little cost to the commercial fishery, and so I think there's a huge cost-benefit there, and so that's why I'm looking at Alternative 3. I mean, a lot has changed in that time series, obviously, but it does give us a lot more potential compared to the commercial side.

MS. MCCAWLEY: It also seems like we're honing-in on this split reduction, or share-the-pain-share-the-gain, and so it seems like we're going back and forth between 2 or 3 as the preferred here. Are there other thoughts? Tim.

MR. GRINER: Well, I still like the 2018 through 2022 timeframe, and I think it's more reflective of where this fishery is, and I guess -- I hear what Tom is saying, but I'm still struggling with how do you pick this preferred if you haven't set the bag limit first, right, and so now we're back to that -- Right now, you've got a three-fish bag limit, and, well, none of this -- You can't compare what's in Alternative 2 until you figure out, or the number of days, until you figure out are you going to change that bag limit, because all of this is predicated on the current bag limit, and is that correct?

MS. IBERLE: So the numbers that you're looking at in this table are just your allocation percentages and sector ACLs. The table that you're looking at further down, they just show you your season, and your bag limit, underneath each alternative, and so kind of what we're doing is applying your allocation alternative, and so saying, okay, here is all of the options that you could allocate under each season, or under each bag or vessel, and so that's kind of why those tables are kind of big, is because you're looking at each allocation alternative for each one of those scenarios. Then what we had planned to do was, once we do have an allocation alternative, then what we can do is look at it a little bit more holistically, because we can eliminate having to include every single one of those allocation alternatives.

MS. MCCAWLEY: Tim and then Andy.

MR. GRINER: Yes, but I guess what I was -- I am just trying to be cognizant of what Tom was saying, and he was saying that he's just looking at an alternative for the allocation and thinking that that particular alternative gives him the most days, or is a big difference in days, for a little bit of difference in quantity, but that may not -- That's not necessarily the case, because you could reduce your bag limit down to one, under Alternative 2, and have a much longer season than you currently have now, right, and so I think -- You know, I go back to the 2018 timeframe, and trying to make it as equitable as possible for everybody to absorb these cuts, and then to share back the increase in ABC, as it comes year by year, but I don't think that you can just look at this table and try to put your finger on how many days does that give me, until you've figured out the bag limit.

MS. MCCAWLEY: Well, I would look back to Tom, after I go to Andy, and is there a particular table that you're looking at that is telling you that, and so I'm going to come back to you after we go to Andy.

MR. STRELCHECK: I would just caution against basing an allocation decision on some of the regulatory changes that we're also making, because I could make a similar argument on the commercial side. If we reduce the trip limit, it's going to give them a longer season, right, and, if we shift the start date of a season, it might give them more or less days, depending on how much fishing effort and what other fisheries are open, but what I think is missing is part of the discussion is the social and economic effects of this, right, and we don't, I think, have that currently completed in the amendment, but I wanted to confirm that with Allie.

MS. MCCAWLEY: Allie said not yet, and so we're still discussing -- So Tom and Tim are debating some tables. Kerry.

MS. MARHEFKA: While they're debating, I think I'm coming into line what with Andy is saying, which is really the discussion we need to be having, independently of anything else, is which timeframe -- I think what I'm hearing, from around the table, is that we all agree on some version of share-the-pain-share-the-gain, and so then it's a matter of us having a thorough discussion of

which timeframe makes the more sense, regardless of what comes out of that, and I can tell you that I don't know that I am in a position where I could make that decision between the ten-year or the five-year right now, at least -- I mean, I know, in my gut, kind of what I'm feeling, but to articulate the rationale, which I feel like we have to be really careful about doing here, and so what happens if we don't -- If we narrow down the share-the-pain-share-the-gain, but we don't choose a preferred today?

MS. IBERLE: I think -- I don't think that would be the end-all-be-all, and so what we would just do, moving forward, is I think we would have to think too about your management measure actions, and so season and bag, and then commercial trip limit, which we'll get to, and just kind of really consider whether or not we're retaining those actions, whether we're retaining the current alternatives that we have in those actions, whether or not that's, you know, still hindering what we're thinking about for alternatives, and then I guess, if you're thinking about season, really considering your AM actions as well, which you have a preferred for, I believe, the commercial sector, and the ability to pick a preferred for the rec, but I don't think it would hinder us too much, but we wouldn't be able to tailor -- I guess we wouldn't be able to tailor the analysis as much as we had originally thought, moving forward.

MS. MCCAWLEY: Okay. Tim and then Myra.

MR. GRINER: Well, I still lean toward Alternative 2, you know, and I don't see why we can't pick it as a preferred, but, you know, at the end of the day, that alternative -- The recreational sector ends up with a better percent than they currently have today. They are going to get -- Their allocation is going to grow, right, and the commercial is going to drop. It's not enough to really hurt the commercial side, but it is enough to make a difference on the recreational side, especially when you drop the bag limit. **I don't really see why we can't pick a preferred right now, and, again, I would move to pick Alternative 2, is what I would do.**

MS. MCCAWLEY: Was that a motion?

MR. GRINER: Yes, please.

MS. MCCAWLEY: Okay. We have a motion by Tim. Do we have a second? It's seconded by Trish. It's under discussion. Myra and then back to Tom.

MS. BROWER: Thank you. I was just going to try to encourage this decision here, but, also, you know, if you are not going to seriously consider Alternatives 3 through 5, or 4 and 5, then, you know, you could just remove those, and then we would bring the analysis back to you for just those two allocation alternatives, and it's just it becomes unwieldy, when you have a matrix of different scenarios, and then remember that we're bringing this back to you in June for you guys to possibly approve for public hearings, and so we need to really have some solid basis for the analysis, to get that done by June.

MS. MCCAWLEY: All right. Thanks, Myra. Andy and then Shep. Shep first.

MR. GRIMES: Thank you, Madam Chair. I was just going to say that, if you're going to remove alternatives, right, and I know I've made this comment before, but allocation is one of those things where you have a tremendous amount of discretion, and so that argues for looking at, you know,

a wider range of alternatives, but I would also say, in this case, it's such a small percentage difference between any of these that you really are doing that already, and, if you only want to look at the share-the-pain-share-the-gain, then we should provide some rationale to support why we're looking at a narrow range of alternatives. The IPT can help you with that, and we have some other actions in the document where we're going to need to do the same thing, but I just wanted to mention that. Thank you.

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

MR. STRELCHECK: Maybe Tim, or the seconder, can talk a little bit more about the rationale for the five years, versus the ten years, right, and so I guess my assessment is the five years is going to just be more reflective of current conditions, and that's one of the reasons why you're selecting it, and I did have a question though, which was, you know, during this ten-year timeframe, did we make any substantive regulatory changes for scamp that would affect how much could or couldn't be harvested by the sectors, because I think that's another important factor that we often look at, is kind of the stability of the management regime during a period in which we're allocating, and any constraints on harvest that might have been imposed on one sector over another.

MS. IBERLE: You're testing my shallow-water grouper knowledge, amendment history knowledge. This is in your amendment document, but I believe -- I want to say that the spawning season was 2016, which would fall in that range, and the other action would be circle hooks with natural bait north of 28 degrees, which I believe was 2016 or 2018, but I would want to make sure that that's correct.

MS. MCCAWLEY: All right. Thank you, Allie. I'm looking over here to this side of the table, to the motion maker or the seconder and others, on the five years versus ten years, if someone would like to speak to that. Tim.

MR. GRINER: Well, I think Andy is exactly right, and, to me, it's just more reflective of the current conditions. You know, I think -- Even though, the further you go back, maybe it paints a little bit rosier picture, but I'm not sure that we need to paint a rosier picture, and I think we need to look at the situation that we're currently in, and I think, you know, five years -- We've seen what this fishery has done in five years, and, you know, if you go back to 2013, we were crushing some scamps back in 2013, and so, you know, I don't think that's indicative of where this fishery is right now at all, and so, to me, that five-year timeframe is just indicative of how far this fishery has dropped.

MS. MCCAWLEY: Thank you, Tim. Trish, did you have anything you wanted to add to that?

MS. MURPHEY: Not really, and I guess the other thing that came to mind, when I was reading through this, and picking my own personal alternative, that, you know, the main thing that comes out is that this is reflecting, you know, what's going on right now, and then just thinking about the stock assessment and how the rebuilding plans were actually impacted by, you know, long-term average recruitment, and recent recruitment, and it just -- This fishery is so -- I mean, we're still talking regime shift possibilities and everything, and that just makes more sense, to me, to go with that more recent timeframe.

MS. MCCAWLEY: Thank you, Trish. Kerry.

MS. MARHEFKA: Some of my rationale is thinking about where we're at commercially with -- You know, grouper has to continue to be a little part of our portfolio, right, and it used to be, obviously, much larger, and it has gotten progressively smaller over the years, but, you know, we're taking a hit with having, you know, a lot of snowy on the market for that time of year, and we're, obviously, having gag issues, and, you know, our ability to remain economically viable, and it's really important that we have access to another shallow-water grouper, and, you know, we really rely on these species. They pay a lot of big bills, and we get, you know, very good money for these fish, and, you know, it's tough out there, and so, you know, sticking to this more recent timeframe, having that little bit more, even if it's just 1 percent more, and it can make the difference on a trip, and so, economically, that would be my rationale.

MS. MCCAWLEY: Thank you. Tom.

MR. ROLLER: Well, that goes the same for the entirety of the recreational industry, for-hire as well as access to all those private recreational anglers. We are losing access to these fisheries, for a multitude of reasons, and every single day that we get to target an iconic and important species like scamp, which, in my opinion -- They're one of my favorite fish to target, and I target them a lot, and they're found typically in slightly different habitats than some of our shallow-water groupers, right, and so they're ones that we can kind of independently target now, and that's where I look at this, and we're arguing over about a thousand pounds, and it has a much bigger impact on the recreational sector than it does the commercial sector.

Now, I know, once we go down and start looking at bag limits, it starts to constrain those more towards where they're very similar, and, if we look at that way, and the days become the same, I'm more amicable to deferring a little bit to the commercial industry here, but I think we have to look at this holistically, as part of this plan, and not just in this one individual alternative.

MS. MCCAWLEY: All right. All good points. Andy.

MR. STRELCHECK: I certainly agree that those were good points by Tom, and, I mean, I will state the obvious, right, and we can select a preferred today, and we can always change it, right, and so I think this will be helpful, at least for the IPT, wherever we land in terms of a preferred, but I would recommend that, in June, we look carefully at the economic analyses and some additional information related to the decision for allocation.

MS. MCCAWLEY: Thank you for that. Any more discussion before we vote on this motion? All right. **Once again, the motion is to select Alternative 2 as the preferred alternative under Action 5. All those in favor, raise your hand; those opposed same sign; abstentions. I've got seven in favor, two opposed, and one abstention. The motion passes.** Then, before we leave this particular action, do we want to remove the non-share-the-pain-share-the-gain alternatives and move them to the Considered but Rejected? Kerry.

MS. MARHEFKA: **I move that we remove -- I'm sorry, and I navigated away from it, and I believe it's Alternative 4 and 5, that we move them to the Considered but Rejected appendix.**

MS. MCCAWLEY: All right. Motion by Kerry. Do we have a second? It's seconded by Trish. We already had some discussion on this, and it seems like we have been hovering around these

share-the-pain-share-the-gain alternatives, and, also, there is not a lot of difference between these two, and we're also trying to get all of this analyzed and look at the economic information at the next meeting. Anything else before -- Any more discussion before we move those alternatives to Considered but Rejected? We're still typing the motion. Any more discussion? All right. **Once again, the motion is to remove Alternatives 4 and 5 to Considered but Rejected. Any objection?** All right. **The motion carries.** Now we're going to go back to those dastardly figures that we couldn't figure out before the break, and we have answers.

MS. IBERLE: Okay. I think I've got answers. I am going to start it off, and then we'll probably loop-in our analyst, Dominique, and she's on the webinar, and so I'm going to unmute her in just a minute, but I wanted to kind of set the stage. This amendment is kind of unique, in that, when we're looking at landings information for this complex, we're having to factor in -- We talked a little bit about this when we were talking about confidentiality and how we're displaying the landings.

We're factoring in both scamp and yellowmouth, and, currently, each of those species independently has a three-fish bag limit, but I think that would still -- You still shouldn't be seeing anything over six, because, in theory, you know, you have three scamp, and you have three yellowmouth, and you're still, technically, as it stands now, not exceeding the aggregate bag limit, and so I'm going to unmute Dominique, and then maybe she can shed some more light, or at least better than I can, on this.

DR. LAZARRE: I wish I had a better answer for you, and I'm feverishly rerunning numbers to double-check, to make sure that I couldn't have done something wrong. Something that Allie and I talked about is the fact that aggregating scamp and yellowmouth together might be part of the reason why you have some trips with these higher landings of scamp and yellowmouth, and it's not a great answer, but the other thing that I can offer is the sample size, and so, in the last five years of data that I used, there were only forty-seven angler trips where private or charter vessels captured scamp, or landed scamp, and yellowmouth, and so, if that ten-plus group is 5 percent, then we're talking about two trips that are impacting this graph, and so, even though these bars maybe look a little bit displeasing, we're only talking about a handful of trips, and so I did try to note, in the appendix, that this analysis was based on only forty-seven angler trips.

I was trying to decide between extending the time period to go back maybe even ten years, to increase the sample size, or to stay with the last five years, the most recent years, to try to ensure that I was reflecting more recent fishing behavior, and so one thing I can do is go back further in time and see if this trend stays the same, or if it's a little bit different, and then I'll be double-checking to make sure that I didn't accidentally double-count fish, but I think that this graph is accurate.

MS. IBERLE: I just wanted to clarify -- Thanks, Dominique, and I wanted to clarify -- She mentioned the appendix, and the appendix she's referencing is in the draft document, and not in this decision document, and so you have what we've started to formulate as your data analysis appendix in that document, and so the full information from her analysis is contained in that document and not in the decision document.

MS. MCCAWLEY: Okay. Do we still have questions on this? Amy.

MS. DUKES: Thanks, Dominique. Also, just from a perspective, since we lumped private and charter, could we have also been doing group catch through an MRIP intercept, where you could have also then had captain and crew, which would have raised your overall limit as well, just FYI?

DR. LAZARRE: I will do a triple-check of that, but, when I initially went through, I made sure to check for that. The variable that I was using should correct for captain and crew, but I can do a deeper dive into each one of the intercepts that are associated, to make sure that there isn't something weird happening to allow for those kind of higher bag limit trips that are associated with those percentages in the three-plus group.

MS. DUKES: Thanks, Dominique. I should have figured.

MS. IBERLE: So I guess we're kind of at a crossroads for 7A and 7B, and so, just recapping really quick, 7A was modifying your bag limit, which is currently three fish within the grouper aggregate, and then 7B was establishing a vessel limit of either two or four fish, and then you have the separation of -- Actually, I apologize, because I don't think that I mentioned this earlier, but you're modeling this off of gag, and so it was a per-day, or per-trip, vessel limit for each recreational component, and so I'm not sure if the committee prefers to wait until Full Council on this one, but it's up to you guys.

MS. MCCAWLEY: Thoughts here? Kerry.

MS. MARHEFKA: I mean, I just look at this as -- I mean, in the way that, as the commercial sector, we sort of decide whether or not we want a longer season or a higher trip limits, and I think it's up to the private recreational sector to decide whether or not they want higher bag limits or shorter seasons and all that.

MS. MCCAWLEY: Okay. I heard, not on the record, longer seasons were preferred, and so I heard that over on this side of the table. Trish.

MS. MURPHEY: Just to throw out this idea, if we go with what we did in gag, and was it two, a two aggregate, per vessel?

MS. IBERLE: With gag, we did -- Obviously, the wording for gag got a little confused, but the intention originally for gag was two fish per vessel for -- Sorry. Two fish per vessel per trip for - I have to come back up here, to make sure I'm not misstating. It was -- For gag, it was two fish per vessel per day for the private recreational component, and then, for for-hire, which was, in that amendment, considered charter and headboats, it was two fish per vessel per trip, and so we were assuming that those vessels could take multiple trips, and then they could harvest two fish per trip, four total per day, or, I guess, you know, however that plays out.

MS. MCCAWLEY: Which was super confusing in gag, and I'm just saying, and we have a framework action to try to fix it, and I'm just saying. Trish.

MS. MURPHEY: I was just wondering if we want to consider doing the same with scamp and yellowmouth as we intended to do with gag. I'm going to just throw that out there, because that was kind of where I was going.

MS. IBERLE: In writing these alternatives, I made sure to kind of check in with Mike and model the wording that they're using in essentially fixing the gag and black grouper situation, and so, in your alternative language, we're noting that we're establishing a recreational aggregate vessel limit. The aggregate here is pertaining to scamp and yellowmouth, and so, when you're reading "two fish", just like with that bag limit, it's two scamp/yellowmouth, and you're not identifying between the two species, and it's not two yellowmouth and two scamp, and it's just two fish.

We built in the aggregate vessel wording, to make sure that we don't have the problem again, but the IPT has really been diligent on the wording on this one, and making sure that we're getting it right, and the other thing, and this is, you know, obviously down the road, but the IPT, and council staff, is really wanting to make sure that we're digging into the codified text, when we get there, and making sure that we're reviewing that, both on our end and then reviewing it sufficiently with you guys, so that we know that what we're writing on the amendment side of it is translating correctly in the codified text, and so we've kind of got those safeguards built in place in moving forward with this one, to hopefully not have that situation happen again.

MS. MCCAWLEY: Trish.

MS. MURPHEY: I was just going to say my logic was -- I mean, don't you tend to catch gag and scamp and all those in the same -- It also would just be maybe easier for everybody if it's the same, and so that was also -- You know, that's some of my logic to that.

MR. ROLLER: Looking at this, and I'm just trying to make sure that I'm understanding it right, and so, looking down at the options for bag limits, versus vessel limits, and so Table 5 versus Table 6, right, and Table 6 is the vessel limit, and Table 5 is the aggregate limit.

MS. IBERLE: 5 is bag.

MR. ROLLER: 5 is bag. When we go to a vessel limit, it gives us less fishing days? I am trying to understand, to put my hands around that.

MS. IBERLE: So I think the vessel limit is just intrinsically going to be more restrictive than the current bag limit.

MR. ROLLER: Then we should get more fishing days, right, and so now in here it says we get less fishing days for the more restrictive option, and that's what I am trying to understand. There's something wrong, and it could be my brain, just to be clear.

DR. BELCHER: Mike, can you come up here for a second? Stay tuned for one minute, please.

MS. MCCAWLEY: All right, and so I think a couple of different things that we're going to do here. Since Dominique is online, we're going to try to get this question that's been on the table answered, and so we're going to do that, and then I believe we're going to stop work on this scamp document today, and switch over to gag and black, and try to stay until 5:30 and see if we can get finished with that document, and then we would come back to the scamp document in the morning, where maybe we'll be a little fresher, and a little bit more enthused about picking some items here, and I'm just saying, because we are a little behind, but we're going to try to make up some time,

and so, first, I'm going to pass it back to Allie, and maybe Dominique can -- It seems like she's ready to answer the question.

MS. IBERLE: All right, Dominique. I think you should still be unmuted.

DR. LAZARRE: I'm here. What's the specific question, why it seems like you're getting more days for a vessel limit versus a bag limit, or vice versa?

MS. IBERLE: Yes, vice versa.

DR. LAZARRE: So part of the problem, or part of the complexity, with this analysis is that, to generate -- Or to project the closure dates, I'm applying those percentages based on each fleet, and so the landing rate of headboats, private boats, and charter are all different, and they differ by wave, and so, depending on what the average landing rate is for each of those fleets, it isn't always straightforward what the total days will be, and so some of those fleets land slightly more, or less, than the others, and I think that's part of what you're seeing. I am working on rerunning this, so I could try to provide you with some more specifics, to exactly how or why the values are what they are, but I promise you that I spent many days looking at these numbers, and checking them, to try to make sure that there weren't any issues, and I will do another pass, to make sure that what you're looking at is correct.

MS. MCCAWLEY: All right. Thanks for that answer. Okay, and so we're going to stop here in this document, and we're going to pick it back up tomorrow, and instead we're going to move over to the gag and black document, and I believe that we're going to switch presenters, and then I think that the first order of business is to go into the LEAP recommendations from Scott, but, first, Mike needs to come up here and pull up some documents.

All right, and so Mike has it pulled up there, and these are the comments from the LEAP, and I'm going to turn it over to Scott to talk about this, and so this is specific to on-demand gear for black sea bass pots.

CAPTAIN PEARCE: All right. Good deal. We'll get through this quick for you all, and so, basically, we had our discussion in June on adopting the on-demand technology, and so the comments are as follows. Adopting on-demand technology may change the expectation for enforcement. There would be no buoys to indicate the location of the gear. Hence, officers would not be able to inspect the gear, while in the water, to confirm other requirements, like side panels, configuration, pot dimensions, et cetera. If the expectation does change, it should be acknowledged and communicated to law enforcement.

On-demand gear could be equipped with a GPS device, or pingers, to facilitate locating the pots. North Carolina has a new observer program that requires a call-in, and a similar approach could be considered for black sea bass pot endorsement holders to report pot locations. However, in-the-water gear inspections still would not be possible, because officers would not be able to access the pot.

The exempted fishing permit under which the feasibility of on-demand gear was investigated included an application that allowed fishermen to locate their pots. In addition to in-water inspections for pot specifications, on-demand gear allows the potential for pots to be deployed in

closed areas without being detected. Even if gear location reporting is required, fishermen that deploy pots in closed areas are not likely to report those locations.

The Law Enforcement Advisory Panel did not recommend against the use of on-demand gear. However, the advisory panel does note that, while on-demand pots provide a biological benefit of fewer whale interactions, they also come with the potential for fewer violations to be identified, due to reduced access to the gear in the water. The Law Enforcement Advisory Panel did not express an opposition to buoy storage within a pot as an appropriate indicator that the pot is not actively being fished during transit through a closed area, special management zone, or marine protection area.

I wanted to comment on one more thing here, if I can find it again, and so the key issue here is, obviously, you know, that you're looking at this for the right reasons, but just understand that it would limit law enforcement's ability to enforce that type of gear as we do it today, and so that doesn't mean that we couldn't adapt and readjust how we do things, and it's really going to be based on the expectations that you all have for law enforcement.

Some things to consider, obviously, are it would change the way we do things, but, also, talking about closed areas, you do create opportunity by allowing that type of gear, and you're allowing people to place that gear in areas they shouldn't, because it's undetectable, and so maybe we should look at other technologies, and maybe there's technology where law enforcement could find that gear, and retrieve it somehow, but I don't know.

MS. MCCAWLEY: All right. Questions? Tom.

MR. ROLLER: This is a little bit more of a comment, just to start a conversation, and, you know, I attended that AP meeting virtually, and I listened to this conversation, and what was very clear to me is that this sort of gear is alien to the Southeast, right, and it's not used in any other fishery, and our law enforcement really seemed to be kind of at a loss of how to perceive it and what to do with it. Now, the reason I bring this up is that it's not in the Northeast, and on-demand gear is common, and it's a huge topic, and I know the service is hiring people to address it, and I know there was a big law enforcement workshop, I believe at the end of last year, and so I think, as this goes forward, we should be looking for ways to utilize those resources, where this gear is being enforced in a more applicable manner, and learn from that, given that this is a pretty small fishery in general.

MS. MCCAWLEY: Thanks, Tom. Any other questions for Scott? Go ahead, Bob.

MR. BEAL: Not a question, but just kind of piling onto what Tom said, and, you know, the lobster fishery, and the Jonah crab fishery, up in New England have whale problems, significant whale problems, and there's up to a million vertical lines in the water up there, and they're trying to figure out how to deal with that, and so they've done a ton of research on this, and they've wrestled with some of the same issues that the Law Enforcement AP here is dealing with.

You know, up there, they have a lot of mobile gear conflicts with fixed gear that's not marked, and so they have tools to identify where the gear is, let other boats know where the gear is, so they don't trawl their net right through there and scoop up all the on-demand gear, and they also have some tools that are being developed to allow the law enforcement folks to run over an area and

identify what gear is down there, and, eventually, they're going to have the ability for law enforcement to trigger the buoy, and deploy the gear, so they can inspect it, and so a lot of this work is going on up in the Northeast. Granted, they have millions of dollars to do this research, and so there's no reason not to tap into those folks, and, if you want some names and contact, I can absolutely help out with that.

MS. MCCAWLEY: All right. Anything else? Any more questions or comments here for Scott? All right. I don't see any hands. Thank you, Scott. I am going to pass it back to Mike to dive into the document.

DR. SCHMIDTKE: All right. Thank you, Madam Chair. I will go ahead and jump right in. A lot of the background information you've seen before, and you've heard it before. We started this -- You all started this amendment to try to address the vessel limits for gag and black grouper, and there was some difficulty with the wording that came out of Amendment 53, and so you're trying to address that vessel limit.

Then, looking at the on-demand gear, the background information talks about the workshop that was held last year, in the fall, and, basically, it's exploring how to make this gear usable, or clarify its use and allowability within the region. One of the things to note here is that this amendment is not considering opening areas that are currently closed to pot fishing, and it's only considering whatever regulations would allow on-demand pots to be used in the same areas where roped pots are currently allowed, and so that's something to keep in mind as we move through.

Our objectives for this meeting are going to be take a look at the scoping comments, and those were detailed in the document. You have links to those comments that were submitted online, and we also held a couple of scoping meetings that I noticed there was some council members in attendance for those, and so those will be reviewed within this document, and then what we're looking to the council for is some guidance on the actions and alternatives that you want developed in this amendment.

We want to really nail down the purpose and need, and the actions, and the range of alternatives, that are going to be going into this document. We're hoping to -- Kind of looking at the timeline, we're hoping to assemble the IPT, have them meet in between now and June, and come back with a draft document in June that is put together enough for you all to consider it for public hearings, and so this is kind of moving at a pace that we're trying to have it done, and regulations effective, by 2025, when the exempted fishing permits for the on-demand gear -- When those expire, and so that's kind of the timeline, and the goals, of what we're trying to accomplish today.

First, coming to the purpose and need statements, I will pause here, and I'll give folks a chance to look those over and see if there are any glaring omissions, or edits, that are needed, and we can go on from there, and so I will take a second.

MS. MCCAWLEY: We're just giving people time to look at the purpose and need. It looks good to me, but we're just making sure that folks are okay with it. I see heads nodding yes, that they are okay with it.

DR. SCHMIDTKE: All right. Continuing to move us down, we did conduct scoping, and comments are summarized in the places where we heard them, for the actions within the document,

and there were a couple of comments that addressed topics outside of those that are covered within this amendment, and those are also viewable in the online portion, and so you can take a look at those.

We held webinars on the 12th and 13th, and you can see the description there. We got not a huge number of comments, but we did at least get a pretty wide swath of people. We got comments from folks in the for-hire component, the private recreational, the wholesale dealer commercial component, and so there was a wide range of different types of stakeholders that did provide comments here.

First, looking at Action 1, revising the vessel limits for gag and black grouper, this isn't in the official alternative format, and this is the summary of what it is right now, and kind of what it would look like moving forward, and we'll get that language lined up and amendment-ready by June, but Alternative 1, the current way that it's written, is that there is one -- Well, there is a recreational vessel limit for gag of two fish per vessel, and it applies per day for the private component, and per trip for the for-hire component, and then there is also another recreational vessel limit, and that is two black grouper per vessel per day for the recreational component, and per trip for the for-hire component, and so that's kind of the setup right now.

To respond to what you all have asked us to do, Alternative 2 addresses the private component, setting an aggregate bag limit of two gag or black grouper per vessel per day, and Alternative 3 responds to the for-hire component, setting that same aggregate limit, two gag or black grouper per vessel, except it's on a per-trip basis, and so, in order to kind of accomplish the goal that you originally stated of having that aggregate in each of those components, you would select both Alternative 2 and Alternative 3 as your preferreds.

In the discussion, we just note that kind of the rationale, and this has been talked about before, is that there's a recreational bag limit, and, right now, they're both -- Both of these species are within the grouper and tilefish aggregate bag limit, but they are also aggregated on a bag-limit basis, and they're combined on a one fish of either gag or black grouper per person basis, and so there were two comments from the scoping period, and both of those comments that were given supported the aggregate vessel limits that are talked about in draft Alternatives 2 and 3. I will pause here to see -- To check-in and see if this is the full range of alternatives that you all want to be explored in this action, and, if so, then we can go from there.

MS. MCCAWLEY: I think it looks good. It looks like it's making it consistent with the current bag limit. Of course, the devil is going to be in the details of the codified text, and so I look forward to seeing text, when we get to that point, but, otherwise, this looks like it captures our intention here.

DR. SCHMIDTKE: All right, and I will note that, when we develop the effects for this, kind of referencing what was done in Amendment 53, in Amendment 53, it noted that the majority of catches for gag and black grouper were on a -- About one fish per vessel for each of those species individually, but we will kind of explore if we're able to look at trips that caught both of those species and how often you were catching the grouped together portion of that.

Next, looking at Action 2, concerning on-demand gear, we've looked through the different regulations that are on the books for black sea bass pots, and, similar to the last meeting, those are

summarized in the appendix at the end of the discussion document, and I will scroll down, just so that you can see it for reference, and we kind of have a list of all the requirements that pot fishermen need to operate under.

In looking through these, and still the only action that we've been able to identify that could be changed to make these types of gear more usable is to revise the transit and stowage requirements, and so, right now, when transiting through a marine protected area, or a special management zone, the pot needs to be unbaited, and all buoys need to be disconnected from the gear, and fishermen have expressed that this is -- This is more burdensome when you use these on-demand pots, to take the buoy off of the gear, and so the one alternative that we have here is, under draft Alternative 2, that simply they can keep the buoys on the gear when they're transiting these zones, or draft Alternative 3 -- This action is actually similar to what is required right now for the seasonal closed area for black sea bass, that nearshore closed area.

They're actually allowed to put the buoy inside the pot, as kind of the indicator that they are not using it, and the fishermen have indicated that that's something that is more doable with the on-demand gear than completely removing the buoy from the gear, and so, within the scoping period, we had four commenters that expressed general support for the expanded use of this type of gear in the South Atlantic black sea bass pot fishery, and there were also four commenters that expressed support for not requiring that buoys be detached, as well as for storing the buoy inside the pot, and so it would seem to be pretty indicative of what the fishermen were looking for, and what the stakeholders in general were kind of looking for, in this type of action.

The IPT has been kind of having discussions about what potentially otherwise could be required, especially for on-demand gear that does not use a rope and buoy type of system, and we're actively talking, right now, with the General Counsel from GARFO, from the Greater Atlantic Office, and so we're hopefully going to get some more feedback from them. I'm not sure -- I'm kind of looking at Monica, and I'm not sure if we've gotten that feedback just yet, but I know the request is out, and we may get it later this week.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: The issue was whether we needed, as Mike said, to change any of the 622.189 regulations, which deal with restrictions and requirements for black sea bass pots, and those are separate from the transit issues that you were just talking about. In particular, you know, there's a sea bass buoy line marking requirement, and that also references regulations that deal with Atlantic large whale take reduction plans, and that goes to the certain markings of the lines that are connected from the buoy to the trap.

In looking through those, I don't think that we need to make any changes in this regulatory amendment, but, as Mike said, I'm conferring with a couple of people, one from my office and one from the GC in the Northeast, who deal with the Atlantic large whale take reduction regulations much more than I do, and one of them already said that she agreed, and didn't think we needed to even amend those regulations, but I want to hear back from the other person too, and so I will hear that at this meeting, and I will be able to let you know later in the week.

MS. MCCAWLEY: Thank you, Monica. Laurilee.

MS. THOMPSON: The requirements, you know, for where they can fish, because of the presence of the whales, and they're not allowed to fish their pots in shallower water, because that's where the whales are, and so, during whale season, they have to move their pots further offshore, and, in talking to some of the fishermen, they don't have access to the larger black sea bass, which tend to stay in the shallower water during the wintertime, and so would there be --

I mean, there's no question that this technology is going to be good for the whales, and it could be good for other marine mammals too, especially if it transfers into like the blue crab pot fishery and some of the other fisheries, but would -- Is this the appropriate place to maybe put in like a carrot that, if the guys would start using the ropeless gear, that they would be able to once again go into the shallower water, where the bigger black sea bass are in the wintertime? I mean, it seems -- It makes sense to me, and you might get better cooperation from the fishermen if there was an economic reason for doing so. Thank you.

DR. SCHMIDTKE: Thanks, Laurilee. That discussion came up a little bit in the workshop that was held on the ropeless gear, and we wanted to keep that separate from this regulatory amendment, because we have a black sea bass assessment that's coming to us, and you all are going to talk about that tomorrow morning, actually, and, when you get into opening new areas, then that brings up questions about how much effort is going to shift from one area to another, how much more efficient is it for fishermen to fish in that area, and so how is the catch going to change.

That's a conversation that can be had, but we've kind of seen, with the black sea bass assessment, that it's not looking very positive, at this point, and so the conversation of opening a closed area becomes more difficult, and we wanted to move this at a pace where the gear is at least noted that it can be used, if at some point, it becomes advantageous for the fishermen to use it in the future, but we wanted to keep that moving, separate from a potentially longer conversation about opening a closed area.

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: Also, Laurilee, I think there's an exempted fishing permit right now that allows fishing in that area that you're talking about, and so I would think that you would want the results of that, and that would help you determine if you want to change anything, and allow some fishing in that area, and I think we -- I can look into that, but I think that expires also in 2025, like Mike said.

MS. MCCAWLEY: Tim.

MR. GRINER: Well, I'm glad that Laurilee brought that up, because I was going to. You know, the entire reason for having that inshore seasonal closure was for right whales, and that's it. It was not for effort, or for anything else, and it was simply to protect the right whales. Now, I realize that we haven't made it mandatory to use this gear, but I do think that we need to keep the conversation alive, and have an action, at some point, that allows that, if you choose to use ropeless gear, that you don't have that inshore seasonal closure, because, if you look at our purpose and need, that's what our purpose and need for this was, and it was to minimize social and economic impacts, and just allowing that gear -- You haven't change any of your economic impacts at all, or

social impacts, and so this -- Opening those seasonal closed areas does do what this need says that we're going to.

In fact, with ropeless gear, there is no -- We have no valid argument, and we have no record saying why we would have that seasonal closure in the first place, because we did not do that inshore closure to slow down effort or not catch the bass, and so I think, you know, whether it's this document or another one -- You know, I don't see why it can't go into this document, but this is a conversation that we have to have, because, you know, at the end of the day, the purpose of need says what it says, and, if we've protected the right whales with ropeless gear, then there is no need for -- We don't have an argument for our seasonal closure.

MS. MCCAWLEY: Thank you, Tim. Kerry and then Laurilee and then Andy.

MS. MARHEFKA: I know we need to wrap-up here, but we had this discussion in September. We were never going to put it in this document, and we had to separate them, in order to get this through before the EFP expired, and so we agreed, in September, that it was going to be a different discussion, and, regardless of whatever the reason was that it went into place, we are going to have to face our black sea bass issues, and so it is going against why this was created if we put it in this document. We needed to get this in place before the EFP expired, and we will not be able to do that if we look at that seasonal closure.

MS. MCCAWLEY: Laurilee and then Andy.

MS. THOMPSON: Just a question, and can the recreational fishermen fish for black sea bass inside the shallow area that's closed to the pot fishermen?

DR. SCHMIDTKE: Any hook-and-line, commercial or recreational, and hook-and-line is allowed in that area, and it's just the pot that would sit with the vertical line remaining in the water column.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I'm going to take us in just a different direction, and sorry, and it's late in the day, and I'm a little tired, and so, Mike, you might have said this, and so one of my concerns has been if we're doing enough, in terms of modifying the regulations to allow for future use of these types of on-demand gear, right, and so my understanding is the industry is interested in primarily using the pop-up buoy with the rope attached, right, which is essentially what we're using now, without the po-up feature, right, but there are lift bags that can attach to these traps, and there's like a spool, with a rope on it, that I know has been evaluated, and are we hearing anything from industry members about those other types of gear, because I would hate to kind of implement this, and then we essentially have to come back to the table if they want to look at other types of on-demand gear that we hadn't considered.

DR. SCHMIDTKE: So, in the conversations that I've had with a couple of the fishermen that participated in that EFP study, they've tested several different types of gear, and their preference still seems to be the form that has the rope and the buoy, and that's one of the things that Monica is looking into, that she's talking to other GCs about, because what may be the case is it may be that those regulations only are applicable to roped gear, like gear that has a rope, and we're trying to figure out what, if any, regulatory changes are necessary to accommodate those other forms that

you're referring to, and so that's the conversation that's kind out there that Monica is investigating, but we are keeping that in mind. The initial impression is it seems like we may not need to do anything more, but we're going to fully vet that question.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Is it possible to set parameters for what you want the gear to accomplish and then leave some discretion for approval of gear as you go, or is this something that needs to be specifically described now?

DR. SCHMIDTKE: I'm not sure, just in the sense that -- The question that we're kind of working with GC on right now is how are the regulations that are in place right now -- How they are to be interpreted, because they were written at a time, and for a specific type of gear, that had the rope, and how to interpret those in the context of gear that has no rope and no buoy at all -- That's kind of the question that's out there, and so that's what we're looking into, how much flexibility that allows people.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Not to belabor the conversation, but there's requirements from the Large Whale Take Reduction Teams, in terms of rope markings, right, and so I think that's the issue, is how would traps without ropes, at that point, be marked, and what those requirements be, and then, like today, we're looking at stowage requirements, and so how do we handle stowage for something that doesn't have a rope or a buoy on it, and it's a different type of gear, and it's really kind of like a new gear type, or a modification of an existing gear type.

One thing, real quick, that I will mention, and so I wholeheartedly agree with Tim, right, that we need to come back and visit, you know, the regulations, and we shouldn't be doing this if we don't foresee the use of it in areas that have been previously restricted. We have the overlay of a very ugly stock assessment, right, and we also have to look at this from the standpoint of a lot of complexities. If we start opening up an area to certain trap harvest, how does that affect when the quotas are caught, when catch limits are met, and how does that redistribute effort between different gear types, and so all of that, I think, is going to take us quite a bit of time to sort through in our next amendment.

DR. SCHMIDTKE: So, coming back to draft Action 2, I guess the same question as Action 1. Are you all okay with the range of alternatives here, and the inclusion of this action as it is, and we'll develop the effects analysis in between this meeting and the next?

MS. MCCAWLEY: I would say yes. I'm looking around the table, and heads are nodding yes.

DR. SCHMIDTKE: Okay. Then, in that case, we've already kind of gone over this other portion, and there were a couple of additional comments here in the scoping, some along the lines of what was said around the table here, that the fishermen -- The commercial black sea bass pot fishermen are interested in getting back into that nearshore area, and so that's something that has been discussed, and it will be addressed in future actions, potentially in Amendment 56, that you all are going to be talking about tomorrow, or some other action down the line, however you choose to proceed, but, for this amendment, that is all I think that we need. We just wanted to check-in and

make sure that you were okay with the actions and alternatives, and the IPT will continue developing this document and bring it back to you for consideration for public comment in June.

MS. MCCAWLEY: All right. Thank you, Mike. Thanks to the committee for staying a little bit longer today. I'm going to pass it back to the Chair to tell us what time to be at the event tonight, as well as what time we're starting in the morning, and I believe that the intention is to go back to scamp in the morning.

DR. BELCHER: Yes, and Jessica is correct. We're going to start up with scamp, to give Allie some time to see what they can circle back on. Tonight's -- I don't know what you want to call it, but event, I guess, and I don't know what the weather has been like, and I haven't really been paying attention, and so Doug had arranged for folks, if they wanted to do a ride out on the vessel, and it's not raining, and the boat is available.

We weren't going to eat until close to 6:45, and so, the sooner people got over there, and, if you wanted to ride, you could get on the boat, for about twenty minutes, and he was thinking two or three groups of folks to go out into the sound and come back, but, yes, dinner -- Otherwise, you want to get over there for whatever is convenient for you between 6:00 and 6:45. Tomorrow morning at 8:30 here. Lots of coffee and not too many Red Bulls.

(Whereupon, the meeting recessed on March 5, 2024.)

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MARCH 6, 2024

WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at The Villas by the Sea Resort, Jekyll Island, Georgia, on Wednesday, March 6, 2024, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: All right. Let's go ahead and get going. All right. Good morning, everybody. We are going to move back to the scamp amendment, since we're fresh this morning, and I'm going to turn it over to staff, and John is going to offer a few words, and then Allie is going to dive back into the document with a few suggestions on how to keep us moving through this more expeditiously at this meeting.

MR. CARMICHAEL: Thanks, Jessica, and, you know, we've been looking into those analyses that we were talking about yesterday, and clearly there needs to be a check on those, and maybe a refresh, and an update, to find out what's really going on, but, you know, what I wanted to comment on is, you know, yesterday, we kind of really got into the weeds on that, and, if you think about what we're dealing with, and the uncertainties that were in the assessment and the projections, and the uncertainties that are in the MRIP data, we're talking about, what, like forty-seven anglers, fifty-some vessels, and there was a very, very small amount of data, as was

acknowledged, and so it's hard to really know what's going on when you have that kind of information, that's virtually uncertain, but none of that uncertainty shows up in the analysis.

You know, we're talking about 104 days, versus 108 days, totally ignoring that it's probably plus-or-minus 100 percent, in some cases, on the numbers that we're working with, and, you know, we're sitting splitting hairs with a chainsaw, and that's why it's a great big mess, you know, but I don't think that that means that the council can't move forward, you know, and that's the important thing.

Like you know what's going on in this fishery, and you have pretty clear evidence that, you know, even the three-fish bag, that people aren't coming close to catching it, you know, realistically, in most cases, and, you know, you could pick some things that make maybe common sense, in terms of your overall multispecies snapper grouper fishery, such as possibly aligning what you do with scamp with what you're doing with the rest of the shallow-water groupers. You know, something like one scamp within that shallow-water grouper mixture would be, you know, maybe an easier thing for the fishermen to understand, and not having a whole separate other regulatory situation out there for scamp. I think that would be good.

You know, it puts protection on -- That's the other thing you need to be thinking about, is, you know, right now, the stock is very low, and nobody is really catching that many scamp, but, if the stock gets better, as we hope, at some point, there's going to be more fish, and more availability, and more catch, and you need to have regulations in place that, you know, keep things from running out of control, which is what, you know, a low limit could do.

Then, you know, when it comes to the seasons, and I'm glad that we were going in the direction we were, is just to keep that aligned with MRIP. MRIP is a two-month wave, and, if you split the wave, you're adding more uncertainty, and we already know it's tapering off in the latter half of Wave 4 anyway, and so, you know, whether or not you think you have enough catch to get all the way through Wave 4, and bear in mind that's grossly uncertain. You know, we just really -- We have to do the numbers, because we're required under Magnuson, and to show what the impacts are, but, in a practical sense, there's a lot of uncertainty, and I've always felt that it's a bit unfortunate that we focus a lot of uncertainty on the assessment, and in the projections, and that doesn't go away when we get to these analyses.

You can't put all that into these tables, and it would be excessive, but, you know, when you're working on what's the best action to take, I think that needs to be factored into it, and, if we can align this with shallow-water groupers, it might be a good way forward, and then the IPT can get to the bottom of these analyses, and they can look at it from that perspective and have some good guidance to move on from this meeting.

MS. MCCAWLEY: Questions on any of that? Questions for John? Yes, Tom.

MR. ROLLER: Thank you for those comments. I think that's providing some clarity, and a path forward, and we were all really confused with some of the numbers in there, but some discussion I had, and I would just offer it out there, and it seems to think that this is simply just a fishery that has a smaller ACL now, and we're not really getting much benefit from vessel limits, or from reduced bag limits, but the question is how much regulatory complexity do we want to add on top of that, right, and, I mean, should we consider just having a shorter season, to make it simpler for

fishermen, and I guess the only thing that worries me about scamp is my own experience, is that we call them a shallow-water grouper, but they're a deeper shallow-water grouper, and so my curiosity would be how do we have -- What sort of like release mortality figures, or depth figures, do we have?

They're also one of these fish that they're not -- I'm not going to say they're not as hard to catch as other grouper, but you're going to catch them incidentally to other things, because they tend to eat smaller stuff, right, and so my concern is that we're just going to have this like steady stream of discards is we put too much regulation on them, and so I'm just offering up a thought.

MS. MCCAWLEY: Thanks, Tom. Anybody else? All right. Thank you, John. I say we turn it over to Allie and let her backtrack a little bit in this document.

MS. IBERLE: All right. I wanted to start today actually going over -- Sorry that I jumped straight to -- I'm under Action 7 in the projections, discussing Figure 4, and so, yesterday, Amy mentioned that the issues that we were seeing with the ten-fish per angler may be caused from the MRIP grouped catch, and you in fact were in correct, and so you nailed it. What we're seeing is this is not adjusted for the MRIP grouped catch, and so I added in this additional figure this morning, and I just called it 4a, and so we're still matching it to the previous figure, and this is adjusted for the MRIP grouped catch, and so it's kind of looking a little bit more like we would expect it to and not like there's a ton of illegal fishing, and so I wanted to start there and kind of pause and see if anybody had any questions on that figure.

MS. MCCAWLEY: Thanks, Allie. Good call on having your caffeine yesterday afternoon and being ready to ask questions about this. Any more questions on this, as we're moving through the document? Yes, Kerry.

MS. MARHEFKA: Just what I surmise then from this is that even going to a one-fish bag limit isn't going to have that much of a reduction, and is it fair to make that -- Based on what we know about the data now, can we use this chart in that quick-and-dirty analysis we do in our heads?

MS. IBERLE: Yes, I think that that could -- You know, if you're not wanting to take action on modifying the bag, or establishing a vessel limit, this could be kind of what we put and build-in, you know, based in your discussion, for moving this to Considered but Rejected and saying, you know, in looking at the way the fishery is operating, you know, the majority of catch is a single fish per angler, and so the modifications wouldn't be constraining harvest. I think that makes perfect sense, if we're not wanting to move forward.

Then I guess my -- For guidance for the IPT moving forward, and, if we want to stick on Action 7, that works perfect, and so are we wanting to leave this action in, are we wanting to leave in the bag limit, or the vessel limit, and I just want to make sure that the IPT knows the direction, moving forward.

MS. MCCAWLEY: Can you go back up to the action, because I can't remember everything that's in there.

MS. IBERLE: Just a recap on Action 7, Subaction 7A and 7B, and so 7A is modifying your bag limit, and so, currently, there's a three-fish bag limit within that grouper aggregate, and then your

two other alternatives are reducing that to either two fish or one fish, and then Subaction 7B was establishing your vessel limit, and so no action would be not establishing that vessel limit, and then Alternatives 2a and b pertain to only the private recreational component, and you're establishing either a two-fish or a four-fish vessel limit per day, and then Alternatives 3a and 3b deal with the for-hire sector, which, again, for-hire, within the purpose of this action, is referring to charter and headboats, and then you would either have the option to establish a two-fish or a four-fish per trip vessel limit, and, again, that's just for that for-hire component. Then, as a reminder, for gag and black grouper, you did select a preferred for a two-fish per day for the private vessel limit and then two-fish per trip for the for-hire, but that species already had a one-fish-per-person bag limit within that aggregate.

MS. MCCAWLEY: All right. Thank you, Allie, and so thoughts on this? Tom.

MR. ROLLER: I'm going to go back to my comment about like layers of regulatory complexity here that are unnecessary, right, and so, when I look at all of this, I'm trying to figure out how we get the days in this fishery, and, if we were going to analyze a vessel limit, and it was going to give us more days, I think that would be acceptable to the fishing public, and I'm not seeing that in this analysis, and so I'm not -- I'm a little hesitant, because I don't really -- I'm not going to say that I don't trust -- The analysis of it doesn't make sense to me, and so it makes me wonder what's going on, and so I'm a little bit on the fence of whether we get rid of it or whether we keep it.

I'm leaning towards we just get rid of the vessel limit, because it doesn't seem to be of benefit to the fishermen, and I would also make the same comment on the bag limit, right, particularly given my comments that these are a deeper-water fish, and I don't see the benefit to the fishing season, right, by having a smaller bag limit. This is essentially going to be a fishery that just closes a little bit earlier, right, and, I mean, we had some discussions about it opens on May 1, and the fishery is open year-round, and it tapers off in early September, and we're looking at a Wave 4 closure, probably early to mid-August, correct, and so do we really need to add more rules that are just going to -- There really is not going to be any benefit to for-hire or recreational at all?

MS. MCCAWLEY: Yes, and I kind of agree with that. I am thinking maybe this goes to Considered but Rejected, or maybe we look at it one more time at Full Council, and then it goes to Considered but Rejected, but I definitely agree that I think the vessel limit complicates it. Kerry, and then back to Tom, and then to Shep.

MS. MARHEFKA: The only thing that we might want to consider, and John made this point earlier, is that we're not necessarily managing just for what happens right now, and things will be different as the fishery rebuilds, and, while vessels may be just catching one fish right now, as the fishery rebuilds, they might get on a pile of fish, and then are we sort of undoing what we did, and so that makes me want to consider this a little further.

MS. MCCAWLEY: All right. Great point. Back to Tom, and then we'll go to Shep.

MR. ROLLER: I just go back to my comments, and I appreciate what Kerry is saying, but I just don't see the benefit here as it stands, right, and like with this vessel limit, and we keep talking about it, and, I mean, I'm only interested in keeping it if we could get more analysis of it, to see what it would look like, but I'm at this point where I would move to put it into Considered but Rejected.

MS. MCCAWLEY: All right. Thanks, Tom. Shep and then Tim.

MR. GRIMES: Thank you, Madam Chair. I just wanted to note, relative to the discards aspect, right, we would avoid bag limits, because people are going to continue fishing, and they're going to be discarding these, what they're catching in excess of the bag limit, but, even if you go with the closed season that we're talking about, if you don't actually prohibit people from fishing, they're going to continue to be out there discarding, just like they are with many other snapper grouper species we have. Thank you.

MS. MCCAWLEY: Tim.

MR. GRINER: Thank you. You guys raised some great points, but, you know, to me, I look at it as the fishery is in trouble, and the commercial side is going to take a hit on our trip limits. We have to. You know, we can't keep fishing a thousand pounds of fish when the fish is in trouble, and so I don't know what the rationale would be, on the recreational side, if a fishery is in trouble, not to reduce your bag limit. To me, I don't know how you can justify that.

You know, I am guessing that all of this -- I'm sure all of this is now in FES numbers, and all these analyses are done with FES, and is that correct? Yes, and so it's kind of hard to go back and, you know, look at the last five years on the ACL monitoring page, because they're in Coastal Household Telephone Survey, but, even if you look at that, and you know there's a multiplier there somewhere, you can see that they haven't even come close to catching all their fish, but, now that we're reducing the overall ACL, I don't think you can maintain your bag limit at the same rate and expect that you would come out with the same outcome, and so I don't think you can really just have this considered but rejected. I think you really have to dig into this, and, you know, find something that you can live with.

MS. MCCAWLEY: Before I go to Tom, so Allie suggested another way to do this would be to not pick any preferreds here, and keep this action in this part of the document, and it ultimately goes out for public hearing and public comment, and, also, they could continue working on the analysis, and so that's another way to do it that doesn't force us to pick a preferred. Tom.

MR. ROLLER: I just want to go back to my comments and say, when I was talking about Considered but Rejected, I'm looking at the vessel limit. I think the bag limit is worthy of consideration and discussion, right, and at least we can look at it, and I'm very cognizant of Kerry's comments. We're going to have a fishery that's going to rebuild, and we may have some unintended consequences, right, and, even in a fishery in those sort of state, three seems a little excessive.

Again, that's more of an anecdotal observation, and not a data observation, but I guess it still goes to my concern as a fisherman, because, for me, scamp are not necessarily -- I can target gags, and scamp are something that I'm more of in an area where I'm going to catch them, and you catch them doing different things. You catch them fishing for triggerfish, and fishing for beeliners, and using small dead bait, as well as live bait, and so there's something that -- While you can target them, they're going to be more -- You're going to catch them while you're doing other things as well, and that comes to the whole discard thing, particularly when you're in more than 130 or 140 foot of water.

MS. MCCAWLEY: Thanks, Tom. Spud.

MR. WOODWARD: Have we truly exhausted all sources of information about the efficacy of a vessel limit? I mean, how about the Release app? I mean, is there anything that we haven't used that might give us some information about encounter rates, because, you know, that's what I'm curious about, because, if we don't have anything more than what we have now, then, obviously, I think we're on pretty thin ice, but have we got something that maybe we could look at that we haven't, or differently?

MS. MCCAWLEY: Great question. They're debating who is coming to the table to answer that question. Chip, let's start with you.

DR. COLLIER: Well, when we started the Release app, it was really designed to collect information on scamp grouper. Unfortunately, it is a very rare-event species. When you look at the percent of coverage, we were actually doing fairly well, and we were getting about 5 percent of the fish that were being reported through MRIP that we were getting in the Release app. However, it's a very low number. I mean, it's like less than ten, and so we're not -- I don't think I would be any more comfortable trying to say what would be happening on a trip.

I did dive into the MRIP numbers, and looking at the number of releases, and it's small relative to the number of fish caught right now, and about a third of the releases that are occurring right now are occurring during the closed season, and so I'm suspecting the other two-thirds are likely due to the size limit or something else.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I mean, I appreciate the discussion, and, you know, I think where I'm at, this morning, is what Allie is suggesting, right, and let's keep these actions, and alternatives, in, including the vessel limit for now, and I think we can come back to this in June, if we have some time with public hearings, and make some better decisions at that point. I will mention, because you were thinking about, you know, additional data sources, and we could look at the SEFHIER data. I don't, you know, know if it will be representative, right, at least for the for-hire portion, to see if there's anything that could be gained in terms of vessel or bag limit information, but it's certainly not going to be a full sampling of the fleet.

MS. MCCAWLEY: All right. Spud.

MR. WOODWARD: I guess, you know, my interest in this is, like has already been discussed, is forward-looking. It's where do we take the actions now that we think will do the best to constrain harvest in the future, you know, being optimistic that this stock is going to rebuild, and, you know, how do we strike that balance between, you know, opportunity for individuals to land a fish, but yet, you know, constrain that harvest down, so we don't get ourselves back in the same situation that we're in.

MS. MCCAWLEY: All right. Amy.

MS. DUKES: Thank you, Madam Chair. I tend to agree with a lot of what's happening around the table, and specifically to that vessel limit, and leaving that in there. We talked a lot about how we want to frame this and follow gag, and, if we take that vessel limit out, is there a consideration to put in the retention from captain and crew being off the table, because the vessel limit kind of gets there without stating it.

MS. MCCAWLEY: That's a great point. All right, and so what is the pleasure of the committee? It seems like we're kind of hovering around leaving this in the document, at least for now, and no preferreds, and let folks think about it, and are we good enough on this discussion for right now? I see thumbs-up, heads nodding, and I'm going to turn it back to Allie to keep moving through the remaining actions in the document.

MS. IBERLE: All right, and, really quick, before we keep going from Action 7, I just wanted to do a quick pulse check on what we went over yesterday, so you guys kind of can see where we're going from here, and so we reviewed your preferreds, and I want to remind everybody that we talked about removing the draft alternatives for the OY, but we hadn't selected a preferred for OY, and then you did select a preferred for your allocation options. I went ahead and highlighted your preferred allocation alternatives in these big, beefy tables, so it's a little easier to follow, and then I just labeled that as "committee preferred", so you know that this hasn't gone to Full Council at this time.

All right, and so that will bring us to Action 8, and so this is establishing an aggregate commercial trip limit for scamp, and so that "aggregate" word is in there to try to make sure that we're not having a gag and black grouper situation, and that, when we're talking about any commercial trip limit that would be established, it's for scamp/yellowmouth, thinking of them as a single species.

Alternative 1 is your status quo, and there is currently no commercial trip limit for scamp or yellowmouth as they are right now, and then we modeled these alternatives off of what was presented in Amendment 53, and so you start at 200 pounds in Alternative 2 and graduate out to 500 pounds in Alternative 5, and so you have those weights there. The one thing that I did want to note is that the 200, 300, 400, and 500 pounds are in whole weight, and so your ABC, and your total ACL, and sector ACLs, and so everything across-the-board, your catch levels, those are being displayed in whole weight.

The IPT discussed whether or not the council -- If we are establishing a commercial trip limit, whether or not the council would like to have that be tracked in pounds gutted weight, and so we have converted that here for each of these alternatives, but then, if we're having the commercial trip limit be displayed in pounds gutted weight, we may need to revisit, and convert, the numbers for the commercial ACL, so that those match up, and, when you're comparing those, you're comparing apples-to-apples there.

As far as the projections go, Figure 6 shows you the distribution of scamp and yellowmouth grouper trip harvests between 2020 and 2022, and so you're seeing a vast majority of trips are catching between zero and fifty pounds whole weight, and so, again, everything you're seeing right now is in whole weight, and this is broken out by year, and so you can see each year from 2018 to 2022 broken out, and then Table 7 shows you the reduction associated -- The percent reduction associated with each alternative.

Then Table 8 is the big, beefy table, and, again, I highlighted your preferred allocation alternative, and so, essentially, what you're going to be looking at is that highlighted column, and then each chunk of rows is going to be your commercial trip limit alternative, and so this first section here is Alternative 1, no action, 200 pounds, 300 pounds, 400 pounds, and then 500 pounds, and so we don't -- If you're not considering those other allocations, you can disregard the rest of the chart, but I didn't want to remove that, and so I will turn it over.

MS. MCCAWLEY: All right. Thanks, Allie, and so a couple of questions here. One is gutted weight or whole weight, and what's the preference, and so think about that in your comments, and then, also, would you like to pick a preferred for establishing a commercial trip limit for the aggregate? Allie just reminded me that, on gag, we went with a 300-pound trip limit.

MS. IBERLE: I believe it was gutted. Could someone --

MS. MCCAWLEY: Okay. Mike says it's gutted. We're checking on the gag ACL, to see if it's in gutted weight or whole weight for commercial. Tim.

MR. GRINER: Well, I think it would be nice if we could keep it consistent, and so, you know, if we're doing 300 pounds gutted for gag, I think 300 pounds gutted for scamp would be appropriate too.

MS. MCCAWLEY: Okay. Mike, the ACL gutted weight or whole weight? Gutted weight. Okay. All right.

MR. GRINER: So would we need to change something in here to have an alternative for 300 pounds gutted weight, because, right now, it's 300 pounds whole weight, and so can we change that?

MS. IBERLE: If you're looking at these alternatives, right now, they have it listed in whole weight, but then we have converted it, and so, if you're looking at 300 pounds whole weight, you would be at 254 gutted, or, I guess, then you can choose to say we just want to make it 300 even gutted, and then what we can do is the IPT can -- I will capture direction to staff here in a second, but we can make these kind of easier to digest in even gutted pound -- Or gutted weight, and then the other thing that the IPT will do is, the next time you see the commercial ACLs in the allocation alternatives, those will be displayed in gutted weight as well, so that you've got a good comparison, and so those numbers will appear to change, but it's just that conversion.

MS. MCCAWLEY: Tim.

MR. GRINER: Thank you for that, and I think that's great, a great idea. I mean, you know, when I look at the amount of trips that are landing 300 pounds gutted right now, it's not very many of them, and, I mean, that's -- I don't think we've had many trips where we even came close to 200 pounds, but, as we talked about earlier, you know, if everything goes right, it's going to rebound, and so I don't want to hamstring us to the point that, once it's rebounding, we're throwing away fish again, and so I think 300 pounds gutted is plenty. **I think, you know, once it rebounds, you will see trips getting back to that 300-pound range, and so I would like to make that as our preferred.**

MS. MCCAWLEY: Okay. Allie is capturing some direction there, and so it sounds like, once we get the poundage converted to gutted weight, that we're selecting whatever alternative is equal to 300 pounds gutted weight. It looks like you're capturing that there. It doesn't have a number alternative yet, and so -- Okay. All right, and so we have a motion by Tim, and we're modifying it a little bit there on the board, and it's seconded by Kerry. Trish, you had your hand up earlier.

MS. MURPHEY: Yes, and I had some discussion with DMF staff about the trip weight for scamp and yellowmouth, and we discussed whether to go with the 300-pound or the 200-pound, and we -- At least in North Carolina, they're not getting -- Most of the trips are mostly day trips, and the multiday trips don't really exist anymore, and there are maybe a couple of boats that do it, and they're saying they're not seeing the landings like they used to, and so we were -- We're thinking 200 pounds whole weight would be appropriate. The other consideration, at least in North Carolina, is there are a couple of spearfishing boats that will do multiday trips, and take, you know, as much as 500 pounds, and so just to throw that into the discussion.

MS. MCCAWLEY: So then, Trish, you said 200 pounds whole weight, which the conversation looks like that's 169 pounds gutted weight.

MS. MURPHEY: Yes, and we were discussing whole weight at that point.

MS. MCCAWLEY: Thank you. Tim.

MR. GRINER: I appreciate that, Trish, and that's helpful information, but I think that's too low. I think, once this rebounds, then you're starting to throw fish back. You know, as much as it pains me to say, you know, the spear fishermen are going to take it on the chin here, one way or the other, and that's very unfortunate, because that's a clean fishery, but the fishery is in trouble, and it's very easy for a spear fisherman to target this fishery, and so I think the last thing we want to do is make it to where, once this fish rebounds, that spear fisherman is still hamstrung to 169 pounds of fish, and that's just not fair to them. Thank you.

MS. MCCAWLEY: Thanks, Tim. Kerry.

MS. MARHEFKA: Just a little more rationale that the 300 is also consistent with what we're doing with gag, and so it's pretty easy to be like 300 scamp and 300 gag. We all know, at the beginning, no one is going to reach it, but let's hope that, at some point, we will get there.

MS. MCCAWLEY: Also, just looking at Allie, when we fix these alternatives, I'm assuming that, when you reflect them in gutted weight, that you're going to have, you know, 200 and 300 gutted weight.

MS. IBERLE: Yes.

MS. MCCAWLEY: All right. Just making sure that we would have alternatives there that also match what Trish is talking about. Trish.

MS. MURPHEY: I just texted one of my folks, and it was gutted weight that we were talking about, and so I take it back.

MS. MCCAWLEY: All right. Thank you. That helps, and that will also help in the alternatives. All right. We have a motion on the board to select 300 pounds gutted weight as the preferred alternative under this action. Once again, part of the rationale is we're matching gag. Any more discussion here before we vote on this? All right. **Any objection to this motion?** All right. **That motion carries.**

MS. IBERLE: All right, and so that will take us to starting to look at your accountability measure actions, and so first is Action 9, which is your commercial accountability measure. I want to spend a little bit of time on this, but you already have a preferred selected. The preferred that you currently have selected is essentially the status quo for both scamp and yellowmouth, and so you have an in-season AM, where, if commercial landings reach, or are expected to reach, the ACL, the commercial ACL, then the commercial season closes, and then you have a post-season AM where, if the commercial landings exceed the commercial ACL, the total ACL is exceeded, and the stock is overfished, the commercial ACL is reduced for the following year by the amount of the overage, and so all three of those triggers need to be met for the post-season AM to be triggered, and so that's what you have currently selected for your commercial AM.

The other option that we had presented to you was that uncoupling, is how we've been calling it, of the post-season AM, but we have not typically been modifying that for the commercial sector, and so I want to pause here, really quick, and just make sure that the committee still prefers Alternative 2, and then we can move to the rec.

MS. MCCAWLEY: Tim.

MR. GRINER: Well, I don't -- I'm not real comfortable with the Preferred Alternative 2, you know, and part of it is because we've sat here and talked about all this uncertainty in these recreational data numbers, and we really don't know, and so I think we really have to uncouple this total ACL trigger. There's just -- There is too much uncertainty, and the ACL is too low right now, and so the commercial sector does a great job of closing, whether it be 98 percent or 99 percent, but you don't see it going over 100, or 101, percent very often, or not at all, and, in fact, it's usually the opposite. Usually, the service stops us, and, if they have stopped us too quick, they will reopen, you know, for a short period of time, but, you know, the monitoring is so good, on the commercial end, and they get it pretty close every time, and so the only fly in the ointment is that MRIP data, and how those waves come in, and that could be a real problem with these low ACLs. I would like to suggest that maybe we look at Alternative 3 as our preferred.

MS. MCCAWLEY: Is that a motion?

MR. GRINER: **Yes.**

MS. MCCAWLEY: All right. Motion by Tim. Do we have a second? All right. It's seconded by Carolyn. It's under discussion. Andy.

MR. STRELCHECK: Tim, I think you're arguing against something that would be beneficial to the commercial sector, and so you only would have to have an overage reduction if the total ACL is exceeded and the stock is overfished and the commercial ACL is exceeded, and so all three of those have to occur. If two of those occur, but the total ACL is not exceeded, then there is no

overage reduction for the commercial sector in the following year, and so I'm fine with you wanting to go with your preferred, but I'm going to vote against it.

MR. GRINER: Andy, we're already looking at all three of those in the next year, right? It's overfished, the recreational sector is going to run over their ACL, and, if you guys don't close us on time, then we have met that, and so I -- You know, I hear what you're saying, but I think there's a very good possibility that this could be the situation in the very first year of this.

MS. MCCAWLEY: Thanks, Tim. Kerry.

MS. MARHEFKA: So I actually agree with Tim's choosing of Alternative 3, but I don't know if we're thinking about it for the same reason, and I think I've said this before. I think, as a body, we need to have this sort of discussion about the principle of do we -- Regardless of stock status, how do we feel about either sector going over their ACL and not having repercussions, because then what happens -- If that happens, you have allocation creep, if you will, and, ten years down the road, there's going to be thirteen more people sitting here, who all they see is, you know, well, this sector went way up, and this sector didn't, and you don't know if it was because of, you know, a hard stop or not, and so, while I actually understood when Tim suggested Alternative 3, that it was not in the best interests of the commercial industry, and it's because I am trying to be consistent, because that's the same measure that I would like to have for the recreational fishery. I think we all need to be responsible for staying within our ACLs. If not, there is no way to prevent confusion about allocation, and so that's my justification for supporting Alternative 3.

MS. MCCAWLEY: Spud.

MR. WOODWARD: What are we doing for gag and blacks? I mean, it seems like we need to be consistent across-the-board with these species, and so, I mean, to me, whatever we're doing for them, we ought to be doing for this.

MS. IBERLE: We did not modify the commercial AMs for gag, and so, currently, they are -- They are matching current Preferred Alternative 2. You did modify and uncouple for the recreational sector, and so --

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: Has our justification for that been that the commercial rarely goes over, because we have an in-season closure, and so that -- I just don't want to be unfair. I don't want to sit here and be a hypocrite and say, you know, what's good for thee is not good for me. I am trying to be very consistent. If the rationale is that we really won't go over, because we have a hard stop, unlike the gag situation, because of what time a year a new regulations was implemented, but if that is the rationalization, and, Andy, you still feel the way you feel about Alternative 2, I can see that, but I just want to make it very clear that it's not a hypocritical stance, because I do intend to choose the uncoupled for recreational.

MS. MCCAWLEY: All right. Andy.

MR. STRELCHECK: I mean, two points, and so you mentioned, you know, concerns more on the lines of the allocation, or future allocation, and I think there's ways that the future councils

could handle that as well, right, and you don't have to account for landings that exceeded a catch limit when you're factoring in allocations, right, and that is one approach that could be taken.

In terms of, you know, your comment about commercial monitoring, right, I think we do a pretty good job, at the Fisheries Service, of trying to close the fishery as close to when the catch limit is met, but we are reliant on dealers, and fishermen, to report in a timely manner, and we, obviously, have to project at times, and so we're not going to hit the mark every time, and so there will be times where we maybe exceed the commercial catch limit, hopefully slightly, right, and, to me, the benefit of the total ACL, right, is that, if we do that, you're not penalized, right, if we're under the total ACL, and you just get the same catch limit that you were expected to get the following year, and the same would be true of the recreational sector, if we adopted a similar AM.

MS. MCCAWLEY: All right. We do have a motion on the board, and it seems like Tim and Kerry want to stick with that particular motion to change our preferred here for the commercial AM to Alternative 3. Tim.

MR. GRINER: You know, and I'll go back and give you -- I know this is probably not fair to do this, but, you know, you go back, and, even in this oddball case we had with gag, where we implemented a rule in the middle of a season, if they were uncoupled, we would not be paying that -- We would not be making that payback right now, right?

MS. MCCAWLEY: I don't know the answer to that. I'm looking at Andy or Shep or somebody down there. If they were uncoupled, if gag had been uncoupled, would we be paying that back in this season or not? Andy.

MR. STRELCHECK: If they were uncoupled, would you be paying it back this season? Yes. The total ACL would have been exceeded, as well as the commercial ACL, and the stock is overfished.

MS. MCCAWLEY: Tim.

MR. GRINER: Can you say that again, Andy? I thought that uncoupling it was -- It didn't matter if the total ACL -- It would only be -- Maybe I'm just confused.

MR. STRELCHECK: No, you're correct, and so you exceeded your commercial ACL, and let's see. We're not relying on stock status, or total ACL, at that point, and so, just because you exceeded the commercial ACL, you would have to pay it back.

MS. MCCAWLEY: Okay. Does that make sense? I am looking over here. Okay. All right. Are we ready to vote on this motion? All right. **Are there any objections to this motion?** All right. **One objection, and the motion passes with one objection.**

MS. IBERLE: Okay, and so that brings us to your recreational AMs. I typically use these tables, and I have kind of tried to label each alternative as like giving you some description of these alternatives, but I still felt like there was a lot of information in this table, and so I put together kind of a decision tree for you guys, and we don't currently have a preferred selected, and so I felt like it would be more helpful to walk through each part of the recreational AMs step-by-step, and kind of build the alternative that the committee thinks is most appropriate for the recreational

sector, and so the first step would be does the council, or the committee, want to consider an in-season AM for the recreational sector, and so, if you don't want to consider an in-season AM, then Alternative 5 is the only alternative that provides you an option that does not include an in-season AM.

If you do want to include an in-season AM, that then whittles it down to Alternatives 2, 3, and 4, and so then the next question is, for the post-season AM, what triggers do you want to rely on, and so here's where we're deciding whether or not we want those three triggers or whether or not we want to uncouple it, and so you can pick having it reliant on the rec landings exceeding the rec ACL, the total ACL being exceeded, and the stock is overfished, or reliant only on the rec landings exceeding the rec ACL.

If the council wants to retain those three triggers, which is the status quo for scamp and yellowmouth grouper, then Alternative 2 is the only one that incorporates both an in-season AM and those three triggers for the post-season AM. If you guys want to go with the uncoupled post-season AM, and so, again, reliant only on that single trigger, that whittles it down to Alternatives 3 and 4. Those include both the post-season AM, and they are reliant -- Or an in-season AM, and the post-season AM is reliant only on a single trigger, and so the last question is what do you want as the post-season AM?

Alternative 3 has, again, that in-season AM, the single trigger, but it has a season reduction, and so the recreational season is reduced to prevent overages in the following year, and then, if you're wanting an ACL payback, similar to the commercial sector, where the ACL is reduced by the amount of overage, then you're going to go with Alternative 4, and so I hope that helps a little bit in kind of whittling down your options, since there is a lot going on with this one, but I will come back up to this table, and then, if you want to walk back through that, just let me know.

MS. MCCAWLEY: All right. Thank you, Allie. Both the table and that flow chart were helpful. All right. Thoughts? Spud.

MR. WOODWARD: What did we do with gag and black? I don't think we had an in-season, because that's not practical, and so, to me, that narrows it down pretty simply.

MS. IBERLE: So, if you were matching gag, then you would be going with Alternative 5, which removes the in-season and then uncouples the post-season. I think the only thing we need to really pay attention to there is what your post-season AM actually is, and, right now, Alternative 5 is saying that the recreational season is reduced by the amount necessary to prevent the ACL from being exceeded in the following year, and so just I think maybe -- Since you have alternatives that consider an ACL payback, just make sure that that's the AM that you do want to go with, and, with gag, it was a season reduction and not an ACL payback.

MS. MCCAWLEY: All right. That was helpful. Spud.

MR. WOODWARD: **In the interest of moving things along, I will move that we make Alternative 5 our preferred.**

MS. MCCAWLEY: All right. Motion by Spud, and seconded by Tom, and it's under discussion. Andy.

MR. STRELCHECK: Well, I wanted to clarify, because I'm looking at the regulations, and we do have both an in-season and a post-season accountability measure for gag, and, for gag, remember that we open on May 1, and we did not set a fixed date for closing that fishery, and so it runs all the way to December 31. We haven't made any decisions here about how we want to manage the scamp season, and it looks like there's confusion, but that's at least the regulations that I'm looking at.

You know, to me, this is the continual challenge with recreational fisheries, is that post-season AMs are easier and more straightforward to implement than something that's done in-season, right, and in-season could very disruptive, if we're getting landings and then, all of a sudden, having to react to those landings, but you don't also want, you know the fishery to continue for an extended period of time if you don't have a date certain as to when you're going to close the fishery, because that could result in a major overage of harvest.

MS. MCCAWLEY: Thank you, and so we're debating over here, and I think that there's some concern that Alternative 5 isn't what we selected for gag, and so we're still working on that, to make sure we know where we are for gag. Spud.

MR. WOODWARD: But I've got the sense that we are going to set a season for scamp and yellowmouth. I mean, that seems to be the direction we're going, and it's just the particulars of what that season is, and so, if you have a season set, which is what I would support, because I think, for predictability purposes, it's absolutely necessary that we give people some idea of when they can fish and when they can't, and so, if we do set a season, then does that make Alternative 5 a more appropriate, and valid, choice?

MS. MCCAWLEY: Tom.

MR. ROLLER: I'm with Spud on that one, particularly in the setting the season. If you look at when the catch occurs recreationally, it's between May 1 and early September. We're essentially going to cut a few weeks off of the end, and so having a season on this really isn't as big of a deal, in my opinion, and so, given Spud's rationale, that is how I'm understanding Alternative 5 as well, assuming we get to that point.

MS. MCCAWLEY: Thanks, Tom. Chip and then Clay.

DR. COLLIER: Just a reminder that, if the season is reduced, and it's not equal to a wave, that is going to cause issues for MRIP, and so, once again, there's a lot of uncertainty with this. It's a rare-event species in MRIP, and so it is going to be very spiky data, and you are going to get some years that have -- That likely have very high landings.

MS. MCCAWLEY: Clay.

DR. PORCH: I was going to make essentially the same point, and, I mean, we've gone over this before, and these recreational statistics are not precise enough for in-season monitoring. If you want headaches, go ahead and do that, but I advise against any in-season accountability measures. They're just not precise enough.

MS. MCCAWLEY: Okay, and so it seems like gag maybe is Alternative 3, if we matched it exactly. Do we want to change the preferred, Spud? Andy.

MR. STRELCHECK: Well, as I mentioned, I think there's differences, with regard to the fisheries, and we never set that closed season on the backend, right, and so we do have an action that we can go back to today and discuss setting a recreational season, and I would be more comfortable with not doing an in-season closure if I knew that there was going to be a fixed scamp season and then having the post-season accountability measure.

MS. MCCAWLEY: Can we go back to the season action again?

MS. IBERLE: All right, and so, after yesterday's discussion, I did make some modifications, and so this is matching more along the lines of -- Obviously, the IPT has to go back and make sure that this wording still is copacetic, but, the way that Action 6 will read, after yesterday's discussion, is reduce the recreational fishing season for scamp and yellowmouth grouper, and so I'm going to use this table again, and so, if you're thinking about opening on May 1, and having the season close in Wave 4, then you would be looking at Alternative 3, and that doesn't split Wave 4.

MS. MCCAWLEY: But the AM would, and so, if you had to pay it back, it would start taking it off the backend and split it, and I'm just saying, if the AM was triggered and the season was reduced. Spud.

MR. WOODWARD: I'm going to go back to John's comments at the beginning of this morning's discussion that we have to introduce a little common sense into this, because we're dealing with imprecise estimates. I mean, we've got a census-based approach in commercial, and a survey-based in recreational, and so, I mean, when we get to this point, I'm going to support Alternative 3. I think that captures when most of the fishing activity is going to happen. The service -- We'll all have to deal with what those estimates are when they come out, and make the best-informed decision about what's the correct course of action when we get there, but I think, you know, we try to look into the future, but we can't let forward looking paralyze us from doing something that we've got to do now, and so, again, I'm going to stay with my recommendation for Alternative 5.

MS. MCCAWLEY: All right. Any more thoughts on the recreational accountability measure, before we take a vote on that? Amy.

MS. DUKES: Can we edit the post-season AM to match the language of the gag, because, in the gag, it does not change the recreational season, and it just changes the ACL, and am I wrong on that one? It's the same exact language?

MS. IBERLE: Yes, and so, in gag, if I'm remembering correctly, it is a season reduction. If you wanted to go with a payback, then we would need to modify Alternative 5, again, if this is the route that you take. That would change the wording of the post-season AM, but, as Alternative 5 reads now, the recreational season is reduced, and not the ACL.

MS. MCCAWLEY: All right. How are we feeling about our selection of a preferred here? I'm also going to suggest that maybe we circle back to the season chart, that we were just talking about, after we vote on this, and maybe pick a preferred on that, and then get to what I think is the last action in this document. All right. Any more discussion on this AM? Remember that we're going

to revisit this at Full Council, and it's not its final final. Are we good with selecting Alternative 5 as the preferred? It does not match gag exactly. All right. **Any objections to this motion?** All right. **The motion carries.** Trish.

MS. MURPHEY: Just real quick, I love your flow chart. That was very helpful, and please keep those in. Those were great. Thank you.

MS. IBERLE: Thanks. They're just as much for me as they are for everybody else. All right, and so let's go back to Action 6, and I'm going to make it so that you can see the alternative language and the table.

MS. MCCAWLEY: Let me try to review, and so, when we were discussing the season yesterday, one of our hang-ups was there was a commercial and recreational season combined here, and that red strike-through is striking out the commercial season from this action, and so it's just the recreational season, and we just had a little bit of discussion on this, and it sounds like what Spud is suggesting is the intent to select Alternative 3 as the preferred, and would you like to make a motion, Spud?

MR. WOODWARD: Yes, ma'am. **I will move that we pick Alternative 3 as our preferred in this action.**

MS. MCCAWLEY: All right. Motion by Spud, and it's seconded by Gary. It's under discussion. Does everyone understand what we're doing here? All right. Tim.

MR. GRINER: Can we get that action back up on the board?

MS. MCCAWLEY: All right. There it is, Tim. That way, you can see the season chart and the language in there, so that you know which months would be open, and, just as a reminder, this is only recreational, because the commercial season is removed from the action. Okay. Just checking. All right. We've got a motion, and we've got a second. We did have a lot of discussion on this yesterday, and we also just talked about this relative to the accountability measure. Any more thoughts on this? All right. **Any objection to this motion?** All right. **The motion carries.**

MS. IBERLE: All right. We've made it to the last action in this document. This action pertains -- So we've been dealing with scamp and yellowmouth from pretty much Action 1, and this action is circling back to the friends portion of scamp and friends, and so, if you remember in Action 1, when we removed yellowmouth from where it currently resides in the other South Atlantic shallow-water grouper, we then have kind of a conundrum where the ACL, the complex ACL, for the other South Atlantic shallow-water groupers currently accounts for yellowmouth -- A portion of that ACL is allocated, for lack of a better word, for yellowmouth grouper.

We need to modify that complex ACL to essentially remove the portion that is now accounted for in the total ACL for the scamp/yellowmouth complex, and so your table here is showing you -- Alternative 1, no action, kind of sets up your status quo, and so your ABC, which is set equal to your ACL, is 104,000 pounds and change, and then we have the commercial and recreational ACLs listed there.

The intention of this action is not to modify the allocation percentages, and you will just be -- The change you're seeing in the sector ACLs is simply just recalculating those sector ACLs based on the percentages that are in place now, and so Alternative 2 just removes that yellowmouth portion of the pie, which was around 4,000 pounds and change, and it does not modify the total ABC for this complex, and we've had some discussion, and it seems like forever ago, about updating these catch levels, because they currently are in CHTS units.

We are not, within this action, modifying and updating these catch levels to include MRIP-FES recreational estimates. The problem that we ran into was the timeline, and we're on a two-year deadline for this amendment, but we're kind of between a rock and hard place, because this ACL has to be modified. However, the timeline for updating the units to base the ACL isn't feasible within the timeline that we need to complete this amendment, and so you will see this come down the line here shortly, where this ABC will be updated to include those MRIP-FES recreational estimates, and so we don't have a preferred selected currently for this action, but I will turn it back over for discussion.

MS. MCCAWLEY: All right. What's the pleasure of the committee here? We only have two alternatives. Just to be clear, Alternative 1, no action, is not a viable option. All right. Tom.

MR. ROLLER: **I move that we select Alternative 2.**

MS. MCCAWLEY: All right.

MR. ROLLER: **For the friends portion of scamp and friends.**

MS. MCCAWLEY: Way to step out there. All right. Motion by Tom, and do we have a second? Seconded by Spud. Any more discussion here? All right. **Any objection to this motion?** All right. **The motion carries.**

MS. IBERLE: I have, just kind of really quick, some bullets for what's next, and, obviously, these are, you know, a little bit hindering on what we've discussed at this meeting, and so the IPT will be going back and, obviously, looking at those projections for the bag and vessel limit, kind of making sure that we've got everything good to go there, and we're going to be bringing you an updated analysis in June. You will be able to see some smaller tables, now that we have that preferred for allocations, and we might be able to tailor this a little bit more, where we can play with looking at things together, and so looking at, you know, bag limit and vessel limit and season together, to kind of give you a little bit more comprehensive of a picture.

Then our expectation for June will be that the council hopefully will be able to select any remaining preferreds, and, right now, we have not selected a preferred for OY, and then the bag and vessel limit, and so 7A and 7B, and so we'll be looking to select the remaining preferreds, and then hopefully we'll have for public hearing in June, and so any other questions before we wrap it up for scamp?

MS. MCCAWLEY: Thank you, Allie. Just making sure everyone understands where we're going, we're not going to go back and try to select additional preferreds in this document, and we'll work on those few remaining actions at the next meeting, once we see some more analysis. All right.

Are we good here? All right. It looks like we're good. Thank you, Allie. We're going to take a ten-minute break, and, when we come back, we're going to go into black sea bass.

(Whereupon a recess was taken.)

MS. MCCAWLEY: All right, and so we're going to move into black sea bass, which is Amendment 56, but the first thing we're going to do is we're going to get a presentation from Shannon Cass-Calay on the SEDAR 76 assessment projections, and I believe that we have her on the webinar.

DR. CASS-CALAY: Good morning, everyone, and let me tell you that I am very sorry that I couldn't be there in-person to give this presentation, but I am happy that I have the chance to present this to you. This work was actually conducted by our Atlantic Fisheries Branch, and Matt Vincent was the lead of this effort, and both Erik and Matt are available if needed. My name is Shannon Cass-Calay, and I'm the Director of our Sustainable Fisheries Division, and so, if I have not had a chance to meet you in-person, let me say hello.

All right, and so let me go ahead and show the next slide, and let me take a moment to reorient you to where we are with this stock assessment and the projections. We produced preliminary projections in April of 2023, and these were presented to the SSC, as part of the package of SEDAR 76 results for black sea bass. At that time, they gave us a number of recommendations for the projections settings, and we presented revised projections in October of 2023.

Those revised projections implemented management in 2025, but the terminal year of the stock assessment was 2021, and we had put preliminary landings data into the stock assessment in the interim years, and concerns were expressed, by the SSC, about a spike in F that was produced in 2022, when interim catches were entered into the stock assessment, and we have made a variety of runs that showed that that is not a modeling concern, or a problem, but the SSC gave us additional advice, and they advised fixing F in 2022 at the average F from the recent years, 2019 through 2022, and the results that I'm presenting to you today do include that revised guidance from the SSC.

Where were we, in terms of stock status, for this model? You can see, in the figures on the right-hand side, that the majority of the Monte Carlo Bootstrap estimates do suggest that the stock is currently overfished, and also below the MSST threshold, and so the deterministic result from the base model is shown in the black solid line. The uncertainty intervals, from the Monte Carlo Bootstrap estimate, are shown in the shaded gray area, and the limits of that are the 5th and 95th percentile of that.

The uncertainty considered in the Monte Carlo Bootstrap estimate included natural mortality, the uncertainty of the indices, landings, discards, discard mortality, and also the estimated parameters of the stock assessment. The model also suggests that we are right at essentially the overfishing threshold, but that the majority of the MCBE bootstrap estimates say that we are not currently undergoing overfishing, but that result is highly uncertain, as you can see from the MCBE bootstrap interval.

An important assumption of these projections, and the basis for the reference points, is the recent selectivity of both the landings and the discards, and so the projection scenarios that I will present

are configured to allow the F attributed to the discards to be modeled separately from the landings F , and we accomplish this by using a weighted selectivity, which you see in the top, and also by specifying different F s to the landings and discard components, and so you will see that the bottom-left-hand figure shows you the weighted selectivity from the landed portion of the catch, which shows that most animals are above the age of three, or four, and full selection around age-seven. The bottom-right-hand panel shows you the discard selectivity weighted, and these are, obviously, much younger animals, mostly below the age of six.

We note that, as you increase the fishing mortality, you see greater discards in the fishery, and fewer landings, under equilibrium conditions, and so the purpose of this table is to illustrate how the magnitude of fishing mortality changes the proportion of fish that are either landed or discarded. The proportion that is landed is actually maximized at a value that is considerably lower than the FMSY proxy, and also lower than the current F , and so you will see, in this table, that the F value that maximizes the landings is roughly 0.43, and that gives you a roughly equal proportion of landings and discards in this fishery, but, as you increase the F to the current levels, which is 0.936, the discard component increases substantially, and, at the F 40 percent proxy for FMSY of 1.178, about three-quarters of the mortality is allocated to discards, and so that discard proportion continues to increase.

The OFL projections, I will explain the projection settings for the OFL projections, and so the discard fishing mortality for this projection is determined from the average F of the recent time period, 2019 through 2021, multiplied by the weighted discard selectivity, which is shown in that panel to your right-hand side, and this assumes that fishing effort remains constant during the projection interval.

The landings fishing mortality is actually determined by solving for the value of F that achieves a 75 percent probability of rebuilding the population to the level that achieves MSY and equilibrium, and both of these settings, to the discard F and the landings F , are consistent between the OFL and the ABC projection. They are determined in the same way. What differs about the OFL projection, and the ABC projection, is that, in the OFL, recruitment is based on the long-term average.

Again, I reiterate that, in the ABC projection, the discard and landings fishing mortality are the same as the OFL scenario, but now, in this case, the recruitment is based on the recent average recruitment computed from the average of 2014 through 2019. Now, in both of these scenarios, the fishing mortality in the interim years, meaning after the terminal year of the stock assessment, but before the management action begins in 2025, the fishing mortality is set at the average F from the stock assessment in the most recent period, which is 2019 through 2021.

Here are the results of that OFL scenario, and first I will start with the panels on the left-hand side, and so the top panel shows you the fishing mortality over time, and the gray is the historical period, and the blue is the projection, and so you will see those interim years have a slightly higher level of F in that blue period of the projection, and that's the current F that is applied, and then, in 2025, you see the imposition of the management, where you have a 70 percent probability of rebuilding the stock. That requires a reduction in the F , a considerable reduction in F .

Going down to the middle-left-hand panel, it shows you the population trajectory, and you see that, under an assumption of long-term average recruitment, the population is able to cover in a ten-year timeframe and the actual assumed projected recruitment is shown to you on the bottom-

left, and that's the long-term average recruitment, and so, if you're interested in what is actually plotted there, you can see the MCBE envelope in blue, and the solid line is the deterministic projection, and the dashed line is the median of the stochastic projections.

I will just point out a couple of things to you on the right-hand side. That top panel is just a representation of the fishing mortality rate between 2022 and 2034, and so it's the same information as on the left-hand side, but now you have two additional panels, and they show you the projected landings, which do increase over time if the recruitment recovers to that average level, and the predicted discards, which are considerably higher than the predicted landings.

The ABC scenario, the guidance was to assume that recruitment would not rebound to the average of the long-term period, but instead would remain about the same as it has been in recent years, from 2014 through 2019, and, in the ABC scenario, the stock does not recover, and it does not recover even when fishing mortality is set to zero, and so I will just let you know.

Now you see the same series of panels on the top as the fishing mortality, and it's showing you, again, in the initial years, the interim F calculation, which assumes recent levels of fishing mortality, and then the imposed fishing mortality that produces a 70 percent chance of recovery. The population trajectory, which, again, does not recover in this case, because the assumed recruitment remains low, as it has been in the recent years, and, also, here are the panels on the predicted landings and the predicted discards, and, again, you see a relatively substantial reduction in the landings estimates, and you also see that the discards are significantly higher than the landings in the projection.

I do want to be careful to state that there are a number of strong assumptions that are made when we make projections, and that the projections are really only as good as the quality of the assumptions that we made, and they are highly uncertain, particularly in the long-term, and so we do not suggest that you pay much attention to any result that is beyond a five-year interval.

There are a few bullet points here to talk about, and so projection results are always very highly dependent on the assumptions about future recruitment, and the recent average recruitment scenarios that we use to create ABC implicitly impose essentially a regime shift in the productivity of the stock, and they suggest that the productivity is now low, but there is no strong biological support, from the literature yet, about whether or not that has in fact occurred. However, we do not know whether the recruitment can return to that long-term average quickly, or when it could do that, and so we did impose that recent low recruitment scenario for the projection of ABC.

Another caveat to mention is that the recent, or the 2022, reported landings and discards are actually higher than what was predicted by our projections assumed under the recent Fs, and so this could bias these results somewhat, because the fishing mortality estimates in 2022, and the population size in 2023, are probably slightly optimistic, and so, also, another caveat is that the reference points are based on the current ratios, or the recent ratios, of landings to discards, and so that ratio in the most recent period, which is 2019 to 2021, and any changes in that ratio affect the weighted selectivity that we use for projections.

Things that could change that, for example, you know, are management regulations that alter selectivity patterns, such as changes to the minimum size limits, and, also, any seasonal closures that impact where fishermen fish, and the size that they actually land, and, also, any changes to the

fishing effort that occurs could impact landings and discards differently, and so there are important caveats here, and, if management actions are imposed that change anything about the landings to discards ratio, the projections would need to be recomputed.

That's all, and so, moving on to the last slide, and that's a very nice picture by Brendan Runde, and so I wanted to thank everybody for their attention, and, if you do have any questions, we would be very happy to address them.

MS. MCCAWLEY: Thank you, Shannon. Are there questions about the presentation? Folks are saying they don't know where to start with their questions, Shannon. Who wants to go first? Carolyn.

DR. BELCHER: So just going back to -- This is one of the -- Well, it probably is the first time that we've actually talked about different recruitments being used to generate OFLs and ABCs, and, normally, when we look at an OFL, we're decrementing from that OFL, and the current OFL stream for stock recovery says that we can recover, but yet the ABC value that we're deriving now says that, if set our ABC at that level, we won't recover it.

I think that is a -- It's very perplexing, in my brain, how we explain that to people, because, in one situation, if we set ABC equal to OFL, as it's currently defined, we should be fine, but, if we use the definition that you've provided for us for ABC, we're not, and so how do we work with that, as managers?

DR. CASS-CALAY: So I will just address the first question first, and so the fishing mortality that we used for the OFL projection is the F that achieves a 70 percent chance of rebuilding the stock within ten years. That same F , with the same assumptions about F landings and F discards, was applied in the ABC projection. The difference is that assumption about what recruitment will be, and that's what -- That is why the ABC projection does not recover, because we are applying the same F s as the OFL projection, but the recruitment into the fishery is much lower, and, under that much lower level of recruitment, the stock cannot recover, and so it is a little bit confusing, and it took me a while to actually understand it as well.

DR. BELCHER: I do understand that point, and so just for that, but that's my -- I guess what I'm getting at is that the OFL is almost saying that we don't necessarily agree that recruitment is impacted, which we talked -- Again, we gimbale around this thing called a regime shift, but nobody wants to call it that, although fishery-independent indices are showing this downward decline, and I feel like, by saying the OFL, with the long-term recruitment, says, oh yeah, everything -- We can return back to this, and this is where we should be, and, again, if we were using just that recruitment pattern moving forward, OFL equals ABC would show that we recover, because we've chosen to step down, and recruitment is lower, and we know that, and I understand that that's an inherent idea of how we make that step-down happen, as opposed to the P^* , where we normally say that OFL sits here, and we decrement based on our uncertainty associations with the models.

In this situation, the recruitment is almost acting as the decrement, but, in establishing that ABC, we now are being told that our ABC level, which is what we would use in management to define the fishery, and the fishery removals, is not going to rebuild that stock, and so I'm just taking it from that standpoint. We're using two different approaches with the recruitment, and it's not the fishing effort, and it's the recruitment that is making this thing look funny.

DR. CASS-CALAY: Yes, that is correct, and, you know, I would say that the Science Center is actually investigating different approaches that could be applied in these situations, where there appears to be a change in the productivity of the stock, and those are not ready to be presented to you yet, but I think that the issue we have right now is that we need to assume that the most likely scenario is that recruitment will not recover, because of either overfishing or a regime shift, and it's unclear, and so the most parsimonious thing to do, for the near-term, is to assume that recent recruitment will continue and set a level of fishing that --

You know, that at least allows the stock to recover slowly, to, eventually, to the reference level that would be consistent with that lower-recruitment assumption, and that is, in fact, what this does. It never does recover to the level that is implied by the higher equilibrium recruitment value, but, at least until we start to see improvements to the recruitment of the stock in our data, it seems like that could be a bar that cannot be achieved.

MS. MCCAWLEY: Carolyn, did you have a follow-up?

DR. BELCHER: Yes, and I agree with you on that, but that's where I think my caution is. Why put the rosy picture at the OFL? You know, why would you not start the OFL out with the concerns that recruitment is not going to rebound? I mean, the worst-case scenario is -- Yes, I mean, we're in a tough bind either way, right, with where we're going with this, but I would rather have a sense of reality of where this could potentially be, and the stock actually come out on the positive side of it, so that we can do something about that, as opposed to looking like there is this -- I just don't know how to, in my mind, resolve the fact that our ABC is not going to rebuild this stock, but OFL will. They don't -- On paper, that doesn't work.

MS. MCCAWLEY: Clay wants to respond, Shannon, if that's okay.

DR. CASS-CALAY: Yes. Thanks.

DR. PORCH: I think there's a misunderstanding here, and so the ABC and the OFL, and, Shannon, you can confirm, are based on the same F rebuild strategy, and so they're both rebuilding to the long-term average. The ABC -- Remember that ABC and OFL are short-term concepts, and they're not long-term concepts, and so, with ABC, they said the best estimate of the near-term recruitment is the recent lower value, and so that means the ABC is actually lower than it would have been, for these next few years, than if you assume the high recruitment would immediately start again, and so, actually, the stock will rebuild faster with an ABC that assumes near-term recruitment is low than if that same ABC was calculated assuming that recruitment would be higher. Does that make sense?

MS. MCCAWLEY: Carolyn.

DR. BELCHER: I follow all this logic. I'm just, on the paper, knowing the OFL, and the general approaches that we've done, we've not had a change in recruitment going -- When we're talking about this, I understand exactly what you're saying, but it's just, when you're looking at what's on the paper, and we're making these determinations, where, normally, we're seeing these decrements from an OFL to an ABC for management, you know, we have this level of OFL -- Like I said, if

we looked at OFL right now, the way that it's defined, we should be able to rebuild. We have that value, and, generally, the decrement of ABC comes because of the weighting with the P^* , correct?

So, by changing out the recruitment, now we're not only decrementing the ABC, but it's done with a different recruitment pattern, which now says that we can't rebuild it, and so how do we take the information of non-rebuilding? It doesn't come above the line, the reference line, and so how do we reconcile that, because, if we set it equal to the value that's published under the OFL, we should be fine, but, if we use the ABC, and the values that are there, we're not making that reference point line, and so that's the images that are in front of us, and so that's why I'm saying this.

MS. MCCAWLEY: Clay.

DR. PORCH: If I may, yes, and it's tricky, right, because the ABC doesn't necessarily have to assume that those low-recruitment scenarios will occur forever, and it's just saying that the best predictor for the near-term is the recent levels of recruitment, and so, since you're setting the ABC lower than you would have if you assume that recruitment would immediately jump up to the longer-term average, it will actually rebuild faster.

The real -- The issue you're talking about, we're kind of conflating two things. If recruitment does stay low forever, in reality, then yes, we will never be able to rebuild to a reference point that's based on the long-term average recruitment, but ABC -- Again, two separate concepts. Short-term solution, short-term catch limits, and they actually took the more conservative assumption, and so, if recruitment in fact does go up to the long-term average, you will rebuild faster, with the lower ABC, than otherwise.

MS. MCCAWLEY: Thank you, Clay.

DR. CASS-CALAY: Can I add one thing that might be helpful?

MS. MCCAWLEY: Sure.

DR. CASS-CALAY: So, essentially, you know, if you do -- Let's just put it this way. If the lower recruitment does continue, then you would slowly rebuild to a level that would be consistent with a reference point based on that low recruitment, and so, you know, it doesn't recover in ten years to the reference point imposed by that higher level of recruitment that is the equilibrium average, and so perhaps this isn't helping, but what I'm getting at is, if the low recruitment becomes, you know, a feature that lasts for a long period of time, we would have to reconsider setting the reference levels based on the recent recruitment levels, rather than the longer-term, but, right now, there is no information that convinces us, scientifically, that a regime shift has occurred. Low recruitment can also be caused by overfishing of the stock.

MS. MCCAWLEY: Thank you. Chip and then Andy.

DR. COLLIER: You all might be getting some déjà vu in some of these discussions that you had with scamp, and so John Walter gave a presentation where he had indicated that, if you prevent overfishing with an ABC, you can essentially rebuild to an unknown new stock status, or a new productivity level, and so the important part is the ABC, setting that. The OFL, it is a challenge,

but we have to have that value, as far as following the mandates of Magnuson, to put the OFL out there.

Right now, it seems like the productivity of the stock is really unknown. We don't know where it's going, but we are required to have these values, and it seems unlikely that, in the near-term future, we're going to get back to that average recruitment. If you remember back to September, where Tracey had given a presentation on the trends report, the last two years in that survey, 2021 and 2022, were lower than they had been previously, and so, when we're looking at this average recruitment that's in this model, that might even be optimistic. Things are not improving for black sea bass, and, in fact, they're getting worse.

DR. BELCHER: I think the hard part is that, everything that Clay said, I 100 percent agree with. The problem is, as we're moving forward with what we have to work with, as we're building our FMPs, and we're using these graphics, that is not -- That's all what we can talk about around it, but that doesn't help us get out of the boxes, as defined under Magnuson, and that's my only point, is that it's reconciling those disparities. Like I said, I understand all of what we're talking about, and I totally agree that it could rebound, and it could do all these things, but that's not helping us right now with the fishery.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: So I may or may not help here, and I fully understand it as well, and we wrestled with this issue with scamp, right, and so we have declining recruitment, fishing mortality that is, you know, at or below FMSY levels, and so there's something happening with the productivity of black sea bass, scamp, and some of our other species in the system.

You know, I think, Carolyn, what you're getting at, really, is then what is that long-term goal that we're trying to achieve, right, for biomass, and should it be set lower, you know, less optimistically, than a long-term average recruitment scenario. You know, with the Magnuson Act, we have to demonstrate that we have at least a 50 percent probability of rebuilding, right, and it is very confusing to say, well, the stock can rebuild to this higher level, based on long-term average recruitment, but, in the short-term, we're going to set the ABC lower, with not knowing exactly where recruitment is going to occur or not occur.

You know, I've talked to John Carmichael about this, and the South Atlantic Council has put in a proposal for climate-ready fisheries under IRA, to look at dynamic reference points, and I think that is the path that we're going to ultimately have to get to, and the Science Center is going to put some effort in, through our climate fisheries initiatives as well, and we're just not there yet. I think point well taken, and we really need to be kind of thoughtful, in terms of how we then execute on this rebuilding plan, to move it forward.

While I have the mic, I guess what I wanted to also highlight, and ask Shannon about, was the discard separation of the selectivities, right, and so, just so that council members are clear, when we have projected previous species, we've made the assumption that discards and landed mortalities come down equally, right, in proportion to one another, and that is not what is being done here for black sea bass, and so they've separated the two, and we're essentially assuming that discards are going to remain kind of consistent with more recent average conditions.

Every pound of discards though that ultimately comes from that reduces the landed yield that we have in the fishery, and so this is why I've been hammering on, with red snapper, but certainly other species, that we really need to get a better handle on how to reduce these discards in this multispecies fishery, because it can be a net benefit, in terms of then how much fishermen can land, and so I just wanted Shannon maybe to touch upon that a little bit further, and, you know, some of the kind of benefits, and tradeoffs, of, obviously, those changes between discards and landed catch.

DR. CASS-CALAY: So your description is exactly correct, and that does allow us to -- You know, to consider different assumptions about the behavior of the discards as management actions are taken. This model does assume that the discard F remains as it has in recent years, meaning 2019 through 2021, and so what else would you like me to comment on, Andy?

MR. STRELCHECK: Well, so I guess the question would be, right now, do we -- We have SSC advice now for ABCs, correct? So any ABC advice, I think, going forward -- If we can demonstrate, through, you know, regulatory actions, tangible regulatory actions, that we're reducing discards, right, I think that's where we can work with the Science Center, and our SSC, to then see if adjustments could be made in those ABC recommendations for that landed portion of the catch, but the onus, I feel like, is on the council to demonstrate that we're reducing discards, in order to make that happen.

DR. CASS-CALAY: Yes, that's exactly correct, and, if we saw evidence that there was a change in that weighted selectivity pattern, and so we're reducing discard F , and that selectivity pattern changes, we can rerun these projections to see what increase in landings you could achieve. We can also look at hypothetical management scenarios, if needed.

MS. MCCAWLEY: Thank you. Other questions for Shannon? Robert.

MR. SPOTTSMWOOD: Do we have any information on what drives discards more, the size limit or the bag limit?

MS. MCCAWLEY: Chip.

DR. COLLIER: I might have the year wrong here, but I think, back in 2016, Mike Errigo had put together an analysis looking at how the changing of the bag limit was going to impact the catch, and, at that point, he had identified 99 percent of the fish that were being released were being released because of size limit.

DR. CASS-CALAY: Yes, and, for this model, we're applying the discard mortality to fish below the size limit.

MS. MCCAWLEY: All right. More questions? Laurilee.

MS. THOMPSON: If we're throwing away all these fish, and they're not surviving because of the size limit, would allowing them to keep a little bit smaller fish -- Would that turn into -- Would that turn it around, to where, if they kept more fish, and they weren't discarding them, would that help? I know that there's a -- You know, the size limit is there. The minimum size limit is there, because you want the fish to reach sexual maturity, right, but a dead fish is a dead fish, whether

it's sexually mature or not, and so, if you -- If you lowered the size limit a little bit, so that people could keep more fish, would that outweigh all of the discards that are being done now? Would that help?

MS. MCCAWLEY: Chip.

DR. COLLIER: So the thirteen-inch size limit came into place probably in 2014, somewhere around there, and one of the reasons for going -- Because there is a difference in the size limits between the recreational and the commercial fishery, but it was the recreational fishery wanted a slightly higher bag limit.

In order to achieve that bag limit, and to have the reduction that they needed in order to prevent overfishing, or to stay under their ACL, they also had to have a size limit in there, and so it's a combination of both of those factors, in order to get what the recreational wanted, which, at that point, it was a three-fish bag limit, with a thirteen-inch size limit, I believe, and, if they wanted a -- Maybe it was a five-fish, and I can't really remember. Okay, and it was a five-fish bag limit. If they kept it at an eleven-inch size limit, it was going to be a very small bag limit, and so they upped the size limit, and so it's not necessarily based on the productivity of the stock or the maturity of the fish.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: I think there was an offer to look at these models with running some scenarios, and would it be possible, to Laurilee's question, to look at what this would look like, and what the change in the bag limit would be, if you reduced the size limit down to nine inches, or eliminated it altogether, for example?

MS. MCCAWLEY: Chip.

DR. COLLIER: If you all recommending changes in size limits, that will likely need new projections, because that is going to be changing the selectivity, and so there might be a couple of different ways that we can look at that. I'm going to, hopefully, be incorporating black sea bass into the MSE, and that's one of my tasks for this year, but we could also ask for additional runs through the stock assessment model, with a change in selectivity.

MS. MCCAWLEY: Robert and then Spud.

MR. SPOTTSWOOD: I don't know that I'm necessarily recommending something, but I feel like that we're kind of pointing out the obvious here. The issues with this stock seem to be related to discards, which are driven 99 percent by the size limit. It seems like something we should deal with, or address.

MS. MCCAWLEY: Spud.

MR. WOODWARD: So what are the discard mortality rates that we're using? I think they're differential for maybe shore mode, versus PR and for-hire, but I'm just -- I think it would be useful for us maybe to have a reminder on what those discard mortality rates are.

DR. CASS-CALAY: So it's a calculation that's weighted by the depth of fishing, and it's -- Almost all of the discard mortality is recreational in nature, 99 percent of it, in fact, and, so the base M that's used in the stock assessment is 14 percent, and the uncertainty is examined in the MCBE, and we looked at levels from 50 percent of that level to three-times, and those were informed by analyses from different regions.

MS. MCCAWLEY: Robert and then back to Spud.

MR. SPOTTSWOOD: Perhaps I'm off, but, without looking at the volume of discards, that 13 percent doesn't mean much, because, if you're catching fifty small fish to one big one, right, I mean, you're destroying the fish stock to get to that one larger fish, and, to Laurilee's point, yes, those fish may not have an opportunity to get to breeding, and you're going through all of them to pull a fish that is being productive in the ecosystem out, which could probably help with recruitment, if left alone.

DR. CASS-CALAY: I think you're going to see some examples of that in the subsequent presentation, where you're going to see the proportion of the catch that is discarded. It's very large.

MS. MCCAWLEY: All right. I have a list of hands, but, also, John has a presentation coming up, where we might actually hit some of these topics, and so, Spud. Good for now? Okay. Clay. Okay. Tom.

MR. ROLLER: Thank you, Jessica, and so I just kind of want to touch on this discard thing, really briefly, and I know that John is going to hopefully get to it in his presentation, but this is not as simple as trying to catch fifty black sea bass, or catching fifty to catch one, and there is just a lot of discards in this fishery, particularly in state waters, particularly from shore, that these anglers are not trying to catch black sea bass, and they're just fishing, and they have almost zero percent chance of catching a fish to harvest, right, and it's just there's a lot of discards in this fishery, and I hope that we can get to that, but I'm not sure that this is something that we can simply resolve with a size limit change.

MS. MCCAWLEY: So I still have a running queue here. Amy.

MS. DUKES: Maybe I am jumping ahead, and, John, you'll get to this in your presentation, and sorry for not looking ahead at that, and I guess I'm just trying to still wrap my head around constant F, especially after hearing that there is some optimistic results coming from landings in 2022 and 2023, and what recruitment is that, and we don't know, but using this constant F, versus the landings discard ratio, I'm having a hard time wrapping my head around that.

MR. CARMICHAEL: That's a bit into -- You know, more of the projections and what the SSC has gone with there, but it is an effort to get away from what we knew was not a very valid assumption, that said, if you cut landings by 50 percent, you could cut discards by 50 percent, because we know that, a lot of times, cutting landings actually does the opposite, and it adds to discards, and so they're trying to come up with a better way of accounting for what discards are actually going to do, and that discards can respond differently than how landings respond.

We got into this some in red snapper, as you recall, you know, and it dealt with that in some of the projections, and this is one where we're seeing this, you know, be more a part of the projections, and so there is an assumption there, as Shannon has said, that the discard F of the last few years is carried forward forever into the future, and I do comment on that, but, you know, the way for the council to change this, as Andy suggested, was, you know, we have to do something that changes the nature of the fishery, so that you don't -- So that you aren't -- So that it's not reasonable to assume, I guess is the way to put it, that you will have the same discard F in 2030 that you had in 2020, and so the council needs to do something about the nature of the fishery to break that pattern, and that's where the challenge is going to come in.

That's where all this discard stuff is important to talk about, but it's going to be a challenge to figure out how we actually do that, but that's what we need to do to rebuild the fishery, essentially, and to make sure that we are not falling into a trap of recreating a red snapper situation, which is a point that I will make as well.

MS. MCCAWLEY: All right, and so I'm looking around the table, to see if there are more questions for Shannon, because we've got two more presentations to go. Robert.

MR. SPOTTSWOOD: The 13 percent discard mortality rate, that includes both shore-based and -- Excuse me, and I don't know that much about black sea bass, but also fish that would suffer from barotrauma as well, and that's all averaged?

MS. MCCAWLEY: Chip.

DR. COLLIER: They tried to account for some of the shore-based, based on depth, but it's always a challenge. That part hasn't been studied as much as the more offshore stuff that has barotrauma and is likely using a bigger hook. If you're thinking about shore-based, these people are catching pinfish and spot and croaker, and they will also catch black sea bass, and so it is a bit different, and that hasn't been studied that much, but, you know, it's always going to be a struggle to understand what's going on with those fish.

MS. MCCAWLEY: Okay. It looks like maybe Captain Judy has a question, and Shannon, and so let's go to Judy first, and then we'll go to Shannon.

MS. HELMEY: I just wanted to make the statement that we are catching a lot of black sea bass, but they're right almost at the legal thirteen, and, before, if I'm not mistaken, we could keep five fish at twelve inches, and we were doing very good, and then it came that we wanted to raise the bag limit, of course, and we had to raise the length to accommodate the fishery, and, also, it's confusing enough because the state -- Georgia's is twelve inches, with a fifteen bag limit, and I think that, if we could, it would be great if we could drop it back down, and drop the bag limit, and maybe there would be less, you know, discards. I know I wouldn't be throwing as many back. Once we caught what we were supposed to catch, we would just quit fishing, and so maybe we should consider dropping the bag limit and lowering the lengths. Thank you.

MS. MCCAWLEY: Thank you, Judy. We're hopefully going to get to that, and so wait for it. Shannon.

DR. CASS-CALAY: I just wanted to correct, or clarify the record, and so there were -- Different sectors had different discard mortalities, and so, in the commercial handline, we assume 19 percent discard mortality. The rec sector was 14 percent, and pots were 7 percent. The weighted average accounts for that, and also for what we understood about the depth, how depth is related to discard mortality, and so the weighted average is, I believe, 13 percent, or very close to that level. Thank you.

MS. MCCAWLEY: All right. It looks like we're maybe done with questions for Shannon. Thank you, Shannon, for that presentation. Next up is a presentation, I believe from Jeff Buckel, our SSC Chair, to talk about the SSC recommendations.

DR. BUCKEL: Thank you. All right, and so here is the table with the OFL recommendations and ABC recommendations from the SSC. I appreciate Shannon's presentation, and the answers to all the questions that I had to deal with with scamp, and so I appreciate Shannon and Clay taking those questions, because it was déjà vu. There were a lot of the same questions on the OFL and ABC difference, and so those have been covered, but here are the OFL numbers, and the ABC numbers, and I will explain, in a couple of slides, why the SSC is only providing ABC recommendations for 2025 and 2026.

I do want to point out that, you know, it's an order of magnitude reduction, for these next couple of years, in the landed ABC values, relative to what's on the books now, and that always is, you know, a concern, when we're really lowering these ABCs, and so I just want to show the next slide, which was already brought up, and you always -- You're concerned with what's happening in the population is represented in these projections, and so this is black sea bass data from the Southeast Reef Fish Survey, the trap data only, and so you can see the 2021 and 2022 catch per trap data there are the lowest on record, over the last three decades, and so, you know, there is definitely an issue with this stock, and, thus, a need to really reduce these ABCs relative to what they were in the past.

Okay, and so our charge was to review the most recent projections, characterize uncertainties with the operational assessment, and this has already been brought up, and it's just a reminder, again, that this is the first time that the Southeast Center is using constant F discards, as opposed to the landings discards ratio, and John Carmichael explained very well why that was, why we went with that constant F, and, basically, it's because we haven't seen the discards reduced, relative to landings, in past assessment projections, and, what's projected, we don't see that play out in reality, and the discards stay high, or increase, as John mentioned.

However, we do, you know, recommend monitoring these discards in the near future, to determine if the discard projections are tracking actual discards, right, and so there's these uncertainties that folks have mentioned, and so we want to -- You know, we don't know if that's going to happen, and so we want to monitor what's observed relative to the predictions, and then the last point, and this has been hit on as well, and it's just if folks have a question about -- This was also brought up in the February SSC meeting, is, you know, this concern about the discard mortality rate, and is that a good value for the recreational sector, and it is based on this weighting of the depth of discards, as Shannon mentioned, and discard condition.

However, as Chip mentioned, there's still, you know, research that could be done to determine if higher-resolution data would improve this approach, and so maybe working with the assessment

scientists, and doing some sensitivities, to see, all right, if we really ramp-down the discard mortality for the inshore fish, would that -- How would that play out in the assessment results, and the projections, and, if it is sensitive, then maybe that would -- You know, some research could be done on the discard mortality for those inland and close-to-shore fish, like Chip was talking about that were in that small-hook fishery.

The SSC strongly recommends an interim analysis be conducted in 2026. It recommends that an operational assessment be conducted in 2028 or 2029, and so there's a lot of uncertainties, and getting an interim analysis done sooner than later would be good, and black sea bass are an ideal candidate for the interim analysis, because the trap-video, and the trap index by itself, for black sea bass -- That trap-video index tracks well with the model, and that makes it an ideal candidate for the interim analysis.

We discussed -- You guys have discussed this uncertainty in recruitment, and, you know, is it going to go back to an average sooner than later, or is it going to stay at these low values, and so we also recommend to monitor recruitment trends, and these recruitment trends, in recent years, are going to be valuable to evaluate progress, and accuracy, of the projections used in management, and are we seeing a rebound, or, you know, is it just a larger oscillation this time, or are these recent years, after really the last good estimate of the assessment of recruitment, was 2019, and so 2019 to 2025 will be telling us where we are, if we've stayed in this low-recruitment -- You know, this low-recruitment regime, or whatever you want to call it, or if we've started to see increases in recruitment.

The ABC projections, as I showed in the first slide, in the table, they only extend through 2026, and the reason for that is that follows the recommendation of only doing ABC projections for five years past the terminal year of the assessment, and so that recommendation came out of the SSC's catch level projections workgroup report, and so that -- You know, these ABC projections are short-term in nature, and so not extending five years past the terminal year, and so that's why we didn't provide any ABC values after 2026.

If no new estimates of ABC are available prior to 2027, that value that we have on the table for 2026 would be used for 2027 and onward, until new ABC estimates are available, and so this underscores the importance of an interim analysis in 2026, because that interim analysis could provide a new ABC for 2027.

The magnitude of the black sea bass discards, relative to landings, is a huge problem, as has already been pointed out in the discussion this morning. The high levels of bycatch are hindering rebuilding, and substantial reductions in effort are needed to reduce the overall F for the black sea bass stock, and so this is just repeating what folks have mentioned this morning, and strategies to control effort more broadly will be essential to the recovery, and the sustainable harvest, of black sea bass and other South Atlantic fishery resources. This is just the SSC reiterating the point that's been made after seeing stock assessment results for other species, this, you know, reducing the number of hooks in the water, to reduce this high amount of discards is needed, and I think that's my last slide, and so I would be happy to answer any questions.

MS. MCCAWLEY: Thank you, Jeff. Questions for Jeff? Andy.

MR. STRELCHECK: Jeff, thanks for the presentation. With regard to the ABC advice, obviously, with discards being so considerably high, and driving, essentially, the mortality, and kind of the health, or the status, of the stock, I'm curious, and was there discussions about sensitivity runs around the discard estimates, especially in light of kind of the ongoing MRIP pilot study and the fact that that potentially could lower our estimates of both landed and discarded catch?

DR. BUCKEL: Andy, are you talking about sensitivities on the number of live releases? That would be what's coming out of the MRIP that could impact the number of dead discards, or are you talking about the sensitivity on the discard mortality that's applied to the live releases?

MR. STRELCHECK: The total live discards, and not the actual discard mortality rate.

DR. BUCKEL: Yes, there was some brief discussion, you know, about the uncertainty, but I don't think -- No one made a recommendation on a sensitivity run, and I don't remember, in the assessment, what that looked like, if it was done at all, and I know there was a very large -- You know, as Shannon pointed out, a much larger uncertainty put on the discard mortality rate, because there were members of the discard mortality workgroup that felt that the discard mortality rate was too low, and so they allowed -- You know, they increased the lower and upper bounds on that, which leads to that high uncertainty in F, as Shannon mentioned, and so I don't know about the live releases.

MS. MCCAWLEY: Thank you, Jeff. Any other questions for Jeff? Spud.

MR. WOODWARD: Thank you, Jeff. I noticed, in one of your bullets, you talked about monitoring discards, and it's my understanding, and somebody please correct me, but we're still depending on unvalidated, self-reported discards from the private recreational mode, and largely the for-hire mode, and, obviously, that's a great concern to us, given the magnitude of the effect of the discards on this stock status, and so what do you think is realistic, in terms of monitoring, to do a better job of characterizing those discards, so that, as we go forward, and we do interim analyses and that sort of thing, we could have more confidence in those discard estimates and what we need to do to mitigate it?

DR. BUCKEL: It's a great question, Spud, and I didn't provide all the sub-bullets from the report, and you can take a look at the report, and we did have discussion that we need to monitor it, but what do we monitor it with, right, if the MRIP numbers have this uncertainty, and so one recommendation was the citizen science, to use the citizen science data, in addition to MRIP, to monitor to see, you know, if there's consistency there.

Then, as you know, and you've had the presentations from MRIP, they're working to try to identify biases, and reduce those biases, but, yes, you know, I think the council puts research recommendations forward for various RFPs, and I think having some independent -- Having those as research recommendations, some independent checks, or ways to work with MRIP to try to help them test for biases, and remove those from those MRIP B2s, is really important, but, yes, you know, the citizen science I think is one area that could help us.

MS. MCCAWLEY: Any more questions? All right. Thank you, Jeff.

DR. BUCKEL: Thank you.

MS. MCCAWLEY: Wait. Shep, did you have a question?

MR. GRIMES: No, and I just wanted to make a comment, if that's okay.

MS. MCCAWLEY: Go ahead.

MR. GRIMES: Okay. Thank you. I just wanted to point out that, as the SSC has encouraged an interim analysis in 2026, so that it would be ready to implement any new ABC in 2027, if you're going to have that interim analysis done, it seems to me that you need to be starting it earlier than 2026, because you need to have a management action out of this council and ready for implementation by the time the other ABC expires at the end of 2026, and so it seems, to me, that really you should be looking probably a year earlier, but I'm just noting that.

MS. MCCAWLEY: Thank you. All right. Now we're going to pass it over to John Carmichael to give us a presentation and talk a little bit about the management challenges.

MR. CARMICHAEL: I've been expecting black sea bass to be an interesting topic, and a bit of a rabbit hole, and it has not disappointed in that regard. It's disappointing in a whole lot of other regards though, as we've all seen this morning, and so, after listening to the SSC discussions, and looking into sort of how black sea bass was doing, and reflecting on the past history, and this is probably our most assessed stock, I'm pretty certain, and it goes back to SEDAR 2. It's had multiple updates, and multiple assessments, and so we have a rich history to look into, and it's been through some interesting stanzas in its population.

I just wanted to try and bring that together, and I knew these presentations this morning were complicated, and try to bring this thing together with some different ways of looking at the same information, and so the caveat there is just I pulled a lot of pieces, from a lot of different sources, and tried to indicate them along the way, but this is just trying to give you a big-picture view of the challenge that you face, and what we may want to be able to do with black sea bass, and how these various pieces of information are all coming together, and really what is happening with this population.

The first thing is just look at SEDAR 76, and here's some significant outcomes from the assessment, which is the relative fishing mortality rate, whether or not you're overfishing, in blue, and the relative spawning stock biomass, whether or not you're overfished, in orange, and then the bright red line. You want the orange above the red, and you want the blue below the red, and the green line is the recruitment, with the straight green line being the reference that shows the long-term recruitment that's used in the OFL projections.

What this shows coming out of SEDAR 76, as you heard, is the stock is overfished, but it's not overfishing, and what you really want to pay attention to, and try to keep this period in here in mind as we go through this, which is really 2009 to about 2015. As you can see here, there is a big inflection in your recruitment and in your spawning stock biomass, and, as expected, SSB lags a little bit behind recruits. When your recruits start falling, a few years later, your SSB is going to fall. If your recruits keep falling, your SSB is going to keep falling, and that's just the way a population works, and there's no way around it.

You will also notice, and this was mentioned, is, in the last few years of the assessment, you don't really have a lot of information on which to estimate recruitment, and so, usually, the terminal year will be set the same as the year before, and we didn't have a survey in 2020, because of COVID, and so what's happened here, in this, is the last two years of recruitment, and look down here in this little yellow circle, are both the same, and those aren't really estimates. They're averages of a couple of years before, and that should make you suspicious that this little blip, that might say, oh look, things maybe turned around, is not really real, and, as Jeff just showed in the SSC report, looking at the actual index, the index has not tipped up. If anything, the index is sort of down here where it was in about 2019, and so that's a little bit of optimism that you probably shouldn't go to the bank on, and I certainly wouldn't.

Let's look at our history of this stock. As I said, there's been a lot of assessments. The stock now is not overfishing, and that was not the case in any of our prior assessments. In SEDAR 2, initially, the light-blue line, we thought this stock was severely overfishing, and a lot changed from SEDAR 2 to these other assessments, and that one used a whole different modeling approach, and it was predicated on length and not ages, and there were differences in the inputs, and so don't even look at that one anymore. Put that out of your mind.

Next, we came to SEDAR 25 in the gray line, which ended here in 2012, and so remember keep this sort of 2009 to 2015 in mind, because you've got SEDAR 25, and you've got SEDAR 56, and you had your recruits past their peak, and you had SSB already turning the corner, but, in SEDAR 25, we thought, yes, we have been overfishing for most of the time, but, hey, we finally got it under control.

In SEDAR 56, we're like, well, we were overfishing, and we were worse overfishing than we thought, but, you know, hey, we're getting it back under control. SEDAR 76 comes along, and we're like, other than one year, we've never been overfishing in this stock, and so, when we think about what's causing the problem with the productivity, we say, you know, overfishing often leads to declines in recruitment, and we had declines in recruitment without overfishing occurring. Something is going on with this population to contribute to a decade of declining recruitment, or more, and, based on the estimates we have from the assessment, it doesn't seem like overfishing is really to be implicated, in this case, as it so often is in fisheries.

Now let's look at the biomass. Again, we want the biomass to be high, and so we want to keep this up above the red line, and, if we look back at SEDAR 2, we thought the stock was not only severely overfishing, but we thought it was severely overfished, and we're not going to look at that one anymore, but, if you look at our couple of assessments there in the interim, the orange and the gray, SEDAR 56 and SEDAR 25, you can see there was a lot of cause for optimism in SEDAR 25.

The SSB was going up, and we had come out of being overfished, and things were looking good, and we were in rebuilding times at that point, based on the prior assessments, and, in SEDAR 25, we were above MSST, and so we were no longer overfished, but we were still in the rebuilding plan, because we were not recovered, because you have to get to the MSY level to be recovered, and so were kind of in that interim place that you get with most stocks, that you expect to get to late in your rebuilding plan.

Then we did SEDAR 56, and we decided the stock was recovered, and we really weren't overfished during those times, and we were in rebuilding plans, but we did have a little bit of an indication of some concern, where we have this declining limb here at the end of the orange, where we're saying, you know, the SSB was coming down, and that was really a precursor for where you see where we are now on SEDAR 76, where you're like, yes, it was coming down, and, unlike a lot of past years, where it would sort of go up and down, and up and down, where you had this in the middle of the orange and the gray, it hasn't come back, and that has created the situation that we're in today.

All these old assessments led us to a lot of yesterday's problems. We had rebuilding, and we had overfishing, and we had recovering. The stock was in rebuilding plans for twenty years, and SEDAR 76 says I don't think you need to be in rebuilding, and you weren't ever overfished, and so that just tells us how these assessments can be uncertain, and, as the models evolve, as we get better research, as we get better sampling, as we get better inputs, sometimes some of our old perceptions can be challenged by the new information, and give us a new outlook on the stock, and so, you know, part of this is to say we have a rich history of management on this, but, in a lot of cases, it was appropriate management for what was going on at the time, but we just know now that there is a bit of different situation going on.

This is really just to say, you know, I don't think the council can beat itself up too much over the situation where we are, with this stock having gone through such a decline, because you were acting appropriately for the information you had at the time, and all these amendments are on the website, if you want to look at those, and understand the information, but I just put this in here to give you a sense of, you know, the rich history of management that has gone into this population over the years.

I mentioned how our perception changes for these different stocks, and one of the big ways that it changes is, as we all know, because the inputs change, and we mentioned the FES earlier, the changes in the MRIP program, the importance of recreational fishing in this population, the importance of the discards. All of that is affected by MRIP, and so a lot of these figures are going to look at what's been going on in MRIP, and one of the big things you see is this is the total estimate of the MRIP discards, in thousands of fish. It isn't the dead fish, and so it's not affected by any changes in discard mortality that might have happened over time, but this is what was used as input to the assessment from MRIP at the time the assessment was done.

If you look at the orange and the gray, 25 and 56, you see that there was a fairly consistent trend in magnitude in the discards, and not a big change, but then we get into SEDAR 76, and we're dealing with what we call the FES change, which was a major change in the estimation of the recreational effort going back into the time when they say, you know, that cellphones started being used, and that's why you see this divergence between the blue and the orange and the gray, starting back here around 1998, and you see it get greater and greater over time, because the adjustment factor for that become greater over time.

What you can see is a huge increase in the amount of estimated discards for this population, and, if you remember from the earlier discussions about this, we've already mentioned how available these are in inshore inland areas, and those were some of the sectors of MRIP that were most affected by this adjustment in the effort, which we've talked about a lot, and Florida was a state that had big increases in the amount of inshore effort, and that translated into big increases in the encounters of some of these stocks.

These changes in inputs contribute to some of these estimation changes over time, and these challenges, and this just captures sort of how there's been a number of changes in MRIP over the years, and the different assessments had to go through different steps to incorporate this. We had the MRFSS period, and we had the MRIP, when it was revised, that period, and then they did the access point changes, which is the dockside interviews, and that had a recalculation going back, and then we brought in FES, and the good thing about FES is it kind of brought all the stuff together, and it gave us one comprehensive adjustment to the numbers, to go forward with, and at least the assessments are not having now to go through multiple conversions of the MRIP data to get their inputs. That's the good part of it.

The bad part is we've recently learned that there may continue to be problems, and those estimates could be biased, and that's something that we're going to have to factor in down the road, but that's not enough reason for us not to be acting on this stock, which hopefully I'll make a case for, because today's problem is the declining abundance, the increasing discards, an overfished stock, that is nearly overfishing.

A couple of pictures that I've put together in here, and this first one, on the left, shows the population abundance of age-one-plus fish, leaving out the recruits, because the recruits are half the population, most of the time, and so this is looking at the one-plus. That's the orange, and then the blue is the video survey. What's really interesting in this is that the decline in the blue, and the decline in the orange, are lock-step. This index is doing is an incredible job at predicting the abundance of this population, which is one of the reasons that Jeff mentioned that this is a good stock for an interim, because we do have an index that seems to do a really great job at tracking what's going on in this population.

It also tells us, despite the uncertainties that we have, and despite the uncertainty in basic inputs such as MRIP, we have evidence, from an independent source, that says this stock has been in decline for over a decade, and so this isn't a case where I think we can, you know, use the evidence, and the uncertainty, to say, well, maybe we don't need to act, and I think it's pretty clear that we need to act.

The other thing that I noticed in this, and so, if you look at the figure on the right, I'm showing the MRIP discards, and so that's the B2 fish in the blue line, and then the percent of the total fish encountered, and estimated, in MRIP that was discarded, and that's the orange, and so what this shows is, if you go back in the 1980s and 1990s, about 30 or 40 percent, and maybe up to 50 percent by 1990, of all the fish encountered by MRIP, and estimated in the program, were being thrown back, but the concerning part of this is this trend increases significantly over time.

In recent years, as has been mentioned, we're throwing back over 90 percent. In some cases, 99 percent, of the fish that are being encountered in the recreational fishery, private recreational fishery, in MRIP are being thrown back, and that is a huge problem in any fishery that you're going to have to try and solve, and we talk about discard mortality and barotrauma in a lot of species, and this is not one of those species that suffers from a lot of barotrauma impacts. The discard mortality is 13 percent, and I personally don't believe that many fisheries ever achieve a discard mortality below 10 percent. I think bass fishermen in tournaments, you know, are discarding, and losing, 5 to 10 percent of their fish. We don't have a lot of meat on the bone to

make improvements here from say reducing discard mortality, because it's already pretty doggone low.

That means we have to go after the blue, which is the magnitude of discards. That is where we have a huge number, and we can probably bring some force to bear and make a difference in this population, and the other thing that's concerning, and this really shows it, with this line being by itself, is just how much those numbers of discards have increased, from say 1995 up until present, and you also see a big spike right in here, and so remember like 2009, 2013, et cetera, we had those recruitment spikes, and then you have an availability in the fishery spike a few years later, and so you have an increase in discards that goes along with that increased availability.

You are killing those fish, and you're not getting recruitment coming in, and, well, here's another sign that the stock is not doing well, because even the number of discards is going down. The evidence is there, and it's incontrovertible, and so recruitment is a problem, and it's been declining, and what does this really mean?

This is a figure from the stock assessment, and it just shows the deviations, you know, how well recruitment was estimated relative to what was predicted that it should have been, and this shows us this decline in recruitment, this recruitment failure, and what I was interested in is, you know, what does that really mean, something you can wrap your head around, other than little circles on a graph that doesn't mean anything, and so the long-term R that's used in those OFL projections, as we talked about, was seventy-one million fish.

The estimated average recruitment from 2010 to 2019, and so during this period of decline, was forty-five million fish, and this includes 2010, which was a pretty decent year, about where expected, and it's forty-five million fish. The average from 2015 to 2019 was only twenty million fish, or twenty-one, and so that means that, over ten years, relative to what we expected for recruitment and long-term average, we lost 260 million fish from this population from recruitment failure alone. In just five years, we've lost 240 million, from not getting that expected recruitment, and so this stock is at very low abundance, and it's recruitment failure that is causing it, and those are huge holes to dig out of, in terms of getting back to the average conditions that will rebuild this stock to the levels that are shown on those long-term projections for OFL that use that seventy million, as Carolyn was questioning earlier.

You're not going to get back to that level of stock, as Shannon said, if you're only getting twenty million fish. You will never get to a stock that you estimate you're at when you get seventy million recruits if you're only ever getting twenty. I mean, I think that's pretty obvious to everybody, and there has been a huge cost to this population from that loss of recruitment, and so we've had that long-term decline in landed fish, and we've had a long-term decline in population, and the discards are taking over.

Again, we have our blue discard line, and you've probably got this seared into your memory by now, and the orange is the total number of landed fish that are estimated in the stock assessment, and what's interesting here is you see that landings started out, you know, fairly high, and the highest that we've seen were back in the mid to early 1980s, and it's really on a fairly regular declining trend throughout time. There's a few little blips, which corresponded with occasional good year classes, back in the 2000s and late 1990s, but, in general, it has just kind of come down, and it's really come down in recent years, which should be cause for concern.

The gray is the discard dead numbers, and, in the early years, the discard dead numbers are trivial relative to what was being caught, but notice that starts to shift here around 2000, and you see the discard dead going up, and you see the landings coming down, and, in about 2012 or so, suddenly now there's more discarded dead fish being taken from the population than landed fish, and then you get to where you are now, and they're the bulk of what's being taken out of the population, and so there's been a shift somehow, some way, in whatever is going on in this population, that we used to have a lot of fish, and a lot of fish were caught, and not a lot of discards, and now we're getting a lot of discards. It could be the inshore, and it could be different effort trends, and I don't think we really know yet, but I do believe we're going to have to get to some answers on this if we're going to change fishermen behavior, better understand this fishery, and break that assumption of the high discards in the future.

That's our past, and what about tomorrow? What does this mean for the future and how we're going to rebuild the stock? One thing that we mentioned is those projection scenarios carry those recent conditions into the future. We have the ABC, which carries the recent recruits into the future, and both of them carry the high F on discards in the last few years into the future, and that's going to have an impact on where our projections go.

What are future recruitment levels? We don't know, and then there's the issue of climate impacts. Is that affecting this stock? The northern stock, which we used to -- You know, we manage basically to Cape Hatteras, and then there's a stock managed by the Mid-Atlantic, which went from there north, and that stock has been shifting northward for years, and that stock is, right now, two-and-a-half times BMSY. That stock is in amazing shape, and they've been having incredible recruitment, with a lot of it occurring off places like Connecticut, and so really different situations between our stock of black sea bass and the more northern stock of black sea bass, and we're going to have to probably look into that as well and really understand our boundaries.

Getting back into the projections then, I put together what we have for the past conditions, which is the estimated going to the left, into the older years, from the terminal year of 2021, and then the projections, which are, as we've seen this morning from Shannon's presentation, and Jeff showed the numbers from that, which is to the right under the yellow arrow.

The total removals from the population is the blue, and then the recruitment is the orange, and so this is for the OFL, and so this is the long-term recruitment projection, and so, if you look at the orange line, and you look at the history, yes, you can see that this line here, about 77,000, that's consistent with what you think that average is, and then you look at the total removals of the stock, and you would say, well, that looks reasonable for this population to get to, based on the history, you know, and it's not out of line with what we've observed, and it doesn't look altogether too bad.

The problem is when we throw a little bit more information on this thing and look at landings and discards and the total removals, and so this orange line here -- Again that's the percent of the yield that the population provided that was dead discarded. The blue is the total removals from the population, landings and discards, over time, in numbers, and numbers are good to use for this, because you're not dealing with pounds, and changes in fish age and everything else, and fish die as a number. They don't die by the pound, and they die by the number, and so it's the numbers that are driving fishing mortality and that sort of thing.

The red is the dead discards, and so one thing that I want to point out is you start out in the early years, and the green landings, and the blue total removals, line up together, right, and there's not a lot of discards going on. You start to see some separation here in the early 2000s, where we see the blue starting to get distance from the green. The green is going down, and the blue is staying up there. We see the red, and that's the dead discard numbers, going up.

We reach this point around 2014, and remember, in 2013, something is going on in there, and you see where the dead discards, and the landings, are about the same, and then we see the discards start to eclipse the landings, and then we're carrying forward into the projections that fishing mortality rate over the last few years, and what that's doing is it's saying that almost all of the fish removed from this population are red, and they're dead discards. Very few of the fish to be removed from the population in the projection period under the OFL are landed.

If you think about what rebuilding scenarios are supposed to do, the idea is that gives you a blueprint for how you manage this stock, and, if you follow that blueprint, you achieve these outcomes, and you rebuild your fishery. The huge thing that really bothers me here is saying, if we follow this blueprint, and we follow these landings ratios, we are going to create a fishery that's discard-driven. We've got to do something that changes this ratio and doesn't rely upon the assumption that the F of discards will never change and creates this outcome.

This is a red snapper outcome all over again, and this is what will happen if we -- If we get a good year class, imagine. Then, suddenly, we're going to have lots of fish available, and we're trying to keep this fishery at a very low harvest level, and the discards will occur. Even if you didn't allow harvest in the EEZ, the discards will occur, because, as we've said, a lot of these fish are encountered in inshore and inland waters, by people who aren't even considering to be fishing for a snapper grouper, much less a black sea bass, and so that's a real challenge.

I think, as we work on how we rebuild this stock, we have to prevent just having the outcome of these projections become a self-fulfilling prophecy, because we can't -- I mean, this is a violation of a National Standard, to knowingly create a fishery that's based on waste, and so we have got to do something different, because, if you put in those landings levels, and you say, fishermen, you can only keep, you know, a couple thousand fish, and then you get a good population, you are going to force the fishermen to throw back those discards. What you're looking at there really falls under regulatory discards completely, and we have to keep that from happening.

Even if there wasn't overfishing occurring, these discard losses decrease the yield, and so SEDAR 76, with the FES and the higher population numbers, the higher removals, give you higher population numbers, and we get some more pounds in the population, but not what you would think, because of the discard losses, and so what these two figures show is the estimated equilibrium yield, the MSY essentially, under SEDAR 25 and then under SEDAR 26.

On the left, this is the pounds of fish yield for black sea bass, and on the right is the numbers yield of black sea bass, with the left-most bar being 25, and the right-most bar being SEDAR 76 in each graph. If we look at SEDAR 25, we had mostly blue, mostly landed fish, and just a little bit of pounds of discards. If you look at it in numbers, we had, you know, a few more in numbers, because discards are smaller than landings, on average, but still we're keeping a lot of the fish. If you go to SEDAR 76, in terms of pounds, those small discards are a vast amount of poundage,

because there are so doggone many of them. We get much less poundage yield than we had in SEDAR 25, even though there's a bigger stock, because we're losing so many fish to the discards.

You really see it in terms of numbers, where the blue numbers that are kept in SEDAR 76, at equilibrium, are trivial compared to the huge orange bar, which is what we will be killing in discards if we don't change the assumptions that are going into this somehow. The council has got to do some sort of management to change that, and there's a huge payoff.

If we could get to the SEDAR 76 population, with SEDAR 25 discard rates, MSY could double, and just shifting 50 percent of the current discards to landings could add 1.5 million pounds of yield, and we're talking about tens of pounds of yield, and yet, if we can shift some of these discards, and keep them from being discarded, and being able to keep them, then we're going to drastically increase this yield, and so the payoff is huge, and the payoff to the population is huge, and it's, you know, getting there is tough.

The scenarios that we looked at -- You know, Carolyn raised the questions about the different places the OFL and ABC are going, and so this is just sort of showing you, for the projection scenarios, along with where the stock has been, how things play out, and so the blue is the recruitment estimates here, on the left, and so we're showing this is the differences in the projected recruitments under the OFL and ABC projections, and it gets at the heart of what Carolyn was asking, and so, under the short-term ABC projections, we're assuming this twenty-some million fish. Under the long-term OFL, we're assuming the green, seventy-one-something, seventy-seven million fish, and it's a big difference.

The bottom line is, if you're getting red recruits, you're never going to get to a green stock size, but you will get to a stock size, and it will just be a stock size that is probably a third of the green, because you're getting a third of the recruits, right, and a lot of the assessment stuff is just that simple, and it's a lot of common sense in here, and just think about it. Recruitment is driving this stuff. If you're getting a third of the recruits, you're going to get a third of the yield, and you're going to get a third of the SSB when you get to equilibrium, and it's that simple.

On the right is the SSB, and, again, you can see -- You know, with the low recruitment, the SSB is going to be in the red, and it's going to stay low, but, with the green recruitment, the SSB is going to really skyrocket up. The challenge in this is, you know, the OFL is assuming that you're getting to that higher recruitment. Snap your fingers, and we're already there, you know, and we're looking at 2024.

If we were getting a higher recruitment, this would assume that, hey, we're already at a much better stock size than we were six or seven years ago, you know, and we know that recruitment is never going to go like this. It's going to be jagged, like the estimates were, but the projections are assuming that this sort of thing goes forward, and there's uncertainty around them, as Shannon's graph shows, and you remember the gray shading went way, way up high, because it's gross uncertainty in the results we're getting, but the big question is what the heck has recruitment done since 2019, when we had our last estimate?

As we saw in the figure that Jeff showed for the index, it's probably not that good, and we don't know, and we haven't estimated it, but it sure seems to track very well with that index, and that index is not looking good.

Another way of looking at what -- This issue of the fate of the fish in the rebuilding scenarios, and I think this really puts maybe the last nail in this coffin, but it's such an important topic, is, you know, this is what the OFL projected landings and discards look like, with the orange being the discards and the blue being the landings, and, I mean, this hits you right in the face, right? When you get out here to 2030, or 2034, your stock is almost rebuilt, but you've got a discard-driven fishery, and that's where these projections are taking us, and that's the part that we really have to change.

The question is can we get to that 1990 stock abundance that we're trying to get to in 2030, but restore 1990's discard levels of only 10 to 20 percent, rather than fulfilling this prophecy of these projections and having 95 percent discard losses, because we set really low ABCs, and ACLs, and forced the discards, and we know a couple of things are true. If we're going to increase abundance, we've got to have a low overall F, and we can't be overfishing. Thankfully, we haven't really been, but we can't let it start, but we do have to deal with those discards, and we need to have better recruitment, and so we don't really control recruitment.

We don't control the environment, and we don't know what these stocks are going to do. The best we can do, as managers, is to try to create conditions so that, if we get good environmental conditions, we have a stock that can take advantage of it, and that's the best that we can do, and that's why we try to restore age structure and SSB, so that, if things go well, then, yes, we can get a good year class out of it, but it doesn't always happen.

To change the discard future, in the yellow, we've got to change how this fishery functions. The payoff for us is MSY pounds, and really a fishery satisfaction, and people are going to have access, and so we've got to look at the discards, and we've talked some about the discards by area, and here's just a pull, from the MRIP program, showing the various discards by area. Inland is orange, ocean inside of three miles is light blue, and ocean greater than three miles is green.

You can see in this, particularly in recent years, that you do see the orange kind of kicking up, and there's a big drop there in 2018, and I'm not sure what's that about, but certainly there's been an increase in the inland discards. The percent of discards that are inland has not really a lot of trend though, really, if you look, and that's the red line here, and it's very variable, but probably somewhere around 50 to 60 percent, and so that means 50 to 60 percent of what's being discarded is occurring inland, inside of the inlets, in state waters, in the estuaries, in the rivers, in the bays and sounds, by people, as Tom mentioned, that they're not fishing for snapper grouper or black sea bass.

The other thing is, you know, we see the higher discards over time, but think of all those regulations on the earlier slide, and we've done actions that are toward increasing discards, the higher sizes, lower bags, and recall that we have a difference between the commercial and recreational size, and I think that is a huge issue here in this population, and so how do different commercial and recreational size limits increase the discard patterns?

A couple of facts. The commercial is at eleven inches, and the rec is at thirteen. These fish are growing pretty quick at that, and age-three is estimated to be a ten-and-a-half-inch fish, and age-five is estimated to be a thirteen-inch fish. There is uncertainty both ways. There is uncertainty of size across ages, and there is uncertainty in ages across sizes, but this is the average that comes

out of the stock assessment, and so what that simply tells you is commercial guys are fishing on fish for two year classes before recreational guys are keeping the fish, and so that's pulling fish out of the population.

We mentioned selectivity, and these are the selectivity estimates out of the assessment. Selectivity, I know, is a challenging concept, and really what it says is there's a fishing mortality rate for each fleet in the assessment, and so we have a commercial line, commercial pots, headboat, general rec, and you have landings and discards for both, and those are all essentially -- In the language of the assessment, those are fleets, and they all have an annual fishing mortality rate, and then the selectivity says how much of that fishing mortality rate is applied to any given age within the population, and so the fact that like these go to one doesn't mean you're killing all the fish, and that means that the full fishing mortality rate, say for commercial discards, is experienced by three-year-old fish, and virtually none is experienced by say nine-year-old fish.

Here we have the landings and discards, in the blues and greens, with the commercial fisheries being in green and the recreational fisheries being in blue, and then the overlay is just saying the predicted size-at-age, and so the green arrows and the blue arrows line up with what's about the average that each fishery can catch, just showing that there's a difference in what's going on here.

You see the commercial guys, over here on the right, and they're orange, and they're throwing back a fair number of relatively young fish, which we expect. We have a pot fishery, with escape vents, and they're going to keep a legal-sized fish, if they can, and so they're throwing back mostly small fish, and then we see we have the recreational fishery that is throwing back small fish, younger fish, as well, but it's a little bit shifted. You know, they're more fours, more fives, et cetera, and that's because they're forced to, because they have a higher size limit.

The really important thing here, to me, is, as I said, three-year-old fish, a commercial guy might keep, and a rec guy can't keep them until five, and so, for one thing, the rec guys are cycling through three and four-year-old fish that aren't thirteen inches, and throwing them back, potentially killing 13 percent of them that the commercial guys could keep, but then they're also having to encounter all of those three-year-old fish in trying to catch a legal fish. We raised the bag limit from five to seven, and we really kind of told fishermen that, hey, now a successful trip is seven, because that affects fishermen's psyches, a lot of time, and their behavior.

I'm not sociologist, and I'm going to pretend to be, Christina, but, you know, you put a limit out there, and, for a lot of fishermen, that becomes the target that defines a successful trip, and so a fishermen might have used to stop at five, and we raised the limit to seven, and, well, now they're going to fish for seven, and they're continuing to go through three-year-old, four-year-old, and five-year-old fish, trying to get that legal five-and-a-half or six-year-old fish that's thirteen inches.

I think that's part of the recent discard problem. I really do, and I thought it was part of the -- It was going to be a problem when we put this regulation in place years ago, and Chip mentioned the work that Mike did that showed, you know, going to the higher limit, and the bag limit was still probably not likely to achieve the ACL, and it turns out we haven't, and an interesting statistic -- I looked at the assessment, and so I just looked at some cohorts, some year classes, all fish born in a given year, and I said, you know, when a given year of birth's fish were age-four, versus when they were age-six, what's the difference in their abundance, and it's about 25 percent.

The population has declined, at-age, by 75 percent between age-four and age-six, and so there's a lot fewer of those age-six fish out there for the recreational guys, and so they're throwing back small fish, and there's a lot fewer of these older fish, and so we are potentially encouraging longer fishing trips to try and catch legal black sea bass, which is more encounters of so many other snapper grouper species.

You know, I'm hoping to bring this together, and you can see how all these little pieces fit together that are driving the nature of this fishery, and things like raising the possession limit on black sea bass, years ago, might have had unintended consequences, in terms of the overall effort that's going on, and, you know, not just the people that are going fishing, but how long are they staying out there fishing, and if they're staying out there an extra four hours, to try and catch, you know, the last couple of legal black sea bass, where they might have gone home hours ago happy with a twelve-inch black sea bass -- Like Judy said that we get all kinds of -- You know, we're catching a lot right just below the size limit, and, well, yes, because it's a gauntlet, and, when you get thirteen inches, and you're in an area where there's a lot of fishing going on, you're kept, and so your survival is until you get to thirteen inches. When you get to thirteen inches, or thirteen-and-a-quarter, bam. You know, someone is catching you, and you're gone, and you're caught, and so, yes, what she says absolutely matches what is going on in this population, and you're probably making people fish longer, which isn't good.

We've got high levels of encounters, and we've got small fish discarded, and the catch levels are not being met, and the future is recommended ACLs that are much lower, and so we've got this significant inland inshore availability, and lots of fish are going to be discarded, and those guys are not going to pay any attention to snapper grouper regulations.

Nearly all of the fish today, the rec fish, are discarded, which just destroys people's satisfaction, and so how do we change that? Reducing the recreational bag limit? Possibly. Doing the aggregate recreational limit that we've talked about for like 35, in snapper grouper and red snapper and other things, and, you know, let fishermen keep fifteen fish, of whatever they happen to get, and that could -- You know, instead of a successful trip being seven black sea bass, maybe it's fifteen snapper grouper, and we have -- You know, we start changing the behavior of the fishermen, and we change that assumption that the F in 2030, the discard F in 2030, is going to be the same that it was in 2020, and that's got to be our overarching goal.

The SERO ACL monitoring website, and that's great resource, if you haven't been there. If you want to see the history of any of our fisheries, it's all right there laid out, commercial and rec, in black and white. Just wondering how the fishery has done, and so remember that we talked about 2013, where the stock was going, and we thought things were looking great.

We raised the catch levels in 2013, and the red on these lines is what the ACL was, and the blue is what was actually landed, and it's commercial on the left and recreational on the right, and so, in 2013, we thought the stock was doing great, and we raised it up. We actually had a closure in 2013 in the commercial fishery, to keep them from going over that catch limit, but then look what happened in 2014. We go from a closure in 2013, and we didn't even come close in 2014, 2015, 2016, 2017. Look at this. The commercial fishery, as some of these guys out in the audience today will know, hasn't come close to catching its ACL in a lot of years.

The recreational fishery has done the same thing, and we thought the stock was riding really high then, remember, and then we came along and did like SEDAR 56, and we realized that things maybe weren't quite so hunky-dory, and that's when we had this drop in the red line, where we're lowering the catch levels, because, I mean, if people aren't catching them, and the stock is kind of trending downward, maybe we should be concerned.

What's important is we were already well past peak recruitment. We were well past peak SSB, and the council just didn't know it at the time. The assessment couldn't have known it, and it was into the future, but so that's why, even with those lower catch levels, landings, both sectors, continue to decline, and it's not coming close today to meeting the catch levels, and these years are all past that 2011 population peak, and these graphs are starting in 2011.

Nobody achieved the high SEDAR 25 ACLs for 2013 to 2019. We had the one here, and then they're not getting there. The commercial fishery had its last closure in 2013. Roy used to always talk about being concerned when you aren't catching limits, and I absolutely agree with him, because, when you don't have great numbers -- If you're not catching the limit, it often means the fish are not there. When you do catch the limit, a lot of times it's because of a good year class, which was the other thing that Roy always told us, you know, and he feared a good year class, because he's going to be over the catch levels, and it's going to be because there's a lot of fish out there, and everybody is going to hate him.

You know, being below an ACL is not always okay, and it's unfortunate that management, under Magnuson, is so focused on the idea that being below the catch level is good and being above it is bad, because we have availability-driven fisheries. We have hook-and-line fisheries. In recreational, everyone considers that, but our commercial fisheries are hook-and-line, and they're really driven by availability.

When they see a lot of fish, they're going to catch a lot of fish, and, if they're not catching fish, a lot of times it's because the fish are not there, and we're seeing this in this case. I mean, it's clear that we're not catching a limit because the fish were not there, and we should be concerned when we're catching only a fraction of the ACL, and probably more concerned than when we're catching 110, or 120, percent of it, you know, because that probably means there's a problem, and we've talked about this at this table for every stock.

I remember being in Georgia, ten years ago, talking about gag, and not catching the limits, and should we raise it, and fishermen like Charlie, you know, are going, no, because the gag are not there, and like we're not catching them because they're not there, and we better not raise the limit, because it won't do anything, and, I mean, that stuff holds true, and you see it right here in black sea bass, plain as day.

The other thing that's interesting is what has changed since 2018, and so one of the things that I look at in population is what is the fishery encounters percent, and so, looking at MRIP data, the total number of fish that are being encountered, what is that relative to the population size, and so what proportion of the fish that we think are in the ocean did the recreational fishery catch, and, in some cases, we think it's extremely high. You know, the total encounters is the orange, and we see that going up. The percent of B2s is the gray, which is showing the percent of the fish that are discarded, and, as I said, it's approaching 90 percent, and then the blue is, again, the age-one abundance.

What we're seeing is, as the blue came down, and you all remember this declining limb strongly by this point, and, as the blue was coming down, the fishery encounters on black sea bass in MRIP were going up, and so the fishermen are continuing to encounter this fish while the population is crashing, which is counterintuitive. You would think, as the population, you know, gets lower, they should be harder to encounter. If anything, the percentage of encounters should maybe stay the same, but not go up, and so it's almost like, you know, fishermen are continuing to get after these fish.

You know, were they getting better at catching them, and were the fish more abundant in places like inshore, where you have all that effort, or is this just something about -- You know, could this go back and change, when we get an FES bias? I don't know, but I think it is a sign that something has changed in this fishery, which could make it harder to get back to those say 1990 discard rates that we need to get to to have a viable fishery, but I think this is something that deserves some more research into what actually is behind seeing this fishery be able to encounter so many fish, and do so well, for a population that is in decline.

The other point we talk about a lot is increasing effort overall, particularly snapper grouper, and do we see this in the data? We have the MRIP, and the inland, and the inshore, is likely a factor in discarding, as we've said, and nearly all the rec fish are discarded, and so what's going on in effort is going to be hugely important, and so I looked at the South Atlantic effort trends from MRIP, and this is angler trips by the different areas, with the inland area, which is, recall, inside the inlets, the state areas, and that is orange, and the ocean, and so the zero to three miles essentially, is the light blue, and then the ocean greater than three miles is green.

This is all angler trips in the South Atlantic, and this is not snapper grouper, or any individual species, and this has got, you know, trips that went to blue water to catch dolphin and marlin to guys that fished inshore under a bridge to catch, you know, sea mullets, and it's got the whole gamut of fish that's in there, and the interesting thing here is 2020 is highlighted. We did have surveys that year, and we know we don't have a great estimate, but it does look like, after 2020 -- So, in 2021, there was a spike. Well, yes, and people had time, and they had stimulus money, and so we were all afraid that nobody would go fishing, thanks to COVID, and license sales in the states would tank, and exactly the opposite happened.

People went out and went fishing, and so I think the 2021 spike there is expected, and then we see the last few years of decline, and people were returning to normal probably, and our time is now spent more with work, but the interesting part is, you know, and this has been the case for a while, but the peak occurred back around 2009, and it's down a little bit from actually what the peak was, and the other thing to point out, and this is always good for you guys to remember, is look how little itty-bitty the green part is.

That's EEZ fishing. That's the fishing that you control, you know, and there's a huge amount of fishery that goes on in the inland and in the state waters, and this is why everything that we manage is a rare-event species in MRIP, because our effort is a rare-event species in MRIP, and this is why we're in such a different situation, and why we talk about this all the time, is because the offshore is only 5 percent of the trips, and it's been that way. It's really shown very little trend through the whole MRIP period, not really deviating from 5 percent.

I think, if we're -- You know, if we think effort is increasing, we're going to have to find a better way of understanding that, because the MRIP data, you know, is not just showing us across-the-board that effort is increasing, and this doesn't mean that more of those ocean trips are not targeting snapper grouper, and that could be a whole other thing, and that's another can of worms to dig into and understand what people are catching, and what they're targeting, but it does mean that, to really understand effort, and where the trends are going, we probably have to do a pretty deep dive into the MRIP program, and some other data sources maybe, to understand this, but, you know, effective effort is also another thing.

Fishermen get better over time, and so, even if the effort is completely flat, fishermen have got better hooks, and they've got better rods, and they've got better line, and they've got amazing electronics, and they've got spot-lock trolling motors, and so they're a heck of a lot more effective today than they were in 1990, and they've got social media, and navigation, and everybody is putting spots on the internet, and so, you know, the effective -- Even if effort is going down, probably the effective fishing power is a whole other thing, which could be something else to look into.

Just looking at this by area, it really helps to highlight just how low the ocean is, and the same data, and the ocean is the green down on the bottom here, and you can see it's very flat, and it's always been a pretty low part, but not really increasing. The blue, the inland, kind of increased in recent years, and, you know, it increased from about 1996 up to maybe 2020, and it had a spike, and everybody is down a little bit in the recent years, which we're not surprised, and the economy -- A lot of times, this follows economic trends. You get a recession, and you get a drop in MRIP effort. The economy recovers, and you get a spike in effort. If people have got money, they go fishing, and we know how that works.

The last point here is if a warming ocean is potentially impacting recruitment, won't it impact catch? The Mid-Atlantic stock, as I said, is moving northward, and it tends to be, you know, the response to a warming ocean out there, and some of our species are suspected of shifting, like Spanish mackerel more prevalent to the north, and what about the southern end of black sea bass? So, if the Mid-Atlantic stock is losing its southern end, what about our southern end? I thought about this, because, you know, I've heard from people out there saying we don't see black sea bass down in Florida like we used to, and that would seem to be the case, at least in the recreational fishery, and I know it's the case in the commercial fishery.

Another look at MRIP data, just looking at the total number of black sea bass in MRIP by state, with each state being a different color, and Florida is orange on the bars, and Georgia is green, and North Carolina is in blue, and South Carolina is in purple. The green line that goes across there is the percent of Florida, and so what's interesting about this is, first of all, you see -- You know, you see the pattern that we've seen throughout this, where we had this increase in landings in 2013, et cetera, and then they come down.

The Florida was 40 percent of the black sea bass were being reported by MRIP, from say 1989 to 1991, in those earlier years, and 40 percent. In recent years, avoiding 2020, from 2017 to 2019, in here, we're at 20 percent, and that's a pretty big cut, and then, 2021 to 2023, the most recent years, it's down to 12 percent, and so this is -- You know, this is circumstantial evidence, and it's not proof of anything, but I think it does point us in a direction to look at, which is to understand what's

going on with the southern bound of our stock, and, if that was a very important part of the stock to its productivity, we may not get to that higher recruitment assumption of those OFL projections.

We may be somewhere in the middle, if our stock has lost some area and is not going to be as productive in 2030 as it was in 1990, and it's going to take a while for a stock assessment, that is relying upon that long time series to estimate MSY, and has come up with a seventy-seven-million average number of recruits, to readjust itself to a different stock that is changing, you know, this quickly, from 40 percent, and even 40 percent or 50 percent in 2010, that by now is down to 12 percent, and that's a big shift, and how important was that Florida area to overall reproduction of black sea bass? I don't know, but I think we probably need to have a handle on it if we're going to know where the stock is going.

The good thing is, as Chip said, you know, as long as you're not overfishing, your stock is going to rebuild to something. We may not know what it is, and, in a practical sense, you don't have to know. The Magnuson Act demands that we come up with some number for it, but we don't necessarily have to know it to get the stock doing better, and so conclusions, maybe, and I don't know, but just some thoughts on this, and I don't know if this wraps this up or not.

It's important that, despite this assessment history that's in constant flux, and lots of input changes, the survey gives us great evidence that this stock is in decline, and I don't think that anyone can argue that, and the writing is on the wall. Climate change might be part of this recruitment failure and loss of the stock from the southern end, and so are those long-term projections, based on the historic conditions, going to be realistic? Only time will tell. We're forced to do them for Magnuson, and to come up with a rebuilding scenario, but we just need to take them with a grain of salt and understand that things may change in the future, as we learn more about the stock.

The recreational discards, due primarily to the size limit, are a challenge that we have to solve. I think there are some ways to get there, like equalizing size limits, looking at the bag limit, considering the aggregate, and those things that we're all talking about anyway, is trying to get a handle on the total amount of effort, and, if we can come up with things that reduce the hours fished, while still giving fishermen access in days fished, then I think that's a pretty good outcome for this fishery overall.

Then the important part is to those projections assume that current discard F continues, and we've got to change that relationship if we're going to have a fishery that actually gives anglers satisfaction, and that loss of fish affects both sectors, and so everybody involved with black sea bass has an interest in seeing that change, so that we don't waste this resource any more than we have so far, and we get the most we can from the available production, and so that's the last slide. Any questions?

MS. MCCAWLEY: I expect a ton of questions, and so what we would like to do here, and thank you, John. That was a great presentation, but is take some questions here for John on the presentation, and then we'll break for lunch, and then we'll dive back into kind of what we want to do next, management-wise, and so just be thinking about that in asking questions, and we're not trying to solve it right before lunch, but it's question time for John right now, because I want to get through the questions while they're fresh in your minds. I see lots of hands. All right. Laurilee, Judy, and then we'll go to this other side of the table.

MS. THOMPSON: Thanks. John, that was great. It was a really good presentation. Every chart that you showed in that presentation showed the decline in black sea bass corresponded with the closure of red snapper, and, you know, the increase of the red snapper population, and so this is just an observation, but it seems that the decline in black sea bass, especially off of Florida, coincides with the increase in the red snapper population, and so whether the red snapper are eating the juvenile black sea bass off the reef, or whether it's competition for food source, there's no -- You can't deny the decline in the black sea bass population -- You know, the size of the population coincides with the increase in red snapper, and so that's my observation, and then I will let everybody else go.

MS. MCCAWLEY: Thanks, Laurilee. Go ahead, John.

MR. CARMICHAEL: Yes, I mean, there's correlation there, and it's easy to draw that, and it doesn't necessarily mean causation, but I think it's something we do need to look into. You know, it could be something where the conditions that were good for a 2 percent SPR red snapper stock, that give me an incredible recruitment event, and, you know, a decade of great recruitment, are maybe the same conditions that have contributed to black sea bass having good SSB and giving me really bad recruitment, and, you know, I think that's part of it. We can't just assume that it's, you know, the competition, and it could be environmental conditions, and, you know, I think you recognize that too, but, yes, that's something that probably needs to be looked at, for sure.

I did want to say that like this was total rabbit hole, going down this since the SSC meeting, and, you know, I'm presenting this stuff, but there's a lot of hours of us at the staff meeting table talking about this, and trying to get these ideas, and figuring out what we can give you for management, and, you know, Chip and Mike were a big help in putting some of this perspective on here, and getting it somewhere useful, and so a big thanks to them as well.

MS. MCCAWLEY: Thank you, John. Thanks to all the staff that worked on this. Judy, I think you had your hand up.

MS. HELMEY: Wow, John. I've got to tell you that you guys did a great job on the presentation. It's finally something that I can understand, and I'm telling you that it was great. I do have a lot of questions, but I know we're not supposed to do that, and I want to ask questions later, but I did want to tell you that you're right about the new fishing technology. It has come a long way, and this is probably some of the problems that we're having to deal with, because now these fish finders are unbelievable, and no more soap on a sinker works anymore. Anyway, that's all I had to say, and I have my questions, and I will get them all straightened out, and thank you very much for the presentation, for you and the staff.

MS. MCCAWLEY: Thank you, Judy. If you want to go ahead and ask some of those questions before lunch, that would be fine.

MS. HELMEY: Well, the graphs are so great, and I do know that some of the problems with the fishery is the fact that we're catching so many fish that we can't keep to try to get that thirteen-inch fish, and I do know that some of the -- The artificial reefs used to hold a lot of thirteen-inch fish, especially in the cooler months, and we don't have that right now. We don't have that, and I've noticed that the fish, at least off the coast of Georgia, have moved into seventy-five to eighty foot of water.

We still have good populations, but there's not as many thirteen-plus-inch fish as there were, and so your artificial reefs are holding small fish, or right under thirteen-inch fish, and so, here again, I think, if we look at changing some of the bag limits, and the size limit, I think that it would really help a lot.

MS. MCCAWLEY: Thank you, Judy. Tim, Tom, Kerry, Gary.

MR. GRINER: Thank you. John, that was great, and you obviously have a great way of explaining things to us. A couple of things, and I am glad that you hit on the climate stuff, because I think that's a big issue here that we're kind of maybe overlooking. When I go back, and I start looking at the commercial landings, and I go back to 2018, and we were around 250,000 pounds. 2019 is roughly the same, and then Hurricane Florence hit, right, and that was a big blow. It scattered these fish. It moved them, and you also, at that same time, you started seeing this big push north of fish.

The following year, we were down to 70,000 pounds, or 80,000 pounds, of black sea bass, and, commercially, we have stayed right there at 80,000 pounds ever since then, and so that tells me that the fishery is maybe stable, and it may not have a problem, but it's just a different fishery. The fish moved, and I'm not sure that they're not coming back. Some of the guys that were in the pot exempted ropeless gear permit, when they set in the winter of 2022 and 2023, they had an incredible fishery, fish like they hadn't seen in a long, long time.

Since then, we've had a winter where we had horrible nor'easters. This winter, it's been a southeast blow the entire time, and I think that has a big, big impact on recruitment. When we start looking at recruitment, and we're saying that we have a problem with recruitment, yet encounters are going up, and all the discards are small fish, and so I'm not sure that I can wrap my head around encounters going up, and they're all small fish that we're encountering, and we're having to discard them, because they're so small, and it's the size that's driving the discards, and so, if we're having a recruitment problem, where did those fish come from?

I am not sure that we didn't have a recruitment problem after Florence, maybe two or three years after that, but I'm not sure that it's not coming back, and I'm not sure that a lot of those fish that relocated -- Some of them are coming back now, but I'm not sure that all of them are going to ever come back, and so I think it's important that we not necessarily try to look at getting back to some historical level that's just never going to be there again. I don't know that it's a -- You know, a shift that -- You know, they're just not reproducing, but it's just that we have a population that is stable, if you look at commercial landings, and they're small fish, if you look at the discards in the recreational fishery, and so maybe it's just the fishery that we have now.

To me, this kind of lends itself to, you know, well, if you have a flat landings, and they're staying the same, and they're below the ACL, like you said, that's -- You know, you're trying to manage to an ACL that doesn't really mean anything at that point, and so it almost lends itself to, you know, you just take a past five-year average of landings, and you just kind of stay on that level and see what happens for a few years, and then do another assessment. Thank you.

MS. MCCAWLEY: Thanks, Tim. Tom.

MR. ROLLER: Thank you, Madam Chair. Thank you, John, for your presentation, of course, and this was really helpful. My question, or comment, has been kind of evolving as we went through this presentation, and I'm going to just -- I want to highlight one sentence you said, and it was like we need a deep dive into MRIP to understand this, because how we address this is going to be how we address discards, and that terrifies me, being what I know about this fishery, right, and we can talk about, you know, causation and correlation, but what I see is a fishery that is predominantly inshore, in nearshore, where people are never going to catch very many legal black sea bass.

If you were to ask me to stay within three miles, and to catch a few, I would laugh at you, and I would say, no, I'm not going to do it, and so I'm seeing -- I wonder if we can source this out in MRIP, but what sort of change in fishing behavior have we seen, because, if we want to talk about red snapper, what I also see is a correlation with a loss of our inshore panfish fisheries. Let's remember that most fishermen are not always the most sophisticated, and this is the two-hook bottom-rigger crowd that is out around the port terminal, the bridges, the jetties, shore access points, the closest wrecks to the inlets, and they're just trying to catch stuff, you know, and, in North Carolina, we've lost our spots, and we've lost our croaker, and we've lost our weakfish, and those used to be predominant panfish fisheries for our recreational fishermen.

I am scared of how we address a fishery that is just people out just trying to catch stuff, right, and like how do we do that, and how do we source that out of MRIP, right, and my last observation is I live, and fish, at the far northern extreme of this range, and literally on the line, and what I have experienced, in recent years, is, the closer you get to Cape Hatteras, and, specifically, for me, it's Cape Lookout, and that ain't that far, is there's a lot more fish the closer you get to that generally -- What we call that dividing line of the population, and so I'll end it at that, but thank you.

MS. MCCAWLEY: Thanks, Tom. Kerry. Gary.

MR. BORLAND: Thanks, John, for the presentation. I've got a million questions, but I heard you touch on something that struck a nerve, the behavior piece, and when do we incorporate fishermen, especially the recreational side, the behavior into the management strategies that we do, because I know commercial fishermen fish to pay the light bills, but recreational fishermen fish for all different reasons, and, as we make management changes, it changes the behavior.

You know, you talk about a thirteen-inch size limit, and three-fish bag limit, and you change that to an eleven-inch size limit, and we know it changes the behavior on how many fish they have to catch to fill the cooler, and there's also other recreational fishermen that don't want to kill anything, and they just want to go fish and catch fish and release them anyway, and so I -- As I've sat here for a year-plus, I know that it is part of what we do, and how we make decisions, but I don't know that we fully understand the recreational fishermen and the satisfaction they need to get when they go fishing, and so, as we incorporate that into management, how does that fit, and how do we take that into consideration?

MR. CARMICHAEL: I think, and I hope this will be the case, is, you know, the MSE we view as one tool that can potentially do more of that, that's more configured to take in, you know, behavior, and potentially what recreational anglers want, and, you know, Chip mentioned trying to get black sea bass factored into that MSE over this year, which I think will be very important and very timely.

You know, that's one of the best ways I know of to quantify it, and the other way is, you know, working with our SEP, and others, to try and better understand, you know, because, to me, first, you've got to understand the behavior, and the motivations, before you can start trying to tweak them, and that's where, you know, things like Tom pointed out, a deep dive in MRIP, to help us better understand the patterns, and then better understand the fishermen themselves, I think is something we're going to need to do, and we need to do from a snapper grouper fishery overall perspective, because this is the foundation of a lot of the fishery.

You know, red snapper is the foundation of that central-north Florida, and black sea bass I the foundation over the rest of the areas, and we've got two, you know, cornerstones of our fishery in trouble, with discard trouble, and so, yes, we have to understand this from a big-picture perspective, and the MSE, I hope, will play out.

You know, I would say, Jessica, just real quick, Tim mentioned that to really understand what's going on with recruitment, and I know that -- I talked with Tracey Smart at MARMAP, and they've been trying to look into the index and tease out a potential recruitment trend, and then looking at what they have for SEAMAP, and so they're working on a publication, and hopefully we have something, in fairly short order, that might give us some insight into the age-zeroes, as opposed to the rest, which I think is definitely a need within this stock assessment, and understanding that, for sure. My fingers are crossed that we're going to get some progress there.

MS. MCCAWLEY: All right. I have, in the queue, Trish and then Spud and then Robert. I'm sorry. Back to you, Gary.

MR. BORLAND: Just to follow-up, and, you know, something that I've brought up, and you brought up in the presentation, was around that, you know, catch fifteen fish and quit fishing, and, you know, I think that -- We sit here, as managers, thinking that that will stop discards, but will it really? I mean, so, again, back to that behavior piece, and how do we dive into that, right, and that's just a follow-up.

MS. MCCAWLEY: All right. Trish.

MS. MURPHEY: This is maybe changing the topic a little bit on this, and I'm thinking out loud here, but the climate change piece kind of jumped out at me, and thinking about habitat, and, you know, you showed that the numbers seem to be going down in Florida, and Florida, to me, has a lot of structured habitat between the reefs and the SAV, and then, as you move further north, and I'm kind of making an assumption here, but, as you move further north, I think the offshore habitat probably decreases as you go north, and so, to me, as these --

If these fish are moving north, which they seem to be doing in the north, if our fish are moving north, I wonder if they're having an issue with habitat, as well as nursery areas, because I don't know a lot about their life history, and this is probably all a research question, but, you know, again, Florida has SAVs in their inland water, and I think they come -- The juveniles come in and use those areas as a nursery area, and they get to Georgia and South Carolina, and there is no SAV, and so, you know, are they losing nursery habitat as they move north past Georgia and South Carolina?

Then, you know, you did show that North Carolina has increased over time, as far as -- Or at least MRIP numbers, and, you know, we're back to a nice huge estuary and seagrass beds, and, even up north -- You know, all the other states, I believe, have eelgrass, and so I kind of wonder, as they move north, if they're having an issue with habitat, and nursery habitat, and so I'm just throwing that idea out.

MS. MCCAWLEY: Thank you, Trish. Spud.

MR. WOODWARD: Thank you. Thank you, John. We could, obviously, converse about this for a long time, but, in the interest of getting us to lunch, just a couple of things. You know, if we're going to grapple with the discard problem, we're going to have to figure out a way to increase the accuracy and precision of those discard estimates, or else we will never solve it, and, you know, to Tim's comment about encounters, encounters in the recreational fishery are a function of survey methodology, and so it's not surprising, to me, that you see a conflict between those things, and I will give you a simple little example of it.

In 2014, in Georgia, in shore mode, there were an estimated 415,000 black sea bass caught in shore mode and discarded. In that year, 8,698 were reportedly harvested, and, well, we don't have any thirteen-inch black sea bass inside Georgia waters, and, more importantly, that B2 estimate for that year -- The lower 95 percent confidence interval was zero, and the upper was one million, and so, you know, this doing cosmetic surgery with a chainsaw business is not working, you know, and so we're going to have to do something, or else we'll be a cat chasing its tail on this for a long time to come.

MS. MCCAWLEY: Thank you, Spud, and so I had Robert in the queue, but he's not in the room. Andy.

MR. STRELCHECK: I just want to caution, because we hear this a lot, and I don't disagree with the point that Spud is trying to make, but, when you plug in data like that into an assessment, right, there's a lot of smoothing, and a lot of things that happen with fitting in the model, and discards, in particular, are one of the things that are not fit precisely in a modeling effort, right, and so the point is well taken, but throwing out like an individual statistic and all of that, to me, is not helpful, because of how we handle it in the stock assessment process, as well as when we're monitoring and managing landings data, and so I just wanted to note that.

One thing, I guess, that I did want to though ask -- You know, we keep emphasizing, obviously, discards as a function of the size limit, and, you know, John, it's interesting, the data you're showing, in terms of effort, and it being kind of relatively flat, although we're talking about potentially the technology, and other factors, that are increasing effort, but I still see this as a capacity issue, right, and we have good year-round weather, for the most part, in the Southeast, with these multispecies fisheries that people are interacting with fish in and out of season, and so the encounter rates are up, one because of, you know, the regulations, but, two, because we have a lot of effort in our fisheries that causes them to encounter all these species that we're opening and closing throughout the year, and I'm just curious if you have any thoughts, or reaction, to that comment.

MR. CARMICHAEL: I was still thinking about the issue with, you know, what we fit in the assessment, and the landings they do fit quite well, and, you know, I think that's one of the things

that we find frustrating in -- You know, I know the analysts, and others do, is that, a lot of times, we don't have good enough surveys that can be fit, you know, closer than say the landings, and so you've got to tell it something that's fairly truthful, and so the landings get told to be fairly truthful. You know, sometimes I do think it ends up having a fair amount of influence within these assessments, which is troubling. Then, your second point, just hit me again on that, quick?

MR. STRELCHECK: Well, your kind of take-home message was kind of the emphasis on discards, and especially, you know, size limits kind of being a causal factor, but, to me, there's still the issue of encounters, and a lot of effort and capacity in our fisheries, that results in encounter rates that cause discards as well.

MR. CARMICHAEL: Yes, and I think there's just a lot going on out there, you know, and there's no doubt. There is a lot of effort that's going into these fisheries, and we see it in so many things, and, you know, it's hard to control the discards, and we know that fishermen favor access to the fishery. They favor the opportunity to go fishing when it works within their lives, and, in part of looking at this, I looked at some -- There is an attitude survey that MRIP did some time ago, and it looked at fishermen's feelings towards different regulations.

They really did not like seasons, and they did not like things like that that said that you can't go fishing when maybe you're off, or you're available, et cetera, and, in fact, they favor even closed areas, and I think they might like, you know, fairly targeted closed areas, that didn't, you know, close off everywhere that they access, but they favored them over seasons, and they favored aggregate limits, which was one, and do I think that's one that has some potential.

You know, what something like that can do, and it won't end the discards, but, since everyone gets very angry when there is the idea of taking hooks out of the water, well, maybe you have hooks in the water for less time. You know, they don't want to lose the days, and they don't want to lose the chance, but can we make, you know, the overall effort in a given trip a little bit shorter, or in some ways make it a little less effective towards snapper grouper, so people can go and fish and still have the opportunity, while, at the same time, trying to keep them from catching too many fish that are not able to be captured, you know, reducing the regulatory discard situation.

I think this one is going to be so hard, because of that inshore catch that we have, and it's going to really be a tough situation, but, you know, maybe we can better understand the discards of small black sea bass inshore, because I don't think that's a -- You know, when we do discard mortality studies in the snapper grouper fishery, it tends to be looking offshore, concerns about things like barotrauma and that sort of stuff, and I don't know how much has been done, you know, looking inshore for fishermen like me, that are dropping the bottom hook and, you know, half the time just trying to catch something, whatever is out there, and you encounter them.

It's probably pretty good, because, you know, that kind of fishing also leads to a lot of gut-hooked fish, but definitely somewhere that we could look into, and I think we're just going to have to hit this from as many directions as we can, you know, as we've talked about in so many other cases.

MS. MCCAWLEY: Thank you, both. Tim.

MR. GRINER: Thank you. Andy, I'm glad you touched on that, that smoothing that takes place in the assessment, because I think that is important, but it also highlights that there's a need for the

smoothing, right, and I will give you an example. In this SEDAR 76, the data showed that there was 30,000 pounds of discards in the commercial black sea bass pot fishery during the closed season, and that is absolutely -- I can say, with 99.99 percent certainty, that there was not one of the thirty guys that hold an endorsement that went out during the closed season, with a boatload of pots, and dropped them off, and then dumped all the fish overboard. It just did not happen, okay?

That's commercial data that should have come from the discard logbooks, but they were adamant that this data is valid, it's true, it happened, and it couldn't have happened, because no potter went out during the closed season, with a boatload of pots, and went bass potting and then threw them all back, and so -- But they were able to smooth that out, and it didn't make a difference in the assessment, but I'm not so sure that's the case with every bit of data that comes in that is absolutely like that, and so I'm not sure how much smoothing can be done when the data is really, really off. Thank you.

MS. MCCAWLEY: Thanks, everybody. I appreciate this discussion, and we're going to continue on this topic after lunch, and I'm going to turn it back to our Chair to let us know when to come back from lunch.

DR. BELCHER: I'm going to look to the group. How easy was it for everybody to come back early yesterday? I mean, I know we had extra time yesterday, but did you find it was pretty much close to an hour-and-a-half, and you had -- So I can just say that, if we break now, 1:30 still holds? Everybody is good with that? Okay, and so we will come back for 1:30.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to get going again, and we are still working on black sea bass. We're going to be talking about Amendment 56, and I'm going to turn it over to Mike to start walking us through these documents. Just a reminder, from our Chair, that we will be stopping at 3:45, in order to get ready for the public comment period that starts at 4:00, and so, if you haven't already signed up to give public comment, and you want to give public comment, I believe you can see Kim over there, and she'll get you signed up. All right. Over to you, Mike.

DR. SCHMIDTKE: All right. Thank you, and there's no discussion document, or presentation, at this point. This is kind of just coming back to the committee to see, after the information that's been presented to you concerning SEDAR 76, and the presentations that have been given by Jeff Buckel and John Carmichael, what all do you want to include in Amendment 56? You've already initiated it, and the IPT just needs some direction on where do we initially need to go, are there any specific types of questions, or information, that you want brought back to you in June, because, theoretically, in June, it would be when you all would consider sending this out for scoping, and so what types of information can be gathered in the interim, so that you're prepared to consider it for scoping at that point?

MS. MCCAWLEY: Tom.

MR. ROLLER: I hope this is an appropriate sort of request, but it goes back to my comment earlier about like a deeper dive into the MRIP numbers, so we could have a better understanding of where

these discards are coming from, and I know that's very general, but I think we have to understand it.

MS. MCCAWLEY: All right. Mike is going to try to capture these items on the board there, as notes and direction to staff. All right. Who else? Andy.

MR. STRELCHECK: A few ideas. One, given the steep reductions we're looking at, whether it's an opportune time to take advantage of our ABC Control Rule to phase-in reductions, and then I certainly don't think we're going to be able to check the box on how we're minimizing bycatch to the extent practicable, based on these projections, and so I think it will be beneficial for the council to kind of understand, based on achieving some reductions in discards, what is then the landed catch, kind of the tradeoff between the two, right, and it's not -- We then have to figure out what regulatory measures can help us reduce those discards.

MS. MCCAWLEY: All right. Thank you, Andy. Tim.

MR. GRINER: Thank you for bringing that up, Andy, and I wanted to talk about that as well, and so, even if the information comes back, and the ABC Control Rule, or the amendment changes to the ABC Control Rule are not applicable right now, would it not be beneficial to go ahead and enact that new amendment control rule to black sea bass as a species, so that we have done that for the future, and we would not have to have another amendment later on to enact that control rule?

DR. SCHMIDTKE: I think you and Andy are talking about two slightly different things, and so I think you're referring to the carryover portion of that, whereas Andy was talking about phasing-in the change to ABC, where you wouldn't take the full cut of ABC in the first year, and you might have it at a higher level, and then you would eventually get down to your long-term ABC. I do want to remind -- I can make sure that I can bring in the language that can discuss all those types of matters, and I do want to remind you that, when we did some of these initial changes to phasing-in, or when we did some of those analyses looking at phase-ins, there is not always a huge benefit to phasing-in, in the sense that you are still held to the OFL, and so the overfishing limit that would be applied.

Now, in this case, because we have two different recruit estimates that are being applied, and we have one for the OFL and one for the ABC, that might provide you the avenue for a little bit more flexibility, because you're going to have an OFL estimate that is significantly higher than your ABC, because of that, and so that may be the place where there is some flexibility in doing that type of phase-in approach, but, depending on what gets carried forward as the OFL versus the ABC, sometimes -- A lot of times, if the ABC is set very close to the OFL, then there's not a huge benefit, but I can bring back the language and kind of lay out some scenarios within that.

MS. MCCAWLEY: That sounds good. I would certainly like to look at the phase-in.

MR. GRINER: Yes, I would too, and I was just kind of under the impression though that all of the tools that are in that amendment -- Can they be available to you at one time, or do you have to approve them each separately for a species?

DR. SCHMIDTKE: So they can be available as you approve an ABC. When you approve an amendment that sets an ABC, you can put into that whether a phase-in is occurring or if -- You

know, in the future, if carryover is going to be something that gets attached to that ABC, and then that's something that would go into the amendment that sets the ABC, and you would set whatever terms are going along -- You kind of have your ABC, and then you have the terms that go along with your ABC, and you would set the terms when you write that amendment.

MR. GRINER: Thank you.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: I just want to make sure I'm clear on understanding this. The reason we can do the phase-in is because it's not undergoing overfishing, correct? If we had an overfishing designation, then we wouldn't be able to phase-in the new ABC, and we would have to end it, quote, unquote, immediately?

DR. SCHMIDTKE: I need to double-check the amendment, to see what the final rules were, as far as overfished and overfishing affecting phase-ins, before I speak on whether that's an option for you, but I can bring back the information from that amendment, and I can probably -- I can get it done within this meeting, but I can give you that information.

MS. MCCAWLEY: All right. What else? Andy.

MR. STRELCHECK: So, to clarify, I think, with the tradeoffs, what we're looking for is potentially working with the Science Center on projections, right, to look at those tradeoffs, and then we've heard, today, right, a lot of discussion about the size limit, and I think that's worth evaluating, whether or not we should be modifying the size limit, and possibly recreational bag limits and commercial trip limits.

MS. MCCAWLEY: All right. Thank you. Trish, and then back to Tom.

MS. MURPHEY: Actually, Andy beat me to that too, but I was -- Since we heard a lot of discussion of size limit, I was curious to see what L50 at maturity, L75, you know, catch-at-length, some of that information, which is maybe inferred from Andy's request, but just to clarify that I was interested in that.

MS. MCCAWLEY: All right. Sounds good. All of that is going on the board. Tom.

MR. ROLLER: Just to be a little bit more specific about evaluation of size limit changes, I would like to see what it looks like having an across-the-board eleven or across-the-board thirteen inch, or other things, like, for both sectors at the same time, making them the same, but that doesn't mean we're both going -- You know, that doesn't mean that rec is going down, but possibly commercial is going up, and these are things that we have to put on the board.

MS. MCCAWLEY: Okay. We got that. What else? Amy.

MS. DUKES: Do we have the ability to look at information not only on the MRIP estimates, but perhaps what the SEFHIER data is looking like as well, just since that's a viable data source?

MS. MCCAWLEY: Okay. We're capturing that. Andy.

MR. STRELCHECK: Well, I guess a point of clarification, Amy, and we wouldn't be providing landings estimates, and so, specifically, what would you want to get out of that?

MS. DUKES: Just, honestly, to be looking at some of the discard rates that you're at least seeing there.

MS. MCCAWLEY: All right. We captured all of that. Robert.

MR. SPOTTSWOOD: Having been the one that suggested, you know, maybe the size limit was the issue, looking at the relatively low discard mortality. With the discards being driven by undersized fish being caught, is this a species that maybe we should look at a slot, or protecting certain fish that are highly reproductive, a maximum size limit or something, just while we're looking at all the options, and I think that's one that might ought to be considered.

MS. MCCAWLEY: Okay. Mike, and then Carolyn, on that topic.

DR. SCHMIDTKE: Just one note when kind of considering a potential slot limit, or those types of things for this fishery, and this is a protogynous hermaphrodite, and so your older fish are going to be your males, and so there is some sex differentiation when you start thinking about a maximum size coming into play.

MS. MCCAWLEY: So can you talk about that in the document, when you bring the materials back to us, and remind people about that, and how size limits, and slot limits, would affect that? Back to Robert, and then over to Carolyn.

MR. SPOTTSWOOD: I don't know, Mike, to what extent this is shared, but I pulled one of the Mid-Atlantic documents on black sea bass, and they had done a lot of this analysis.

MS. MCCAWLEY: Thanks, Robert. All right. Laurilee.

MS. THOMPSON: Since a lot of these fish are being caught inshore, and within the three-mile limit, is there a way to see if you can pull out the discard mortality by depth, so that, you know, if 5 percent of the fish are being caught in the EEZ, is most of the discard mortality going on out in the deeper water?

MS. MCCAWLEY: All right. We're capturing that, and so there was one other thing that Robert said, that I don't know that it's captured up there, and weren't you also suggesting that we eliminate the size limit altogether, and consider what that looks like as well, and was that one of your options? Okay.

MR. SPOTTSWOOD: I was just suggesting looking at the size limit. I do think that looking at only an eleven and thirteen might somewhat restrict, you know, what it looks like, but I don't know that, you know, keeping a three-inch black bass makes sense.

MS. MCCAWLEY: All right. Tom.

MR. ROLLER: I just want to clarify my comments, and thank you for that, Robert. You know, it may not just be eleven or thirteen, and I think we need to just look at the variety of size limits and having the size limit for each sector, right, whether it's thirteen or twelve or nine or two, and I don't know, and I don't want a two, just to be clear.

MS. MCCAWLEY: Okay. We're capturing that. Spud.

MR. WOODWARD: Gary brought this up earlier, about the whole angler behavior component of this, and a little anecdote from Georgia's regulatory history, and so, for a long period of time, we had a ten-inch minimum size limit on southern kingfish, whiting, and we abolished that, and the average size whiting actually increased, because anglers chose to keep a bigger fish, but, when we told them that ten inches was good, they were keeping ten-inch fish, and so, you know, that's a component of the psychology of this whole management thing of setting metrics for success.

MS. MCCAWLEY: All right. Others? Other thoughts? Kerry, anything you want to add? Andy?

MR. STRELCHECK: Cooccurring species, right, and so we've talked a little bit about the idea of an aggregate bag limit, but also the ability to look at how other targeted species might affect discards of black sea bass, given regulatory changes.

MS. MCCAWLEY: Spud.

MR. WOODWARD: Another one, and I don't know how you really deal with this, but, you know, we've got a situation where we've got species like sheepshead, which are not subject to federal regulation, that do cooccur with black sea bass, and you're definitely going to have interactions between people sheepshead fishing in the EEZ, and so that's probably something we need to kind of consider. You know, if the goal is to reduce those interactions, you've got to consider the things that are in your regulatory wheelhouse and the things that are not.

MS. MCCAWLEY: All right. Mike is taking some notes on that. Kerry.

MS. MARHEFKA: Can we see some data for the two commercial gears, sort of broken out by gear type and by time of year, or month?

MS. MCCAWLEY: Tom.

MR. ROLLER: Is there any data that we could look at to look at releases by depth?

MS. MCCAWLEY: I thought that that was what Laurilee brought up, and so look at the bullet that Mike just highlighted. Do you think that captures it, the discard mortality by depth, the check with SEDAR 76 analysts?

MR. ROLLER: Well, I think we know where the discard mortality is by depth, but the question is where are these releases occurring, and, if you think that captures it, I'm fine, and like we know that the mortality is going to be higher if it's deeper, right, but like where are the releases occurring?

DR. SCHMIDTKE: So I just added both the rates and the number of fish by depth, and so the numbers of fish should capture, I think, the idea that you're getting at, where, if there are more frequent releases in the inshore, and how much more are there more releases in the inshore areas.

MR. ROLLER: Okay. Thank you.

MS. MCCAWLEY: Myra.

MS. BROUWER: Thank you. Just a quick reminder that there is a fishery overview that has been put together for black sea bass, and the link to it is in the revised agenda for this committee, and I think there's a lot of the information -- Mike is bringing it up. There it is.

MS. MCCAWLEY: All right. Thank you. That was helpful. Anything else that people can think of that we need to add to the list here? Robert.

MR. SPOTTSWOOD: Just, again, looking at another document, I noticed there was some information on spawning aggregations for black sea bass in other areas, and I was wondering if we had any information on spawning aggregations in the South Atlantic.

MS. MCCAWLEY: Chip and Mike are conferring about that now, to determine if we have that. It sounds like some, but not a lot. Okay.

MR. SPOTTSWOOD: While I keep referring to this document, I briefly looked at the Mid-Atlantic's and they have bag limit variations, it appears, based on spawning seasons, and size limit variations, based on areas, and so I think that maybe looking at -- They seem to be having success up there, and looking at kind of what they're doing is probably not an unuseful exercise.

MS. MCCAWLEY: All right. Thank you. Anything else that folks can think of? All right. Laurilee.

MS. THOMPSON: Well, Trish brought it up, but subaquatic vegetation and, you know, the importance of the estuaries. You know, what we've seen in Florida is the demise of our estuaries, and certainly the loss of the subaquatic vegetation, and so does that have an impact, you know, the change in the status of the nursery areas that the black sea bass are using?

MS. MCCAWLEY: Amy.

MS. DUKES: On the same lines as the size limit changes, and the bag limits, do we need to add a seasonality component to that as well?

MS. MCCAWLEY: Okay. Mike is getting that as well. All right. Anything else? Tim.

MR. GRINER: I don't know if this really applies to this or not, or if it's appropriate to look at, but maybe Sonny could help with this, but I think, up in the Mid-Atlantic, for their black sea bass, they've moved to a -- I think they call it a conservation equivalency kind of management scenario, and I don't know if that's something that we should like explore here, to see if that would -- I think, briefly, my understanding is it's a -- You just set the size and bag limit, and a season, and you call it good, and I don't know.

DR. SCHMIDTKE: So there's a little bit of a difference in the management system here, versus in the Mid-Atlantic, and so, in the Mid-Atlantic, they have joint management with ASMFC and the states in that region, and so the conservation equivalency is basically if there is an agreed-upon overall management approach by the commission, as well as the Mid-Atlantic Council, and the individual states -- They can take that approach, and they can sometimes tweak it, to where they are producing evidence to show that we're being just as conservationally-minded as the plan requires us to be. Then the states implement that for their state waters, but that doesn't, as far as I understand, extend out into federal waters, and that would just be within the state waters, and that is with kind of that joint management system that we don't have in this region.

MS. MCCAWLEY: Tim.

MR. GRINER: That was kind of what made me think about it in the first place, because, when I saw how much of this fishery was prosecuted in state waters, I didn't know if that's something that maybe, you know, we should talk about.

MS. MCCAWLEY: I know. I felt the same way, and I felt it too, that it's so hard between the two, but, Spud, would you like to comment on that?

MR. WOODWARD: Basically, what that would require, Tim, is to add black sea bass to commission management in the four South Atlantic states, and that would probably be difficult, but, I mean, I understand what you're saying. In principle, yes, we need to be considering those state-water fisheries in the algebra of this situation we're in, because it's obviously very important.

MR. GRINER: Well, it's driving the discards. It's 99 percent of the discards, and so, I mean, to ignore that is to keep going around in a circle on these discards, you know, and, as John alluded to, you know, that's where it really comes down to.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I think the predicament we're in is that, you know, even if you try to regulate what you can take, you're not limiting encounters. I mean, that's what it all -- That's the conundrum we're facing in this whole thing, because, like I said earlier, I mean, the likelihood of somebody encountering a legal black sea bass in Georgia's estuarine waters is pretty low, you know, and so what would you do in state waters to affect discards in totality? You know, that's the predicament we're in.

MR. GRINER: Yes, and it would have to be a lower size and bag limit.

MS. MCCAWLEY: Yes, something. Judy.

MS. HELMEY: I do think that we've got to do something about some way to be able to factor in what they're catching in state waters, because, like Tim said, there's a lot of discards coming out of the state waters. I mean, I don't know what we would have to do to include that, but it is -- That's my question too, is what are we going to do about that, or what can we do about that?

MS. MCCAWLEY: Thank you, Judy. Mike captured that in the list of topics there. I believe, Mike, that you wanted to address one of the Kerry's earlier questions.

DR. SCHMIDTKE: The question on phase-in for the ABC Control Rule, and, during the discussion, I went back and grabbed it, and there is no overfished and overfishing provision on phasing-in that is included there. It just deals with a threshold of how large of a change there is and then the time period that you're allowed to phase-in your catches over.

MS. MCCAWLEY: All right. I'm looking around the table, to see if we've got enough options here, and I feel like we've got a lot, and I feel like we threw everything in here. Anything else, before we leave this topic? Amy.

MS. DUKES: Am I too early in the thought process to be thinking about the idea of putting this back on a stock assessment, or is this not the appropriate time to be thinking about that? Chip mentioned it yesterday, I believe, at one point too, with perhaps red snapper coming off, and having the availability as well, and then also the idea of -- Shep brought up the interim analysis, and the timing of that.

MS. MCCAWLEY: Yes, and so why don't we do that in Full Council, back in the SEDAR Committee, when we go through that. Good questions. All right. I'm going to pass it back to Mike.

DR. SCHMIDTKE: All right, and so, with this list of information, we'll work with the Regional Office and the Science Center to try to gather as much of this -- I know a good chunk of this is out there, and available, because a lot of it was included in the stock assessment, and we just need to package it into the right form, but we will work with folks to get this information together.

I guess the only part that I have one more question, and I'm looking for a bit of clarification on, is this first bullet, and what exactly are you looking for concerning the additional information on MRIP estimates? What specifically would you want brought back, because we could have -- I mean, we can show you what the estimated catches have been, landings and discards, you know, throughout the course of the time series, but I think you all were looking more into the uncertainty type of information, and so what are you looking for there?

MS. MCCAWLEY: Tom, that was one of your comments, and do you want to add anything there, add some clarity to that?

MR. ROLLER: Jessica, as far as clarification, you mean my comments regarding discard rates by depth, to just be more clear?

MS. MCCAWLEY: No, the MRIP estimates. Any more specific -- Anything that you could add for specifics on that?

MR. ROLLER: I think we just need to get a -- I mean, I want to see -- You know, I go back to John Carmichael's comment, and we need to do a deeper dive into this data, to see what it can show us, and I don't really know what that means, right, but we need to understand it, and we need to have a better idea where are these fish coming from, inshore versus offshore, right, and, I mean, when I look at this inland and inside of three miles catch, right, which is where a lot of the effort

is, is that -- If we adjust the size limit to eleven inches, are we going to have any impact on this discards whatsoever? Right? It's kind of -- Because my experience with this fishery, and what I'm seeing, is I'm seeing people who are just fishing.

They're not fishing for black sea bass, and they are just soaking freezer-burnt shrimp and two-hook bottom rigs, and they are catching little fish, and they are not going to catch any keeper black sea bass, but they're going to catch a bunch of little ones, whether they're at the closest wreck, the port terminals, the jetties, the bridges, and that's my fear here, as we look at this, that I don't know how we address the problem.

MS. MCCAWLEY: All right. Thank you. Spud and then Laurilee.

MR. WOODWARD: Well, also, I think -- You know, it sounds like I beat a dead horse on this all the time, but, you know, what is being done to validate, if anything, these self-reported rates? I mean, you've got the possibility for misidentification, and you've got bank sea bass overlapping with black sea bass, and so, you know, you go up and asking somebody who is visiting a place, or fishing off a pier, and you show them a picture, and they go, yeah, I caught a bunch of those, and, well, how many have you caught? What's a bunch? I don't know, and we caught twenty of them, and that becomes a piece of data, you know, and nobody was there necessarily to --

I know the clerks do everything they can to validate, you know, at the site, what they're getting, but, you know, there's only so much of that that they can do, and then, with recall, self-reported recall, they're -- How do you do it? You know, are states putting people at fishing access points and validating, because shore mode is boosting this thing up. I mean, that's where we're getting a lot of inshore waters from, and so, if it's not being done, what is feasible to be done, to make sure that, going forward, we can generate more trustworthy estimate of -- I understand about statistical smoothing and all that stuff, but there's only so much you can do with that, you know, to eliminate error.

MS. MCCAWLEY: Laurilee and then back to Tom.

MS. THOMPSON: So we've got a bullet about cooccurring species that affect discards, and vice versa, but there's nothing in here about potential predation by red snapper or, you know, competition for food source by red snapper for the first-of-the-year fish, the juvenile fish, but I think interactions with red snapper needs to be there. Also, the inshore discards likely are not going to be dead discards, and so I don't know if that makes a difference, but, if you're throwing fish back into six feet of water, they're likely not going to have barotrauma.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Laurilee, when I asked that question, I think the answer I got was that the inshore people are using smaller hooks, and so there's probably likely a higher occurrence of like gut-hooking and other damage to the fish.

MS. MCCAWLEY: Tom.

MR. ROLLER: Spud raised a good point, because this keeps coming up in all of our FES calibrations, is the shore mode aspect, right, and, when we look at -- Think about Spanish mackerel.

While I have a harder time believing that a lot of Spanish mackerel were caught from shore, I have a less harder time believing that juvenile sea bass are caught from shore, but it would be interesting to see the shore-level component, and it would also be interesting to see if we have any idea of sort of like the amounts of releases on these recreational trips, right, and what are people actually catching, the trip-level information, I guess.

MS. MCCAWLEY: Okay. Tim.

MR. GRINER: That would be very helpful, Tom, and, along that line, I mean, can we not go back and see, from this assessment -- Can they give us total landings, and then recreational discards, and then commercial discards?

MS. MCCAWLEY: It looks like Mike is capturing that.

DR. SCHMIDTKE: That information is in the assessment, and it's also in the fishery overview, but, yes, it's available for you now, and we can kind of reference it more directly when we talk about it in June as well. I won't send you down another rabbit hole, but just letting you know where we're going from here, and so, at this point, we'll go try to gather information, and we'll get as much as we can, and we'll bring it back to you in June, and, in June, kind of the tentative schedule would be when you all would consider sending this out for scoping.

With that process, you would think about, in the interim, what potential actions you might be leaning towards, and we don't need to have discussions of that at this meeting, but just think about that between now and June, and, in June, be ready to discuss if there's anything you want to let the public know in scoping, that this is kind of something that you might be leaning towards, something you're thinking about, so that we can have that compiled in the information that goes out to them.

MS. MCCAWLEY: Thanks, Mike. All right. Thanks, everybody, for that discussion. I think we're done with black sea bass, and we'll take a five-minute break as we transition over to Amendment 46, the private recreational permitting amendment.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. If folks can come on back to the table, we're going to get going on Amendment 46. All right, and so, first up, we're going to hear from Scott Pearce, our Law Enforcement AP Chair, who is going to give us feedback from the AP on some items that we sent to them about this particular amendment.

CAPTAIN PEARCE: All right, and so we'll kick it off. Good afternoon, everybody. We'll just get right into it, and these are the comments that we had from the Law Enforcement Advisory Panel referencing the private recreational permit and the educational requirement for the snapper grouper fishery.

Generally, a vessel-based permit would be easier to enforce. However, there could be enforcement issues with vessel rentals and boat clubs, or if the vessel owner is not onboard. For example, determining who would be issued a violation, since the permit holder is not likely onboard, on the

vessel, and the possibility that the registered owner is even a corporate entity, instead of just to a person. For commercial permits, the vessel owner is held responsible in those cases.

A vessel permit could be verified at a distance, by looking at the vessel ID, rather than verifying that each angler has a permit, and so, if it was just for the vessel, then that's an easy way to validate that it had the permit onboard, or attached. The type of permit should depend on the council's intent for creating the permit, improving recreational data, counting how many snapper grouper anglers there are each year, and improve education, et cetera.

The permit should cover all snapper grouper species, to make it more enforceable and improve compliance. The education requirement -- For the education requirement, the education requirement should apply when the permit is issued, rather than a delayed implementation. Education could focus on the most common violations and gear requirements, and it would be most effective if the agencies coordinated with each other, HMS, state regulations, et cetera. The most common observed violations, that could be addressed through better education, include hook and descending device requirements, as well as marine protection areas, special management zone locations and regulations.

It would help to provide links to resources on regulations, such as Fish Rules, agency websites, the council website, et cetera. Making permit holders aware of new regulations each year would help with compliance.

Concern about an education requirement being too easy to complete, and people finding ways to game the system, consider a test of sorts, or at least make a digital signature, or a recognition that verifies the permit holder has received the information on regulations. A digital signature, or verification, could also help with litigation of violations. Ideally, each angler would need to take the education module, but, if vessel based, it is still enforceable, and so they're saying, you know, if it was just a vessel-based permit, it is still enforceable, but it would be more ideal if each angler had to go through the process.

Possible issues with vessels landing in different states, and so it would be better to have one permit for the EEZ. What happens in the EEZ is going to be difficult to verify at the state level. A vessel, or angler, departing from one state, but fishing in the EEZ off an adjacent state, or a vessel from a state that has a federal permit exemption launching in a state without an exemption, and so a single permit would be much easier to enforce.

While a single permit is preferred, law enforcement officers are already looking for state and federal permits, where applicable, and I think the key though is, when we look at whether it's a vessel-based permit for recreational, or each individual, we're going to run into problems. If it's a vessel-based permit, in situations, again, where vessels are rented, and like, in Florida, we have a large rental market, and you have boat clubs, where people don't own the boats, but they're members of the club.

I mean, if you go on your phone, you can pretty much do like an Airbnb, or you can rent a boat, and you can rent somebody's private boat while you're on vacation, and they do that to offset their costs, and so there's a lot of access to vessels without being the owner onboard, and those people onboard would not have the education, nor would they probably report their harvest, because they

wouldn't be responsible, and so those are all good reasons why we would rather you consider doing it as an angler permit, versus a vessel-based permit. That's it.

MS. MCCAWLEY: Thank you, Scott. Questions for Scott? All right. I don't see any hands. Thank you, Scott. I'm going to turn it back over to John, and I guess we're going to start walking through the document.

MR. HADLEY: Thank you. I will start off kind of orienting everyone on Amendment 46, and kind of where we left off last time, but, generally speaking -- As you may recall from the December meeting, there was a lot of discussion on the advisory panel review, and advisory panel review and sort of order of operations, and so you did just receive the Law Enforcement Advisory Panel's recommendations on this.

Just something to keep in mind, as we go through each one of the actions, is that you have your technical, and so the Snapper Grouper Recreational Permitting and Reporting Technical AP, and so I will just call it the technical AP, as well as the newly-appointed Private Angler AP, that will be meeting this upcoming spring, and so the technical AP is meeting in April, and the Private Angler AP is meeting in May, and so, as we go through each one of these actions, if there's something that stands out to you, and, you know, you really want one of the APs, or both of the APs, to really focus-in on that, that's a good time to bring it up, and we'll note that and make sure it goes in front of those APs, since they will be meeting in coming months.

With that, you know, just a general overview, and we'll get into the details of each action, but, really, there is two permit-related specific actions, one establishing the private recreational permit and the other specifying the species that would be covered.

There's a couple of sort of housekeeping items with those two actions that we'll get into, and then, you know, I think the heart of the discussion will probably be later on in the document, looking at the education requirement, and so that would be Actions 3 and 4 that establish the education requirement, as well as the sort of timing of renewal, if you will, or how often the education requirement would need to be satisfied, and then there's the final action, Action 5, which establishes an exemption to a federal permit requirement, with the stipulation that the state permit, or license, endorsement, whatever it ends up being, is similar and has the same requirements as the federal requirement.

With that, you know, we've gone over -- The objectives for this meeting are really to review the IPT input, and you've received the Law Enforcement AP input, to provide guidance on the actions, and there are a few items that I'll bring to you that you will need to approve or refine some of the changes in the actions and alternatives, and, there again, just consider any AP input that you would like.

I've put together sort of a revised timeline for this amendment. Just to give you an idea of what's coming in the next few meetings, the amendment was not approved for public hearings in December, when you went over some of the draft effects, and so the plan is to bring this back to you in June for a potential approval for public hearings, assuming you want to move forward with public hearings after the June meeting.

With that said, there are a few selected preferred alternatives, and not all of the actions have preferred alternatives, and we're not necessarily looking for preferred alternatives today, and that will come at the next meeting in June, and so just to kind of give you an idea of what we'll be looking for under each action. Assuming that moves forward, you know, this amendment could potentially be ready for final approval in December, and so I'll take a break there, on some of the orientation items, before we get into the details of it.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Jumping back up to the action items, there was an action item, and, Jessica, you and I talked about this, but some of the states, right -- Like the snapper grouper reporting in Florida covers thirteen species, and there is fifty in this complex, or fifty-five, right, and so I think one of the action items that I would like to consider is creating, you know, which of those fifty-five species need to be included in each state-specific permit, or reporting, structure, in order to allow it to, you know, have parity, right, because the State of Florida doesn't necessarily need all fifty-five within its program, but, as I understood last time, you wouldn't be able to opt-out of the federal reporting requirement, because the State of Florida doesn't have all fifty-five species in its reporting program, if I've described that succinctly.

MR. HADLEY: I think that's an important -- As you alluded to, I think it's -- When we get to that Action 5, just how we can build it into there, and maybe into some of the subalternatives, because that's an important point. You know, you're going to have different state requirements, potentially, and so have a note of that, and I will come back to that in Action 5.

MS. MCCAWLEY: All right. Anything else before we dive into this? All right. I don't see any additional hands.

MR. HADLEY: All right. Well, you know, to start off, as is typically the case, the purpose and need statement is right at the very beginning there, and, really, no action is needed from the committee at this point, and, you know, I know that the committee spent a great deal of time wordsmithing this, and so I just want to, you know, keep it there, and just kind of put it in front of you. However, this is no action needed at this point for the purpose and need statement, unless you desire any changes.

I will jump into Action 1, and so this action -- You know, this is, first and foremost, the action that establishes a private recreational permit in the snapper grouper fishery. The IPT met and discussed this, and, really, the changes that are suggested in this action, as well as Action 2, are really to better differentiate between the creating the permit and then the species that are going to be covered, and so, really, it's almost a housekeeping item related to the title of the action, as well as what is the no action alternative, and so just, you know, what's in yellow is what was the preexisting language, and then what's in green is what is proposed as the new language.

There again, it's really trying to -- You will see it in Action 2, and it's just differentiating that Action 1 is the permit requirement, and it's basically creating a permit in the Snapper Grouper Fishery Management Plan. Action 2, as we'll get into, that's where you really get into what species would be covered, and so that's really the differentiation there, between what's highlighted in yellow and what is in green.

We received the AP recommendations. Generally speaking -- One more thing that I did want to note is, at the December meeting, you did choose Preferred Alternative 3, and so establishing a federal permit requirement for all private anglers. An angler-based permit is currently your preferred alternative for this action, and that was chosen at the December meeting. You do have your existing AP recommendations, and I won't reiterate those, and I know we've gone over those a couple of times, and I know that the AP will probably be discussing this again in its totality, but you do have some various AP recommendations on this.

There again, generally speaking, we have the IPT comments, and, from a change perspective, they're largely captured in the revised wording of the action title, as well as Alternative 1, and we're really looking for any -- If there's any input on those suggested IPT changes, and are there any topics on this -- I'm going to pause, just to see if there's any specific topics on this that you would like to bring before your advisory panels.

MS. MCCAWLEY: All right. I'm just looking for any hands, additional comments, topics that we want to take to the AP. Andy.

MR. STRELCHECK: So the AP previously weighed-in on a vessel-based versus an angler-based permit, and we have, obviously, now selected a preferred, and so that was between when they met previously and now, correct?

MS. MCCAWLEY: That's right.

MR. STRELCHECK: Given the comments by law enforcement, right, I'm still interested in hearing from this technical AP about a vessel-based permit, some of the limitations that law enforcement noted. The benefit that I'm seeing is, administratively, it would be considerably less burdensome to administer. We've done some kind of initial calculations, and we're probably looking at three to four-times less the number of permits that we would have to issue for doing vessel versus angler-based, but I recognize that's not the only consideration, and we want to, obviously, figure out how this best works within a sampling frame. I think you, Florida, issue angler-based permits, and so that's the other challenge.

MS. MCCAWLEY: I would also point out that, to me, it doesn't just go to the technical AP, and it goes to that private angler AP, because that hasn't even met yet. Spud.

MR. WOODWARD: We've touched on this in previous discussions, but Captain Pearce really, I think, brings it into stark relief, and that is this growing boat rental component now, and it maybe is -- It may be overly burdensome, but I think it would be interesting to know how prevalent that is now across the region, some idea, because, if you're going to have a situation where you're going to conflict with something that's of growing magnitude -- You know, what kind of bias is that going to introduce into the situation, and that's going to be both, you know, for the technical AP and the private angler AP to try to grapple with that, because it's a -- You know, with the cost of boats, and everything else, I think it's probably going to continue to grow.

MS. MCCAWLEY: Tom and then Kerry.

MR. ROLLER: Spud brings up a good point, and it's not just these growing boat shares, or boat rental places, which are getting bigger and bigger, and it's just the cost of living on the coast. I

was in one of the cheaper areas of the east coast, and now it's unaffordable for most people, and you're seeing a lot of people pool their resources, use family boats, and we're trying to get a better idea of particularly these people who aren't using boat ramps, and are, you know, using the harder-to-reach areas for MRIP, and that's my concern, is if we do the vessel-based, we're not going to necessarily capture that. It's just a fear of mine, and I know that there's pros and cons to both, and both are probably pretty good outcomes, but, you know, particularly -- Not just these boats shares, but also just the changing of people's behavior in fishing, and I think that's going to be a big hurdle for us.

MS. MCCAWLEY: Yes, me too. Kerry.

MS. MARHEFKA: I just wonder how much this boat rental thing is really an issue. I can't think of -- Outside of Florida, and sorry, and I meant to start with "outside of Florida". In other states, and I do not believe that you can go rent a boat on Isle of Palms, South Carolina, and you're within your rental agreement to take it outside of three miles. I can't imagine -- I don't even think like those Freedom Boat Clubs and everything -- There are limits on where you can take these boats, and it might be worth doing a little bit of research on a couple of the big boat clubs. I mean, there's not that many of the big national ones, and figuring out what their user agreements are, but I think, a lot of times, they place very strict limitations on how far you can take their vessels, and I would be surprised if, outside of Florida, a lot of rental boats are going outside of three miles.

MS. MCCAWLEY: We have staff coming to the table saying that they do allow you to go into federal waters. Dale.

MR. DIAZ: I just wanted to mention that the State of Mississippi recently started requiring a recreational offshore landing permit, and the way that they're doing it, if I understand it right, is, if you're in possession of those species that's included in the landing permit, which is reef fish species, you have to have that permit, and so they're kind of attacking it that way, and so it's down to the individual license holder, except charter boats. Charter boats can have it, and the captain can have it, and it will cover all paying passengers on charter boats.

It does have an exemption for under sixteen and over sixty-five, and those folks are not required to have it, and so, anyway, Louisiana has been doing this for a long time, and they also have one, and I would just point that out, and you all's staff might want to just look at those programs, and it might just give a few ideas of some things that maybe you all haven't considered yet.

MS. MCCAWLEY: Thank you, Dale.

MR. DIAZ: While I've got the mic, the primary purpose is to identify that universe, and so that's what we're trying to get after, is to refine that universe, to where we can get a better handle on effort, and so thanks.

MS. MCCAWLEY: Thank you. Other thoughts, or comments, here? Shep.

MR. GRIMES: Thank you, Madam Chair. I will just add this. Having looked through the document, and I heard what Andy said, and there's been so much discussion about the cost, the cost difference, between vessel-based and angler-based, but, with all the alternatives currently in this amendment, it seems like you don't know who is going to -- You know, like what those final

numbers are going to be, right, and, generally speaking, there are a lot more vessels than anglers, but you have the exemption provision.

If Florida is one, and Florida does end up with an exemption, and it's providing the data, and its anglers don't have to do it, you're going to take a big chunk out of that. Depending on what other states do, you may take big chunks out of that individual vessel -- Or individual angler permit number anyway, and so, you know, I think, while it's good to -- I guess I don't want to look behind the curtain too much, and I think, looking forward, you really don't know, at this point, what those numbers are, until you make decisions on things later in the document. What species, are going to be required, right, and is there an exemption for the states, and, if you match those up, and you get rid of the State of Florida individual permittees, and that's the lion's share, I believe, anyway, and so, anyway, I think that's just something to keep in mind.

MS. MCCAWLEY: Thank you, Shep. Spud.

MR. WOODWARD: That brings up -- We talked about this early on, in the genesis of this amendment, but are we on solid ground with this exemption approach? You know, we brought it up in the context, and I remember Monica talking about it, because, in the 2006 reauthorization of the Act, it established a National Saltwater Angler Registry, but it also allowed states to be exempted from that, if they met certain criteria, and so that was specified in the Act, and so do we have the same authority, through the Act, in our management plan process, to do the same thing?

MS. MCCAWLEY: Shep.

MR. GRIMES: Well, in terms of creating the regulatory requirements, and Monica and I have talked about this, the language of the statute, you may require a permit to engage in the fishery, and that doesn't mean that everybody has to have that permit, and we already issue different types of permits for different types of vessels to participate under the same fishery in different ways, because keep in mind this is the Snapper Grouper Fishery Management Plan, and that's the fishery that we're looking at, but, ultimately, yes, I think we're fine if we structure our regulatory program that way, and, right now, the language that the IPT has incorporated into the document mirrors the exemption language used in the statute for the registry.

One of the things we've talked about before with this, that I brought up, is we need to be clear what we need, or what this is intended to get, that we don't already get out of the registry, right, and we've had some good discussion about that in the past, and, you know, this needing more information, and keeping it distinct from the registry, both in terms of what information it's getting and the additional need for it.

MS. MCCAWLEY: Spud.

MR. WOODWARD: Because, you know, when Captain Pearce made his report, he talked about, you know, the desire to have one permit in the EEZ, but the scenario we're discussing is, if I had a Florida permit that was exempt, then I could fish off of anywhere in the South Atlantic EEZ, because that's the way the saltwater angler works, and so, again, I want to make sure we're on firm footing, if we go down that road, so we don't find a pitfall somewhere that invalidates what we're doing.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: I think, Spud, the limitation there would be to the extent that the Florida reporting requirements, or permit, covers species that are found all the way up the EEZ and off of other jurisdictions, and so, you know, unless you included all fifty-five species in the Florida one, which is another problem we've got to deal with.

MS. MCCAWLEY: I feel like there's multiple challenges here in trying to match this up, and do you require exactly the same thing that's in federal waters, or approximately, almost like a conservation equivalency, or what? Shep.

MR. GRIMES: Thank you, Madam Chair. I guess I have a question, and maybe it's really for Scott on this, but, just in terms of -- Reporting aside, right, and we're just talking about the permitting, you know, individual or vessel, and, in the instance you talk about, let's say we did set up a program where there was an exemption for certain states, and Florida got the exemption, and I'm a Florida licensed recreational angler, and I go fishing in Georgia, in the EEZ, and I have my Florida fishing license, just like I would have to have if I was fishing at home and got stopped, and so I have that, and I guess the complication then would be with Georgia law enforcement being able to verify that my Florida license was valid or whatnot?

MS. MCCAWLEY: To me, it's not just the license, and it's the license plus the fact that you've signed up to be part of the State Reef Fish Survey, and so, when we were talking about exempted fishing permits, we did a deep dive into our licensing system, to see if we could use the State Reef Fish Survey for all four states, and so, no, our Go Outdoors Florida licensing system would not allow these other states to get to our data. Our contract with the vendor for the licensing system wouldn't allow that, and so there were multiple hurdles there, and so I would say a Georgia law enforcement officer would maybe have to go through an FWC law enforcement officer, in order to try to determine if that person's license was valid in our state. Laurilee.

MS. THOMPSON: Isn't this a federal permit? Since it's a federal permit, it seems like it would be applicable for all four states that are in the South Atlantic, as long as you're in the EEZ waters.

MS. MCCAWLEY: Yes, and we're talking about if -- There is an action in here to exempt states if they have something. Right now, it says that it exactly matches this permit, and we're also talking about would there be an exemption if it's approximately matching, or what would that look like, and so I think we'll get into that a little bit more when we get to that action, and I think it might be Action 5. Shep, did you want to ask more questions of Scott? I see that he's part of the way back up here.

MR. GRIMES: Thank you. I guess to just confirm with him, but I'm good with your statement as well, just as long as we understand.

MS. MCCAWLEY: Andy.

CAPTAIN PEARCE: I believe the way the -- It's already structured that, if there is a state that -- Like say Florida, and we're exempt from the registry, and so, if I'm off of either Alabama or Georgia with my state Florida license in federal waters, I'm okay, because I'm fishing -- I have an exempted state license, and so, currently, that would be okay, and so the idea of this permit is --

From a law enforcement standpoint, if we pull up on a vessel, and it's a vessel-based permit, and that permit is attached to the vessel, we're good. We have no problem with enforcement.

I think the question that came up a lot with us, and we probably got a little far in the weeds on it, was are you getting what you need out of that permit, and, if you have four or five people on this vessel that don't own the boats, and they didn't go through the training, the educational course, and they most likely aren't feeling the burden to report, because they aren't the owner, and are you going to get what you need out of that permit, and so that was the big question.

MS. MCCAWLEY: Another question for you, Scott, and so, if someone has the Florida license, and a State Reef Fish Survey, but they're off of Georgia in federal waters, could a Georgia game warden try to certify their Florida license with the State Reef Fish Survey attached? It's my understanding that they could not access our licensing system.

CAPTAIN PEARCE: They would have to -- As you said, other than being able to look at it and see that it's a -- You know, that it's a current license, with everything there -- If the person didn't have their license, so to speak, they couldn't validate it like we can, by calling their dispatch. They can get ahold of us, and we can do it, but, you know, depending on where they are, it might be hard to do that.

MS. MCCAWLEY: All right. Thank you, Scott. Does that answer the question, Shep? Andy.

MR. STRELCHECK: I may throw a curveball here, and one of my staff members threw out a -- I think it's a good idea, but, just given the infrastructure, and kind of the system in place, all states in the South Atlantic issue fishing licenses, correct? You, Florida, are the only one that issues a reef fish -- I don't know if it's a license or just a -- A permit, whatever it is.

MS. MCCAWLEY: A designation.

MR. STRELCHECK: A designation, yes, and so we've been talking a lot, obviously, here about a federal permit, which, to me, is kind of adding another layer of permitting, right, and, you know, I can't impose, obviously, requirements on states, but would another option here, outside of the council process, be to consider a snapper grouper endorsement on state licenses that are already being issued, right, and build that into a state-based process?

We would have to work closely with the states, to see if there's buy-in and support for that, and, ultimately, at the end of the day, I know some states have to go to their legislature, but, if the whole intent of this is really twofold, right, and one is to improve estimates of effort, by identifying the universe of participants, and two is using it as kind of an intercept dockside, to determine how many people are actually licensed and reporting that in fact they have a license, based on snapper grouper, it seems like that could be another option, not through the council, but outside the council, to consider.

MS. MCCAWLEY: I do have a comment, but, Robert, would you like to respond to that?

MR. SPOTTSWOOD: I was just going to say, in Florida at least, we get a migratory bird stamp added to our Florida hunting license, and so there's some kind of federal licensing precedent for that, and, just generally, you know, I like the idea of consolidating it. Then, while the states are

all talking, I mean, there's going to be a lot of -- Potentially different several, you know, platforms and stuff created for this, and you're getting reporting and stuff out of it, and so, if the states could sit down and talk about this as well, with Andy and the team, that might be helpful in creating some efficiencies.

MS. MCCAWLEY: Amy.

MS. DUKES: I feel like we've already done this, and so South Carolina would be one of those states that would have to definitely have it passed through the general assembly, and it's going to definitely take some time. I would have to get with Mel, to sort of remind myself of how those state representative conversations have gone, and it was several years ago when you guys all got together to do this, and so I would have to definitely do some homework there, but it does require legislative action in South Carolina to do that.

MS. MCCAWLEY: Just to add more to this, this did require legislative action to establish this designation, and there is -- Although it is free to sign-up for this, everybody, even over the age of sixty-five, has to sign-up annually for these thirteen species, and there is also money that comes to FWC to basically run this program, and so meaning money that goes to FWRI, and so, if we were to change up this system, I think that we would need additional funds, because I think that the money that we're getting from the legislature barely runs the program now, and so, if you're going to increase the dockside validation component, increase the number of species, the way that we calculate the data, the amount of paper surveys that we send out, all of those things, I think that we would need additional funds coming to the state, and then, based on some of the changes that would be suggested, it might need to go back through the legislature, and it took us, I believe, five years, or seven years, and I'm looking for Bob Zales out there, to get this established in the first place through the legislature. Amy.

MS. DUKES: So, to that point, it kind of gets to the question that I was going to ask earlier, and what if this went back to a vessel-based permit? How would that play into what you're currently doing in Florida? I know the species would definitely come into play a little bit too, and the exemption may or may not be applicable, but I'm just -- At one point, the AP did recommend a vessel, and then, after conversations from this council, it went back and said it could do either/or, but it did have several discussions, very early on in their AP conversations, that vessel was their preferred, or what they considered they recommended, and they did go back and say either an angler or a vessel would work.

MS. MCCAWLEY: So a couple of things. When that AP met, they ran out of time, and so they did not get to the educational component, and so they were going with vessel based partly because of the fact that that would be an easier startup to get this going, but they didn't try to pair the education with the whole vessel-based concept, and so, originally, the State Reef Fish Survey was moving forward as vessel-based, and our legislature, and our commissioners, said, no, angler-based, and so I don't know that we could back up and get it to be vessel-based. In theory, yes, we could make the data work, but we could not get that passed in that format through our legislature. Amy.

MS. DUKES: To that point, how do you think your constituents would feel about not only having the State Reef Fish Survey, or the State Reef Fish -- Not the endorsement, but what is it called?

MS. MCCAWLEY: Designation.

MS. DUKES: Designation and be required to purchase a federal vessel permit?

MS. MCCAWLEY: They would not be happy with that. Spud.

MR. WOODWARD: Also, I think it's important that the technical AP, as Amy knows, didn't really contemplate this whole rental boat source of bias in there too, and so that really needs to be introduced into the conversation, when you take a fair assessment of what's better, an individual angler or a boat, and so, I mean, that confounds it, and, just FYI, there is three of those rental boat facilities, the Freedom Boat Club, just in Georgia now, and so they're definitely growing.

MS. MCCAWLEY: So, unless there's more hands -- I mean, I feel like we've had good discussion on this particular action. Unless folks are itching to add something else here, we can move to another action in this document.

MR. HADLEY: All right. With that, Action 1 establishes the permit, and Action 2 specifies which species are covered by that permit for the private recreational sector. What was noted, again, with the IPT discussion on this, as was alluded to earlier, is a revision to what is Alternative 1, no action, and so, really, there again, trying to separate the permit requirement in Action 1 and the species, and then the species specification in Action 2. You can see some revised wording on there, and Revised Alternative 1, no action, reads that a federal private recreational permit requirement does not apply to any snapper grouper species, and so that's -- Whereas, before, it was a little bit more ambiguous, mixing the permit requirement and the species, and so that's sort of a very summary version of the IPT discussion and the new recommendation.

With that, there are no other changes, suggested changes, to this action, and I will note that we did choose Preferred Alternative 2, which would be the private recreational snapper grouper permit would cover all fifty-five species in the management unit, and you do have two other alternatives, the Alternative 3 matching the Florida State Reef Fish Survey and Alternative 4 covering deepwater species.

With that, I will scroll down, and just a reminder of the table of kind of how that plays out, the various alternatives play out, and which species would be covered, and so, essentially, Alternative 2 is this entire table, and these are all fifty-five species in the snapper grouper complex. If there's an "X" next to it, it's under the Florida State Reef Fish Survey, and that would be Alternative 3, and then, if there's an "X" next to the species under deepwater species, that's the species that would be covered under a deepwater designation, so to speak.

There are no other main items on this, other than noting the change to Alternative 1, no action. We went over some of the AP recommendations, and I believe all three of the APs that have reviewed this were in agreement in recommending Alternative 2, and you chose Alternative 2, and so there's sort of an alignment there, sort of across-the-board for this, and then, with that, just, you know, if there are any -- We don't necessarily have to go into any major changes or anything, but, if there are any specific topics that you wanted to bring before your APs, again taking a pause to identify those.

MS. MCCAWLEY: Anything here on this action? Andy.

MR. STRELCHECK: I would be interested in both APs kind of weighing-in on having -- I will call it more of an endorsement, right, and like the deepwater species is such a distinct, and separate, type of fishery than most of our snapper grouper, and the amount of effort directed at deepwater is going to be considerably less than even the broader snapper grouper universe, right, and we really struggle with estimating landings from those species, and so, for the technical AP, I would be interested in kind of hearing their thoughts on are there ways that we could structure this amendment to improve estimation of truly rare-event species that are in our deepwater complex.

MS. MCCAWLEY: All right. Thank you. Anybody else? Anything else on this one? I'm going to assume that we're good with the IPT's wording, and comment, on Action 1. Shep.

MR. GRIMES: I'm sorry, John, but, looking at that, the way it's worded, a federal private recreational permit does not apply is odd to me, and like a federal private recreational permit requirement does not apply, or a permit is not required for, or whatever, and that's just my suggestion.

MR. HADLEY: I will note that what's in front of you is a revised version from what's in the briefing book, and so that was added -- I should have noted that, and I'm sorry, but, anyway, that was added since then, to address the, you know, making clear that it is the federal private recreational permit requirement, and so that would be in addition to -- That would be a late-breaking addition, if you will, to Alternative 1, no action.

MS. MCCAWLEY: Shep, are you good?

MR. GRIMES: Sorry, and I was looking at the briefing book and not the screen, and so I had the other version.

MS. MCCAWLEY: That's okay. Thank you. Anything else? All right. Back to you.

MR. HADLEY: All right, and so those two actions, Action 1 and Action 2, cover the permit-related actions. We're going to switch gears and start discussing the education requirement, and so Action 3 is the action that establishes the education requirement and then looking at whether or not you essentially have an initial implementation of the education requirement or some sort of delayed implementation.

There is several changes, that are highlighted in yellow, related to some of the previous input from the committee at the December meeting, and so I will go over the council guidance, just so it makes a little bit more sense.

Just to remind you, at the December meeting, in Alternative 2, the "implemented at the same time" language was pointed out, and you tasked the IPT to sort of change the wording, to something along the lines of "would be required before initial issuance of a permit", and so, you know, clarifying that there's not necessarily immediate implementation, but the permit requirement, and the education requirement, would be going into place somewhere around the same time, and so they're kind of lockstep, if you will in Alternative 2.

In Alternative 3, that would have a delayed implementation of some time, and so the guidance from the December meeting was to add some subalternatives that would create some sort of delayed implementation for the education requirement. The three items that were highlighted were before initial renewal of a permit, if a permit holder is selected to take the education module, or if there's a time period, or if there's a delay specified, a delayed time period specified, by the council, and so, with that, I am going to hop back up here, to just kind of explain some of these changes highlighted in yellow.

In Alternative 2, you can see the "implemented at the same time" language has been struck through and replaced by "required before initial issuance of a private recreational permit", and so that is, there again, trying to keep those two requirements sort of lockstep together. Alternative 3, this one has been restructured a little bit to add subalternatives, that didn't have subalternatives at the previous meeting, but, looking at the last sentence there, the education component would be implemented after the private recreational permit requirement has been established, and then the subsequent subalternative, and so completion of the education requirement would be, under Draft Subalternative 3a, before initial reissuance of a permit, and so, essentially, under that subalternative, the permit holder could get the private recreational permit, and, once that expired, before it was reissued, then the permit holder would have to prove, or have to go through the education requirement.

Subalternative 3b is until the permit holder is selected to complete the education requirement, and Subalternative 3c is a certain number of years of delayed implementation, and so, if the council wants to continue to pursue that, it would be good to know what number should we put in there, and should it be a range, or should it be a specific number, how many years, and how are you thinking of having delayed implementation for the education requirement, and so I will come back to that.

You know, you do have your preexisting technical AP recommendations, your Snapper Grouper AP recommendations, and we went over those last time, and so I won't go over them again, and we did just go over the Law Enforcement AP recommendations, but, generally speaking, we're just looking for input on the changes to the alternatives. There again, in Alternative 2, whether or not you wanted to continue to include these subalternatives of Alternative 3, and, there again, that sort of catchall, and are there any other topics that you would like -- Or any specific aspects of this that you would like your APs to really focus-in on and come back to you with recommendations, or additional feedback, at the June meeting, and I will scroll back up to the action and alternatives, so you can see the highlighted changes.

MS. MCCAWLEY: All right. We're looking for discussion on this item. Spud.

MR. WOODWARD: I've just got a question, I guess about the subalternatives in Alternative 3, and so Alternative 2, the education component would be required before initial issuance, and so you create them together, and you've got to have it functional and in place before you ever start issuing permits? Okay. That's Alternative 2. Alternative 3 is you establish them both at the same time, but now you're going to delay the requirement of the education component, and so why would Subalternative 3a say before initial reissuance of the permit, because you haven't issued it yet, and shouldn't that be before initial issuance of a permit, because you haven't issued one yet, because you're delaying -- Or is that -- Are you saying that -- I'm trying to figure out the sequencing of that.

MR. HADLEY: Yes, that's a -- It is tricky wording. Conceptually speaking, I believe that the notion behind that was -- It was trying to capture that first bullet point from the guidance in December, and so before initial renewal of a permit, and so, the way I understand it, it would -- The permit requirement would go into place, and so everyone would get -- A private recreational permit holder would go ahead and get that permit.

Before they were reissued, and so the first time that they would be reissued the permit, that's when they would have to sort of satisfy the education requirement, and so, you know, thinking of it this year and next year, you could get the permit this year without the education requirement. When you go to renew it next year, you would have to have taken the education component for that, and so it's -- I mean, it would essentially amount to a one-year delay, I believe, for the most part, of implementation.

MS. MCCAWLEY: That helped me, because it's reissuance in 3, versus before initial issuance in Alternative 2. Did that help, Spud? Amy.

MS. DUKES: Thank you. Is this primarily because we're worried about creating said education component and having that ready to roll? Okay.

MS. MCCAWLEY: Andy. You look like you want to offer a comment.

MR. STRELCHECK: I wasn't sure if someone was responding to Amy, and so I think the answer is yes, and my suggestion is to eliminate Subalternative 3c, and I feel like Subalternative 3b is just a more flexible way of saying it, and it doesn't put a date certain in, and then, ultimately, whenever that outreach and education program is funded, and completed, it can be implemented.

MS. MCCAWLEY: All right. That was helpful. Do other folks have other thoughts here? Remember this is going to go to these two APs for more comments. Okay. I see heads nodding yes, that people understand that.

MR. HADLEY: So, in the committee report, we'll capture that, assuming -- It seems like everybody is good with not continuing to pursue Alternative 3c, and it hasn't been added, and so we don't really need a motion or anything along those lines, but that will be captured in the committee report, that that's removed.

One other clarifying point, when the IPT discussed this, is on Subalternative 3b. If you want to move forward with that, or at least considering it, is there any idea of -- You know, the idea is, if the permit holder is selected to complete the education requirement, how would that process work? Who would be selecting the angler, or vessel owner, to go through the education requirement and receive the education certification, if you will?

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: I thought that was meaning that, at such time as all permit holders are required to take the education requirement, and I didn't think you were going to randomly require permit holders to take education requirements.

MS. MCCAWLEY: That's how I read it too, but I think it's also saying who is going to make that decision, is what John is asking, I think.

MR. SPOTTSWOOD: I think it's once the council approves the education program, right?

MS. MCCAWLEY: Andy and then Spud.

MR. STRELCHECK: I mean, the way we've handled this, with a whole number of things, is either the Science Center Director or the Regional Administrator. Where I'm a little complicated on this one is with the state exception, right, and so I wouldn't want a state to get out in front of an outreach program, right, and go ahead and start that process, if the other states that are relying on the federal system are waiting for us to complete that education component, right, and so -- But I think it would have to come to the Fisheries Service, since we're the ones that are implementing the rulemaking.

MS. MCCAWLEY: I think so, but, you know, the EFPs, the state is going to get out in front of all of this, because the EFPs have an education component. I just want to put that out there, or remind people. Spud and then Robert.

MR. WOODWARD: Andy brought up what I was concerned about, and maybe we could fix that by adding, to the end of 3b, "by the issuing authority", because, that way, whoever is the issuing authority, the state or federal or whatever, they would be the ones determining that.

MS. MCCAWLEY: That helps me. Robert.

MR. SPOTTSWOOD: I also think we should clarify that it's either all permit holders or none, and I don't think the idea of randomly selecting permit holders is what anybody intended here.

MS. MCCAWLEY: Okay. John is making some notes. Spud.

MR. WOODWARD: In that case, I would get rid of "selected". Just say "until the permit holder is required to complete the education requirement by the issuing authority."

MS. MCCAWLEY: Thank you. Shep.

MR. GRIMES: I guess I'm a little confused on this. I mean, "by the issuing authority", I was thinking of the education requirement as a federal education requirement, and, if you have the federal permit, you have to do the federal education requirement. Maybe everybody does, and I was thinking more like the exemption got you out of all of it, right, or does the exemption just get you out of the permit, and then everybody has to take the education requirement? It seems like they would be tied together better, and then, if you have the state permit, the state exemption, presumably there's some education with that, and it was in lieu of taking it for the federal requirement. At least that's how I've been thinking of it, and obviously it's unclear.

MS. MCCAWLEY: I was trying to thumb through to the action that allowed states to be exempt, and I think that there's options in there about are they exempt because they have the education component, or is it because the species aren't the same, and does everything have to be the same, and I think that that might be getting close to what you're talking about there, I think. Spud.

MR. WOODWARD: It's sort of like the saltwater angler registry, and you had eligibility criteria, and you had to meet all those eligibility criteria, and so, if we wanted to establish one of those criteria to be that you have to have a state education component of your permit issuance that meets the eligibility criteria. That way, you wouldn't be sending somebody -- You know, this is from the state, and then they've got to bounce over to the agency for this, and, you know, keep everybody at a one-stop shop, which is a very strong public opinion. The more we can do at one place, the better.

MS. MCCAWLEY: What I think you're saying, Spud, is that -- In this case, if Florida is exempt, then Florida would do the education component, paired with the State Reef Fish Survey, and not issue the State Reef Fish Survey and then send people to a different website to get a federal education course.

MR. WOODWARD: Well, I think that would be optimal. Now, whether that's feasible or not, I don't know, but, I mean, ideally, if you go to one place, get your permit, and get your education component fulfilled, and you're not having to go to multiple places -- I mean, that's just good customer service, to be able to go to one place and fulfill all your obligations.

MS. MCCAWLEY: Okay. Shep.

MR. GRIMES: Thank you, Madam Chair. Just noting that -- So the exemption language currently, in Action 5, is -- It's an exemption from the federal permit requirement, and it doesn't speak to the education, and so the education could be a question, a component, in deciding whether you're exempt from the permit, but it wouldn't necessarily exempt you from the education requirement, at least not as it's currently worded, and so that's just something we need to figure out as we continue to develop this. Thank you.

MS. MCCAWLEY: Thanks, Shep. John is making some notes up here. Andy.

MR. STRELCHECK: I just ask that the IPT, working with General Counsel, provide clarity, at the June meeting, about the issuing authority and whether that has to be a federal issuing authority or it could also involve the state, if it was expanded for the outreach component.

MS. MCCAWLEY: All right. Thank you, Andy. Okay. John captured that as well. Anything else on this action? Myra.

MS. BROUWER: Sorry, and I think I missed what you just said, Andy, and were you asking the IPT to clarify who the issuing authority would be, because I don't know that the IPT would be the right place to -- I mean, I don't know what they would -- They would say it's up to the council and up to NMFS.

MR. STRELCHECK: I said the IPT, working with General Counsel, to clarify it, and so just --

MS. MCCAWLEY: Robert.

MR. SPOTTSMWOOD: Do we ultimately want to try to get to setting up parameters for what, you know, the federal side of this would be looking for, so that states could figure out how to comply

with that, or, you know, to have somebody say, okay, the state requirement complies with federal, and it's okay to use that?

MS. MCCAWLEY: Andy.

MR. STRELCHECK: Well, first, going back to the IPT comment, the reason that I was pointing to the IPT is because then they come back with wordsmithed language, right, and that was my thought process there. In terms of, Robert, your comment about outreach, yes, I think we need to give a lot of thought to that, when we get into the details of what an outreach program looks like, but my concern would be having two separate, or multiple, you know, different outreach programs that are maybe not messaging the same information, right, and it may be similar information, but, you know, is there a way that it can all be under one umbrella, and we have the same information going to all of those permit holders?

MS. MCCAWLEY: Spud.

MR. WOODWARD: Not to belabor this, because we're still a long way from the finish line on this, but it sounds like, with what you're doing for your EFPs, you're going to probably build a template that will end up fulfilling the needs for that, and so you're probably going to -- We're going to sort of get a two-for-one here, I think, ultimately, and it might need to be tweaked a little bit, but, you know, ultimately, there should be something out there that we can all share, and it's just a matter of how do we provide a mechanism of access to it.

MS. MCCAWLEY: Yes, that's right.

MR. HADLEY: All right, and so, with that, I appreciate the clarification on that, and I think that will help the IPT quite a bit. We are going to move on to Action 4, and so this is the other education-component-related action. There are, you know, a suite of different alternatives here that you've considered, and, really, the idea here is specifying essentially how often permit holders would need to go through the education requirement, and that's sort of the crux of what this action does.

In Alternative 2, it would be required upon each issuance of the permit, and so Alternative 3 would be every other year, upon issuance of a permit, and Alternative 4 would sort of a one-time scenario, where the education requirement would be satisfied upon initial issuance of the recreational snapper grouper permit, and it would be good indefinitely, and then Alternative 5 is sort of a hybrid scenario of a couple of alternatives there, and so there would be an education requirement upon initial issuance of the permit, and, each time that the education component materials were sort of overhauled, or a major update was made to the education materials, in theory, that would trigger all permit holders to have to sort of recertify their education requirement. This is the suite of options, and I will pause here for questions.

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

MR. SPOTTSWOOD: Just to be clear, this has to assume that, at such time as education is required, based on the last discussion, and, conceivably, you could go through two years of renewals before we have the education component.

MR. HADLEY: Yes, absolutely, and there's certainly a tie-in there between the two actions, and so yes.

MS. MCCAWLEY: Thanks, John. Tom.

MR. ROLLER: I just want to put my support behind Alternative 2, upon each issuance, and I know this will depend upon what we think this is going to look like, and I do the HMS shark endorsement every single year, and I have no problem with that. Everybody can use a little refresher, and we must remind ourselves that there's going to be a wide range of people with this permit. There's going to be people who use it one day a year, and there's going to be people who use it dozens of days per year, and I think that this is a great opportunity for us to reach fishermen in this fishery, and make sure that people are doing the right thing and learning, and I have no problem with this being a yearly thing.

MS. MCCAWLEY: Carolyn.

DR. BELCHER: I think the range is good, but, to Tom's point too, I think, even if you were to engage it with an abbreviated, on some time window, and, again, I'm just using my examples from sport, and, in SafeSport, we do a very complex one, and then there's usually the next year that you're followed-up with one, and it's not much shorter, but it's still shorter, and more to the salient points that they want you to focus on for that year, and then I think it's -- This is my fourth year, and so you kind of ping back into it on a full train, and then, if there's any major swings that come in, then you, obviously, would get a different one in that off year.

MS. MCCAWLEY: Thank you, Carolyn. Amy.

MS. DUKES: I think it's going to be a little difficult to perhaps really gauge a preferred alternative, since we don't know exactly what that education component is going to look like, the length of that education component, and I think you can pack a lot of punch into a few minutes. I tend to agree with Tom though, in knowing that HMS video, and knowing it only takes a couple of minutes, and it hasn't been changed in forever, but I think that the timing of this education component is going to really dictate what we do here.

I will also say that having it upon issuance is probably good. I think, the first year, you're going to have a lot of folks that are going to allow this permit, perhaps, to lapse, and they're not going to think about it, and it's going to be new for them, and so having that refresher course every single time could be advantageous, too.

MS. MCCAWLEY: John, I think that you were looking for some additional guidance here relative to this educational component, maybe that the two different APs could look at, and aren't you seeking kind of who would develop the materials, what the topics would be, who would verify, are those some of the things that you're seeking here?

MR. HADLEY: Yes, that sort of input, and then, also, if the committee still wants to go into it, but, at the last meeting, you indicated wanting to have a general discussion on the topics that would go under the education requirements, and so I can get into that as well, if you would like.

MS. MCCAWLEY: Spud.

MR. WOODWARD: It sounds like we may be moving this to the Outreach and Communication AP, instead of our technical AP and our private angler AP, because that's really -- You know, they know what's out there, what's already existing, what can be maybe modified, and use them as your sounding board on this.

MS. MCCAWLEY: I was trying to scan through the document, and I thought that they had already had a discussion on this. John.

MR. HADLEY: If it's okay, I'll just run through kind of the feedback that we have here, and then I'll turn it back over to the committee. You do have your AP feedback, and so you've had feedback from the Snapper Grouper AP, and, generally speaking, they were very much in favor of an education requirement. Then, also, they suggested that, if a permit lapses, or if a new permit is issued, then that permit holder would need to go through the education requirement.

The Outreach and Education did weigh-in on this, and sort of from a conceptual perspective though, and they did note that -- You know, thinking about some of the logistics of it, outreach is going to be a major component of it, and keeping the education requirement concise, no more than a fifteen to twenty-minute course, or potentially less, with an interactive quiz. They did note that, if it's a vessel permit, there might be some, you know, complications there, as far as combining that with an education requirement, to emphasize that the owner is responsible for messaging to the crew.

They identified a few programs that were available. Of note is Return 'Em Right, and so I will get into it in just a second, but I've kind of highlighted some of the major topics that are touched on by Return 'Em Right, but there are some other example programs out there from Florida Sea Grant, the FWC Sunrise Skyway Fishing Pier course, as well as the Georgia shellfish harvesters, the Georgia DNR shellfish harvesters course, and so there is some other examples out there sort of that could be used as a template.

They noted that -- You know, there were some other notes on who is going to lead the effort, and that needs to be clarified, and then, also, clarifying that it is a NOAA federal permit, generally speaking, and you did receive the input from the Law Enforcement AP, and I do want to reiterate that they were asked the question of what did they feel would be helpful to bring forward to anglers, or private recreational vessel owners, from an education perspective, that could help, you know, to just make people more aware of the regulations, and they felt that some of the hook and descending-device-related requirements, as well as MPA and special management zone locations and regulations, would be helpful, again, and providing links to existing information, such as Fish Rules, agency websites, and the council's website, and making permit holders aware of new regulations each year would help with compliance.

Then there were a few of the IPT-related comments, and so, as alluded to earlier, just some general -- Just general discussion on who is responsible for developing the education materials, and who is going to be responsible for maintaining the education materials, just how the committee envisions sort of the separation and responsibilities, and basically development, as well as ongoing maintaining that program.

Then I will get into some of the discussion questions, and so, there again, at the December meeting, the committee indicated wanting to discuss some of the education materials, or the topics, kind of the high-level topics, that would be included in private recreational permit holder education. Topics identified were species ID, species in the snapper grouper fishery management unit, best fishing practices, MPA and SMZ locations and regulations, and then sort of the basic regulations of descending devices being onboard, rigged, and ready, and then size limits.

Just a few kind of -- You know, from a high-level perspective, I went through and listed some of the topics from the South Atlantic Council's best fishing practices website, as well as the Return 'Em Right program, and so both of these programs cover some of the basic requirements, such as the descending devices, dehooking tools, and hook specifications, best fishing handling practices, and recognizing barotrauma, using a descending device, returning to depth, and best practices such as planning ahead and fish handling techniques, avoiding non-target species, and then additional resources.

On the Return 'Em Right side, there's a little bit more on -- There is additional information on why anglers should release fish properly, and so sort of the benefits of releasing fish properly, and then similar information on best fishing practices, signs of barotrauma, and whatnot.

With that, you know, are there general topics that you would like to add to the list that you've already put together, and, you know, generally speaking, is there something on that you feel needs to be added, and so, you know, I would certainly welcome any suggestions on that, and then, also, it was sort of an IPT-related question, and topic, that came up. In Alternative 5, there's that sort of trigger that, if there's a major update to the education materials, that would trigger everyone to have to retake the education requirement, and so what would be -- What do you envision as a large-enough update to sort of hit that trigger that would be sort of -- Or what is a major update to education materials? I will turn it over, and I will scroll up to that list of at least previously-identified topics, and I'm not sure where we want to go from there, if we want to add to that list or discuss the action structure itself.

MS. MCCAWLEY: Maybe let's start with this topic list. Spud and then Robert.

MR. WOODWARD: After thinking about this, I would hesitate to put things like size and bag limits in there, because they're subject to change, and so you could have somebody getting their education component and being given information that does not match up to what the current is. I mean, your basic things, your ID, you know, best fishing practices, but what I would use it for is to send them to where the current information is at. Otherwise, you're going to find yourselves in a predicament. At the state level, we used to have all these changes, and now we -- Well, before I left, we were trying to sync them up, so that we could publish one thing a year, and it would be good that entire period, and so I would recommend not including that.

MS. MCCAWLEY: Yes, I agree. Robert.

MR. SPOTTSWOOD: I agree, Spud. I do think that things like showing people how to properly measure to the fork of the tail, versus the overall length, would be helpful in this, and then the other thing that I think should go in here is, at some point, we hope to have some type of reporting requirements, and we should probably educate them on how we want the reporting done, how you want the measurements done, how you -- You know, I know we don't have that done yet, and so

we don't know, but, at some point, when this education component goes through, people should be told how to use it, whether it's the app or whatever program we're using for reporting.

MS. MCCAWLEY: So just a reminder that there is no reporting in this document at all, and reporting might come at a later date, and so maybe it's something like, when reporting is implemented, how to submit reporting requirements, or something like that. Tom.

MR. ROLLER: Robert brought up a really good point, the whole how to measure fork length versus total length, which has been a big issue in our state at times, and I don't think there's enough resources out there showing people how to properly do it. I want to go back to Spud's comment, and I really agree with that. I think we need to be careful about putting specific regulations in here. I think it's kind of stated in the weeds, but I think we could use this as a way to say here are the resources to figure out what is open, and what the size limits are, and that's like saying use Fish Rules, right, and those are the things that we should be pointing people towards.

MS. MCCAWLEY: Okay. We're still capturing some of the other things that you mentioned. Any other comments on this list here for the topics that would be covered by these education materials? I don't see any additional hands. Andy.

MR. STRELCHECK: One idea, and one question, for you, Jessica, is, with the outreach and education component of your EFPs -- I mean, is this largely kind of the list that you were thinking of? Do you see anything on here that's missing from what you were going to propose?

MS. MCCAWLEY: We will have the how to report, because we're using an app, and so we'll get into that, and another thing is kind of how the whole EFP is going to work, and so that's one of our modules, if you will, as part of the educational component, is making sure all these different pieces, that you know how to work that you're selected for, make sure you do this before the trip, make sure you do this on the day of the trip, make sure you do this after the trip, and so that's the only thing that I see that is not up here.

MR. STRELCHECK: Okay. Thanks. The only other idea I had, and I don't think it was captured, and I'm cognizant of not making this too long, but it's kind of a how to get involved, right, and that's from a whole number of different aspects, and it could be contributing to science, through cooperative participation, as much as just coming to council meetings and giving testimony, but that could become dated very quickly as well, and so I think it would be more driving people to something that could, you know, explain how they could get involved, and that would be something we would have to update elsewhere.

MS. MCCAWLEY: That sounds good, and, also, maybe if someone has technical problems, technical problems with the course, you know, where to go on that. Another thing I think that we're going to try to get into in our EFPs is the why, the why we're doing this, why we're testing this, why their input, and their participation, is important, and so that's another thing that we're going to get into. I don't see the why up here, and I don't know if it's needed here, but that's just another piece that's not listed.

All right, and so I was talking to Carolyn a little bit, and so we're coming up on the public comment time period. There are some other thoughts here, about like who is developing the education materials, who is going to maintain these materials, how will -- What entity will verify that the

education requirement has been satisfied, and so I don't know if you guys wanted to have a short discussion on some of those things. Otherwise, they probably need to be on the list for what the APs need to talk about when they get together. Spud.

MR. WOODWARD: I've been thinking about the same questions, and it sounds like maybe we're at a point where we go back to the Outreach and Communication and say can you build us an architecture for this, and, once they come with that, then they can bring that back to us, and then you have to decide, well, does something exist that matches it? Are you going to take parts of something that exists, and add to it, and then, ultimately, who is responsible for doing it, and who is going to be the custodian of it, and so those are questions that need to be answered at some point, and I'm not sure that we can answer them now, but, I mean, we have that AP for a purpose, and, to me, I would lean on them to say, you know, if you were building this, what would you do?

MS. MCCAWLEY: All right. That sounds good. John is taking notes. Other thoughts, other items, that we want the AP, and so we've got two different APs that are going to meet before the next meeting, and are there thoughts on anything else that we want them to discuss here relative to this outreach and education component? Amy.

MS. DUKES: I think I would just like them to come up with an idea of the length of this, and so we want to make sure that we're capturing the audience, and we're not losing the audience, and we want to make sure there's enough hooks in it, and I think it would be neat to get their perspective on the amount of time that we have, and that might help guide which of these topics take priority over others.

MS. MCCAWLEY: All right. Another thing that I heard was Spud suggested this needs to go back to the outreach and education AP, and I don't think that that was on our list of APs to meet, maybe before the June meeting, and so I would look to John Hadley, or Myra, and is it a possibility to meet that AP, and get some feedback, or does that feedback need to wait until the fall? How would that work?

MS. BROUWER: I believe that AP is already scheduled to meet at the very beginning of October.

MS. MCCAWLEY: What if we wanted to get some feedback from them specific to this, or more specific to this, before the June meeting? Is that a possibility? Could they meet via webinar?

MS. BROUWER: I don't see why not. I am looking to Kim, but I don't think she's in the room, but we can make that happen.

MS. MCCAWLEY: Okay. That sounded like something that we were wanting, but I will look to Spud, and that's what you meant, to bring that back, along with the input from the other APs, to the June council meeting? Okay. That was nodding yes.

MR. WOODWARD: Yes, and, I guess in response to what Amy brought up, I think, you know, one of the things we've talked about is that you will have to have some proof, at the end of it, before you can get your permit, and so, you know, you're going to have to stay there. I've done some of these online training things, and, yes, it's -- You know, I've got to sit there, and I may know this, but I've got to go through it to get to the next module, and then the next module, and

then take my test, and then it opens up the pathway for me to get my permit, but time is a very important part of it, and there's no doubt about it.

MS. MCCAWLEY: Well, I also heard "test", and I don't know that it was clear, with all this -- I don't see bullets up there that people had to take a test at the end, and so I guess I would -- That needs to be noted, that we are anticipating the people take a test, and is it pass/fail? How many questions do they have to have right? Does it tell them which ones are wrong? I have so many questions about the test.

MR. WOODWARD: Well, just, I mean, that's something we've got to decide. I mean, if we want to be sure that they've gone through the whole process, what do you do? You know, you can establish a module so it sits there for a certain period of time, and they've got to look at it, and then you move to the next module, and there is a certain amount of time before you can go to the next one. You know, we've all been on those things where you hit the "next" button, and it's like I'm trying to go to the next one, and it won't let you do it until I sit there and stare at it for a while, and so you could do that in lieu of a test, but some sort of certification process, I guess, is maybe better than a test.

MS. MCCAWLEY: Okay. Thank you. Kerry.

MS. MARHEFKA: I feel pretty strongly that that methodology is better, and, I mean, you get into testing people, and you have to think about learning disabilities and all of these things, and, I mean, some people are auditory learners, and some people are visual, and I think, as long as you can sort of force them to have to watch the entirety of what you want them to watch, I think that's fine, and maybe I'm just worried that I would fail it.

MS. MCCAWLEY: Trish.

MS. MURPHEY: Just testing -- I think this would be something else to run by our Education and Outreach Committee, just to figure out, you know, what's -- You know, should there be a test, how long should it be, how hard it should be, how easy should it be, and, you know, how do you pass or fail or whatever, and just, you know, if you score 70 percent, you get your permit, but, if you score 60, you've got to go back through it again, and so I think they would probably have some really good feedback on that.

MS. MCCAWLEY: Tim.

MR. GRINER: There's a bunch of ways you could do that. When I think back about -- I hope that all of you guys took the test, but to our sexual harassment test that we had to take, and, you know, you go through the screen, and they ask you -- You have a question, and you have to answer it, and, even if it you get it wrong, they show you the right answer, but you had to go through those steps, so at least you left there knowing the right answer, before you can move on to the next one, and I did get all my answers right the first time.

MS. MCCAWLEY: All right. I think we have enough right now. Spud, did you have a final comment on this, and then we're going to move off of the education component and try to hit the final action in this amendment.

MR. WOODWARD: I suggest that we give the sample test to the council members, closed book, and then we'll decide on whether we turn it loose on the public or not.

MS. MCCAWLEY: We're getting a little spritely this afternoon, I see. All right. We're going to leave the education requirement here and try to go through the final action in this document before we break for the public comment.

MR. HADLEY: All right. I appreciate that, and so the final action in the amendment, and this is the action that would establish an exemption to the federal private recreational snapper grouper permit requirement, based on permitting by state, and so, basically, this is an action that sort of brings everything that was previously discussed together in creating some sort of system that would exempt states from a federal permitting requirement.

I will go over Alternative 2, just very quickly, and this is the version of the action that you approved in December, but, essentially, Alternative 2 would establish the exemption to the federal permit requirement, and the National Marine Fisheries Service would certify a state permit as equivalent to the federal permit requirement, provided that the state implements equivalent measures, and so the different subalternatives go through, one-by-one, what those equivalent measures would be.

In 2a, the same entity would be provided the permit, and so, you know, this ties into essentially Action 1, the vessel-based versus angler-based. Subalternative 2b, the state permit is required for the same snapper grouper species, and so that ties into what we discussed in Action 2. In Subalternative 2c, the state permit will remain valid for the same period of time. As in previous discussions, the notion would be that this would be an annually-issued permit, and then Subalternative 2c is the state permit would have the same education requirement as the federal permit requirement, and so those are the various measures, that have been identified thus far anyway, to equate a state-based permit as equivalent to the federal permit requirement.

Really, you have had your AP recommendations on this, and we heard from the Law Enforcement AP earlier on some of the thoughts on this, and the various state-based permits, and what happens in the EEZ, and so I won't get into that discussion again.

Some of the IPT-related comments were around what sort of the initial -- You know, what is the goal of this, and, presumably, it would be to reduce regulatory burden on state anglers, and sort of that would be the -- Ideally, presumably, that would be the goal of this, and I believe that's the route that the council is going on this, and so getting a little bit of discussion on the goals of implementing this action, what would be the benefits of it.

Also, it was noted that the state requirements need to be the same as the federal agency requirements, and so that's kind of an important step, an important thing to keep in mind, in implementing this action, and so I will turn it over to the committee to discuss this, but, you know, I'm throwing out there, one more time, that, if anything comes up, you do have those APs meeting, and they can discuss it in more detail as well, and I did want to come back to Robert's initial point, and, you know, kind of the Subalternative 2b -- I believe there's further discussion on the scenario on, you know, how is that going to be specified, particularly if you have different species-related requirements on the state level, versus the full suite of fifty-five snapper grouper species, as is currently selected as your preferred alternative in Action 2.

MS. MCCAWLEY: It seems like maybe we need a separate -- If we're going to go down that route, we need a separate alternative that talks about the snapper grouper species, and particular ones for each state, because it would be different if each state does its own permit, and so maybe we need a separate alternative for that, but Shep also brought up something earlier that needed to go in this action, and was it about exempting a state, and allowing them to have their education requirement, and can you talk about that again, Shep?

MR. GRIMES: Thank you, Madam Chair. I guess I was really just asking -- The way it's currently worded, the exemption is only for the permit, right, which would leave the federal education requirement in place for everybody, and I'm not sure that's what you intended, or that that necessarily makes sense, and so the exemption -- If you're exempt from the permit, it would also -- Well, I guess you need to figure that out, but, if you had -- If the exemption from the permit was based on needing to permit the same entity, fishing for the same fish, and you had the same education requirement, it wouldn't make much sense to do it again at the federal level. Thank you.

MS. MCCAWLEY: Yes, that's a great point, and John is capturing that over here, and so I don't know if that's a separate action, a subcomponent of this action, but, yes, it would be exemption not just for the permit requirement, but an exemption for the education requirement as well, is what you're saying. Okay. John.

MR. HADLEY: Really quickly, on that note, I think that's something that we could take back as kind of guidance to kind of bring it back to the IPT, and have the IPT sort of flesh it out, and does it need to be a different action, or can we add it as an alternative here, and I think that kind of discussion could be helpful, and then we could come back to you with that in June.

MS. MCCAWLEY: Shep, are you okay with that?

MR. GRIMES: Yes, and it seems, to me, that it could be worked into this action, and not creating another one, but I will defer to the IPT.

MS. MCCAWLEY: All right. Thank you. Spud and then Robert.

MR. WOODWARD: If the education -- If fulfilling the education requirement is linked to getting the permit, doesn't 2d cover that? The state permit would have the same education requirement, and so you establish an education component. In other words, for you to get that state permit that's exempted, you have to complete that education component, and so aren't those two things already linked together?

MS. MCCAWLEY: Right, and so let me see if I can try to explain what Shep is saying, but then I will give Shep a chance, and so, if you look at the title of this action, and maybe that's the best way, right now, there's only an action to exempt the state from having to have the permit, and not an ability to exempt the state from having to have an education component, and so, in other words, you would have this one-stop thing that you're thinking of, where the state could implement its own education requirement, and then be exempt from having to have a separate federal education requirement, and so I see what you're saying, but, according to Shep, it needs to be spelled out that you're not just exempting the state for the permit, but also the education, and is that the best way to explain it, Shep?

MR. GRIMES: Yes, and I wouldn't say, or suggest, that it has to be that way, and I was asking the question. The way it's currently worded, and I agree with Spud 100 percent. You want to be exempt from the permit requirement, and you've taken that education, and so you've done that, but, if the state is issuing the permit, and the state has some education requirement with it, and it ends up being the same as the federal requirement, are you going to make them take it twice?

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: So I think, if you went back to Action 4, where it says specify the timing of the education component requirement for the private recreational snapper grouper permit, and maybe exceptions for the federal education component, which is, Andy, where I was asking you, but, if we created, in that action, the framework for the minimum education requirements, from a federal perspective, that if the state education requirement, you know, or a course, met those minimum standards, they would be exempt from the federal education component, if that's possible. Then, going back to Action 5, on 2b, I think you could just say the state permit is required for the same snapper grouper species as the federal permit, and it's got to be for that area, right, or location, or state, however we're going to do that.

MS. MCCAWLEY: Okay. We're over here trying to figure out how to capture direction for the IPT on all of those items. Okay. We're almost at time to break here for public comment. Are there other thoughts on this action, or on this amendment? Andy.

MR. STRELCHECK: Well, just going to the IPT's questions about the why, right, and so, in my view, this is to take advantage of economies of scale, right, and not reinvent the wheel. The states already have infrastructure in place for issuance of permits, and then, as you pointed out, kind of the frustration that anglers might have if we're essentially requiring the same permits to do the same thing, right, and so avoiding, obviously, that duplication of effort.

MS. MCCAWLEY: All right. We're trying to wrap-up this. Tim is going to make my head explode. Okay and so I'm going to Tim to ask a question about this action, and then we're going to try to wrap-up this amendment for today. Okay, Tim. Ask your question about -- I think that you're talking about 2c.

MR. GRINER: Yes. Thank you, and so Subalternative 2c -- When I read that, it says the state permit would remain valid for the same period of time as the federal permit, and so, to me, that means, since the permit allows -- You have to have the permit to possess fish, these federal fish, underneath the snapper grouper complex. If the fishery closes in federal waters, does this mean that it also closes in state waters, if you have a state permit? In the for-hire, if you have a federal for-hire, you cannot fish in state waters if the federal fishery closes, and is this the intent of this, to mimic that, because, if not, you've got a loophole here, that you could just have the state permit, and fish whenever you wanted to, even if federal waters closed.

MS. MCCAWLEY: I didn't take it to mean that. Let's go to Spud, and I think that that would be something that would be covered when you're talking about SEFHIER and other things, that action, but let's go to Spud.

MR. WOODWARD: My recollection is that this relates to is it good from date of birth to date of birth, or is it good for an annual period, or so it's all about linking it up, so that the period of validity is the same, and it has nothing to do closures and quotas and so forth and so on.

MR. GRINER: Yes, and I just wanted to make that really, really clear.

MS. MCCAWLEY: Shep.

MR. GRIMES: Thank you, Madam Chair. Well, since we broached this subject, that's been done for commercial permits, and for for-hire permits, and it's expressly part of the decision that, you know, in constructing the permit, and implementing the program, of the council and the agency, that you have to have that permit, and, as a condition of that permit, you will comply with federal seasons, regardless of whether you're fishing in state or waters. If that was something that the council wanted to pursue in this context, which seems fraught with complications, you would have to do so expressly and clearly, and it seems like you're not there yet.

MS. MCCAWLEY: All right. Thank you for that, and so maybe the IPT can add some language to this document that that wasn't what was intended with 2c. I am going to look to John Hadley, and I think that we have everything that we need here under this action, but then I think we need to approve this document, as a whole, with the changes we've made today, plus give the IPT the latitude to kind of take our guidance and go from there.

MR. SPOTTSWOOD: So moved.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: So moved.

MS. MCCAWLEY: There's a nice draft motion to approve Amendment 46, and all the actions, as revised, for further development, and is that your motion?

MR. SPOTTSWOOD: Yes, and would you like me to read that? **Approve Amendment 46, and all actions, as revised, for further development, and instruction to get the information we need from the IPT and the APs.**

MS. MCCAWLEY: All right. John is modifying that. Is there a second? It's seconded by Spud. Is there any more discussion on this for today? **Any objection to that motion?** All right. **The motion carries.** That wraps up this amendment, and I'm going to pass it back to our Chair, to maybe give us some time to get ready to go to public comment.

DR. BELCHER: All right. I need to confirm how many folks we have. Right now, it sounds like we have four in-person and four online. We have ten total, and so we're probably looking at about an hour of public comment, and Scott Pearce needs to leave, and he's already ready to go, and so all I'm going to ask is that, tonight, we stay to hear the LEAP report, to discuss Red Snapper 35 in the morning, and I don't want you all to kill me on a Wednesday. You can kill me tomorrow, if we have to stay late, but we'll get Scott's report, so he can leave, and we'll pick up at 35 at 8:30 tomorrow morning, but that's all that I ask, is just give me that extra time after public comment. Public comment starts at 4:00, and so you have ten minutes.

(Whereupon, a recess was taken.)

DR. BELCHER: Okay. What, again, I've asked for is just a few minutes so that Scott Pearce can give us the LEAP report relative to Amendment 35, and then we will recess until tomorrow morning, at which time we will pick up Amendment 35.

CAPTAIN PEARCE: Thank you, all. We only have about ten or fifteen pages to go through. All right, and so, in talking about the -- I think it was for the rotating area closures, and so these are the comments that the panel was able to provide in reference to the rotating area closures for Amendment 35.

Enforcement capacity, on-the-water patrols, and monitoring would need to increase considerably to enforce rotating closures, and agencies would have to pool their resources to get this done, and so that would mean like agencies working with NOAA, working with the Coast Guard, whether it be air assets, vessel assets, things like that. The further offshore a closed area is, the more difficult it is to enforce, which means the lesser frequency of patrol you're going to have, and a positive aspect of an area closure is that enforcement can focus their efforts into that area, and so that is one good, positive aspect to it.

Generally, forty to fifty miles offshore is the furthest distance from shore that enforcement can handle, and, again, when you think about that, we're not thinking about can we get out there, and it's frequency of patrol, because you're only going to be effective based on the amount of time you spend patrolling that closed area.

In some areas, available assets would only be able to probably enforce out to twenty, or twenty-five, miles on a regular basis of patrol, and so, again, when you're talking about distance offshore, we're not saying we can't get there, but we're just saying that, the further offshore, the less we're going to be able to get there and spend the adequate amount of time patrolling that zone.

Rotating closures would pose a significant challenge from an enforcement perspective, and rotating would need to be clarified. Are the same locations opening and closing at different times each year, or are the locations of opening and closing areas changing from year to year, or from a multiyear time period to another? The latter scenario especially creates challenges to effectively communicating open and closed areas to the public, given that it will take a considerable amount of time for the public to adjust to a closure, and then to switch it again, and you're starting all over again.

A closed area would need to be in place for at least one year before the public can be expected to know about it and abide by the regulations. It took three years for the research area within Gray's Reef National Marine Sanctuary to enter the public's awareness. We would need to work with the industry to spread information regarding closed areas through electronic platforms, and, for example, GPS charts. Industry has a vested interest in doing this, and so we could maybe make sure that we're communicating with Garmin and Loran and companies like that that have these closed areas on their plotters.

Closed areas need to be large enough to accomplish the goal and for law enforcement to be able to prove intent during a violation. If the area is too small, it is more challenging to prove intent.

The prosecutorial side of enforcing closed areas is extremely important. Patrolling of closed areas is accomplished through joint enforcement agreements. If more areas were to come online, the JEA budget would need to increase to allow this.

Investigations often take a long time, but, when a violator is caught, and held accountable, this can have beneficial ripple effects. Increasing public awareness of violations could improve compliance. Effective communication of closed areas, and closed times, can deter violations for much of the public and reduce ignorance violations, so law enforcement can be more focused toward true bad actors. NOAA Office of Law Enforcement has a record of 700 cases of marine protected area violations since 2010, and, to this day, fishermen still claim they didn't know about the closures when they caught them, and that would be all.

MS. MCCAWLEY: Thank you, Scott. Any questions for Scott? Any other questions, not about Reg Amendment 35, that you want to ask Scott, since today is his last day here this week? All right. I don't see any. Go ahead, Andy.

MR. STRELCHECK: I just want to say thank you. I really appreciate all of the briefings throughout the council meeting, and your work on the Law Enforcement AP, and this has been really helpful. Thank you.

CAPTAIN PEARCE: Thank you, sir. I wanted to just say thank you to everybody here for letting me come out this week, and I enjoyed doing this, and so thanks a lot.

MS. MCCAWLEY: Thank you, Scott. Safe travels. I'm going to turn it back to you, Madam Chair.

DR. BELCHER: So we are recessing for the evening, and we're convening again at 8:30 tomorrow, and we'll see how our time goes, but just to put everybody on alert to be prepared that we may go long tomorrow, depending on how things progress.

MR. SPOTTSWOOD: Carolyn, for the fishermen that showed up too, I just wanted to say thank you all, especially traveling up from Florida, and some of you all are outside. This is my third meeting, but this is the best showing we've had, and I appreciate hearing from you all directly.

(Whereupon, the meeting recessed on March 6, 2024.)

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MARCH 7, 2024

THURSDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened at The Villas by the Sea Resort, Jekyll Island, Georgia, on Thursday, March 7, 2024, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: All right. We're going to get going. Happy Thursday morning of council week. All right, and so we are still in the Snapper Grouper Committee, and, this morning, we're going to dive into red snapper, Regulatory Amendment 35. We've already heard from Scott Pearce to get the Law Enforcement AP recommendations. We heard that at the end of the day yesterday, and so I'm going to turn it over to Mike to give us an overview this morning.

DR. SCHMIDTKE: All right. Thank you, Madam Chair, and so I'll get us moving on 35 this morning. If you will recall, at the last council meeting, you all gave a request for information to kind of be compiled. Much of it was information that you had seen previously, and so I'm going to -- As I go through this document, I'm going to show you where the links are. Every piece of information is linked there, and I will kind of pull it up, to try to jog your memory, or at least give you a visual of what was included in that document. I'm not going to be diving into all of the analyses all over again, and that's something that -- Those are things that you've heard before, but, if you have specific questions on a piece of information that's presented, or that was previously presented, then, after I get through, go ahead and ask me, and I will navigate to those.

You will see, as I get to these different points, I have several kind of windows already queued up here, and I will show you the different pieces that you've requested, and so, as a reminder, Regulatory Amendment 35 you all approved in March of 2023, and you, in December of 2023, decided to pass a motion that would not submit that amendment to the Secretary, pending some further work, or additional information that you might want to be included, and so that's kind of where we are right now.

The document, as it stands, is -- If you all decide that it is fine as it stands, then it is kind of ready to be shipped out the door. It's been reviewed by the Chair, and it's had its 508 compliance done, and all the things are finished with that document. As it stands, it includes two actions, reducing the ABC, ACL, sector ACLs, and the establishing the annual OY for South Atlantic red snapper, and then the other action is to prohibit the use of more than one hook per line for the snapper grouper recreational sector.

You've seen all the analyses associated with that, and so I'm not going to dive much into the discussion for those actions. We're looking at more of the additional information that you've requested in this meeting, and so the objectives for this meeting will be to review the analyses that have been compiled and then for you all to have a discussion about whether you want additional actions included in this amendment, and basically how this amendment should proceed from this point.

The purpose and need are included, and you reviewed those in previous meetings, and that's kind of where the -- Those are in line with where the document stands right now, and so now diving into these analyses, and so the first document -- This goes back to June of 2022, and it was the decision document that was presented in that meeting, and you can see the list of information that's included there, and you have some fishery-independent information from the Southeast Reef Fish Survey, and you have information on red snapper releases and mortality by depth.

Some of the previous analyses that were conducted even further back, going back to Amendments 17A and 17B, a literature review of spawning behavior, and then kind of a qualitative pros and cons comparison of different management measures, as well as release mortality rates for the entire Snapper Grouper FMP, and so just kind of jogging your memory, and these are some of the tables

that you saw within that document, and this is one of the ones that's detailing information from that Southeast Reef Fish Survey, red snapper by depth, and also divided up by area, kind of dividing the region from Charleston north, St. Augustine to Charleston, and then south of St. Augustine to Cape Canaveral.

Going next to the next piece of information, in September of 2022, Andy gave a presentation that kind of detailed information about the assessment, and it talked about some of the implications for management, and so the slides from that presentation are available on that link, and then there was also a data report that was presented by council staff, but it was an effort in collaboration with the Regional Office and the Science Center.

There was a lot of information compiled looking at discards for the private component, the charter component, the headboat component of the recreational sector, and then also looking at landings in different regions, and this document is where you might want to look -- I know a conversation at the last meeting looked at some of those kind of rotating regional closure type of ideas, and this is the document where you had your previous discussions, the information where you had your previous discussions on that, and so the region was divided up into North Carolina, South Carolina, Georgia, and then three regions in Florida, and you looked at snapper grouper species, the catches, as well as the discards, for different species in the FMP throughout those different areas of the region, and I believe there was some depth information included there, but you looked at discarded, number of fish kept, and that variety of information that's listed and included in the decision document.

Then sliding down to December of 2022, the Science Center presented a report that evaluated a hypothetical run of the SEDAR 73 model, and that set the recreational discards to have a reduction by 50 percent from the base model data and 100 percent usage of descender devices, when those would be deemed appropriate to be used, and so, again, as the visual, this is kind of what that report looks like, and you can take a look at that for informing your discussion today.

Next, there was a request for information on the snapper grouper vision, and the goals and objectives of the FMP, and so I wanted to, you know, kind of point out that that information is posted permanently on the council website. There's an entire webpage that's dedicated to the vision blueprint, as you all had previously approved it, and the time that that was set for was 2016 through 2020, and so it hasn't been updated since then, but that is the information that's involved with the vision as it currently stands, and I do also want to remind you that, in Amendment 49, you adopted the goals and objectives of the vision blueprint as the goals and objectives of the FMP, and so, if you go to the Snapper Grouper FMP page on the council website, these goals, and the objectives listed beneath each of them, are the goals and objectives of the Snapper Grouper FMP, and they are also the result of that visioning, and so I wanted to kind of point that resource out to you for informing your discussions today as well.

Now, getting into some of the information that's a big newer, you have seen the 2022 SERFS report, and these highlights for 2023 are just because I noticed that I got mixed up on the year, and so I put "2022" in the briefing book document, and it's 2023 when you saw this information and made the request to kind of look at what red snapper has been doing since the last stock assessment, and so the terminal year of SEDAR 73 was 2019, and, kind of bringing up the index that was presented to you, 2020 was a COVID year, and there was no sampling, and so, really, you're

looking at these two data points, the 2021 and 2022 data points. That's the information that we have on what has red snapper done since the last assessment.

We see that there's been kind of a -- Not necessarily a huge uptick, but just a maintenance of this level, kind of from 2017 through 2022, and that's really what that looks like, and it's not as much of a drastic decline, because, again, there's nothing in that 2020 year. Then, looking at the size-at-age component, there does seem to be some uptick. Looking at the 2021 into the 2022 data, there is some small increase in the size-at-age, but, again, it's not a huge jump, but it's, at minimum, maintaining, if not increasing by a little bit.

Then, looking at kind of the hotspots, the catch-by-area, in that SERFS index, and so we see the trap component of that survey in the areas where they caught red snapper. You have kind of your typical area off of northern Florida into Georgia, your hotspots there, as well as there's an uptick in -- There's kind of a hotspot area off of North Carolina.

Scott provided the discussion from the Law Enforcement Panel yesterday, and so this is just copied straight out of the Law Enforcement AP report, just so you have everything in one place, but I'm not going to go over what he went over yesterday evening, and then, finally, as far as the new information, there was a request to look at the recreational aggregate bag limit that has been submitted by Florida Fish and Wildlife for their research projects, and so we got information from Jessica, and a lot of this has been detailed when you went over that EFP application, but what's being proposed here is a potential fifteen-fish snapper grouper aggregate.

This is the exact same aggregate that was proposed in that study. The only difference is that, if this were to be considered for red snapper, or for snapper grouper, in this context, it would not include red snapper retainment, and that would only be -- That would only occur through the EFP study, but, if you all wanted to consider an aggregate bag limit, this is one route that you could potentially go that you've seen at least a little bit of information on at this meeting.

Then the same comparison table that's in that EFP application is included here, and it's kind of showing what the bag limit per person would be under current regulations at different times of the year and then what the proposed bag limit would be under this fifteen-fish aggregate.

There was also a request for information from a paper by Kyle Shertzer et al. That was not able to get into the SSC agenda in their February meeting, just because we had a packed schedule there, and that is on the docket to be reviewed by the SSC in April, so we can kind of have information, more information, on that for you for the June meeting, but I did include -- In case you want to read the paper on your own, I did include the citation there, and you can go online and look up the paper. I'm not sure if someone has a subscription that they could distribute a PDF, but that's the link and the citation, so that you can access that.

Then, finally, there was, within your request, just kind of the note, and so I want to make sure that stays in the discussion, that you all noted all these discussions about Regulatory Amendment 35 would be occurring with the context of the other council projects that are going on that would try to address parts of the recreational sector, and so the effects of Amendment 46, as well as the management strategy evaluation and the subsequent amendment that is scheduled to follow the MSE, and so those things are going on, and now we also have additional context about projects

that are happening with the EFPs, and some of the projects that have been funded by NMFS, to address that discard problem for snapper grouper in the South Atlantic.

So that is the information that's contained here, and I guess I will pause at this point, to see if people have questions about what was presented, or if you want to go back and look at any of those individual pieces of information a bit more in-depth.

MS. MCCAWLEY: Spud.

MR. WOODWARD: Maybe you touched on it the other day, but when will the products of the EFP projects be available, after analysis and collation and all that?

MS. MCCAWLEY: Great question, and so I believe that the EFP component of the project would start in July, and it would run through June of next year, and we would like to do two years of it, but the part that's funded, that's associated with the EFP discussed at this meeting, is just for a single year, and so we're hoping that, a couple of months after the conclusion of that project, we would have a report ready to go.

My preference, just to add some insight here, my preference would be -- I really like the idea of the overall snapper grouper bag limit, but I would really like to test that in the exempted fishing permit first, for a couple of reasons, partly because I think that, ultimately, what we're trying to do here is to get a change in angler behavior, a change in mindset of fishing in the snapper grouper fishery as a whole, and I'm hoping that the EFP -- That people will feel more buy-in of, hey, I'm actually getting to test the thing before it actually comes online.

That way, they can test, and they can provide feedback, and they can tell us what they think about it, that I like this, or I don't like this, and maybe there's unintended consequences of that particular type of action, but I think you're going to get more buy-in by testing the concept with fishermen first, instead of it kind of coming down from the top, from the council, and so I think that that kind of behavior change needs to really come from the ground-up, and so having them test something, working hand-in-hand, in this case with the FWC, I think, for me, is the way to go, and so that's why we put the EFPs out there, and, just for me, I would like to at least wait for six months plus, you know, for them to be in place and see how that's going, or until the end of that first year, before doing something else.

I know that we're under a deadline to take a short-term action, but I really believe in what we have in those exempted fishing permits, and I'm hoping that it works, and people love it, and that that's ultimately the way to go, and, when we go through the MSE part, I'm excited to get some of the concepts that we have in the EFP and make sure they're going to be in the MSE. Back to Spud and then Laurilee.

MR. WOODWARD: Thanks, Jessica, and I agree. I think it's premature to go down the route of something that's this much of a change without investing on the frontend of it. Also, I think, and Scott, you know, hit sort of the high points, but I was at the LEAP meeting, and, obviously, this idea of rotating bottom closures stimulated a lot of conversation, and, really, I don't see how those are going to be practical.

I mean, I just -- You know, the learning curve that's necessary for people to understand time and space management is pretty high, and it's going to require enforcement capacity. I mean, to be realistic, it's not going to exist, and, I mean, they're barely trying to cover -- I think it was very important, in our briefings, to understand that the Coast Guard's priority now is drugs and immigration. I mean, they're not abandoning fisheries enforcement, but they're definitely backing off, and so enforcement capacity is, at the best, sort of stagnant, and, at worst, it's going to diminish.

I think, you know, we owe ourselves the realism of investing in the things that are going to be feasible, and practical, and I think spatial management is -- While it sounds good, and it may work good in theory, I'm not sure how it's going to work in practice.

MS. MCCAWLEY: I think it's one of the items that's on the list for the MSE, so we can look at that in practice in that modeling concept this afternoon, or this morning. Laurilee.

MS. THOMPSON: I agree with Spud. You know, after listening to the Coast Guard, it's simply not possible, you know, and then, one of the red snapper hotspots there, the Coast Guard is also busy trying to chase boats out of the rocket launch closed areas too, and so they're not going to have time to enforce closed areas for fishing. You said that you would like to have the trial take place for two years, and does the exempted fishing permit last for two years, or is it for one year?

MS. MCCAWLEY: Right now, our request is just for one year, partly because we want to learn from the first year, and there might be changes that are needed, and so we didn't want to request two years from the get-go. We just wanted to request one, and then, if we need another year of an exempted fishing permit, possibly incorporate what we've learned, make changes as needed, and then request another EFP for the second year.

MS. THOMPSON: Okay. That makes sense, because I think that -- I would think that you shouldn't have any problem coming up with funding for a second year, as exciting as that is, and so thank you.

MS. MCCAWLEY: We'll see. Right now, the funding is just for a single year, just to be clear. Robert.

MR. SPOTTSWOOD: Laurilee, I would like to think, if this goes the right way, instead of Florida extending for a second year, and we're talking about this council implementing similar type of rules, and I don't know what needs to be done between now and then, but, if there are things we can start doing to be prepared for a year from now, or a little more than that, to be talking about implementing similar type of rules, bag limits, that are in the EFP, I think we should be getting ourselves organized to do that at this council.

MS. MCCAWLEY: Thanks, Robert. Kerry.

MS. MARHEFKA: I am, obviously, very excited about the EFP and all this sort of new way of thinking about how we manage the recreational effort. You know, it's something that I've been excited about for a while, and I guess I wonder what happens to us in the fray of it all. I am very worried that we are going to be collateral damage, based on the letter we got yesterday from Andy, and whatever the service decides to do, for absolutely no reason, and like we're literally just --

You know, we don't have the discards, and it is a little amount of fish, but there are people who really -- You know, Tim has done the math, and it's a nice chunk of change that we can't ignore needing anymore, and I think that's just my biggest concern about where we're at right now.

MS. MCCAWLEY: Thanks, Kerry. Tim.

MR. GRINER: Thank you, Madam Chair. I agree with Kerry. You know, that little bit of red snapper is becoming very important to topping off our trips, and I guess one thing I would like to try to wrap my arms around, after seeing the letter, and maybe Andy can give us some insight, is the timing to the interim rule. You know, I mean, I guess we've always started this red snapper thing in, what, July maybe, something like that, and I was just curious, Andy, if you could give us some insight on, you know, how long this interim rule process takes.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: So, under the Magnuson Act, the Fisheries Service has authority to implement an interim rule for essentially six months, with one six-month extension, right, and so we could impose an interim rule for essentially an entire year timeframe. As I mentioned in my letter, you know, we are considering an interim rule, and we haven't made any final decisions, and so any decision, obviously, that we would make would be between now and the summer fishing seasons.

MS. MCCAWLEY: Tim.

MR. GRINER: So, if you were to do an interim rule, it would be in place for this fishing season, and is that correct?

MR. STRELCHECK: That is correct.

MS. MCCAWLEY: Other thoughts or comments or questions? Andy.

MR. STRELCHECK: So, real quick, with regard to the interim rule, I realize that people are very unhappy and concerned about that, but you have really placed the Fisheries Service in a very precarious spot, by failing to take action, and inaction by the council does not mean inaction by the government, and the Fisheries Service, right, and I think there was some thought, or expectation, by some council members, that, by not submitting that, that you're kind of off the hook, and that you can proceed and move forward, and I am not here to, obviously, say that we are or aren't going to do something, but, at this point, you know, I think it's important that we have a responsibility around this table to take action, and, whether you agree or disagree with the science, and the actions we're taking, right, that's our responsibility, and, ultimately, we floundered for the better part of two-and-a-half years to accomplish really nothing for this fishery and red snapper. With that said, I guess a couple of things for Mike. You showed the index of abundance, and that was the trap index, correct?

DR. SCHMIDTKE: Yes, I believe so. Amy might be able to inform that a little bit more, possibly, but, yes, it's the trap index.

MR. STRELCHECK: Do we know if the video index is essentially showing that asymptote as well? It is? Okay. Then, if you go to the projections that were presented, I think, in that hypothetical scenario, if you could bring that up, and can you zoom-in on that table? One thing I wanted to note here, because it was part of kind of the rationale for not taking action, is that the ABC that was being proposed in Reg 35 was -- I forget exactly, but it was essentially about 5,000 fish less than this scenario, and so my point here is that, you know, the criticism was that our estimates of discards were considerably higher than what is actually occurring on the water, and so, when we ran this hypothetical scenario, we assumed a much lower level of discards, throughout the entire time series effectively, but, in doing that, it does not greatly affect our overall yield levels, and that's because we still have too many discards that are occurring.

I guess I just want to continue to emphasize that, because black sea bass is going to be our next red snapper, and I'm really, really concerned that, you know, we need to come up with some really creative solutions to address discards, and get out of this box of having way more discards than actual landed catch in many of these fisheries.

Part of it, I think, is going to come from some of the innovation that the FWC is considering, and I really like that, right, and we'll see, obviously, how the testing goes, and I agree with Jessica and Spud, right, that we need to get the kind of reaction, and the input, from fishers, dial that in, figure out exactly what's going to work, but the other aspect that still concerns me is we are not, as a council, I think, recognizing the immense fishing power that is in the Southeast, and, if we do not get a control on fishing effort, we're going to continue to spiral into this very short fishing seasons with lots of discards, and I know that's unpopular, and people are, you know, disagreeing with regard to what's happening with red snapper, and I'm frustrated with red snapper, because you do want to try to figure out how to give greater access to red snapper, but we have a bunch of other stocks that are declining, and not going up. We have to figure out how are we going to manage this complex as a whole, including red snapper.

MS. MCCAWLEY: Thank you, Andy. Go ahead.

MR. STRELCHECK: One last point, and so I appreciate the discussion with the Law Enforcement AP about rotating closures as well, and Spud's comments earlier about, you know, that's probably something we should not have on the table, and that, to me, is beneficial to this process, because we can start honing-in on what we think is or isn't going to work, right, and one of the things that I feel like we didn't do very well with Reg Snapper Reg 35, over the last couple of years, was we were quick to dismiss options without looking at the benefits, and the tradeoffs, of those options, and so I say that --

For example, we know people are highly dissatisfied with a two-day fishing season, and can we look at other alternative management strategies, and show them the cost-benefit, and, if this is done, you might get ten days. If this is done, we might be able to do this, right, and so I really implore the council -- If you can be open-minded to being able to explore some of those things, even if the position of your agency, or you as an individual, are very fearful of that actual management action, because I think that is going to open our eyes as well to considering how we decide what falls off the table and what stays on the table.

MS. MCCAWLEY: Well, Andy, I guess I would ask -- When you're saying to consider it, don't you mean consider it -- You know, because the council kind of had a short-term, mid-term, and

long-term plan, and Amendment 35 was the short-term plan that was somewhat abandoned, and now we're moving on the mid-term plan, which was the EFPs, and the long-term plan was the MSE, and we're going to talk about the MSE next, and so, when you're saying these other options, do you mean in the MSE? Is that what you're thinking, is to put them in there and let them run through that process and see how that comes out? Is that what you're saying?

MR. STRELCHECK: That's certainly part of it, right, but we abandoned the short-term plan, but we still need a short-term plan, and so we can't, obviously, just pass over that short-term plan, and move right to the medium or long-term plan, and so, you know, what can we do now, what can we do based on the MSE results and other things that are coming forward, but, yes, I think the MSE is a great opportunity, as well as the Shertzer and Crosson study, to be able to look at a whole host of different options and see what resonates and what doesn't.

There were some things that surprised me with the Shertzer paper, that I thought maybe would be really good management options that weren't, and other things that were rising to the top that were better than I thought they would be, and so, to me, it's just kind of maintaining an open mind and really seeing what we can move forward as a council to address this.

MS. MCCAWLEY: All right. Thank you for that. Thoughts from other folks? Robert.

MR. SPOTTSWOOD: Can I ask for a two-minute recess?

MS. MCCAWLEY: All right. Let's take a short recess.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. Thank you for that short recess. More discussion, more questions, for Andy here? A couple of things, and so I'm trying to understand all the different things that could happen through an interim rule process, and so, for example, through an interim rule, could the agency have a commercial season? Could the agency compel the state agencies to do something? Does the interim rule go out for public comment? Those types of things. Monica.

MS. SMIT-BRUNELLO: The Magnuson Act allows an interim rule to reduce overfishing. That's the language in the Act, and so there's different pieces of the Act that says -- As Andy already said, it is in place for 180 days, and it can be extended for another 186 days, and, essentially, it would be for a year time period, and the extension, I believe, is predicated on taking public comment, but that doesn't mean that it has to be a proposed interim rule. You can issue a final interim rule, and take public comment, and take that into account when you're assessing, or the service is assessing, whether it should be extended. When you're asking about could an interim rule do this thing or that thing, the interim rule has to be focused on reducing overfishing.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Would the menu, if you will, or options, in terms of management approaches that we can implement to end overfishing -- Is that bag limit, size limit, or is it looking at, you know, aggregate limits, and, you know, what are the options? Then, for those different options, what are the potential timelines for implementation?

MS. SMIT-BRUNELLO: Well, the Magnuson Act doesn't get into what your options are. I mean, you have authority as to, you know, regulations to -- Or to put into place conservation and management measures, right, where they're needed, and so I think what you've been considering are what our options to end overfishing, and that's what the Act says that you should do when you find out that you have a species undergoing overfishing. In fact, it says to end overfishing immediately, and so I think you've got the options you've been talking about, and I can't tell you what the options are, but they have to be focused on reducing overfishing for an interim rule.

MS. MCCAWLEY: Thank you. Andy.

MR. STRELCHECK: To build on that, I mean, certainly what Mike was going through this morning, and all the different things that we've been at least starting to look at, and we've looked at a little bit, and we looked at a lot during the whole Reg 35 process, are things on the table, but we have to put all those pieces together and determine how that ends overfishing, how is that reducing discards, and, ultimately, how is that affecting, you know, the overall fishing mortality within the fishery, and we just never got there.

With regard to the interim rule, what I can say, because Coastal Zone Management Act letters went out yesterday to all of the states, and I said this on the record, I think yesterday or the day before, and the range of alternatives that we're looking at under the interim rule, as it stands right now, are the same range that you were looking at in Reg Amendment 35, right, and so that's essentially the changes in catch limits that range from status quo to zero.

MS. MCCAWLEY: Well, I guess -- So, Andy, I'm trying to understand more, and are you saying, thanks, council, and you didn't take a short-term action, and so the plan is for the agency to do an interim rule, or are you asking the council to give you suggestions for an interim rule, or are you giving the council one more chance to throw something in Amendment 35, and then move that forward, and then you would decide whether you're going to do an interim rule, and so just trying to make sure that I understand what your expectations are for this discussion today.

MR. STRELCHECK: I mean, thanks for that, Jessica, and so I think you're finding that I'm a very transparent person, and hopefully what I informed you of yesterday did not come to this council as a surprise, because I've said it on the record many times, right, that failure to take action does not negate the fact that we, as an agency, still have an obligation, under the Magnuson Act, to end overfishing, right, and so you've put us in a very difficult spot, and we are moving forward with looking at an interim rule at this point.

I'm not looking for commentary on the interim rule at this point, and that will be a part of the process. What I did say in my letter yesterday though, and I think it's important, right, and I'm imploring the council to really take this conversation seriously and really think about how we can do something expeditiously to address this, because I don't think you want the Fisheries Service issuing interim rules, or secretarial actions, and I think I would much prefer, and I will speak for myself, the Fisheries Service, that the people around this table help to decide management of this fishery going forward. I think it's so much broader than red snapper, and that's certainly, I think, the bigger issue here at play, is that we have a huge challenge with our snapper grouper complex and some of our iconic species.

MS. MCCAWLEY: Thank you. Tim.

MR. GRINER: Thank you, Madam Chair, and thank you, Andy, and, you know, Andy, I appreciate your transparency. I have always thought highly of that from you, and I really appreciate that, and I think this just highlights, you know, the tough place that we're all in, you know, because this has put this council in a very difficult position too, because, as you just said, the Fisheries Service is now in the exact same position that this council is in, right, in trying to decide how you're going to cut -- You know, for the commercial guys, you're going to go from 130,000 pounds to 77,000 pounds, while the fishery is exploding, right, and that is a very tough place to be in.

The Fisheries Service does need to share in that pain, right, but, you know, I guess, in a way, you know, we've gotten ourselves into a position here where we're trying to make decisions on five-year-old data at this point, right, and it's five years old. It is not reflective of where this fishery really is, and it's very, very difficult for any of us, the Fisheries Service or this council, to, in good faith, make these cuts, and make these decisions, based on that data that is so old, and it's not reflective of what is actually happening in this biomass, and so, in this instance, and I do agree that it's a bigger issue here, and it's not just red snapper, but, in this particular instance, you know, we've got two choices.

This council can push this forward, and make these cuts, or, as you just alluded to, the service can move down the road and do it for us, and the choices are really simple. I mean, we've been given an ABC, and you either take the cuts, and live with those, or you just shut the whole thing down, and those are your only two choices that you've got. You either have a two-day season, or a one-day season, or you have no season, right, and so where we are at now is who is going to be the one that swings that hammer and makes that happen, and is it going to be the council, or is it going to be the service, and that's the way that I kind of look at it right now.

It's very, very unfortunate, and I am extremely disappointed that we had to put you in this position, that we put the service in this position, but I'm very disappointed that this council got put in this position, that we're using five-year-old data to try to make decisions that are going to be determinantal to every single person that likes to fish.

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

MR. STRELCHECK: Yes, and so I appreciate that, Tim. I think, you know, a couple of things that I will say. One is, to me, reducing the ABC, the catch limit, is not a solution to this, right, and it's addressing part of the issue of overfishing, but it's only a small fraction of the fishing mortality, right, and we still are wrestling with how do we reduce discard mortality, and discards, in this fishery, right, and so that's where we've struggled, as a council, for some time.

We're seeing that now with sea bass, but it's creeping up in pretty much all of our fisheries, right, and we're seeing this distribution of landed catch and the discarded catch, or proportion, shift from more landings to more discards over time, and it's just getting worse, and so, to me, just reducing ABCs and ACLs are not the solution. You know, to me, it has to be a holistic solution that looks broadly at the snapper grouper complex and comes up with broader management approaches, aggregate bag limits, and, you know, other tools that can be useful for that.

I just wanted to emphasize that, and then, in terms of the five-year-old data, I will remind the council that it was only two years old when we started talking about red snapper, and so we've spent three years talking about this, and so, yes, the data gets older, because we take a lot of time, around this table, to implement management actions.

MS. MCCAWLEY: I've got a list of hands going here, but I guess my question would be, to the agency, could the interim action be across multiple species, in order to try to end overfishing of red snapper, or can it only be focused on red snapper?

MS. SMIT-BRUNELLO: Well, that's a really good question. There was a ruling, out of the Middle District of Florida, a number of years ago, that said that that -- That an interim rule should be focused, really can only be focused, on the species that is undergoing overfishing. Because this council -- The Middle District of Florida is part of the territory of this council, and that would, I guess, tell us, at this point, to just focus on the species that's undergoing overfishing.

MS. MCCAWLEY: Thank you. Robert and then back to Tim.

MR. SPOTTSWOOD: Does this council have the ability to make a short-term rule, with not the service doing an interim rule, but, here as this council, can we make a short-term rule that is predicated on, you know, coming back and looking at that, or predicated on Florida's data, for example?

MS. MCCAWLEY: Monica.

MS. SMIT-BRUNELLO: The Magnuson Act on the interim rule process, just addressing that piece first, says that, if the council requests an interim rule, and so, I mean, that's something that you could request. If you're talking about some sort of other short-term action, you know, your rules are in place until -- The actions are in place until you change them, and so you have -- You could put something in place, thinking that it's going to be replaced by something else down the road, and, I mean, so the short-term kind of action in an interim rule -- The council, yes, could request an interim rule.

MR. SPOTTSWOOD: Okay, and so I think that's kind of where Andy is headed, and I'm just wondering if there is a way, assuming that you can -- Because I do think that this rule would be aimed at ending overfishing of red snapper, but it has to look at the entire snapper grouper complex, but is there a way for us to, you know, have the service put in an interim rule that puts in some sort of, you know, aggregate bag limit type of approach, with the idea that, you know, six months from now, as Florida gets further down the road in the EFP, and understanding the actual data that Florida is going to collect through that, that we would revisit, you know, that interim rule, and either extend it for another six months or come back next year and make a formal rule, but, as we sit here today, the only management practice, or alternative, I see on the table that ends the discards here is some sort of aggregate bag limit.

MS. MCCAWLEY: Andy, and then I'll go back to Tim.

MR. STRELCHECK: I mean, a couple of things here. So, in terms of, you know, short-term action, right, it sounds like you're kind of implying that it would influence this season, right, and so you could request an interim rule from the Fisheries Service, but, given that we're just a few

months out from the season opening, it would be very difficult for us to complete an interim rule, because we have to do National Environmental Policy Act analysis on whatever that request is, go to the states with Coastal Zone Management Act consistency requests, and lots of things would have to fall into place, and we just -- We're out of time, right, and that's the reality.

If you're talking about something that could affect 2025, absolutely. I think we could sit around this council table, over the next couple of meetings, and come up with potentially some things that -- You know, that we could take action on, and then it would influence that 2025 season, since it wouldn't reopen until July of next year, but we have to roll up our sleeves and do the hard work, in terms of getting there.

MS. MCCAWLEY: Thank you. Tim.

MR. GRINER: I think it's important, as Andy, you know, reminded us all, that this reduction in ACL is not the answer, right, and the answer is how do we turn discards into landings, and that is the only way out of this box, right, and the discards have to become landings, and, you know, as simplistic as it seems, to me anyway, the only true logical way to do that is, counterintuitively, you just have to open up the seasons for longer, because, the shorter the season -- You're not getting rid of people fishing, right, and so they're going to fish, whether you have an aggregate bag limit or you don't have an aggregate bag limit, and that will not address discards, because they're still going to fish, and they're still going to have the same amount of -- They're still going to discard above their bag limit, and so, really and truly, and I think you saw this in the Gulf.

When the states took over, and started opening up their season for thirty, forty, sixty, eighty, ninety days, the discards went way down, and so, logically, the only thing to do, at some point, is to just open up the fishery to longer days, and, yes, you will run over the ABC that the SSC has given us, but you can handle that with accountability measures, or lack thereof. Thank you.

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

DR. SCHMIDTKE: I just wanted to remind the council, just kind of hearing some of the conversation, especially surrounding the reduction to ABC and ACL, that your rationale that's currently written, kind of the record that you built -- The rationale that's written in Regulatory Amendment 35 is the reduction in ABC and ACL is to fulfill the requirement of Magnuson that you fish at the ABC level that is recommended to you by the SSC, or lower.

It's not to -- That action is not the addressing the overfishing action, and your -- Going all the way back to September of 2021, your intent, from that point forward, was that you would be addressing the overfishing through things other than reducing the ACL, because it was pointed out that reducing the ACL alone would still result in overfishing.

Even if you closed it, if it you went to a full closure on red snapper, it would still technically be overfishing, due to the discard mortality, and so I just wanted to kind of point that out, that you have built the record, and that's never been intended to be the fix, and that was intended to fulfill another requirement that you have under Magnuson, and that any other actions were the intended end overfishing actions, and that's where you developed kind of the MSE concept and potential additional measures that would come out of that long-term plan to end overfishing of red snapper.

MS. MCCAWLEY: Thanks, Mike. Spud.

MR. WOODWARD: Well, Mike said what I was going to say. If we had not had revised catch level advice, we wouldn't be having this conversation, and so, you know, you have to look at the fact that we got catch advice that, short of adding to people's frustration and taking away opportunity, is not going to fix the problem, and, in regards to the implementation of some sort of strategy revolving around bag limits or size limits or whatever, I mean, I kind of think of -- If I'm in the business of manufacturing a product, I don't retool my factory until my research and development people tell me that's a good product, you know, and I think we've got to invest in that, which we're doing with the EFPs, to determine whether it's going to be feasible, and it's going to give us the end result, because we get in the danger of these regulatory whiplash environments, where we -- In the recreational sector, unlike the commercial sector, you've got a learning curve.

I mean, you start down here at the bottom, and it takes people a long time to really understand what the new regulations are, and it doesn't absolve them of the responsibility for knowing it, but the fact, just like Scott said about MPAs, is you've still got people going, I didn't know it was an MPA, after they've been out there for how many years now, and so that's the reality that we deal with.

If you put something in, and it's not going to be effective, what you've done is frustrated people, and you've not accomplished anything, and so, you know, I hesitate to jump into changes in bag limits and size limits with an interim rule, when, you know, it may look good on paper, but it may produce nothing, as a positive result, and so --

MS. MCCAWLEY: Thank you. Carolyn and then Amy.

DR. BELCHER: So, Andy, a question for you then. As we've just talked about, obviously, changing the ABC isn't sufficient to address the overfishing, but yet the CZMA letters basically indicate that, right now, you're considering the interim rule as doing just that, right, and are there other things that you're considering, because, clearly, if the council is not meeting that need, by just providing changes to ABC, and how are you meeting that need?

MR. STRELCHECK: So the main difference, right, is that, under interim regulations, and we have authority -- We can address, or reduce, overfishing, and we don't have to end it, and so that is why the CZMA letters indicate that we are looking at adjustments to the catch limits, but that is all we're looking at, and that's what we shared in the CZMA letters.

DR. BELCHER: So, to that point, back when we were discussing 35, and it kept coming back to the most comfortable people were was potentially just changing the ABC, and we were told that that wasn't going to be sufficient, and so I guess I'm not understanding, in one instance, why it's not sufficient, but, in the other, it could be considered sufficient, and does that make sense?

MR. STRELCHECK: Yes, and, if you recall, when we voted on that action, I was the one vote that opposed that action, because it wasn't achieving the goal of ending overfishing. We, obviously, are in a difficult spot, and we are reacting to a decision that you made in December. There's a limited amount of things that we can do, in a very short period of time, in order to affect overfishing, and certainly having three months, essentially, since that December decision to come

up with an entire solution to end overfishing, would be very difficult, and so our interim rulemaking isn't contemplating ending overfishing, but just addressing overfishing at this point.

MS. MCCAWLEY: Thank you. Amy.

MS. DUKES: Welcome to my first meeting. I very much appreciate all the conversation and the perspectives, and I think I want to go back to something that you said, Andy, a little while ago, in respect to the interim rule and the availability of the range of alternatives. You're probably not going to answer it, but the SSC provided a recommendation, and that recommendation ultimately became the preferred alternative of this council, as this action was moving forward, and would the Fisheries Service highly take that recommendation into a thought process?

MR. STRELCHECK: What are you referring to, in terms of the SSC recommendations?

MS. DUKES: So, the range of alternatives, you said it could be from no action to zero harvest, versus actually taking the ABC and matching it to the optimal yield, and so would you take that -
- Would the service take into consideration the SSC's recommendation to have the ABC equal to the OY?

MR. STRELCHECK: I'm not clear what that SSC recommendation is, in terms of ABC equal to OY. What we have to have is a recommendation, or an action, that ends the overfishing, and the issue that we have, with red snapper, is that projection run for the ABC was contingent on landings and discards coming down by the same rate, and the council, during the process of developing Reg Amendment 35, demonstrated no -- Sorry. Limited justification for how we would be reducing those discards. The one action that the council proposed, during that time, was the gear restrictions, but, to me, the challenge, before the SSC and us, is justifying the rationale for how that reduction in discards is going to come down at the same rate as landed catch.

MS. MCCAWLEY: All right. Kerry.

MS. MARHEFKA: This is probably another question that you won't -- That you will be unable to answer at this moment, Andy, and, if you do an interim rule, and let's say you set some number of ABC, and then we approve -- The study fleets from Florida get approved, and will those number of fish get subtracted from that, whatever number that you would do in an interim rule?

MR. STRELCHECK: Monica can certainly add to this, but, as I said on Tuesday, these are two separate decisions, and so the one is, obviously, dealing with the council not taking action, and the Fisheries Service working to address the overfishing under interim rulemaking, and the exempted fishing permit process, in and of its name, right, is an exemption from the regulations, and so we would look at, obviously that as kind of separate and distinct from any action that's done under the interim rule.

MS. MCCAWLEY: Kerry, anything else on that? All right. I'm going to make a suggestion here. We have the MSE folks waiting online, and they're time-limited on when they can give us this presentation. Maybe I can make a suggestion that we dive into the MSE, because they're in a different time zone, and this is when they can give us the presentation, and so let's dive into that, and maybe this gives some ideas, and we could continue this discussion after that, if that's the

pleasure of the committee, or continue this during Full Council, but I'm going to pass it back to Mike, if everyone is okay with that, to dive into the MSE.

MS. MCCAWLEY: All right. We're having some technical difficulties over here. Can we please take a five-minute break, while we try to get the Blue Matter folks online?

(Whereupon, a recess was taken.)

DR. BELCHER: Okay. We're going to start the presentation, if everybody can come back to the table, please.

MS. MCCAWLEY: Adrian, are you good? Do you want to go ahead and get going? Thank you for joining us this morning, and I know you're on a different time zone, and so I appreciate your flexibility in getting up early to give us this presentation.

DR. HORDYK: Thank you, Chair. Good morning, council. It's not too bad, and it's seven o'clock here now, and so that's pretty civilized. Thank you for this opportunity to present an update, and I think this is the second update to you now, on the management strategy evaluation project that we're working on for the South Atlantic snapper grouper fishery.

The objectives of this talk, or this discussion, today is to -- One is to provide a report on what we've done so far and to demonstrate some very early results. The main idea here, with the results, being not so much the actual quantitative results we'll look at, but more to get a discussion of different ways to visualize and examine those results, and I will show you app that we've got to do that later on, and we're really interested in your feedback on that.

Then the plan for the next steps, in terms of where we go from here to bring the analysis to a state where the council is happy with the various components, which you're going to discuss today, and we can run the analysis and present some results that we can look at in detail, and then, of course, any feedback from the council on any of the process that we've been working on so far, and our plan for next steps, would be, of course, really valuable.

For our MSE process, or project, I should say, and a closed loop simulation evaluation is what we're really doing here, there's a couple of steps. There is a model fitting procedure, where you essentially go from -- You take the data, the fishery data, and convert it into -- It passes through some sort of model to be able to get an estimate for fishery dynamics, and then you can take the output of the model and create an operating model, which is used in the management strategy evaluation, or the simulation framework, and then we need to define some sort of alternative measures, some performance metrics that will be used to evaluate the performance of the particular management measures, and then examine the results. These are the basic steps to this process.

We've made a complete first pass at all these steps now, and so we have a working MSE framework that can be used to demonstrate the effectiveness of various management options and show how the performance can be evaluated, and I want to demonstrate that this morning.

Then our next steps are to identify specific management options to include in the analysis, and so I'm going to have a couple of examples that I'm going to show you, but what would be useful for

the next steps is to identify -- To fine-tune those or give us some specific questions, specific management options, that we want to evaluate and investigate in more detail.

Then finalize the model structure and any additional system hypotheses, which I will discuss today as well, and then, if necessary, revise the performance metrics, or the way that we calculate the results, and calculate the comparison between different management options, and, again, I'm going to show you examples of this today as well, and so what we're hoping for next steps is to be able to basically repeat this whole process of what we're going to demonstrate today, but fine-tuned to exactly what the council is hoping to obtain from this project.

Before I get started on the rest of the presentation, I will say that not I'm going to go through an overview of this whole process, like I mentioned, and all the details, the technical details, of this are in what we call our technical specifications document.

There's a screenshot of it here, and there's a link at the bottom, from the project homepage. If you click on that, it will take you to this document, and all the things that I'm talking about today, plus more, is described in there in much more detail, and so, if you're interested in the sort of more technical details behind anything that I talk about today, that would be the place to start, and then, of course, if you have any follow-up questions, or anything that you want to talk about more at any time, email me, and I'm happy to jump on a call or whatever, but this is the place to sort of refer to.

It's a constantly-updated document, and so, when we make changes to the model, or changes to any part of the process, we document it in here, and so this document changes with time, the idea being -- Just to finish that thought, the idea being that, at the end of this process, this document will be an appendix to our report, and this describes the technical specifications for the whole process, and so this is something we do elsewhere as well. It constantly evolves through the project, and, at the end, you have a document that describes all the decisions that were made in these kind of typical details of the whole process, so somebody else can come along and review it, or reproduce it, if they wish.

The first step in that process was the model fitting procedure and converting that into an operating model, and so what we've done here is take the Beaufort Assessment Model, the BAM model, for the red snapper in the Atlantic and South Atlantic gag, SEDAR 73 and SEDAR 71, the most recent assessments for those species, and we've taken the output from the BAM models and imported them into our multispecies MSE framework, openMSE, and so we import them into the simulation framework, and that recreates the fishery dynamics from the output of the assessment, but in a multispecies model.

Here, I produce the output of the MSE, the simulation code, with the biomass trends for the red snapper and the gag, and these are identical to the assessment, and so this plot really just shows, or confirms, that the MSE framework reproduces the dynamics from the assessment. That means what we have now is those SEDAR 73 and SEDAR 71 -- The base case assessment outputs into the MSE framework, and, as I will show you later on, we can make modifications to those assessments, the sensitivity tests for example, and we can rerun them, rerun to fit the model to the data with those different assumptions, or different data, and do this process and have another operating model that, once again, reproduces exactly what was in that assessment model, and so

that's those first two steps, going from raw data to an operating model that can be used to project forward in a simulation framework.

The part that was in addition to the assessment models is the spatial structure of both the stocks and the fleets. The assessment models don't have the spatial structure in them, and so what -- I think I've presented this slide to you before, early on in this process with the technical team that we've been working on, a smaller group for things like this, and there are six spatial areas, three regional areas of North and South Carolina, Georgia down to Cape Canaveral, and Cape Canaveral down to the bottom of Florida and the South Atlantic region. Then, for each of those geographic regions, regional areas, a nearshore, which is defined as less than a hundred foot, and it's that black line, the black contour on the map on the left, and the offshore region.

We had a meeting with the SSC about a month ago, and we talked about the spatial structure and the specifications of how we distribute the stocks and the fleets across these areas in a lot of detail, and we had some really helpful discussions and assistance from both within the meeting and afterwards, follow-up from others, and so we're working on now updating the model to bring in those new things that we've learned in the last month, and so, right now, I'm not going to spend any more time talking about those details, because it's going to change, and, essentially, we got all the things we really needed from the SSC meeting to be able to specify this in a defensible way, but it's in there, and that means we can investigate spatial management options, if the council wishes.

Then the operating models characterize the historical fishery dynamics that are estimated for the assessments, and the model would project forward in time, in simulations, the idea being that, at least in the base case, we try and simulate the fishery forward, using the same characteristics, the same dynamics, that it's been in the past, as described in the operating model. Usually the biggest source of variation in the natural stock dynamics, in the projections, is recruitment process error, and so this is the random noise that is applied to the recruitment, the age-zero recruits that come into the fishery from the spawning biomass each year, and the random noise is added on top of what's expected from the mean stock-recruit relationship. In many fisheries, it can be really noisy, this recruitment process error.

Our base case assumption is that we try and generate these recruitment deviations, and we could create these random values. We try and simulate them, having the same characteristics as those that were in the past, as estimated by the assessments, and so I'm just going to show you how we do that.

This plot on the lower-right is a scale of the log recruitment deviations of red snapper on the X, and gag on the Y, and we can see there is some evidence that there is a correlation between the two, that high red snapper recruitment is correlated, on average, with lower recruitment from gag, and so calculated a covariance matrix from these two species for the log recruitment deviations, and then we used that covariance matrix to generate correlated recruitment deviations from a truncated normal distribution going forward, and the idea being to try and maintain the same statistical properties that we have observed in the past, that has been estimated in the past.

We truncate these at two standard deviations, just to prevent values being generated from a statistical distribution that can be well outside the range observed in the past, and then we estimate

whether there is any autocorrelation in the historical recruitment deviations and apply that, the estimated autocorrelation, to the recruitment deviations going forward.

Here is a plot, or two plots, and on the left is gag, and the right -- Sorry. The left is red snapper, and the right is gag. There is nine plots here for each species, and each of those is just different simulation. In the model, we have many, many, many simulations, and each one of those you can think about as a random draw for this distribution. The plot shows the -- In the black, which is identical for each species, and the black is identical, and that is the recruitment deviations that were estimated by the assessment, and they go up to the end of the terminal year, 2019, I believe it is.

Then the blue line is the recruitment deviations that we generate going forward, and they're different within each of these nine simulations, and they're different between the hundreds of simulations that we have within the actual model, and the idea being that, on average, the random pattern that you're seeing in each of these has the same statistical properties, and you can see, in some cases, the autocorrelation, which means, if it's high in one year, it's more likely to be high in the following year, and so on, and, if it's lower than expected, and it doesn't just bounce around completely randomly, and that is often observed, and you can see that in the historical data, too. I'm not sure if you can see my mouse, but there's years where it's low for a period of time, and then it jumps high for a period of time, and we try and capture that going forward.

The main thing here to show you is that we're trying to simulate the most important source of variability in the population, as a base case assumption at least, in the same way as it's characterized in the past, but this is something, and I will talk about this later on, but this is something we have complete control over, and so, if we wanted to look at what happens in the future with recruitment variation, if it was more extreme than in the past, for example, or what happens if there was years where we had poor recruitment, for one reason or another, and this can -- These blue points, these blue lines you see, can all be modified to bring in those extra assumptions, and we can evaluate the consequences of those things.

So far, I've talked about the base case operating model, which comes directly from those assessments, and another aspect of this sort of simulating modeling is if we consider additional operating models, and these alternative operating models are intended to span the range of critical uncertainties in our knowledge of the system, and so you can think about these like a sensitivity test that they use in assessments, and these are things that look at the consequences of plausible alternative assumptions.

The aims of these alternative models are to identify the uncertainties that have the greatest impact on management performance, and so, unlike perhaps in an assessment context, where you're trying to get the best model, or the best description, of the fishery dynamics, with these alternative operating models, there's less of a concern, or a focus, on the way the alternative operating model is true or not, but the focus is on if -- It's more of a what-if analysis. What if a fishery is different in this way from what we're assuming, and would it have an impact on the management measures that we're proposing to use? Would it have a serious impact on the management measures we're proposing to use?

The idea being that, if it does, try to find management options that are robust to these uncertainties. If you can find a management option that gives you satisfactory performance, even though there may be some large uncertainties in the fishery dynamics, it can give you some confidence that you

still get -- Are likely to get the result that you wish, even though those uncertainties can't be resolved, and it can also be used to prioritize research, to try to reduce those uncertainties, if it turns out they're really important for our management measures that we may wish to implement.

Here are some -- Here are five additional operating models that we've developed, and these are -- Well, I will go through them here. The first one, Operating Model Number 1, is just a base case that I have just described from the assessments. Number 2 is called Lower M, and this is where we took the most important -- One of the most important sensitivity tests in the assessments, for both the red snapper and the gag, was the natural mortality, uncertainty in the natural mortality.

In this case, we reran the BAM model with the natural mortality value changed from what was assumed in the base case to the lower value that was considered in the sensitivity test for the assessments, and the details are in the technical specifications document that I referred to earlier. For both the species, for red snapper and gag, we just reran the model with lower M, and then Number 3 was the inverse of that. We looked at the higher value for natural mortality in the sensitivity tests, and we reran the BAM models with those values, and this spans the range in uncertainty in natural mortality.

Then the fourth operating model here on the table looked at the possibility that there's been overestimation, or overreporting, of the magnitude of the recreational catch. We had some discussion that there may be a possibility of that, and I don't know the details of that, and, again, like I said earlier, these operating models aren't necessarily about whether it's true or not, and it's about, if it was true, would it influence our management decisions, and so, here, we reran the assessment with the recreational landings decreased by 40 percent of the magnitude that was used in the base case analysis.

Models 1 to 4 all involve -- Well, 2 to 4, sorry, all involve rerunning the BAM model, and so you will get different estimates of the historical fishery, compared to the base case. Models 5 and 6, which is a base case model, and so the historical dynamics are identical and unchanged, and we just made modifications to the assumptions for the future, and so Number 5 looks at increased process error, and so we looked at what if the productivity in the future changes, due to climate or some other changes in oceanographic conditions, for example, and so we increased the variability in the recruitment process error in the projections, and so those plots that I just showed you, with the blue lines showing you the recruitment deviations in the future, which are characterized, and you have the same properties in the past, and, in this one, we modified that, so there was more variability in the future than there has been in the past. It will be more extreme, and there will be years where the recruitment was higher than observed in the past, and also years where recruitment is considerably lower than what we've seen in the past.

Then the Number 6 is looking at the future -- The capacity of the recreational fleet in the future may increase, and this is, again, something that came out of the -- Well, this one came out of a discussion in the AP last October, and so if there was latent effort, or technology creep, or another thing, and what happens if, over time, the recreational fleet continues to just increase over time. What we did here is we took the base case model, and everything was identical, except for, in the future, in each year, the recreational effort increased by an average of 2 percent per year.

These are all examples, the ones we -- You know, they all come from somewhere, but they could be -- None of this is set in stone, and they could be modified, or we could add additional models,

if needed. Our next step is to finalize the specifications for these uncertainty operating models, or at least identify the priority uncertainties, the key uncertainties that may be important for the performance of management measures that we're going to consider, and we can always get more of these operating models later on, and so this is something that is worth thinking about now, but we don't need to get bogged down in the details of them if you don't wish, because we can get pretty far with just a base-case analysis, a base-case operating model.

The next step is management measures, and this simulation framework we use in a lot of different ways, to ask it different sorts of questions, and, in general, or often, MSE is used to identify robust rules for managing fisheries, and so a management procedure, or a harvest strategy, some method, and picking a method that goes from data and converts it to a management measure, for example a TAC or a catch limit, and says this is a way of updating the TAC every management cycle, and MSE is often used to evaluate the performance of different management rules like that and find the one that has the best properties.

These sorts of simulation frameworks can also be used to ask other questions, or inform other aspects, of fishery management decision-making, and so, for example, if there's already an assessment model in place, and a harvest control rule in place and adopted, this simulation framework can ask what complexity of that assessment model is necessary, or is appropriate, and do we need to have a complicated assessment model, or is this something that requires less resources to apply, something like that. It can also ask questions like what data do we need to collect for this fishery, and what additional data should we collect, and what data can we prioritize.

In other places, it's been used to ask questions like what's an appropriate assessment or management interval, and how often should management measures should be changed, and should it be every year, every two years, every five years? We can also investigate things related to the fishery, the actual dynamics of the fishery stock, and what are appropriate management reference points for these stocks, and which reference points make sense, given the biological of the species, and so the point here, really, is that we've got this simulation framework, and it can be used to answer different sorts of questions, and so it depends -- It depends on what questions the council wishes to investigate with it to what area we then focus on.

What I've done, what I'm going to show you shortly, is this top line here, and we've focused on identifying robust rules, or these management measures for managing the fishery, but we can potentially explore other questions as well, if they're important.

In terms of the different management measures, the options that we included in the model is effort controls, seasonal openings and closures, licenses, boat days, anything that can limit the amount of control, the amount of effort, that goes into the fishery from year to year, and spatial closures, where the model and fleet structure allows us, and I just briefly showed you that map of the six areas, and so we can open and close those areas, or portions of them, and explore the consequences of that.

Size limits, we set a minimum legal length, or a slot limit, and we have an upper slot, an upper size limit, and we can investigate discard mortality, consequences of different discard mortality, the different size limits, and catch limits, of course, which are ACLs and TACs, and different changes to gear selectivity, bag limits, or release gear, or we can combine any of those things together, any of those sorts of options that we have.

The priority, for our next steps, is to identify specific management questions and measures to evaluate, and so specific questions like, if we want to compare a size limit of this, or base different size limits, for example, with this change in a season length or whatever.

I'm going to show you some examples now, and, like I stressed earlier, these are just for demonstration. None of this is fixed in stone, and it all can and will be changed, and the idea is to start the discussion of looking at these sorts of results and evaluating them, and then we can have a discussion about sort of finalizing, or specifying, the exact management measures, or the exact management questions, that we wish to address.

I have developed these six example management measures, and you might hear me refer to them as management procedures, and that's what we typically call them. Status quo, the top one, I called status quo, and the fishing effort for each fleet is just -- It's fixed to the mean for the last three historical years, and so, whatever it is, the projections just run it forward, and it freezes fishing effort, fishing mortality, at the mean level from the last three years for all the fleets.

This one, and all the others that I've shown -- You know, most of the others that I've shown here aren't necessarily proposed as, you know, feasible, or plausible, management measures that you can actually implement in the fishery, but the idea here is to try and scope out a range of different scenarios of fishing mortality and see the impact that it has on the fishery dynamics, and that can give you a sense of what might be needed to achieve or move the fishery in a direction of the objectives.

The second one is a fixed effort control, and it's status quo, and effort is fixed, or frozen, at the mean for the last three historical years, but the general recreational fleet, the effort for that, is reduced by 20 percent for all the projection years, and so it essentially just looks at what happens if all the fishing effort stayed the same, except for 20 percent of the recreational effort is just mysteriously removed from the fishery. The third one is the same, but it just reduces it by double that, by 40 percent.

Then the fourth one, F target, here, we adjust the effort for all the fleets, independently by species, by a fixed proportion, so that the total fishing mortality is exactly equal to the F that is the target fishing mortality for each species, and again -- Like I said earlier, these ones, comparing the status quo and a reduction in effort, is all about trying to look at a range of different fishing mortality rates, to see what the consequences would be and what would be needed to get where we need to go, or where you want to go.

The last two have the same assumption of fixed fishing effort, just to keep it simple, and so the fishing mortality is frozen, but it puts in a twenty-inch and a twenty-five-inch minimum legal length size limit for red snapper and gag grouper, respectively, and the last one is the same thing, but it just changes the size limit, and the red snapper would be twenty-five inches, and it increases by five inches, and these are numbers that I just sort of used for examples, and so, like I said earlier, if you see things that you don't like, these can all change, and they will change, but the idea here was just to try to show some examples of the sorts of things that can be done and what it looks like, in terms of the results.

I mentioned these first two points already, that these are static methods, and they don't change in response to data, and these aren't things that you can just sort of implement, other than perhaps the size limits, but you can't just magically freeze fishing effort, obviously, but they can be used for scoping out different management changes and other measures that could be developed and tested, for example the spatial closures, but we would need to define which areas, for how long, how much is closed and for how long, and also different size limits and slot limits, and, if that's something we want to investigate, we need to have those numbers, that we would like to consider this range of size limits, or these values for harvest slot limits, or something like that.

I'm going to skip -- I've got a couple of slides here, and I'm going to skip over these for now, and I may need to refer to them later, but what I want to show is we developed an interactive app for examining the results, and it essentially shows us our plots, but in a dynamic app, so you can have control over them. If you click on this link, it will take you there, and I'm going to skip over to the app in a minute and walk you through that.

Before I do that, I will just show you a few screenshots, just to get us all familiar with it, and this is the homepage, and it's a very simple app, and it's just designed to sort of give you a chance to explore these results with a bit of control over what you want to look at. This is the homepage, and there is two tabs, OM reconstruction, and this examines the fishery dynamics generated by the operating models, and so, earlier, when I showed you that plot of the spawning biomass from the operating models, the two species, and I made the point that I just reproduced the assessment, these things are doing the same, and this shows you the same plot, to plot the spawning biomass and fishing mortality for the different operating models, and, as you will see, the operating models are different, right, and we changed the natural mortality in some, and so you can compare -- You can see what these changes in the operating model assumptions, or data, do, in terms of the -- It should be to estimate the fishery dynamics, and I will show you that.

The second tab is the projections, and so, here, it looks at -- The main focus is to look at the performance of different management measures in terms of the spawning biomass, fishing mortality, and the catch. I will jump over there right now.

The main point of sort of this quick tour, at least now, and I'm not going to focus on the actual results. If we've got time for discussion, and there's interest, we can sort of go back to it and look at things in more detail, but the main thing of what I'm doing here is to sort of demonstrate the main features, and get the council familiar with it, so that you feel comfortable to explore it yourselves, and also to collect the feedback on the app design, or anything that's missing for it, that needs to be added.

Let me go there now, and I will give you the quick tour, and then that's pretty much the end of my presentation, and then we can drive into the details, if there's a wish for it. This is always the most terrifying moment, when you try and present something live. There we go. Thank goodness.

I showed you this the homepage, and this is the OM reconstruction, and I'm going to go there. I'm going to go to the OM reconstruction tab, and so, here, we have, on the two plots, essentially two sets of menus, and everything is identical on the left side, and it's just showing you that we can compare essentially two models, and we can compare two species, and all these controls on the left will control this plot, and controls on the right will control this plot.

You can see here that we've got red snapper that's being shown, with options of red snapper and gag grouper. If we add other species to this multispecies framework, the idea would be that they would all turn up in here as options, and we can select the different operating model. Here, on the left-hand side, we've got the base case, and you can choose the plot. For the historical, I've just limited it to spawning biomass and fishing mortality, and so it's showing spawning biomass, and it's got the reference points, showing the black and the dotted line, the solid and the dotted line, for MSST and for the target level.

You can change -- There's an option here to make it -- Here, you can make them relative to base values, if you like, and so then this reference point would be one, and it would show you where the stock biomass is relative to the reference point, and I'm just going to put that to none.

Then, on the right-hand side, and this is just a default, and it's showing everything the same for red snapper, but this is Operating Model Number 2, and so the lower spawning biomass. Everything is identical, except for, on the left-hand side, it's the base-case model, and on the right is the alternative operating model that has a lower natural mortality rate, and so you can see here the operating model with the lower M has the estimates of the different magnitude of the stock, and the unfished stock, in the early period, is quite a bit larger, and it also changes the reference points, and the reference points are shifted up quite a lot from compared to the base case, and, also, there's a different estimate of the natural trajectory of the spawning biomass. Under the assumptions of this operating model, the stock is -- The red snapper stock is considerably lower, below the reference point values in the base case, and this is essentially what is recorded in the assessment.

I am going to just flick over to the higher M, and this is essentially the opposite of M. If your natural mortality is higher than the base case, it estimates typically a smaller stock, and it shifts the reference points in the opposite direction, and, under the conditions of this operating model, the red snapper stock would be much closer to the MSST, the minimum stock size threshold, and so each of these operating models describes a different scenario, or set of assumptions in different historical -- An understanding, or a hypothesis, of the historical fishery dynamics.

I'm going to just show you fishing mortality, and so let's compare that to the two operating models, and, again, the base case and the lower M, and you can see here that the difference in fishing mortality isn't as dramatic compared to what you saw for the biomass, and, again, the reference point of FMSY, and you can make it relative to FMSY, and it will show you how much above, for example, FMSY it is, or below, and it shows, in the lower M scenario, in the terminal year, it's about three-times higher FMSY for red snapper, and, in the base case, it's about twice as high.

The last thing you can do with fishing mortality is it can be brought up by fleet, and that shows you the fishing mortality by fleet, and so you can see, for the red snapper, which I'm sure is no surprise, the majority of the fishing mortality is coming from the general recreational fleet. Here, these are all the same Y-axis, with options to -- Okay, and so the other thing we can do is compare species, and you can either compare the two species, and, for example, let's just compare the base case, and this is the plot that I showed you in the presentation, and this is the spawning biomass for the red snapper and for the gag grouper, as generated by the operating models, the base case operating models.

I won't go through all the sort of various things you can explore here, unless there's questions on it, but the idea here is to explore the different operating models, and the only thing that I will say is if you look at -- Let me go to red snapper, and some of the details of the operating models are here, which I went through, and you will note that 5 and 6 -- This has listed 7 and 8 actually, but they should be taken out, and they're not actually developed yet, but you'll notice that 5 and 6 are the same -- Remember that the difference there was under the projections, and so, if you compare the historical dynamics of our Operating Model Number 5 and the base case, they're identical, because nothing has changed in the historical fishery, and so they're identical operating models, and the difference is in the projections going forward.

All right, and so we'll jump over to this next tab, the OM projections, and these are similar looking plots, and there are similar controls, but you've got the addition that you can choose a different -- You can choose what I call an MP, a management procedure, and so here's that table that I showed you, that we went through earlier in the presentation, and, by default, it's showing you a comparison of status quo with reducing recreational effort by 20 percent, and so, here, it's showing the same operating model on both sides, and everything is identical, except for this plot on the left, and everything beyond there, the dashed vertical gray line, is our projection period, showing the spawning stock biomass.

You can see, under the status quo assumption, keeping fishing mortality fixed at the historical mean, or the recent mean, I should say, and the stock sort of has a gradual decline, and there's some variability in it, and reducing effort, the recreational effort, but keeping all the fishing mortality frozen, which is reducing effort down, it keeps the biomass sort of more stable.

Let me just show you the fishing mortality for those two plots, those two management procedures now, and you can see this is what is happening. The effort is frozen going forward, and this value here is the mean from these last three years, and, here, it's exactly the same, except for the recreational fleet has been reduced by 20 percent, and you should be able to see that if I do it by fleet, and so you see that everything is identical for the fishing mortality for all the fleets, except for the general recreational here on the right, and so it's 20 percent lower than on the left.

The last thing is catch, and so, again, we're still looking at the same comparison of these two management procedures, status quo and recreational effort, reducing recreational effort, and, here, it's showing the discards, in the red, and the landings, in the blue color, for those, and they're aggregated across fleets. You can look at it by fleet as well, if you wish, and you can see the individual Y-axis, and you can see, if we compare the two, and if we just compare that to the status quo, and the main difference here, although it's a little hard to see in this plot, is that the landings of the other fleets sort of stabilize, because the stock biomass is able to keep itself at sort of a stable level from a reduction, the 20 percent reduction essentially, in both landings and discards from this general recreational fleet.

Let me just show you another -- Let's just compare one other thing, and so this is the status quo again, and this is reducing effort by 40 percent instead, and you can see -- Let's compare the two, and so, down on the left, I'm showing when the recreational effort was reduced by 20 percent, and on the right is the 40 percent, and you can see, under these conditions, the stocks actually start to rebuild.

The next one that I will look at is F target, and so, here, you can see this is what happens if fishing mortality was reduced in such a way for all the fleets, proportionally for all the fleets, so that fishing mortality was exactly at the target level. Unfortunately, the reference point lines should be there, and they're not, and so I'm just making a note of that, and like they were on the other side, and I'm not sure what has happened there, and so I will need to fix that, but there should be reference point lines showing up here, to show you what the probability is actually is of rebuilding above these reference points.

Let me just keep stepping through this quickly, so we can -- This is the same, and this is the status quo, status quo on the left, and this is the same -- This management procedure is the size limit, putting in a size limit for the red snapper, and so fishing effort is the same on both of these, for the fleets, and it's frozen at the status quo level, but there's been implemented a twenty-inch size limit for the red snapper, and then here is a comparison, and you can see the difference if you have a twenty-five-inch size limit, and assuming that it's -- That there're pretty high compliance with it.

The thing you should note in this is these size limits are only effective in the season, during the season when the fishery is open for retention for red snapper. In the off season, obviously, everything is discarded as well, and so the size limit doesn't have any impact, in the sense of those fish are being discarded anyway.

The only other thing that -- There's lots of things in here, and so I think it's easier to have this in the app, rather than producing hundreds and hundreds of plots, but the difference is that I could spend a lot of time going through these, and I don't think that's necessarily the best use of our time, and so I will just show you -- One other thing is you can compare species. With Number 4, you can compare the same method, management method, if it's applied to both species, and, for example, this is the same management method. The twenty-five-inch size limit is for both species, and you can see the consequences that would have on spawning biomass under the base case assumptions, and this is the different operating models, what happens if it was actually -- So you can compare the same species under different conditions with different assumptions with the same management measure, and so there's lot of different dimensions that can be explored here.

I am going to leave it there and jump back to my presentation, and then we can answer questions. I think this is my last slide, and it's just about next steps for this project. We want to -- I am working right now on finalizing the spatial structure in the operating models, and so we've got what we need for that. Finalize the specifications of the uncertainty in the operating models, and I think we're pretty close to that. If there's any feedback, or any discussion, today on those uncertainty operating models that I showed there, or any requests for additional uncertainties to be added, that would be done after this.

Update the app that I just showed you, and so, for example, those reference point lines in the projections, but anything else, any other feedback, either today or over email in the next few weeks, or months, whatever, and they can be implemented, and so please -- If you have any thoughts, please share them.

Then I guess the main priority, really, is to identify the primary management questions that we wish to address at this point. In particular, if you're interested in comparing different management measures, like what was done here, just simply define what those management measures, the specific management measures, are, and so it can either be modifications to the ones

that I've shown, or new ones, and all the ones that I showed were static fishing mortality, and so we just kept fishing mortality fixed, and a management measure can control that, through an effort control one way or another, and, if so, we need to essentially describe what that rule is, how fishing effort, and fishing mortality, is going to change in the projection years, and whether it's going to change in response to management measures implemented from the harvest control rule, for example, and there's lots of ways that you can do that, to go from the static examples that I showed you to a fully dynamic harvest strategy.

How far you want to go down that road is up to the council, and so that's something I would like to sort of get some specifications on at this point, and what are the primary management questions that we need to address, so that we can start producing results, in reports and in the app that we've just showed, that we just went through, so that they're sort of relevant management questions, addressing relevant questions that the group is interested in at this point.

Once we have those things, we can run, and rerun, the MSE analyses, and we will rerun it with the changes, update the app with the new results, and present these results and discuss them in more detail with the AP, and with the council, and then we're envisioning perhaps one more round of rerunning these analyses, and so, often, it takes time to sort of see the results, process them, think of new things and so on, and so this is what I've kind of sketched out, and there's other ways we can go, but I've mentioned that, later on in the year, we'll present these results to the council, and then we'll modify it with any feedback, rerun the analyses, and, at the end of the year, we'll have a final set of results that we can writeup and share.

I would like to thank the MSE Technical Team. Their names are listed here, and we have calls, every now and then, to discuss the technical details of this project, and so I appreciate all the important feedback and assistance with this, and that's it for my slides, and so I will stop there, and hand it back to the Chair, and then I'm happy to take questions or to talk about any of this in more detail. Thank you.

MS. MCCAWLEY: Thank you so much for that detailed presentation, and for us being able to see kind of some live -- This tool live and in action. I would look around to the committee, to see if people have questions, or want other things analyzed, other management strategies analyzed. I think I would like to see the snapper grouper bag limit that's in the EFP, and then maybe a similar type bag limit, but more of a first-fish concept, where you don't have a number of discards, and I think I would like to see those concepts analyzed as well. Other thoughts? Robert.

MR. SPOTTSWOOD: I think one of the lists that I saw in there said minimum size limits, and I think, based on some of our discussions, the idea of a size limit altogether should probably be looked at.

MS. MCCAWLEY: You mean the concept of having no size limit, maybe paired with a first-first type of concept? Okay. I see heads nodding. What else? I am looking around the table here. I guess I would ask Mike -- Remind me when we would see this again, or I would ask Chip, or anybody, and when would we see this again, and what is the next thing that we would see? Would we be going through more of these modeling exercises, or is it a report, because I think that this process -- When I was looking at the next steps, it looks somewhat iterative, you know, back to the council, back to the Blue Matter folks, and so what are the next steps?

DR. COLLIER: Adrian, correct me if I'm wrong, but what we're thinking about is December is - They're going to be bringing it back to you, because that will give them opportunity to collect information from the spring AP meeting, and incorporate their discussions into the model, what they see in the fishery, but what we really want to make sure that we're also getting in there is the range that you all would like to see as well. I mean, I think, when we're talking about management -- I know there might be some strategies that are in there that the council is not really keen on, but we do have to tweak how far we can go with some of these, and really explore where management could go, and so we want as many ideas as we can from you all, some being unreasonable and some being, you know, this is where we think it should go.

MS. MCCAWLEY: All right. Thanks. That's helpful. I guess is it your intent that, when we come to the June meeting -- Are we going to see a list of maybe what the AP has added, and asking the council for more feedback on management options, and how will this play out?

DR. COLLIER: Yes, we can definitely bring you what the AP has recommended in June, and potentially get your comments worked in, and, as we get to the December and October deadlines for the Snapper Grouper AP, as well as the council in December.

MS. MCCAWLEY: Okay. Can you remind me if requiring the use of descending devices is in there now? Is that added into the document already, or added into the tool already?

DR. COLLIER: The projections for red snapper do incorporate reductions for -- Associated with the use of descending devices. I am not clear on gag grouper, if that has that in the projections, and I can't remember if that regulation was in place for that.

MS. MCCAWLEY: Then, Chip, you also mentioned, I think, getting black sea bass into here, and so then, when we see this next time, it would be a list of management actions across those three species, red snapper, gag grouper, and black sea bass, and is that how it would work?

DR. COLLIER: Yes, that's what we would be working on, is getting all the three species in there, and so some of those correlations that you saw with the recruitment deviations -- We could potentially investigate the interactive effects between red snapper and black sea bass, but also looking at different size limits for black sea bass.

MS. MCCAWLEY: All right. Thank you for that. Others? Thoughts? Trish.

MS. MURPHEY: Should we consider having them look at spatial closures in this, just, you know, again, to kind of get the idea, and so we were talking about -- So you've got gag and reds, red snapper, and they're going to add black sea bass and scamp, and is that -- Did I hear --

DR. COLLIER: No, we don't have scamp in there right now. You know, this is -- One of the reasons that we went with Blue Matter is they're developing a tool that we can add to, and they also want to work with us so that we know how to begin developing this MSE, and add new species into it as it comes along, and potentially modify it, based on the performance metrics change over time, and so let's say you now want to look at -- There is a list at the end, and, as opposed to being the probability that a stock is overfished, and maybe that is not as critical, because we might be under climate change scenarios. Maybe that drops out, and something else goes in, and so, that

way, we can look at different performance metrics and incorporate those and making sure that those are available to you.

MS. MURPHEY: Just thinking out loud, and I have no idea how hard this would be, and would there be a way to -- Again, getting at climate change and stuff, but habitat complexity, and is that too much, or I know that gets kind of crazy, but I didn't know if there was a way to kind of, you know, look at habitat, habitat changes.

DR. COLLIER: Yes, and, I mean, we could definitely look at habitat changes. We would need some kind of index that would change how the population is changing, based on those habitat indices, and so we would need it over time, and so let's say something like red tide, that the Gulf experiences, that luckily we don't have to experience all that often, and they're able to put in some -- You can put in something like that into a model. There's different ways to do it, and you just have to think about potentially the best way to --

MS. MURPHEY: Yes, and I wonder -- Maybe not necessarily habitat, but just temperature increases, and would that be something -- That would probably be something similar, environmental temperature and you know.

DR. COLLIER: Right, but you need to know cause and effect, and so let's take a temperate species, and it might be the fact that it's not getting cold enough for them to really instigate spawning, whereas other species might be bumping up on their thermal threshold at the upper end, and it might be causing more mortality, and so we need to know what the cause and effect is, so we can put it into the model, figure out the best way to quantify it, and that makes it appropriate.

MS. MURPHEY: Well, anyway, I'm just kind of throwing out ideas, and I don't know how hard or easy it would be, but just thinking, again, off the top. Thank you.

MS. MCCAWLEY: Thanks, Trish. Robert.

MR. SPOTTSWOOD: Yesterday, during public comment, we heard from a few folks that wanted to see shark depredation included in some of these models, and I'm not sure how we go about that, but at least I think that's something that needs to be considered and planned for.

DR. COLLIER: So, luckily, for two of these species, we do have the Release app, which people can report their shark depredation in there, and so we would be able to gather some information. There's also a research project being done right now looking at some of the shark depredation, and so that could be incorporated into changing the discard mortality rate, and so the number of fish that are going over, and you could potentially change it as depredation is changing over time, whether it's the abundance of sharks or something else, but looking at the abundance of sharks might be extremely challenging, and it would have to -- I'm not certain, and that would take a little bit of time to think about the best approach for it, but we could definitely work with people to figure out how to get it in there.

MS. MCCAWLEY: Clay.

DR. PORCH: Thank you for this presentation. It was definitely very informative. You mentioned climate change, and I saw, in here, where they're incorporating a change in the process error, but

I didn't see, and maybe I missed it, that there's an incorporation of a change in the total productivity in the process. In other words, let's say, with climate change, that the species become less productive overall, or more productive, and is there a plan to incorporate that?

Then my second question is, obviously, one of the most effective strategies would just have a -- You could have a longer open season for snapper grouper, but then there would be a period of a closed snapper grouper fishery, where there's no fishing at all for it, and so you don't have the discards, and is that strategy being examined?

DR. HORDYK: The climate change one -- We're doing process error variability, but we certainly can do trends to productivity levels, and, essentially, we haven't done anything other than -- You know, we can do anything that you ask us to do, in a sense, and so I will add that to the list. I assume that you mean reductions in productivity due to climate change, right, and so the whole recruitment, for example the average recruitment, would decline, and is that what you're referring to, Clay?

DR. PORCH: Yes.

DR. HORDYK: Okay, and so I will add that as one of them, and the other -- Can you remind me of your second question?

DR. PORCH: So, on the surface of it, one of the most effective measures would just be not to have a snapper grouper fishery for an extended period of the year, and so you can have an aggregate bag limit during an open season, and that's one thing that's been mentioned, but, you know, the thing that would have to happen, in addition to that, would be to have a period where it's closed altogether, because that's when a lot of the discards are happening, is during the closed season, and so, this way, if you didn't have a snapper grouper fishery for some months, then you're not going to have any discards, but you could have a longer open season, potentially, with an aggregate bag limit, and so looking at those two factors at the same time.

DR. HORDYK: Okay. Great. Thanks. That's helpful, and so, yes, we can explore that as a management measure, to see exactly that. The interesting thing, as you know, in a multispecies, and multi-fleet, fishery like this, is that we have to try to quantify what the impact of that would be for all the species, and so increasing the fishing season for red snapper and what the consequences of that would be of that on the gag grouper, and then for closing the fishery for an extended period of time. Would there be -- Are you able to provide sort of numbers, or like a range of numbers, to look at, you know, having the fishery open for X amount of time, and then close for X amount of time, or is that possible?

MR. STRELCHECK: You were breaking up a little bit on us, but it sounds like you were asking, you know, if the agency could provide some additional data, and information, for that analysis, and is that what you were saying?

DR. HORDYK: Sorry. My apologies. I guess the question was -- I was saying we could certainly investigate that, what would be as a management measure, and what would be helpful, and it doesn't need to be right now, but it would be to get some proposals from the council for the length of time to have it open or closed.

DR. COLLIER: So something like six, eight, or ten months could be an option for the open season, and explore the differences between those, and, thinking along the lines for some of these species, maybe keeping the first four months of the year closed, because it's currently closed for some of those snapper grouper species, and that could be explored as an option.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: A few comments, and then a question, and so, with regard to productivity, I guess I would also note that it isn't necessarily the lower productivity, because I think red snapper, and gag, are heading in different directions, right, and we may be seeing an increase in productivity of red snapper, relative to gag productivity declining, and they may be related, but being able to, obviously, tune the dials differently for both of those species would be helpful.

Clay mentioned, obviously, the idea of a kind of bottom fishing season for snapper grouper, and, you know, that may work well for some sectors, but not all sectors, and so I think you mentioned possibly some spatial components of this model, and we've talked, at the table, about kind of a depth-based approach, where maybe fishing would be allowed in certain areas, or depths, more on a year-round basis, but then could be restricted in other areas, and so is that something that could be modeled as well?

DR. HORDYK: Yes, it can be, and so, again, it doesn't need to happen right now, but what would be useful for that would be to have some actual scenarios to investigate, but that combination of spatial and seasonal closures can be investigated.

MR. STRELCHECK: Okay. Great, and then my understanding is the Shertzer et al. paper was shared with you recently, and that contains twenty-five or so management options that were evaluated by that group, and I know some of them are working with you currently. I'm cognizant of not loading you up with every single idea and option that you possibly can think of, right, but, as we progress through this process, and I don't know if this is a question for Adrian or Chip, right, but, if there's options that they're pursuing that aren't bearing fruit, and they're not meeting some of the performance metrics, right, and is the intent to continue to proceed and still, you know, do those model runs, or are we going to try to start honing-in on what are kind of the main things that are meeting our objectives and narrowing that range and scope in which Blue Matter can work on them?

DR. HORDYK: Just a quick comment would be my recommendation would be to try and do exactly what you said, is to try hone-in on things that -- So there's sort of two dimensions to it, and one is the feasibility of implementing a management measure, for various reasons, and the other is the performance of those management measures. We should try and find that sweet spot of things that are both possible to implement and give us the performance that you asked for.

I would say the first round, the first round to do, would be to eliminate things that you say that we're not going to consider this, or, you know, it's a terrible idea, and it doesn't produce what we want, and then focus in on the things that we're both able to implement and has some chance of success.

MS. MCCAWLEY: Chip, I was wondering, since we're going to see some of this, or at least the AP's comments, at the next meeting in June, is there a way to see kind of some of the options that

are being considered under the different categories, and I know Andy was asking about the performance of the options, but it's hard to know, or give direction, because I don't know the range of what's being considered, and so like it looked like, when we were running through the example, that there was recreational effort reduction of 20 percent, 40 percent, 50 percent, but I don't know what all the different percentages are, and so I don't know how to give some input, just like the --

We had people asking about climate change, and then Trish was asking about, well, are there environmental factors, like water temperature, being considered, and things like that, and it's just hard to see, and this table is more kind of the category, but not are there specific pieces under each one of these components that are being considered, and so it's hard to know and then to give you guys feedback, and is that helpful, to try to -- Or is there a way, whether it's an Excel table or something, that you could bring back to us, so that we could see what are the different ranges being considered under these options?

DR. COLLIER: Yes, we can definitely do that for June, making sure that -- You know, thinking of different size limits, and let's say there's a twenty-four-inch size limit for gag grouper, a twenty-five-inch size limit, something along those lines, and potentially removing size limits, or reducing size limits, and so, going along those different lines, we can definitely make sure that we have everything that you want in there, and then potentially also putting in there something on, you know, if we choose this, we also want this, and so having a combination of management measures as well.

MS. MCCAWLEY: That was my next thought, and so thank you. Other thoughts or questions or comments here for today? I don't see any additional hands. Thank you so much, Adrian. Sorry about the time difference, and our delay in getting to you on the agenda, and I really appreciate your flexibility.

DR. HORDYK: No problems at all, and thank you for the opportunity, and I'm looking forward to continuing to work with you, and I will sign-off now. Thank you.

MS. MCCAWLEY: All right. Thank you so much.

DR. COLLIER: Adrian, don't hang up yet, because Jeff Buckel is going to provide some SSC comments, and so that might generate some more questions.

DR. HORDYK: Great. Will do. Thank you.

DR. COLLIER: Jeff, are you there?

DR. BUCKEL: I'm here. Can you hear me?

DR. COLLIER: Yes, we can. All right. Let me -- There we go.

DR. BUCKEL: Excellent. All right. Well, good morning, everyone. I just have a couple of slides on this, as you saw Adrian give an excellent presentation to you, and it was very thorough, and we got a similar presentation back in February, and so I just have this as an image from the Punt et al. 2016 paper. For me, these MSEs are difficult to wrap my brain around, how they work, and so, seeing the more conceptual diagrams, I can see it better, and so this is one that is helpful to me, in

addition to those conceptual diagrams in Adrian's paper, and so I forgot to put the source, but this is Punt et al. 2016.

We were asked to provide feedback on the methods and potential uncertainties from Blue Matter Science's MSE information to-date, and so, overall, the SSC applauded the approach and the results to-date. As Adrian mentioned, we had recommendations on the spatial part of the model, and so restricting the spatial extent of the offshore distribution, the abundance of red snapper, and they had it increasing from north to south, and so the highest abundance was in Areas 5 and 6, and we provided some folks that they could contact for data on both the offshore distribution, and it sounds like that's already happened, as well as abundance of red snapper in Areas 5 and 6. Then we also provided information on the distribution of age-zero gag.

All right, and so the SSC provided recommendations on both the operating models and management strategies, and, for the operating models, as you heard from council members, and this is a similar one, that we also wanted to see the low and high-recruitment scenarios, and so low-recruitment scenarios for species like black sea bass or gag, where we're seeing we're in this potentially new low-recruitment period, and, similarly, as mentioned for red snapper, where we're in a high-recruitment, and so that was additional operating models requested by the SSC.

In addition to that, to also have operating models that examine the effect of different SSB0 starting points, to see how that would impact the management strategy approaches, and so those were the two operating model suggestions,

Then recommendations for management strategies, and, again, council members mentioned this one, and so required retention, and so a zero-discard management strategy, and then adjusting the total F accordingly. Then that F target, and Adrian went into the app, but, on one of the slides, he had an F target, a reduction in effort to achieve the F target, and so, in that management strategy, it was reducing the effort for all fleets, to get to that, and the SSC asked for that F target scenario -- That F target strategy and to do one where the reduction of effort is for the recreational fleet only, and not reducing the other fleets' effort.

Then the last comment was the spirit of MSEs is to get management strategies from stakeholders, and so that is Blue Matter Science's plan, the next step, and they've already done, but they're going to, you know, go back and request additional management scenarios, and the SSC applauds the Blue Matter Science team for working with the stakeholders in the South Atlantic, and that's it, and I would be happy to answer any questions.

MS. MCCAWLEY: Thank you, Jeff. Any questions for Jeff? I don't see any hands. Thank you, Jeff.

DR. BUCKEL: You're welcome.

MS. MCCAWLEY: All right. Unless there are other additional comments, or requests, on the MSE, we're going to move on past this topic. Once again, thank you to Jeff, and thank you, Adrian, and thank you, Chip. Then let's take a few minutes to go back to Amendment 35 and see if, based on the discussions, watching the MSE, thoughts about different management scenarios, if there's other things that people want to bring up on Amendment 35 and that discussion that we were having before we needed to switch over to this discussion. Tim.

MR. GRINER: Back to 35, and not related to the MSE in 35, but more of a question, I guess, for Andy, related to any interim rulemaking. Andy, would it be possible, if -- Would it be possible for you to look at a phase-in for the red snapper in your interim rulemaking procedure? Thank you.

MR. STRELCHECK: I'm not sure what you mean by a phase-in. It's an interim rule, and it's only going to be in effect for one year, if we move forward with an interim rule.

MR. GRINER: Correct, but I'm just saying if -- So we have such -- You know, we have a greater than -- You know, we have a 40 percent reduction, and so, for that first year, could you phase-in that reduction, from our 125,000 pounds of commercial, and, instead of taking us all the way down to 77,000 pounds, could you phase that in for that first year?

MR. STRELCHECK: Well, I think the concept of a phase-in would mean that we would be imposing catch limits for more than one year, right, and so what I can say is we could consider anything within the range of status quo down to zero, and I think that's kind of what you're asking.

MR. GRINER: Okay, but, if the council were to take back up 35, could we now phase-in those cuts?

MS. MCCAWLEY: Let's let Mike respond. Mike.

DR. SCHMIDTKE: The short answer is no, it wouldn't be possible, because the phase-in still requires that you stay below your overfishing limit, and, in the case of red snapper, ABC and OFL are set equal to each other, and so there is no -- There is no wiggle room, where you stay under the OFL, but you are -- You know, but you're still above your ABC, and you're at the same place.

MR. GRINER: Well, the ABC is equal to OFL, but the ACL is not equal to the ABC.

DR. SCHMIDTKE: Yes, it is. OFL is equal -- In Reg 35 here, and I will pull up -- So your preferred alternative here, the recommendation that came from the SSC, was OFL equals ABC, and the preferred alternative that was selected by the council, at this point in Reg 35, is for ABC to be equal to annual OY equal to the total ACL.

MR. GRINER: Then go to Table S-1 from SEDAR 73, and, I mean, the ABC was set equal to the OFL, which, for 2023, was 327,000, and is that right, or does that correspond to the 28,000 fish? I guess it's hard to tell between the numbers of fish, when it's split up between numbers of fish and then pounds between the two sectors, and it's very difficult to understand.

DR. SCHMIDTKE: Okay, and so this table is regarding the SSC recommendations, and this isn't a preferred alternative or anything, and this is just talking about the SSC recommendations, and, in this table, we used -- We show ABC/OFL, because they were recommended as equal. They're the same level, and so, to not duplicate, we have ABC and OFL expressed in pounds of landings, and we have ABC/OFL expressed in pounds of discards, because the ABC and OFL recommendations -- They had one level that was accounted for as landings and one level that was accounted for as discards.

Now, if you put those in terms of number of fish, then you have this third column, and so the third column is numbers of fish, equivalent to the first column in pounds whole weight. The second column is dead discards, and the ABC is equivalent to the fourth column, discards in numbers of fish, and that's just the conversion of numbers of fish to pounds with those two, and then you have your percent reduction that's shown in the numbers of fish, and that's from the current total ACL, but your preferred alternative, from Action 1, would set total ACL equals ABC equals OFL, and so there wouldn't be any room for a phase-in, under those circumstances, under the council's ABC Control Rule.

MR. GRINER: Thank you.

MS. MCCAWLEY: Thank you, Mike. Thank you, Tim. Any other thoughts? Spud.

MR. WOODWARD: Just a question. Remind me of when the council could expect to have the next catch level advice from the SSC, given the timing of the next SEDAR, and when would that be?

DR. COLLIER: So we just recommended it change from a potential research track to a benchmark, but we also indicated that this is likely to be a longer-than-normal benchmark. We're having the workshops in late 2025, to get the South Atlantic Red Snapper Research Project incorporated into that stock assessment, and so it's likely to take all of 2026 to get those really incorporated, but Clay can probably speak better to this, and I'm thinking, along those timelines, that maybe 2027 is when we get the information to the SSC, after a CIE review.

MS. MCCAWLEY: Clay.

DR. PORCH: Yes, and that's the safer bet, just because it's not only the red snapper count, but a lot of other things that we're trying to look at. If it's possible to accelerate that, we will, but I wouldn't bank on it.

MS. MCCAWLEY: Any follow-up question on that, Spud?

MR. WOODWARD: Just to illustrate that this is the catch level advice we're going to have for at least three more years.

MS. MCCAWLEY: Thank you. Trish.

MS. MURPHEY: I just wanted to make a comment to Andy. Right now, you've proposed that your interim rule is going to be either status quo, which I'm assuming the ACL is what's current right now, and our preferred option was the SSC's recommendation, and then the ACL being zero, and I just want to make a comment that, if you went with an interim of zero, that would really have unintended consequences on the commercial fishery, and, this being centered mostly around recreational discards, I would really like for you to -- If you move forward with this, if you would consider the preferred option that we had in Amendment 35.

MS. MCCAWLEY: Thank you, Trish. Tim.

MR. GRINER: Going back to that preferred option, I guess that's where I kept -- I was getting confused with the ABC and the OFL and the ACL, and so, when I go back to that ABC and OFL, the landings that they recommended was 28,000 fish, right, and so would it be fair to say that the 28,000 fish -- If you divided the 327,000 pounds from the ABC, that you would get by the 28,000, that would give you the average pounds of fish that they were working with, and so the average of those 28,000 pounds is now 11.67 pounds per fish, and is that accurate?

If that's the case, then I go down to where you've broken out your ACL, and, again, you're using 28,000 pounds of fish, and you're giving -- Or 28,000 fish, numbers of fish, and you're giving 19,000 of those fish to the recreational sector, which that leaves 8,800 fish for the commercial side, but 8,800 fish on the commercial side, at eleven pounds each, does not equal 77,000 pounds, and so where is the discrepancy? Why would the 8,000 fish that the commercial side is getting not equal 103,000 pounds, if they're eleven pounds each?

DR. SCHMIDTKE: So I would have to go -- I might look at the appendix, and it might be in there, but the crux of it is, right now, the way that you explained that, there was a lot of rounding, basically, in the sense that -- In the sense that there is a different selectivity of fish between your commercial fishery and your recreational fishery, and so that was taken into account, and you're going to have different average weights for your commercial versus your recreational fishery. That would be accounted for within the stock assessment, and we would have used those average weights for the sector-specific -- And applied the sector-specific average weights when converting from pounds to the numbers of fish.

That would be one aspect of it, but I can look in -- If Chip has more information, he can talk, and, while he's doing that, I can grab the analysis from the end of the document, because it would be detailed in the data analysis, in Appendix F, I believe.

DR. COLLIER: Just to build on what Mike was saying, when we're doing this, we have to start off at pounds, and so it uses the allocation in pounds, and then we'll divide it into the two different sectors, and there is different average weights between the recreational and the commercial fishery. Typically, the recreational fishery is harvesting larger individuals, whereas the commercial fishery is harvesting smaller, and that's why you're getting that smaller than what the average weight would be for the overall population.

MR. GRINER: Would it be possible to see those average weights for the two sectors?

DR. COLLIER: Yes, and we just pull them straight from the stock assessment, and I will get the table that they're in.

MR. GRINER: Thank you. I mean, I can theoretically see how there could be a difference, but, you know, at the end of the day, the fish doesn't know who is on the other end of the hook, and so I couldn't see it being a giant difference.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I think part of that, Tim, is high-grading on the recreational side, too. When you've got so few -- I mean, you've got two days, and, you know, people are high-grading. For good or bad, that's what they end up doing, and, you know, they're throwing back the smaller

ones, because they're trying to put a twenty-pounder in the boat, because they only get two fish a year, and so that may be a contributing factor to it.

MR. GRINER: That does make a lot of sense there. Thank you for that.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I guess a question to the council members, and so we, obviously, have this kind of awkward time period right now, right, and so the Fisheries Service is considering an interim rule, and we're waiting on the results of an MSE analysis that will be delivered in December, and we have the South Atlantic Research Program results that will be delivered sometime next fall, in 2025, and then an assessment that is going to occur thereafter, and so I guess I'm interested in understanding, given this conversation, where the council members are at and the appetite to, obviously, do something beyond the interim rule, as we kind of await all of these other things, given that we kind of bypassed the short-term solution.

MS. MCCAWLEY: Tim.

MR. GRINER: One more thing, Chip, while we're looking at that, and so the other thing I did was the sector allocation was 28.07 percent to the commercial side, right, and so if -- Going back to the ABC equals the OFL equals the ACL, and, originally, it was done in pounds, which, for the first year, it would be 327,000 pounds, and so could you not just take the 327,000 pounds and multiply it by your sector allocation of 28 percent to get the landings for the year, because, if you do that, you still don't come to the 77,000 pounds, and you end up with ninety-something thousand pounds, and I'm just struggling to find how you came up with the 77,000 pounds, when it doesn't equal our allocation percentage times the ABC/ACL/OFL.

MS. MCCAWLEY: All right. What is the pleasure of this committee? I'm trying to go back to Andy's questions, and it seems like, from the earlier discussion, that folks are not wanting to do anything on Amendment 35, and I don't want to put words in people's mouths here, and so wasn't that the question, Andy, was is there something -- Another, or a different, or some short-term action, that the council wants to do in 35, while you guys are working on the interim rule? That was the question, right?

MR. STRELCHECK: Yes, and, I mean, I'm just trying to understand where the council is at, and, you know, are we -- We've had this conversation, and we asked for a bunch of information to be brought back to us, right, and so are we going to dig into this, and start looking at this, or is it just for our information, and we're going to set this aside? I certainly don't recommend that.

MS. MCCAWLEY: Tim.

MR. GRINER: I guess I would be much more willing to take it up and look at it if I had a better understanding of how this commercial ACL was developed, because I'm really confused on how we came up -- How this number got generated of 77,000 pounds. That's a big cut.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Is there any way, timing-wise, that, once the EFP in Florida starts going, that there's information from that that could come back to the Regional Office, to either, you know, produce additional fishing days, or to provide additional access, as a result of the ongoing information that's coming out of the exempted fishing permits?

MS. MCCAWLEY: I guess I would look to Andy, or Monica, to answer that question.

MS. SMIT-BRUNELLO: Robert, would you mind repeating that question?

MR. SPOTTSWOOD: Sure. So part of what I think we're all hoping that's going to come out of the EFPs that are going to happen in Florida is some better information on catch and discards and what happens there, and is there any way that, if we were to proceed today, either by adopting the ABC that has been recommended to us, that, as we move forward, and we learn from the Florida process, we can make some adjustments, either to give back some fishing days or to provide additional allocation?

MS. SMIT-BRUNELLO: I guess two things come to mind. I'm not sure when you're going to get the results of the EFP, and I think that's going to take some time, but then, if you develop a record, which you would need to develop the record of the change you would want, and then put that forward in some way, and so you've got various options, under the fishery management plan, for different kinds of framework actions, things that you can do more quickly than a longer plan amendment. If the council wanted something specific, and wanted to -- I'm not going to say fast-track that, but say we want this done more quickly, then, you know, perhaps you could get that done in time.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: I mean, I'm looking at this chart, right, and 28,000 fish landed, 202,000 discarded, and it just kind of hurts to look at, right, and so I'm thinking, if there's some way that - - You know, rather than waiting until the end of the EFP program, if there's some kind of way that we can monitor it, and see where we're headed, assuming that everybody is comfortable with the information being validated and is comfortable, and we can look at that and say, hey, we see some difference here, maybe in discards, and we don't think maybe that projection was right, and is there some way to kind of step back in and say we think we can allow for more fishing days or something, kind of mid-season, and I know that's a really, really tight timeframe, but --

MS. MCCAWLEY: Monica, and then we'll go to other hands, and then I think, since we're not getting a lot of discussion on this topic, maybe then we'll try to stop the discussion on this topic, and people can think about it over lunch, and we'll try to hit at least one other topic before lunch, and then we can come back to this after lunch. Monica.

MS. SMIT-BRUNELLO: Robert, I think that, if you could develop a sufficient record that would support that, and so it would -- You know, I have a hard time saying, sure, that would work, without seeing the information that the council would develop to support the kind of action the council wants, but I think that -- You know, I think that's maybe possible, and it depends what you're thinking, of the action that you would want, and so my mantra is get sufficient information to develop a record for the action that you would like to see.

MS. MCCAWLEY: Robert, anything else to add?

MR. SPOTTSWOOD: I mean, Andy, it's just -- The council is having a hard time figuring out how to move forward with this in a way that really works for all of our constituents, for the state and for everybody, while also minding, you know, our obligations, and what we're supposed to do, and so I'm trying to figure out a way where, you know, if we jump off here today on a certain path, and we learn, quickly, and I think this would also give us some ability to explain to the general public that we have some, you know, kind of exit, or opportunity, to rethink the decision we're making today, as a result of this process, it may be helpful, and so I'll spend some time, over lunch, trying to think through how to bring that back.

MS. MCCAWLEY: Thank you. Laurilee, you had your hand up?

MS. THOMPSON: Yes, and I love the EFPs, but so we really need to do something today, and so we had an action in Amendment 35 to only use one hook per line when fishing for snapper grouper, and our rationale was that you would be catching less fish, and you would have less discards, and so I don't -- Why can't we propose, as an action for Amendment 35, the -- You know, the same thing that we're talking about with the EFPs, but just let people fish, and keep --

Figure out how many fish they can keep, and then they stop fishing, and, if they do adhere to that, and they should be happy with the concept of being able to keep fish, and, if they adhere to that, then it would certainly seem like it would reduce discards, and that's the whole point, is to reduce the amount of discards, and so, if you let people fish, and you let them keep fish, which will make them really, really happy, and then, once they reach, you know, a number of fish, whatever it ends up being, they stop fishing, and that should reduce the discards, which is the whole goal, and so why couldn't we -- Even though we're working on it with the EFPs, and you're going to be collecting data and everything, but could we not propose, as an action for Amendment 35, that same concept?

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Laurilee, I guess my personal concern is that, if we opened that up, I don't think any Floridians would be going through the EFP process, which is very rigid, and it requires them to do education, reporting, and there's -- The whole goal of that is to get information back, and, from what I'm understanding, we don't have the time here to set up that program, to implement an EFP-style fisheries management plan here, and so that's the discussion that I think we should start having, so that, if we get positive results out of Florida, we're ready next year to pivot.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I will say it a little bit differently, and, I mean, Laurilee, absolutely, and we could put that in Reg Amendment 35, but, as Monica noted, we have to build a record, and we have to determine how that's going to reduce discards, what's the balance of then landed catch versus discards, and we're kind of operating blindly right now, because we haven't even, you know, let the EFPs -- Tested them out, and, as Jessica has said, and I think it's great, right, and they want to kind of take an adaptive management approach to the EFPs, and learn from them during year-one, and what's resonating and working with anglers, and then kind of modify or change those.

I think the other component of this, which I've heard a lot around the table, whether you're talking aggregate bag limits or size limits, and just kind of alleviating restrictions is one component to reducing discards, but then you have to balance that with you're going to allow a lot more landed catch, which is the directed mortality, and we have to figure out then how to manage fishing mortality by shifting it more to the landed catch, and you can't allow overharvest then on the landed catch, because that will just result in the same overfishing problems, and so balancing the two is going to be really critical, and kind of where is that sweet spot, in terms of being able to reduce discards and bring that landed catch up, which is what we all desire.

MS. MCCAWLEY: So I think I'm going to pause this discussion, and it's good discussion that we're having here, but maybe people can think about it over lunch, and we'll come back to this discussion one more time before we close the book on it this week, but, yes, and so think about that over lunch.

DR. BELCHER: Okay. Just because of the depth of what we're going to get into with the overview of the commercial permits, and looking at the rest of the agenda items, and the last thing is agenda topics for the AP meeting, and, because there's a little bit of a feedback loop, and other business, and not knowing how much time we're going to take on that, I think we would be better suited to take an early lunch. It's 11:30, and we can come back at 1:00, and we can pick back up. That way, we're not kind of forcing the conversations, or putting ourselves up against a deadline, and so come back at 1:00.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to get going again. I hope everybody had a good lunch, and I'm hoping that we can go back to the discussion that we were having about Amendment 35, or short-term actions for red snapper, and see what people are thinking, and maybe we can try to wrap-up this discussion and figure out what we're doing, wrap that up, and then continue moving through the Snapper Grouper agenda. All right. Would anybody like to start with some of their ideas that they had over lunch? Don't everybody jump in at once. Okay. Tim.

MR. GRINER: This is not really an idea, but it was something that I did think about over lunch, because I really like this EFP that you guys are doing for the recreational side, and I guess I was just curious, Andy, and it seems like you said there were some funds left, and is there any chance of some funding of a commercial EFP along these same lines, so that we could do, you know, maybe some type of study, a hotspot study, with the commercial fleet maybe, of some kind of bycatch fishery, where, you know, it was some amount of pounds, and we just test it for a year, and you get X amount of pounds every single trip, or is there no funding for anything like that left?

MR. STRELCHECK: Thanks, Tim, for the question. We did hope that we were going to get commercial proposals, and I think we did get one, but it wasn't selected, or recommended, for funding. At this point, we do not have any additional funding. The funding that we set aside and made available for these projects is all essentially accounted for, with the exception of about, I think, \$900. We are looking at pursuing, potentially, some additional funding to both continue some of these projects next year, as well as potentially consider, you know, new projects next year, but nothing that would help with the coming fishing year.

MR. GRINER: Thank you.

MS. MCCAWLEY: All right. Anybody else have other thoughts? Tom.

MR. ROLLER: This is just something that I discussed, and I don't know if it's the time or place, but I just think it's appropriate to mention, and this comes from my experience as a fisherman. In my area, while red snapper aren't as prolific as they are in maybe north Florida, they are very common. After the recreational season, and a week of the commercial season, they become quite hard to catch. They become a lot of less prolific.

A lot of those hotspots, you can actually go and fish for shallow-water grouper in them, because you're not interacting with as many red snapper, and it makes me want to -- I know you can't really source this out in the MRIP waves, like Wave 4 and like how much discards fall off after the season, but what if our season opened earlier in the year, to more correspond with say the opening of gag, and those removals happened earlier, and maybe that could decrease discards over a period of time. I don't know what data we have to back that up, but this is something that comes to me from fishermen as well, and I talked to our SSC Chair, Dr. Buckel, and they were tagging fish, and, once those seasons had been opened, they were struggling to catch enough to tag after a while.

MS. MCCAWLEY: We've definitely had those discussions around the table. The last time that we worked on a red snapper amendment, it was looking at the season, and we debated, for many meetings, about what is the right time of year to have the season, and we ultimately went with those July dates, and I'm hoping that some of the information from the EFPs, paired with MSE information, information from fishermen, that we could do exactly what you're talking about, you know, figure out when would be a better time of year, and also how the time of year that you're fishing for red snapper -- How that relates to discards. Other thoughts? Tom, have you got more?

MR. ROLLER: Just to follow-up on that, and I think that will be interesting, coming out of the EFP, but my only -- I guess my only hang-up there is the EFP is small, and it doesn't have as many participants, but like, when you compare it to a ton of people fishing for them, and our most serious commercial people fishing for them, and, I mean, you're going to see a lot more impacts from the greater fishery at large than you are going to see from your EFP.

MS. MCCAWLEY: Thank you for that. Other thoughts from over lunch? Andy.

MR. STRELCHECK: So we spent some time talking about this over lunch, and a few things that kind of came to mind, and one was mentioned after the MSE conversation, which is there's a lot of ideas, and options, that could go into the MSE, and, you know, prioritizing that, and the fact that Shertzer et al. already have a paper looking at at least some of the options being considered by Blue Matter, and being able to decide kind of which ones may be worth them prioritizing sooner rather than later, and presenting even if it's preliminary results to us, you know, so that we're not waiting until December.

The other suggestion we had was the Shertzer and Crosson paper is going to come before the SSC in April, and I don't know how to word it, but kind of a specific ask of the SSC, not only to evaluate that on its scientific merits, but if there's any specific scientific recommendations with regard to management approaches they think would be more or less beneficial to achieving our goals for

rebuilding the stock and reducing discards, and then the council picks that up in June, and potentially has at least one or more options that we could consider kind of in the -- I will say short-term, right, because there's other things that are happening that could change kind of our long-term effort, and so I know this would result in maybe some dynamic change, and adaptive management, but that at least would emphasize our efforts to make progress in the short-term period, and it would base it on some science and data and information before us.

MS. MCCAWLEY: Thank you, Andy, and so Mike is trying to capture there a little bit about what you were saying, and the font is a little tiny, but can you look at that wording and see if we need to add to that, and I think that we should have a statement about the intent is that, at the June council meeting, we would be intending to look at all the different options that Blue Matter is considering, and, along with the information from the SSC, prioritize those, and so I think we need some wording about what's happening at the June meeting, in addition to what we talked to Chip about, I guess is the best way to say that, and so I'm going to let Mike get that up there, and then we can edit that.

All right. Look at that, Andy. On the first bullet, do we need to say something about not just the review, but a prioritization of the most viable options, or something like that, like something more specific on that first bullet?

MR. STRELCHECK: I'm not exactly sure how to word it, and I get concerned about giving the SSC advice to give us input on management recommendations, since that's our role, and so I think it's more of the scientific merits of management recommendations in meeting council goals for rebuilding and reducing discards.

MS. MCCAWLEY: Okay. What do you think about that?

MR. STRELCHECK: I would probably add "and rebuilding", "for reducing discards and rebuilding".

MS. MCCAWLEY: All right. What do folks think about that? This has some specific items here, and it's looking at the management strategy evaluation, what Blue Matter is working on, and it's looking at this Shertzer et al. paper that we did, and it was in the document that was prepared for this meeting, but it's going to the SSC in April, and so this is trying to gather some specifics from the SSC, relative to that paper, that then could possibly be prioritized by Blue Matter.

Then another aspect of this, Andy, and so the Blue Matter results weren't intended to be seen by the council until December of this year, and would this be also wanting Blue Matter to then take those prioritized options and do some runs and then bring them back to the council sooner, like in September or something like that? Is there more to this, in thinking about the timelines and the expectations?

MR. STRELCHECK: I mean, I certainly recognize that it's going to have to go through the scientific review process, right, and that's going to take some time. The way I guess I'm thinking about this is, if we can get advice from the SSC in April, react to that, and take some tangible step to start something in June, right, and then any information that can come back to us, as we're working on that shorter-term action, whether it's Blue Matter or more work from Shertzer et al. and other options, right, that's going to just help inform the process. Yes, ideally, I would love to

see -- Even if it's preliminary information, but stuff coming back to us before December, but I recognize that it's going to have to be scientifically reviewed.

MS. MCCAWLEY: All right. Once you start talking about these later in the calendar year time periods, then the EFP would be up and running, and we could bring back some type of preliminary information, but, kind of like you're indicating, that would need to go through the SSC, but we could bring back some preliminary information on how the EFP is working. Robert.

MR. SPOTTSWOOD: Is there any benefit to including, whether it's Blue Matter or the SSC, in the EFP process earlier on, so that there's, you know, not a lag in needing to catch up, or get information, as we start the scientific review?

MS. MCCAWLEY: I don't know. I'm looking over to the folks that are going to be issuing the EFP.

MR. STRELCHECK: I mean, to me, it's not going to hurt the process to have FWC engaging with them, and I think it's really then a choice that you would have to be making, in terms of when you do that, and get that input and advice. We certainly are going to have to take public comment on the EFPs, and ultimately make decisions about, you know, what the final configuration of the EFP looks like.

MS. MCCAWLEY: All right. Do others have thoughts, or ideas, based on this discussion? We've got some bullets here. Do folks want me to read the bullets? Ask SSC for recommendations based on Shertzer et al. paper review in April, and then review scientific merits and evaluate how strategies can help meet council goals for reducing discards and rebuilding. At the June council meeting, compile and prioritize management procedures and options for Blue Matter to evaluate in the MSE, and so we were already talking about looking at all the different things that Blue Matter was working on, and this would actually go so far as to prioritize some of those options for evaluation. Then, when available, have a presentation of the preliminary information from the EFP study, and/or the MSE, later in 2024. Andy.

MR. STRELCHECK: I guess a question for staff, and so there's a pretty good team of people that's working on the MSE, as well as that's been involved with this Shertzer paper, and are you thinking that we would be prioritizing the management procedures, or would we want to ask them to kind of bring an initial prioritized list to us, and maybe that will streamline then our review, and we could certainly move things up or down, if we feel like something should be modified on that prioritization.

MS. MCCAWLEY: Okay. Love that. Mike will capture that. All right. Amy.

MS. DUKES: So your "later in 2024" comment -- In addition to the EFP studies, we do have two other red snapper discard projects that will also be kickstarting, and likely not anything ready for June, but, perhaps later in 2024, we could get some information from South Carolina and Mote Marine Lab as well.

MS. MCCAWLEY: All right. We can add that in.

MR. CARMICHAEL: I just wonder, on the asking the team to bring a prioritized list, they might say prioritized based on what, and so, you know, I think maybe it would be better if you want to say -- Do you want them to identify the measures that are most likely to reduce discard mortality? Then I think they could maybe give you some more useful input, and then, you know, leave it to the council to then prioritize how you want to approach it.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: I mean, great point. I guess I was thinking about it from the standpoint of the Shertzer paper, right, where we already have some results that they could look at, and evaluate, as well as additional options that fall outside that paper, but, to me, the prioritization really gets back to meeting our key goals and objectives for the snapper grouper fishery.

MS. MCCAWLEY: All right. We captured some more items there, and we clarified what Amy said, and we clarified the direction for staff. Robert.

MR. SPOTTSWOOD: This is a question back to John, I guess. Is the goal to -- Should the goal be to reduce discards, or is that what we see as the solution to ultimately allowing people to catch more fish? I'm trying not to put them in a box, and I'm not sure there's another way, but just -- You know, I think the goal is to try to get more days on the water, and more fish, for folks, and reducing discards at least is our perception of how we get there.

MR. CARMICHAEL: I think bringing this up just points out one of the challenges, is deciding what are the goals, you know, and so that's where I think the priorities would be tough for this group. I don't think it would be tough for the council, and so I think what you want to get from this group is just some feedback on what things can be done on the MSE, and how do they -- You know, how likely are they to be able to be done, and is this something they can truly analyze, and then you can go from there.

MS. MCCAWLEY: Clay.

DR. PORCH: Just to be clear, to that point, obviously, the goal would be to reduce discards while also preventing overfishing, because that's the fundamental problem, and that's why the overfishing is happening. Yes, you could have no bag limits, and no size limits, and have no discards, but then you would have even more kill.

MS. MCCAWLEY: Thanks for the clarification. All right. Other thoughts here? Andy.

MR. STRELCHECK: I will just read this for reference, that the Shertzer et al. paper used -- The criteria for comparison was addressing the management goals of decreasing dead discards, rebuilding the age structure, and increasing landings and spawning biomass, which I think gets at what Robert was saying, as well as our other objectives.

MS. MCCAWLEY: All right. I think we've got it captured. Mike.

DR. SCHMIDTKE: For that MSE planning team kind of prioritization, I know there's certainly the aspect of reducing discards, while preventing overfishing, and should there be any consideration, in that prioritization, for I guess the timing with which the council could take such

an action, because there are going to be some management actions that can be more short-term, and there are some that are going to take longer to develop, and we do have a couple of -- You know, I guess more of the management group staff, and so we have at least a little bit of a gauge on how long it's likely to take the council to do something like, you know, changing to like an aggregate bag limit, versus some larger overhaul of the system.

MS. MCCAWLEY: What I would add is maybe that goes into this prioritization, is a -- Also kind of categorizing it into short-term or long-term actions, or timeframe needed to complete the action. Robert.

MR. SPOTTSWOOD: Does it need to be just actions of the council, or is this also going to be helpful for Andy's team to understand interim management practices as well? Are they advising the council on what actions we can take, or should they also be considering what interim actions might be able to be taken, should we end up in a place where the service is making a decision?

MR. CARMICHAEL: I think really what you're looking for, from them, is feedback, and information, on how various actions perform. Then it's up to you to decide which ones to take, and we would avoid having a group like this get into the role of telling you this is the action that you should take. That would come from like the Snapper Grouper AP. That would be the type of group that may, you know, give you recommendations like that, but this is more of a technical guiding this process, and we wouldn't ask for them to -- I think I would add, based on what I've heard around this table as you all's objectives, is reduce discards, preventing overfishing, and optimizing access to the resource, because that is really what is driving so much of what the council has talked about and what you're trying to achieve.

MS. MCCAWLEY: All right. Thank you. We captured that. Anything else that we want to add here? Any other thoughts on this? I don't see any additional hands, and let me try to sum up, and so we've got a lot of notes here on some next steps for what's going to happen between this council meeting and the June council meeting, what the Snapper Grouper Committee -- What this body is going to look at when we get to the June council meeting, and I guess whether some of those actions that we're looking at are -- Prioritizing whether they could be started in the near-term, or how soon, following the June meeting, if the Snapper Grouper Committee wants to take action, how soon those things could be put into place, and is that a good summary of where we think we are here? Spud.

MR. WOODWARD: I hesitate to ask this question, but where does that leave us with regard to fishing in 2024, in terms of we have an ABC that we've been given, that's not the ABC we're fishing on, and so where does that leave us, in terms of -- Because all of this is great, and I agree with it, but this is June, and then, at some point after that, you know, the fruits of this may be made manifest, but what do we do in the meantime? You know, what's going to happen? I mean, the service, are you going to, you know, have an interim rule to implement the new ABC and ACL?

MS. MCCAWLEY: I saw Monica's hand shoot up.

MS. SMIT-BRUNELLO: Well, if the service doesn't take any action, then the current catch levels that are in place are what is fished. If the service takes action to change that, then that change will be in effect, and so I think that no definitive answer can be given to you right now.

MS. MCCAWLEY: Well said. All right, and so are we good? Are we ready to leave this discussion and continue through the Snapper Grouper Committee agenda? You will see this again in the committee report tomorrow, in case you have additional ideas, but are we good to leave? Mike put his hand up.

DR. SCHMIDTKE: I would love if we were good to leave, but I do still need to ask the question that was asked in the document, as to what are we doing with Regulatory Amendment 35? Is it -- Are we still kind of holding it, or is it done? What do you all want to do with it?

MS. MCCAWLEY: It seems like one of the things that we're saying here, by coming up with those actions that we just talked about, we're saying we are not doing anything with Amendment 35 at this meeting, but, other people, if you have other points on this, or if you want to add to that, or you have a different opinion, please raise your hand. Tim.

MR. GRINER: That was my understanding too, that we're still trying to gather our thoughts around this, so that we -- You know, that we can pick this up and try to make -- You know, try to go forward, you know, and I keep going back to, you know, my struggles with some of these numbers. You know, I've got to get my arms around this a little bit better, because -- You know, every which way I look at it, I become more and more confused, and, you know, when I go back, and I start looking at the landings, irregardless of the discards, our allocation percentage, as I understand it, is based on landings.

If I apply our allocation percentage to the landings, I do not come up with the number that's in this document, and so I've got to get comfortable, somehow, that these numbers are correct, because 28 percent of 327,000 pounds is not 77,000 pounds, but I'm understanding that we're working toward there.

MS. MCCAWLEY: Go ahead, Mike.

DR. SCHMIDTKE: Just so that the thread isn't completely loose on what you were talking about, Tim, and I'm going to send you -- You know, I'll email you directly, but, for council members, if you want to look at the December of 2022 decision document, and that is where it is explained, step-by-step, how the allocation process works, and that was actually set in Amendment 43, and the discussion that you all had, at that meeting, and the meeting surrounding that one, and I can't remember which one you actually made this decision, but you had to have a discussion about allocation, because you came out of a stock assessment.

That's part of your allocation trigger policy, and you decided that the allocation should not change as a result of this, number one because you felt that the recreational landings were not affected by the FES changeover, because those are predominantly estimated through the Florida State Reef Fish Survey, and, number two, because you wanted this short-term action to move at a faster pace. You didn't want to include allocations, which would have required a plan amendment, and so you decided to keep the allocation the same, and so we went to the Amendment 43 method, and that's detailed in the December 2022 document.

The only thing that was updated from that method were the average weights. Instead of using the last three years of average weights from the previous stock assessment, we used them from the

SEDAR 73 assessment, but that's all detailed, but, Tim, I will get up with you directly to kind of talk through that and address it.

MR. GRINER: Thank you for that.

MS. MCCAWLEY: All right. Anything else on this topic? It sounds like no movement on 35, at this meeting at least, not right now in this committee, and we have these other actions that we're going to take between now and the June meeting, as well as at the June meeting. Are we good to leave this topic? All right. I see heads nodding yes. All right. Thank you, Mike. Next up, and we've already looked at the management strategy evaluation, and now we're going to go into the overview of the commercial permits with John Hadley.

MR. HADLEY: All right, and so next up is the discussion of snapper grouper commercial permits, and this was an item that was requested at the December meeting, and so I have a presentation here. The presentation slides are included in the additional materials in the briefing book. All of this information was pulled directly from the discussion document, which is Attachment A8 in your briefing materials, and so this matches up with that document precisely, but I just pulled this few presentation slides together, and I just pulled some of the information out of there, to make it a little bit more presentable to you.

One thing I'm going to go through is just an overview of the document, a little bit of background material, bringing you up-to-speed on some of the recent Snapper Grouper AP conversations, and then some of the information that is available from an analysis perspective, and then, really, the goal here, at the very end, is to get some information, and direction, on how you would like -- Which direction do we want to go with looking into commercial snapper grouper permits.

I'll start off with a little bit of an introduction and background materials, and so, as many of you will recall, the last time the council really took a deep dive into this was in 2021, and so this is really in response to Executive Order 13921, and it really -- That was -- The Executive Order essentially instructed councils to look into some areas that maybe could be alleviated from a regulatory burden perspective, and so the council identified the two-for-one provision of the commercial snapper grouper permits as a potential item to examine, and they sort of did a deep dive into this, looking at additional information, and also having your Snapper Grouper Advisory Panel discuss it in detail.

Over a couple of meetings in the latter half of 2021, the council reviewed this. At the December meeting, the council reviewed recommendations from the Snapper Grouper AP, which I'll get into in a little bit more detail here in a minute, as well as information on the commercial fishery, and the council indicated that further consideration of changes to the commercial snapper grouper permits could be considered in the management strategy evaluation, or at least the process of that, and then this subsequent amendment that examines a holistic management approach, and holistic management changes, in the snapper grouper fishery, and so that's an item that's still -- That has been on your workplan for quite a while, and it's coming up in the beginning of 2015, and so it's still on there as well, and so the existing guidance, right now, is to reexamine that when that process begins, and that amendment, that sort of overarching snapper grouper amendment, begins, but that certainly can change, but, just keeping that in mind, that's the existing council guidance.

As you may recall, the Snapper Grouper AP did discuss, and kind of brought up, commercial permits under other business in their October meeting, specifically focusing on the -- Whether further consolidation of commercial snapper grouper unlimited permits, and so the two-for-one, so to speak, provision is still necessary, and there was additional discussion on the transfer of the SG 2, or the 225-trip-limited permits, and whether or not that should be addressed. You discussed this recommendation at your December meeting, and you wanted to -- You directed staff to update the commercial two-for-one discussion document, as well as information relevant to the 225 permits.

I will go over some of at least the most recent in-depth Snapper Grouper AP discussion, and so this occurred, at your direction, at the October 2021 meeting, where the Snapper Grouper AP was presented information on commercial permits, and they really had an in-depth discussion on it, and, really, there were different regional perspectives on whether or not the commercial fishery was undercapitalized, versus overcapitalized, and, generally speaking, those AP representatives from Florida, South Carolina, and southern North Carolina noted that fishermen were aging out of the fishery, and so there was some room for new entrants, and also that the resource could sustain additional participants, whereas those from the central coast of North Carolina noted that there were several new young entrants in the fishery, and there was some notable pressure on fishery resources from both the commercial and recreational sectors in that region.

AP members noted that it was difficult to enter the commercial snapper grouper fishery, due to the cost as well as the scarcity of the SG 1, or the unlimited, permits, and there was no notable room - - Some AP members also noted that there was no notable room for growth, and so, at the time at least, in 2021, it may not be the right time to increase commercial effort.

AP members noted concern over recreational pressure, making it difficult for additional commercial pressure to take place, at least from a sustainability standpoint, and there is an ongoing lack, and loss, of commercial working waterfronts throughout the South Atlantic region, and the AP members also noted the corporate loophole, so to speak, for snapper grouper SG 2 permits, and so the 225-trip-limited permits, where they were not necessarily being retired, as initially intended, due to being held by a corporation rather than an individual.

The AP recommended that the council consider a limitation on the number of permits that can be owned or leased by a single person, or a single entity, and an exemption for a certain number of the unlimited SG 1 permits, to exempt them from the two-for-one provision, and so the consolidation provision, and potentially unused snapper grouper permits could be exempt from the two-for-one provision, and new permits could be made available for coastal communities that don't have local commercial fishermen.

Overall, sort of the agreed-upon statement, if you will, towards the end of that discussion, was that there were mixed opinions on removing the two-for-one provision at that time. Some members were in favor of removing it, while others wanted to see it remain in place.

I will fast-forward, and that was the 2021 discussion, and I will fast-forward to the recent discussion. As a reminder the AP recommended -- We did receive this at the December meeting, but the AP did recommend that the council review the two-for-one policy for the snapper grouper unlimited permits, and so the SG 1 permits, to define the date or number of permits that would end the two-for-one policy, and so, in other words, setting a target for how many permits are desired

in the fishery, and sort of a sunset provision, and they also requested clarification, from the council or NMFS, on the long-term intent of allowing leasing of commercial vessels. There is some information on leasing further on in the paper, as well as the presentation.

In regard to the trip-limited 225 permits, the AP noted that, under current rules, the permits were being transferred between individuals by permit ownership under a corporation, and so that loophole, so to speak, that they mentioned earlier, and one AP member proposed revising regulations to disallow the transfer of 225 permits.

As a little bit of additional background, where the permit provisions came in -- Where they were put in place, and how long they have been in place, and commercial permits were first required in the snapper grouper fishery through Amendment 4, which became effective in 1992, and each permit was issued to a vessel. Later on, through Amendment 8, the council established the various permits, including the two-for-one method of limiting the number of commercial snapper grouper unlimited permit holders, and this amendment became effective in 1998, and so you will see, further on in the analysis, there's sort of a marker for 1998, so you can see what has happened in the fishery after Amendment 8 went into place.

As additional information on Amendment 8, it resulted in the two snapper grouper permits, and so the SG 1 permit, or the unlimited permit, and there is no poundage restriction on this permit, aside from any species-specific trip limits, and this permit is meant to be transferable under the proper provisions. There is the provision to obtain a -- Where, if one wants to obtain a new snapper grouper SG 1 permit, and so essentially get into the fishery, a vessel owner has to purchase two permits, and retire one of them, to commercially fish within the snapper grouper fishery, and so that's -- When I refer to the two-for-one method, that's really what that's referring to.

Then Amendment 8 established the SG 2 permit, which limits harvest to 225 pounds of snapper grouper species, and, really, this permit was only intended to be transferable to immediate family or onto a new vessel under the same owner, and the idea here is that they would be retired over time.

Looking at some of the eligibility criteria, and so who was in and who was out, so to speak, when Amendment 8 was implemented, vessels that possessed a snapper grouper permit between February 11, 1996 and February 11, 1997 were considered eligible for a commercial permit, as well as those that could show, also show, at least one landing of snapper grouper species from January 1, 1993 through August 20, 1996, and so those were really the eligibility criteria, if you will.

Then, as far as determining which vessels received an unlimited permit, versus those that had a trip-limited permit, vessels that landed at least a thousand pounds whole weight of snapper grouper species between 1993 and August 20, 1996 were provided, or eligible, to receive SG 1 permits, and so this was a little over a thousand qualifying vessels. Then vessels that still landed snapper grouper species, but landed less than a thousand pounds, were eligible for the SG 2 permits, and so the trip-limited permits, and so that was kind of the differentiation there, and there were an additional 448 qualifying vessels.

With that, I'm going to jump into some of the available data, and analysis, that we have, but, before that, I wanted to take a pause and see if there were any questions on the background information or sort of where the permit provisions were put in place.

MS. MCCAWLEY: Tim.

MR. GRINER: So, going back to that SG 2 permit, were they all originally in the individuals' names? Did I hear that right, that they were originally individual?

MR. HADLEY: I can't tell you if they were all originally individual, and I would imagine that they were just -- They were issued to the vessel owner, and so they were issued to the vessel, and then the vessel owner, and so, if that vessel owner, at the time, was a corporation, then I imagine they would have been issued to the corporation, and so it just depends on the permit itself.

MR. GRINER: Okay. I get that now, and so I think, looking at this -- I think there were like 15 percent of them, and ninety-eight, were issued in corporate, right, and so how do you go from 15 percent of them issued in corporate originally to having this many of them in corporate today, if you can't transfer them to anyone?

MR. HADLEY: I don't have a great answer for that. I do know, from a percentage -- I'm not sure of the -- I say that because I'm not sure of the legal mechanism there to do that, and I'm not aware of it, but I will say that part of that statistic is a lot of the permits that have been retired, over time, were likely not -- There were issued to an individual, and not a corporation, and so that percentage -- Those corporate permits are going to stay in the fishery. The individual ones are going to be retired over time, and so that percentage is naturally going to go up, even if the number of corporate entities didn't increase. Does that make sense?

MR. GRINER: That makes perfect sense.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: Obviously I'm not a lawyer, but I think one of the other things that could happen is that -- Well, one, I know, as I said to you privately a minute ago, there are definitely people that I've spoken with who initially were issued it because their vessel was already in a corporation, but I think the other thing that can happen, or at least it can happen with SG 2 permits, without needing to do the two-for-one, is, as long as whoever is in the permit's original name is the only member of the new corporation, and then it can be considered the same entity, I believe, and do you see what I'm saying?

MS. MCCAWLEY: Tim.

MR. GRINER: Yes, and I understand, and I think that's right, but, given any circumstance, whether it's an individual or a corporate name, no individual, nor corporation, according to what I think the rules are, should be able to own two of them.

MR. HADLEY: I would have to -- We would have to do a deeper dive into the permit data, to see how -- The ownership of the SG 2 permits, whether or not you have one entity owning multiple SG 2 permits, and I just don't know if that is in the data or not.

MS. MCCAWLEY: Let's go to Monica, and then we'll come back to Tom.

MS. SMIT-BRUNELLO: Since it's a vessel permit, I would assume that company, that corporation, that entity, would own more than one vessel, but we can check on that and get back with you at the next meeting.

MR. GRINER: Yes, that makes sense, that they could own more than one vessel.

MS. MCCAWLEY: Spud.

MR. WOODWARD: I have a question. We had a public commenter yesterday that said he had twenty-one permits. Now, that kind of made me take pause, and it's like what in the world is going on there.

MS. MCCAWLEY: I had the same thought. Tom and then Kerry.

MR. ROLLER: First of all, Spud, I could not hear you. Would you mind repeating your comment?

MR. WOODWARD: We had a public commenter yesterday who said he had twenty-one permits that he owned, and he was -- One of the other commenters was leasing a permit from him, and so it kind of struck me as like very strange.

MR. ROLLER: Well, I think there's a lot of that, but, as far as SG 2 corporate, there is eighteen of them, if I'm correct, and it's really low. There's like eighteen corporate SG 2.

MR. HADLEY: Well, I will get into that in a little bit, and the data is as of, I believe, 2020, and so what exists today might be a little bit different than that.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: My understanding, and I could be wrong, but I'm pretty sure he's a broker. That's part of his other -- That's part of his business model, and so we don't have anything in place, currently, that -- You know, if had the funds, I could go out and buy as many permits that were for sale, and we don't have anything in place that prevents that at this time, and so I believe he buys them, and he may sell them, and he definitely leases them.

MS. MCCAWLEY: Tim.

MR. GRINER: Well, technically, he's supposed to be leasing the vessel, as a permit is tied to it, but that's not what is happening out there, but, technically speaking, he may own twenty-one vessels that have a permit attached to it, and he can lease those vessels, and that is completely allowable.

MS. MCCAWLEY: All right. Any other questions, before we go back to this presentation? Okay. I don't see any hands.

MR. HADLEY: All right. With that, I've gone over the background piece, and we're going to jump into some of the available data, and the analysis, and so, just really quickly, running down some of the resources that are available, there are some somewhat recent reports, and we have the Kari MacLauchlin-Buck report that was in 2018, and that was presented to the council, and it's come up over the years several times, and it included -- It really did a deep dive into the commercial snapper grouper fishery, including the permits and permit portfolios, and this included data from 1998 through 2016.

There are a couple of technical memorandums from the Southeast Fisheries Science Center on the economics of the commercial snapper grouper fishery, one from 2018 and one from 2023, and the data either covers 2014 through 2016 or 2014 through 2018, and that uses a lot of the permit data, as well as logbook data, and some of the economic response in that subset of the logbook data, to provide information on the commercial snapper grouper fishery, and so I will reference some of that as well.

Then, moving over to the available permit data, this data, of course, comes from the National Marine Fisheries Service Southeast Regional Permits Office. As we discussed on I believe it was Monday, when we had the limited-entry discussion, there are ongoing updates to that permitting system, and so the information provided does cut off -- On permits, it does cut off in 2020, since that's sort of the last full year of available data where you can really do a detailed analysis on commercial permits, and, as it was noted on Monday, additional availability of that data is expected later this year.

Then, finally, you have the commercial logbook data, and so you have the Southeast Coastal Fisheries logbook data, where you can look at several different metrics and statistics, but, really, this provides information on active snapper grouper commercial vessels, landings, trips, gross revenue, and ex-vessel value of the snapper grouper landings, and this includes available data from 1993 through 2022.

As far as permit transferability and ownership, a commercial permit is issued for a specific vessel, and it's issued to the vessel's owner. The ownership structure of snapper grouper permits has changed over time, as Tim was alluding to, and with an increasing percentage of permits being owned by corporations, versus individuals, and corporate ownership can circumvent the two-for-one provision for the SG 1 permits under certain provisions, and, just looking at some information over time, in 1998, and so when Amendment 8 went into place, you had approximately 17 percent of the SG 1 permits, and 15 percent of the SG 2 permits, that were owned by corporations. By 2016, that had increased to 45 percent of SG 1 permits and 25 percent of SG 2 permits falling under a corporate ownership structure, and that percentage has likely increased since then.

Then, as of September 2021, there were 242 corporate-owned SG 1 permits, and only two of those would not be exempt from the two-for-one provision of the SG 1 permits, and so that is, in other words, saying that 240 of those would be exempt from the two-for-one provision.

Looking at the cost of entry, there's sort of limited data on this, but there is some information out there. The cost certainly appears to be increasing overall from the Buck paper that I mentioned earlier, and the estimated cost to obtain a snapper grouper was approximately \$60,000 to \$80,000, and that's from 2017, and that's a 2017 data point, and so more recent feedback has indicated that those prices have continued to increase. In 2021, it was mentioned that, either to obtain a single

corporate permit for SG 1 permits, or two non-exempt permits, and so that would undergo the two-for-one provision, and, either way, the total cost to enter the fishery, from a permit perspective, specifically from a permit perspective, was \$80,000 to \$100,000.

Then, as far as leasing permits, advertised prices from leases in 2017 was \$6,000 to \$8,000 per year, and so, really, this equates to about 10 percent of the permit market value, and so that has probably increased over time, as the value, the market value, of the SG 1 permits has increased as well, and, really, a commercial snapper grouper permit cannot be directly leased, and so you're not leasing the permit itself. However, the vessel that the permit is assigned to, as we alluded to earlier, can be leased, and so, when it's discussed that that permit is leased, that's really what is being specifically talked about, is the vessel that that permit is assigned to can be leased.

Looking at trends in permits, overall, there has certainly been consolidation in the number of commercial snapper grouper permits, and this has likely been an ongoing downward trend since 2020. As I mentioned, 2020 is the terminal year here, and, if you fast-forwarded to today, I imagine it would be even a lower number, but, generally speaking, comparing the vessels that qualified for commercial snapper grouper permits through Amendment 8, and the number of permits that were available in 2020, SG 1 permits have decreased by about 50 percent, and so about halved, and then SG 2 permits have decreased by about 77 percent, and so you've seen a larger reduction in the number of -- Or in the overall availability of SG 2 permits, but certainly a reduction in both SG 1 and SG 2 permits.

In recent years, the number of permitted vessels has decreased by approximately SG 1 permits, and three SG 2 permits, per year, and so you're looking at an attrition rate of losing about 1.4 -- About a percent-and-a-half of the SG 1 permits and about 3 percent of the SG 1 permits every year. Additionally, on average, you've seen about 40 percent of the SG 1 permits were assigned to leased vessels, and that has been an increasing number, not only the percentage, but an increasing number over time as well.

On average, 83 percent of snapper-grouper-permitted vessels reported landings, and so, if you consider reported landings, quote, unquote, as using the permit, we see a fairly high utilization rate of using the permit, and so about 83 percent of SG-2-permitted vessels report landings each year, and so about 17 -- That's about 17 percent not reporting in landings in any year. However, if you look at that in say a three-year, or a five-year, timeline, that actually shrinks considerably, where you have a mid-nineties, so to speak, utilization rate for the permits, or the mid-90 percent range, I should say.

Looking at snapper grouper SG 2, and so the trip-limited-permitted vessels specifically, and so this is narrowing down that scope just to SG-2-permitted vessels that are active in the fishery, and there is available information on that from one of the technical memorandums from the Science Center that I mentioned earlier, and so looking at a timeline from 2014 through 2016, and snapper grouper SG-2-permitted vessels landed an average of 63,000 pounds of snapper grouper species.

When you look at total snapper grouper landings, it's a pretty small percentage, and it's about 1 to 2 percent of total snapper grouper landings in each year, and most of the SG-2-permitted vessels that were active were primarily based off of south Florida, and, to a lesser extent, the southern portion of the North Carolina coast, and so let's say the Wilmington, the larger Wilmington, area.

The top-five species, by revenue, for SG-2-permitted vessels were king and cero mackerel, yellowtail snapper, mutton snapper, golden tilefish, and gag, and so you can kind of see, particularly with king mackerel and gag, you can kind of see that North Carolina component, particularly with the mackerels, as well as yellowtail snapper, mutton snapper, golden tilefish, and that's where you're seeing a lot of those south-Florida-based vessels.

There's a relatively high utilization rate of SG 2 permits, as far as those permitted vessels reporting at least some snapper grouper landings. 94 percent of SG-2-permitted vessels had at least one pound of snapper grouper landings between 2012 and 2016, and, if you look at just a single year basis, 29 percent, on average, had landings in all five years, and so, really, that timeframe that you look at whether or not there are landings under a permit really does matter, and, really, this is slightly lower than the similar comparison to snapper grouper SG 1 permits, and so the unlimited permits had a somewhat higher utilization rate. However, both SG 1 and SG 2 permits did exhibit a relatively high utilization rate.

We're kind of shifting gears here, and that was looking at permits specifically. Next, there are a few slides to show sort of active vessels in the fishery, and so these are permitted vessels certainly, but you're looking at the specifically the vessels that are active in the commercial snapper grouper fishery. Overall, there have been -- As far as recent trends, and, when I say "recent", I'm looking at a timeline from 2018 through 2022, and there's been a decreasing trend in active vessels, trips, landings, and revenue.

You can see some statistics for each one of those measures there, but, generally speaking, if you compare 2018 to 2022, you've seen a decrease, sort of across-the-board, in vessel participation, as well as landings and revenue. However, there was an average revenue, through that time series, of \$48,000 per vessel, and that's been variable from year-to-year, but it has held up, and so the vessels that are remaining active in the fishery have maintained average revenue per vessel, and there's really a high reliance on snapper grouper species, unsurprisingly, and 72 percent of the sale of -- 72 percent of the revenue, the total revenue, comes from the sale of snapper grouper species for those active vessels.

These are a few figures that were pulled from the paper, and, to sort of give you an idea of trends over time, you will notice each one of these figures has this red line, the red vertical line, and that is on the year of 1998, and so that's really sort of to highlight what led up to Amendment 8 and what has happened since Amendment 8 in the fishery, and so you can see, in the early and mid-1990s there, there was an increase in the number of vessels and trips, and, since then, there's been a generally decreasing trend in vessels and trips, and then, if you look over to the right, the figure to the right, similar trends as well in landings.

The figure at the very top, or the line at the very top, the yellow line, represents total landings, and, further down, the orange line is South Atlantic snapper-grouper-specific landings, and the gray line is other species that were either caught on those snapper grouper trips or perhaps the vessel was fishing in the Gulf, or another region, and they landed fish commercially, and so that's what other species, or other region, landings represents, but, generally speaking, you can see the ramp-up ahead of Amendment 8 in 1998, and you've seen sort of a variability from -- You've seen variability from year to year, but a downward trend since the late 1990s.

Looking at historic trends in revenue, you've seen maybe not quite as pronounced of a decrease in revenue, but there has been a downward trend in total revenue, as well as revenue from snapper grouper species overall. However, when you look at revenue per vessel over time, and this is adjusted for inflation, there has been an increasing revenue per vessel over time, at least through the 2000s and the early teens, I guess, and then that trend is sort of broken down in the past five to ten years, where you see, since 2014 and 2015, the trend sort of reversed, and it has been decreasing since then.

As mentioned earlier, there has been -- Not surprisingly, there is a heavy reliance on snapper grouper species, from a revenue perspective, for commercial vessels, and, really, this has been increasing over time, and so there is an increasing reliance specifically on the Snapper Grouper FMP, and those species, and less of a reliance on other species that may be caught by those vessels.

This is the last figure that I will show you, and this is a table that I pulled from the discussion document, and this is just mention to give an idea of recent commercial ACL utilization, and so, you know, this is a very broad perspective, but just to give an idea of, if there were to be an increase in participation in the commercial fishery, what species could that be directed towards, and, you know, where could that happen?

At the very top, you have the species that are shaded in yellow, and those species are species that have had an average of an 80 percent ACL utilization, commercial ACL-specific utilization rate, over the past three years, or we know that those ACLs are going to be changing, and they're probably going to have a fairly high utilization rate, either currently or in the near future, and so, when you see an asterisk next to the species, the ACL for those species is either being considered or a change in the ACL has gone into place recently, and so you can see each one of those shaded in yellow, and there's not as much -- There's maybe no room for growth, very little room for growth, and then the species, either the complex or specific species, further down the list in green, that has less than 80 percent ACL utilization rate, on average, for the last three years.

When you look at this table, you can see species such as the deepwater species have a pretty high utilization rate, around 100 percent each year, and then, further down, of note, there are other species, such as greater amberjack, as well as vermilion snapper, where they would be a little bit more room for growth, additional landings, in the commercial fishery.

That's all to bring it to the final question of where do we go from here? What does the committee see as the next steps for this topic, and so how would you like to further evaluate commercial snapper grouper permits, and this is certainly not an exhaustive list here, but, you know, what has been put together, and there is the existing guidance, which is essentially to maintain the discussion of potential changes to the commercial snapper grouper permits in the planned sort of long-term holistic amendment that is scheduled to start in early 2025, and this is the one that's related to the MSE.

As we've discussed, I believe in a couple of the past recent meetings, the MSE itself is not necessarily going to look at the commercial fishery, and the permits, but the subsequent related amendment could be the more holistic, larger, overarching view of changes in the fishery, and so that's the existing guidance to tackle this subject in that amendment.

Other options could include getting an amendment immediately that's focused on changes in the snapper grouper permit, and, in that case, we would have to build it into the council's workplan, request additional updated analysis on SG 1 and SG 2 permits, commercial landings, quota utilization, and, if you wanted to go this route, it would likely -- It would be helpful if that came back later this year, because just the information -- There's a lot of information that's likely to be available in the latter half of 2023 that just isn't available now, and it might not be available, likely not available, at the June meeting, and so that would be some of the timing-specific guidance.

Then the other option, of course, is not necessarily take this topic up at the current time, but you could set a time when you would want to reevaluate it, and do you want to come back to it in a year, two years, three years, you know, that sort of timeline, to provide some guidance on how often you would like to review commercial snapper grouper permits, and so, with that, I will turn it over to the committee. Thank you.

MS. MCCAWLEY: All right. Thanks, John. I am going to go back to the discussion that we had on the first day of this week about when we were looking at the for-hire and the missing data, and so it seemed like that was going to be ready -- The document said December, but I think Andy indicated maybe June, in the summer, and is that the same for this information, that that data would be ready before December of this year?

MR. STRELCHECK: Yes, definitely before December, and, I mean, we are trying to shoot for having that data resolved, and available, by May, but I don't know if that schedule will slip, and so I'm reluctant to say that it will be ready by June, but certainly later this year.

MS. MCCAWLEY: Thanks, Andy. Robert.

MR. SPOTTSWOOD: Just as a general matter, in looking at kind of the commercial permit presentation, what I felt like was missing is information about how imported, and we've heard this a few times, but how imported fish might be competing with our commercial fisheries market. I think I've heard, you know, anecdotally, that 80 percent of our fish are leaving the country, and going somewhere else, and so, as we look at kind of the information on the value of permits, you know, the revenue of catches, and other -- I think having some information around, you know, historically, imports, and what that has done to our local commercial -- To our commercial fishery and prices around that.

MS. MCCAWLEY: All right. Thank you. Carolyn and then Tom and then Andy.

DR. BELCHER: Just a note on the timing. Just with where we were today with our agenda, I would prefer that we keep the discussion going, and talk about this in 2025, because there is a slug of things that are coming to us in June, and so starting something now would really add a lot of weight on the staff.

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

MR. ROLLER: So my first is a question, and I'm looking for clarification. How does one become exempt from the two-for-one? Is that because it's already been through the two-for-one process, and then it's being put under a corporation?

MR. HADLEY: So I will look to the other end of the table, but I will take the -- One of the ways, a first description of that, is if it was issued to a corporation, and so initially, and then that would circumvent the two-for-one, but I don't know if there's additional guidance on how that -- Essentially, the question is how does one become exempt from the two-for-one permit, or the two-for-one permit provision, rather.

MS. SMIT-BRUNELLO: One way that I can think of is if the corporation is in -- If the permit, sorry, is in a corporation's name, and then the corporation is sold, and that's not a transfer of the permit, because the same corporation continues to hold the permit. When you sell a corporation, I think you sell the assets and liabilities, I assume, and so it's not a transfer, because the same corporation owns the permit. That's the initial way that I'm thinking of, and so, if two individual permits were turned in for one corporate permit, then that's one permit, and, if that corporation was then sold, it wouldn't need to go in the two-for-one process anymore, because you're selling the corporation that was originally issued the permit, if that makes sense.

MR. ROLLER: But I guess my question there is like, if I had a permit in my name, I couldn't just put it under a corporation, unless I went through the two-for-one process?

MS. SMIT-BRUNELLO: Right, but I believe there's a provision in the regulations to allow for a family corporation, and that would allow you to not have to do a two-for-one, but it allows you to create a corporation for just family members, and then those family members have to continue to be your family members on the permit application that you send in every year.

MR. ROLLER: Okay. Thank you, Monica. I do have another question, and I think this would be when we get this data, and one of the comments I've heard from fishermen is that, you know, there's a lot of people out here who may have a permit, and they're trying to get a second one, but they can't, and I would be curious if there's permits sitting there in limbo, that can't be fished, and does that make sense what I'm asking? Like I bought one, and I'm trying to buy a second, to get to the two-for-one, and I'm curious if that's actually an issue.

MS. MCCAWLEY: John.

MR. HADLEY: I can't speak to whether or not that's an issue. I know that that takes place, but there is a time limit on it, and so -- This is from past discussions, and I followed-up on that, and the guidance is that, essentially, you have -- Say that you bought a permit today, and you have one year from the expiration date of that permit to find the other, and so that situation does exist, but there's a timestamp on it, where the permit can be renewed for up to one year after it expires, and so that's your -- You're going on the clock, in that situation, I believe.

MR. ROLLER: That helps clarify that for me. Thank you. I guess my last little point is just a quick comment, and that's that, you know, I know there aren't a lot of SG 2s left, and I know a few people that have them, and I will just state that they are very important to them, and they fish them with interesting, unique markets.

MS. MCCAWLEY: Thank you. Andy, you're next up.

MR. STRELCHECK: So Carolyn mentioned it already, but I guess my only question is, with the first bullet, it says long-term holistic measures, and so I'm just trying to remember what we were

recommending back in December of 2021 and how that's different than Bullet 2, right, and so Bullet 2 is begin an amendment now, and Bullet 1 is wait until 2025, but it seems like there's more to the first bullet than what we would be considering with the second one.

MR. HADLEY: Yes, and there's certainly some overlap there. I believe the differentiation between the two would -- Essentially, 1 is standing guidance, and so, whenever we come back to the council, and the committee, with that sort of large MSE-related amendment, that would include discussion of commercial permits and the two-for-one provision, and 2 is meant to say, if the council thought that this was a topic that needs to move forward immediately, that's -- You know, essentially, the council would pass a motion to initiate an amendment, and we would go from there and build it into the workplan, and so I guess the timing is the difference there.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: So then I would agree with the timing, and certainly, whether that is directly linked to an action that's solely on snapper grouper permits, or broader management measures, right, and we can decide that down the road.

MS. MCCAWLEY: Thank you. Tim.

MR. GRINER: Thank you. A couple of things. There is so much confusion, and misunderstanding, around the transferability of these permits that it's crazy, and so I would highly suggest that everybody go look up CFR 622.171 and read it verbatim for themselves. It's not a very long section, and it's pretty darned clear that there is no real exemption from the two-for-one, right, except for family members, and even corporations. Even if that corporation -- You can't have a corporation that changes principals, like an LLC, and you can't -- That person that's on that LLC has got to stay on that LLC, or else it goes through the two-for-one, and so there really are very few instances where it should not go through the two-for-one, but, for me, the most important thing I'm looking at here is the chart that John put up showing how much room is there in these major species to go catch, right?

That's the problem we've got, right there, and so, even if we got rid of the two-for-one, and, you know, made more permits available, or made it easier to get in, what are they going to fish for? Our money fish are already caught. You know, are we going to start, you know, targeting bar jacks and -- I mean, I don't know, and so the real problem here is, you know, we've got to figure out something for them to fish on, if we're going to have more and more people in this, right, and so, to me, that's the bigger issue, is, you know, I don't have a problem with getting rid of the two-for-one, at all, and it's really not going to solve the real problem that we've got here, right, and getting rid of the two-for-one is really not going to make it any easier for anybody to get in this industry, and it's going to be the exact same.

You know, anybody who thinks, right now, that, you know, my permit is only worth \$40,000, or \$50,000, because somebody has to go buy two of them -- If you do away with the two-for-one, and now that person that had to go get two \$50,000 permits is only going to go get one \$100,000 permit, and it doesn't change the economics of getting into the fishery one bit, and so we didn't solve the problem of making it easier to get in, and so our real issue here is, until we can -- Until we can come up with a way to get more fish for this commercial fleet to fish on, you know, how many permits are out there is a moot point.

MS. MCCAWLEY: Thank you. Kerry.

MS. MARHEFKA: First, to the point about this commercial ACL utilization table, I just want to make it clear that the reason that many of those in the green category, and the asterisk one is the yellow category, are not caught is not because they're not being targeted and there's not effort at them.

As John mentioned yesterday, I think that's an artifact of the fish aren't there, because I have had fishermen say to me look at all the quotas that aren't being met, and we can have more fishermen in the fishery, but you have -- You know, jacks, while we just got a good assessment, we have a lot of fishermen saying it's not in good shape. Vermilion, we're waiting on an assessment, and we don't know how that is. You have -- Red grouper is on there, and we know there's not extra red grouper out there to catch. The shallow-water groupers are on there, and we're dealing with issues there, and so I just want to make it clear that it's not that we need 70 percent more fishermen to go catch the rest of the shallow-water grouper ACL, because the fish is not there.

The other thing I want to say is you go back to -- That December 2021 data, I believe, is tied to a meeting where I got really emotional, and I am just so frustrated that we are not doing -- We are not doing anything right now to take the time to look and do what we need to do to look at the commercial fishery. We just keep kicking it down the road, because we have to deal with recreational discards all the time, and we have to deal with response to assessments, where that's the major issue.

If that's what we have to do, because of our schedule, that's what we have to do. I don't have a dog in the two-for-one, and I don't know what the right answer is, but I believe we need to figure out what the right answer is, and when are we going to do that? When are we going to take the time to look at what we want to do with what is left our commercial fleet, while we sit here, and we fight for table scraps, once 90 percent of the discards are subtracted off of the top number of fish that we're allowed for red snapper, when we're only responsible for 10 percent of the discards? We can wait until 2025, but I'm telling you that the fleet is asking us for our help, and we just keep kicking it down the road, and so, three-and-a-half years later, there it is.

MS. MCCAWLEY: All right. I appreciate those comments. Are there more thoughts here? More thoughts on timing? What are the next steps? Andy.

MR. STRELCHECK: Well, I just wanted to react to Kerry's comments, and I really appreciate them, and I think they were instrumental in kind of getting us kickstarted a few years ago, and I hope that we can have that same reaction now, and part of the reason why I want to talk about vision, in hopefully a few minutes, and I guess, Kerry, what I'm looking at is I'm not separating out commercial and recreational, in terms of this MSE conversation and what we're going to have come back to us in June, because I think that's a net benefit to our fisheries as a whole, if we can figure out something, but I am certainly open, if you feel like there are other commercial actions that we need to be thinking about before early next year, and what those should look like and what we can be considering here, beyond, you know, what we talked about during the red snapper discussion.

For me, the permitting issues -- I would love to, obviously, look at ways that just kind of reduce the burden, and the hurdles, of transferring permits, and moving permits around, because I think we're losing permits for other reasons too, like you so nicely stated, and I'm just not sure there's as much of an urgency to deal with the permitting issue as much as kind of those holistic measures for the commercial fishery.

MS. MCCAWLEY: All right. I appreciate those comments. What is the pleasure of the committee here on this particular permitting item? Do we want to set a time when we'll look at it again? Are we setting a time to look at this after the data is available, which sounds like it might be summer-ish? Thoughts? Kerry.

MS. MARHEFKA: I'm curious about the data. In the document that -- Not the presentation, but in the main document from our briefing book, Table Number 6 has data of number of vessels and revenue through 2022, with 2022 in it, and so I was just curious, but then, in other places, it says the data is not available, and so I wasn't sure.

MR. HADLEY: Yes, and that really has to do with the data source, and so, if it's logbook data, we can -- We'll have 2023 by say late summer, or early fall, but it depends on the data source. If it's permit-specific, and that's the only source, then there's the 2020 cutoff, whereas some of these other tables -- This was essentially querying the logbook, and so this is using what's reported in the commercial logbook, and that data source, and so it's more up-to-date.

MS. MCCAWLEY: All right. More thoughts here? We need to think about what we're going to do next relative to this item. We're waiting on data, and then look at that updated data, and then make a decision? What's the pleasure of the committee? Okay. I see heads nodding yes, and so yes to wait on data, it sounds like, and then make a decision about when to bring it back. Andy.

MR. STRELCHECK: I mean, I think what we could -- We can't start an amendment immediately, right, and I think we do need that data, and information, to come back to us and be readily available, and I think we need to look at maybe our schedule, later today or tomorrow, to see where this fits in, right, and determine could it be brought back in September, or December, versus sometime next year, and, if so, what we are we deprioritizing in order to bring this forward?

MS. MCCAWLEY: All right. Let me try to sum that up and figure out how it fits in here on this slide with next steps, and so it sounds like what we're talking about is doing Number 3, where we're requesting additional and updated analysis on the permits, the landings, quota utilization, et cetera, at either the September or December meeting this year, and I don't know what I've heard what other information would be needed the next time that we see this, but I'll look over here, and there were some good questions, and so, if you have ideas of other analysis, then let us know, and so let's get that information, and then, also, as Andy mentioned, we'll look at this on the schedule, and figure out where it goes as it moves through the process, because I agree that we can't move it until we have the additional information, and so what else would you like to see when this comes back? Kerry.

MS. MARHEFKA: One small thing would just be to -- When you're looking at revenue, can we get a range, or a median, and I'm not a statistician. I'm about as good of a statistician as I am a lawyer and a person who doesn't get upset at a table, and so that's how good I am, but, in addition

to seeing the average, I'm curious -- Of gross revenue, but I'm curious maybe if we could see -- What's the high and the low driving that number, is basically what I'm asking.

MR. HADLEY: Yes, we could absolutely do that. You know, it's essentially a dataset, and so, whatever statistic you want to go along with it, we can include. I mean, typically, we have a maximum and a minimum, and, I mean, it's just thinking about what typically goes into the Chapter 3, the economic environment, from the logbook, and so we could have maximum and minimum, and we can do a median, and we could do -- We can provide some additional statistics for revenue. Absolutely.

MS. MARHEFKA: Just so it's clear, just sort of my thinking behind wanting to know that is more than just curiosity, and it's sort of -- As I've mentioned several times before, there's been discussions about sort of how many full-time boats that make -- You know, really are making their living, and I'm not sure the average gets at that, because, in 2024, if your gross revenue on a vessel is \$48,000, you're probably not supporting yourself solely on those species.

MR. HADLEY: So perhaps what we could do is have -- You know, adjusting for confidentiality and whatnot, but we could have bins, maybe, of revenue, and then how many vessels fall, and I'm just throwing this out there, but between \$50,000 and \$100,000, you know like those sort of bins, and that may provide a little bit better information.

MS. MCCAWLEY: So another question I would pose is I hear comments about leasing, and reacting what we heard at public, and do we need to try to get some information about leasing? Okay. I see heads nodding yes. I'm not sure how you're going to get it, but I would love to understand more about this leasing.

MR. HADLEY: So if I could ask a follow-up to that. Understand more on the regulatory legal mechanism of that or the statistics side, how many vessels are being leased, or both?

MS. MCCAWLEY: Both.

MR. HADLEY: Okay.

MS. MCCAWLEY: All right. Other folks? Other things we would like to see when this comes back? Anything else? Kerry.

MS. MARHEFKA: Not on what we need, and I would like to ask one more question before we wrap this all up.

MS. MCCAWLEY: Okay. I think that now is the time to ask it.

MS. MARHEFKA: So back to my little tantrum, which I won't continue to have, but how can we find sort of the space, if you will, to figure out, before we sort of look at this holistic thing in 2025, for members involved in this fishery to have an opportunity to sort of brainstorm some thoughts, whether it's through the AP or whether -- You know, mackerel has their port meetings, and we're doing things through the MSE with the recreational sector, and how do we have space for the members of this fishery to have discussions about some innovative and new ideas, so that, when we do start in 2025, maybe we hit the ground with some ideas?

MS. MCCAWLEY: I think it's a great question. I guess my first thought is do we put this, and I'm not sure exactly what the question is, but we could figure out what the question, or the questions, are, and do we start with asking the AP some questions about this, because they will meet between now and June, and so we could ask them what would be some ways, and, you know, do you guys want port meetings, or what are your thoughts, and so maybe that's a first step here, is to try to figure out what the questions would be for the AP, because that is one of the items, one of the topics, on our agenda.

MS. MARHEFKA: I really, really love the idea of some port meetings, at some point, if the AP is okay with that, and I think we really need to get in touch with not just -- I love our AP members, and they're the best, and they're super dedicated, but, myself included, and we've all been involved in this process, and had a voice for a really long time, and so maybe it's important to hear from some other people that we have not heard from.

MS. MCCAWLEY: Robert.

MR. SPOTTSWOOD: Kerry, I would encourage that we kind of just expand on that group, right, and just talking to the fishermen, the people that are engaged in this, and, as I see this, I don't know -- I don't see an outcome of this that's going to create more revenue for the industry, right, and, to Tim's point, you're chopping up licenses, and there are so many people in there, and there's so many fish out there, and I just quickly pulled up some of the import statistics, and I'm going to go back to the economics of fishing, and I've had some minimal experience, compared to what you guys have had, but, down in the Keys, our experience is bad because of pressure on price.

We had people leaving the industry, and they didn't want to fish anymore, and we couldn't make a profit on this stuff, and so I really think that, as part of this, we need to consider, you know, what burdens are being put on imported fish and shellfish, and are they complying with HACCP, and we heard a lot about the kingfish tournaments and concern over food safety, but I really -- At least from my perspective, in a short period of time, that's where a lot of the pressure on the value of our commercial fishery is coming from, is from price competition, and there are restaurants all over the country that are just as fine, you know, selling some farm-raised fish from China and passing it off as grouper, and I think that's a problem for us.

MS. MCCAWLEY: Kerry.

MS. MARHEFKA: Yes, certainly, and I think where we tend to get in trouble is to sort of bring to fishermen things outside of our control, and so I think it's really important that we focus on things that we can control, and a lot of the numbers are -- Actually, a lot of us in the snapper grouper fishery, our price per pound, even adjusted for inflation, is better than it's been in a long time, because we've gone out, and we've found these niche markets, and we've cut out the dealer, and we sell them ourselves, and a lot of us do that now.

While I'm not saying that imports aren't a huge issue, I think our little niche fishery is having a different interaction with imports, at least up here, and south Florida may be a whole different thing, but, in the Carolinas, we have a different experience with that, and they're not competition for me at all, as a matter of a fact, and so I just want to be careful that, when we do ask fishermen about ideas, we really focus on things that this council can control, and I don't know that -- You

know, I don't think anyone is saying that, if we stop the two-for-one, that it's going to make anyone any money, but it's just a matter of finding what is the right number of vessels for this fishery to operate sustainably.

MS. MCCAWLEY: Spud.

MR. WOODWARD: Just a quick curiosity question, and so how much is loss of working waterfront having to do with contraction in this too, because, I mean, obviously, there's profitability, and then there's just simply the ability to conduct your business and have access, and that's -- I mean, just to call it like it is, that's going to get worse, and not better, and so I think that has to factor into the algebra of what's your capacity. You know, it's going to be the ability to actually conduct business, and not only the availability of fish, but the availability to have that shoreside infrastructure.

MS. MCCAWLEY: So it sounds like maybe we've given staff some direction here on when to come back on the two-for-one, but the other part -- We can certainly come up with an item for the AP, but I guess I'm also looking back to you, Kerry, and is there some sort of item for staff to bring back in a certain time period, and like is the ask to have staff prepare a document to research ways to gather input from commercial snapper grouper fishermen about -- Help here figure out what the ask is, more than to just ask the AP.

MS. MARHEFKA: Well, we do have the visioning that was done in -- I was trying to save some work, but that's almost a decade, 2015, and so maybe we can -- Maybe a starting point would just be to pull out some threads from that visioning in 2015, figure out what is still -- You know, what still sort of flies, and might be valid, and themes we're still hearing, right, and, I mean, I think what really it might end up looking like is, outside of all these big, huge pressures, like working waterfront and imports and all those things, is -- Is there a different way? You know, we've really fallen into this split season thing, right, and, for a lot of our quotas, we have split seasons. Do we still want that? Do we still need that? Is that still an economic way to run our fishery? Are there -- You know, sort of what are the limitations, that the council controls, that we could look at differently?

You know, Laurilee has brought up ideas of having multiday trip limits, and there's been lots of sort of innovative ideas thrown out that just sort of we haven't had time to address, or we've been dealing with other things, and so there's nuggets out there, but I feel pretty strongly that we really need to focus on things that this body can control, because I don't want to give anyone any false understanding of what we can do.

MS. MCCAWLEY: All right. That sounds good, and so maybe we can capture something about this in the Snapper Grouper Committee report, and, also, we need to talk about timing, when we look at the whole workplan, and where we're going, and when something like this could come back. Kerry.

MS. MARHEFKA: Another -- Again, I'm not endorsing anything here, but I just thought of another one we've heard, and Chris Conklin had suggested stacking permits. I mean, there are ideas out there that we have not had time to look at.

MS. MCCAWLEY: All right. Anything else on the commercial two-for-one, before we leave this topic? All right, and so then the next item on the agenda is to look at the topics that we have so far for the March, later this month, advisory panel meeting and see what else we need to do, add or subtract items, for the AP.

DR. SCHMIDTKE: All right, and so we have a draft list in your agenda overview, down in the overview section under Item 9, and we will need to have the AP develop the fishery performance report for hogfish. There is not currently an FPR on file for hogfish, and so this is going to need to be a fully developed one, and not just updating a previous one, and so that may take a little bit more time for the AP, and I just wanted to kind of note that, for time consideration.

There will be a discussion related to the management strategy evaluation, with the AP speaking with Blue Matter about somewhat of similar discussions that have happened here, and at previous meetings, and in terms of starting that back-and-forth of what management strategies would the AP have interest in, and some of that came up in your discussions related to red snapper and discard reductions, and so that will be helpful for your discussions in June.

Then we have an item for discussion of limited entry in the snapper grouper for-hire fishery, and that was one that's kind of -- If you all would like that to be a discussion item, then just kind of requesting what all you want discussed further, and there was a pretty extensive discussion of that topic in October, and you have the information from that AP report, and so it is there, additional information that you need on that topic at this point, and, if there is not, then that may be one of the items that may be moved to more of a larger discussion, maybe in October.

Any information concerning commercial permits, and, again, that's one of the ones that do you need anything more from the AP, and, if not, then that may be one of those things that might have some flexibility. Reg Amendment 35, that was kind of an if-necessary item, and so I kind of see it in a similar place as the limited entry and commercial permits, and what parts of that discussion are necessary, possibly to clarify the questions that you would have, if any, for the AP on discard reductions for the snapper grouper fishery at this point.

Regulatory Amendment 36, we will need to get AP input on that item, since it's going for public comment consideration in June, and so we will need to have them give their input on preferred alternatives, although that's not a very long amendment, and so hopefully that shouldn't take too long time-wise for planning. Amendment 55, I think it's been a little bit since they've had a scamp discussion, and we have that item on there, and then black sea bass, and that's kind of been a place -- We certainly want to at least give them an update, and let them know kind of what happened at this meeting, some of the discussions, and what the projections are saying related to that item, but, if you have specific discussion questions for the AP, it would be helpful to kind of get that lined up, based on where you are in that process.

Then Amendments 46 and 48 seem to be in kind of an update state for that AP, and certainly we will keep them informed of what's going on, but they don't need the -- They've had some pretty extensive discussions on those topics already, and so we weren't planning on another round of those for this meeting, and then a few updates on the council programs there at the bottom.

MS. MCCAWLEY: All right, and so a couple of things I will throw out there. The for-hire limited entry, and then Amendment 35, and does the AP really need to spend a bunch of time on both of

those items, since we don't have a ton of additional information for them? I see people nodding their heads no. Okay. Then no to both of those. Another thing that I don't see up there, that maybe they need updates on, is what about the EFPs? I see heads nodding for a possible discussion of EFPs.

DR. SCHMIDTKE: Should that be more in the update, the EFPs in the update category, or a discussion item?

MS. MCCAWLEY: I would rather it be in the update category, down at the bottom, really. Kerry.

MS. MARHEFKA: I don't see any point in them discussing the commercial permits again, because we're in that limbo part.

MS. MCCAWLEY: All right. So we're grabbing things and moving them down. Tom.

MR. ROLLER: Just -- I'm just throwing this out there, for food-for-thought, and so, in discussion of limited entry, would it be helpful to talk about the SEFHIER program, in terms of that, or -- I mean, it doesn't have to be, hey, why do you want limited entry, and it could be like, hey, what do you want to do about the lack of compliance in SEFHIER, and would limited entry do you think help that? I feel that this AP talks about limited entry in for-hire every meeting anyway, and so whether or not it's on the agenda.

MS. MCCAWLEY: I would look to Andy. Are you ready to get feedback from the AP on SEFHIER, or do you want to wait until you have very specific questions for them, and we're talking about forming this advisory panel, and are there thoughts on is the timing right to put something forward to this AP?

MR. STRELCHECK: I mean, we didn't make a decision as to whether we would or wouldn't form that new AP, and I think we need to come back to that discussion and decide whether we want to use the existing network of APs or form a new one.

MS. MCCAWLEY: So then should we revisit this list for the Snapper Grouper AP after we figure out about that discussion, because that was, you know, a different committee. Andy.

MR. STRELCHECK: I'm fine with that, but I guess maybe we could just make a note that, you know, discuss SEFHIER unless an additional AP is stood up, or something like that, and, in particular, what Tom was mentioning about how do we improve compliance and any changes to the program that may help.

MS. MCCAWLEY: Okay. Mike is capturing that. What else do we need them to chat about? Spud.

MR. WOODWARD: Maybe they've talked about this in the past, but we heard yesterday again about this dissatisfaction with the vessel limits for the headboats, and, you know, just say what's your ideas of how to solve this predicament of, you know, multi-passenger vessels, where it could be ten one day, and twenty-five the next day, and so what are your ideas on how to reconcile that situation.

MS. MCCAWLEY: I have questions too, but you go, Mike.

DR. SCHMIDTKE: I was wondering -- Spud, did you want that talked about in the context of Regulatory Amendment 36, where we're setting recreational vessel limits for gag and black grouper, or are you talking about a more general, across-the-board principle discussion?

MR. WOODWARD: Well, probably more general, because we're talking about the same thing with the scamp and yellowmouth, and they brought up cobia as another example of a conflict.

MS. MCCAWLEY: Okay. Robert.

MR. SPOTTSWOOD: There was a suggestion made to me about the headboat thing, and it was, you know, if you had a six-snapper limit for a six-pack, the headboats should be able to get that limit per six passengers, and just I don't know where is the appropriate place for the AP to discuss that, but that was a suggestion that was made to me to deal with headboats, which would modulate based on the number of people on any given trip.

MS. MCCAWLEY: Okay. Laurilee.

MS. THOMPSON: Someone put in the public comment what I thought was a good idea of aligning the start of the recreational golden tilefish season so that it would also start at the same time as snowy grouper, and one of the other deepwater fish, so that they would be targeting all of the deepwater fish at the same time, because, right now, golden tilefish is over, and the recreational season for golden tilefish is done, and yet they're still going to be going out in the deep water targeting other species, and they're going to be catching golden tilefish, which have a very, very low possibility of surviving when they put them back in the water, and so aligning the start of the recreational season for all of the deepwater species would be a good idea.

MS. MCCAWLEY: Okay. We're capturing that. Kerry, what about the item about something relative to visioning, or do you want it to come back to the council first, and then to the AP in the fall, and what are your thoughts on what we just talked about relative to visioning?

MS. MARHEFKA: Yes, and I'm -- I will defer to sort of staff on timing of that, and I don't know -- I think I would rather maybe know what our overall plan is going to be in regard to that, and are we going to do port meetings, or are we going to -- I think I would like to approach -- I would like it to be laid out and systematic, how we go about this, so that we don't just ask them questions and then not follow through.

MS. MCCAWLEY: Okay, and so it sounds like maybe we talk about this more, the timing of when that would back to this committee, and then we would talk about bringing it to the AP. Okay, and so not a topic for this upcoming meeting. Anything else, or anything that you see up there that they don't need to talk about, based on the timing of this meeting? Laurilee.

MS. THOMPSON: I don't know if this applicable or not, but one of the commenters felt that the rulemaking for the Florida Keys National Marine Sanctuary was not being made in the public eye, and they asked for help to try to get more transparency on what's being done, as far as the, you know, what's going on with the Florida Keys National Marine Sanctuary.

MS. MCCAWLEY: I don't think that that's a topic for the AP.

MS. THOMPSON: Okay. Thank you.

MS. MCCAWLEY: Anything else? All right. I think we have a gigantic list for the AP. Can we take a ten-minute break? When we come back, we have two items under Other Business, and hopefully those are the only two, and we will talk about that, but a ten-minute break.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. We're going to get started, and so we are down to hopefully one additional item under Other Business, and I believe this was Andy's vision for the snapper grouper complex, and so I'm going to pass it over to you.

MR. STRELCHECK: I love that wording of the agenda item here. Kerry has actually kind of teed this up nicely for me, and so I want to thank Kerry. When I threw this out on, whenever, Tuesday, or whenever we started Snapper Grouper, to be honest, my vision was very blurry, and I think it still is blurry, right, but I want to say -- I'm going to ramble a little bit, but I just really want to kind of make some comments, and hopefully come together with some cohesive thoughts here at the end.

One, I think many of you have figured me out, that I'm an optimist, and I'm a glass three-quarters-full and not half-full guy, right, and so I'm always looking for innovative, new ideas and strategies, things that we can do better, and I really thank you for the conversation around red snapper, today in particular, and I think that was really valuable, and I feel like we landed maybe in a good place going into the June meeting, to where we can set ourselves up for success.

What has really surprised me, at this meeting, is I was shocked, on Tuesday, at how desensitized everyone was to my comments about red snapper and gag seasons, and I think that says a lot, right, in terms of where we're at, because, when I'm talking about less than a two-day season, potentially, for red snapper, and a forty-five-day season for gag, and low commercial quotas, right, it's pretty ominous, and I was really shocked that, obviously, there weren't comments made or questions asked.

I also -- I guess just kind of an example of kind of how I think through things, and the scamp/yellowmouth discussion was quite frustrating for all of us, and not because staff wasn't doing a great job, and it was confusing, but I think this is an example of where we get bogged-down in a lot of our fishery actions, and we really focus on what I think are things that are nibbling around the margins, right, and they're not going to make really meaningful, major change, right, and so that's kind of where I'm going, in terms of this discussion of vision.

Then I don't remember who said it, but I had a very negative reaction, in terms of comment made about a problem in search of a solution, and I think they were referring to limited access, and, man, if we don't look at snapper grouper and think there's a problem, and that we need to figure out a way to limit access, and effort, then I don't know, you know, what a problem actually looks like, and so, with that said, I mean, I think you're all aware of the challenges that we're facing, and I'm not going to run through all of these, but we now have, I think, by my total, eight stocks that are overfished in the snapper grouper complex, four that are undergoing overfishing.

Our challenges are immense, between discards and fishing effort, but, also, we have a multispecies fishery, and we all enjoy the Southeast, because we have great nearly-year-round weather, which allows for a lot of fishing activity, right, and so all of this is compounded by other things, like boat technology, you know, efficacy of fishing activity, loss of working waterfronts, on and on and on, and we've talked about all of these during this meeting this week.

Where I'm concerned is we're kind of setting ourselves for a modern-day tragedy of the commons, and, for those that may have not heard that term, it's essentially our capacity is outstripping the resource, right, and the resource is continuing to decline over time, and I've thought about the commercial fishery a lot, and I feel like, based on Kerry's and Tim's comments, and others, it's not death by a thousand cuts, and it's death by a thousand trip limits. How many more trip limits can we put in place for them, right, and, economically, the numbers we were shown today by John Hadley, that, on average, a permit holder earns \$48,000 in revenue, and that's not a living wage, in my view, for the industry,

I went back, and I pulled the vision blueprint document, and what really surprised me about it is there's a lot of interesting nuggets in there, that we thought of a while ago, but not a lot that we've actually done with regard to that blueprint, and so, you know, I have a lot of questions, and, for those that maybe weren't around the council, and familiar with that, you can easily, obviously, search it up, and it was essentially a blueprint for 2016 to 2020, but, you know, I think it would be beneficial for all of us to kind of take a hard look at that.

I think some of the ideas that Kerry was bringing forward today, in terms of the commercial industry, and ideas that maybe we could pursue, and there may be some things in there that we can glean from it, but, also, how has our vision changed since that time, because a lot has evolved in just the last eight to ten years, and then I think probably the other big kind of vision, big-picture item, and this also kind of relates to comments that were made just a few minutes ago, is how do we structure agendas going forward?

We oftentimes focus on putting out fires, right, which we have to do, and we're obligated by Magnuson to address overfishing and implement rebuilding plans, but what can we do in terms of kind of those strategic planning efforts, those long-term efforts, and I asked Christina about the subcommittee process for wreckfish earlier this week, when we were at the social, and she had a lot of positive things to say about it, and I have a lot of positive things to say about it, and I think that might be something that we could consider, in terms of trying to at least move some ideas forward between council meetings, but we have to be kind of thoughtful, in terms of the types of topics and things that we would work on.

The last, I guess, couple of things that I will mention is, you know, I think the bottom line, and this comes from me, first and foremost, and, you know, we need to do a better job of explaining the why, and I would put it in big, capital letters. I think there's a lot of fishermen, recreational anglers, that are frustrated about lack of access, a commercial industry that's frustrated about declining economic conditions, and we aren't, to me, doing them justice, and we really need to spend more time kind of discussing the benefits and tradeoffs of what we're doing, and really kind of looking at some non-traditional management approaches.

I guess I implore the council, going forward, and really why I wanted to, you know, mention this, and it's just let's find some time to think more holistically, and I think we're getting there with some of the MSE, and that's going to give us a great opportunity to think outside the box, and I think there's probably some multispecies management, ecosystem-based management, that we probably need to be factoring in, and I know IRA is going to be a component coming forward, with climate-ready fisheries, but I think there's an urgency that we need to have, and so I just wanted to share that, because the vision was resonating with me.

In looking through some of the vision, it was ironic that some of the things that were in there are things that we're now talking about, like limited access, two-for-one permitting, right, and I think there's real opportunities, and so that's what I wanted to share, and I would love any sorts of thoughts, or reactions, but, you know, I stand here to support the council, and the council process, and I really want to see all of our fisheries thriving, and try to turn the corner, in terms of the direction we're heading.

MS. MCCAWLEY: Thank you, Andy. Thoughts? Kerry.

MS. MARHEFKA: I feel seen, as the kids say, and so thank you. I love the idea -- I would like to hear more, and, you know outside of this meeting maybe, get a discussion going about the subcommittee idea that you had. I love the idea of having more time to work on some of these bigger-picture holistic issues, and so that got me really excited about that. Thank you, and I appreciate everything you said.

MS. MCCAWLEY: Thank you. Others have thoughts, or comments? I certainly appreciate the discussion, and you bringing those points up. It sounds like we kind of already had the discussion, a little bit, in thinking about what should come back from the visioning, and I didn't even realize that it was 2015, which seems like forever ago, and, like Andy said, we're just now getting to some of those items, and so I look forward, and maybe when we start talking about the workplan, about what could come back, and when, that looks at the visioning a little bit more, and then Andy brought up maybe using a subcommittee concept as well. Any other thoughts that people want to share relative to this topic? Laurilee.

MS. THOMPSON: Can we get a copy of the vision blueprint?

DR. SCHMIDTKE: I will show you how to navigate there right now.

MS. THOMPSON: While we're talking about navigating, how do we find the fishery performance reports? I was trying to find -- I was trying to find one, and I can't figure out how to find the fishery --

DR. SCHMIDTKE: All right, and so, coming from the homepage, if you click on just "Fishery Management", and not the drop-down, but just the "Fishery Management" bar, and where it shows all the plans, fishery performance reports can be found right here, the orange block.

MS. THOMPSON: Okay.

DR. SCHMIDTKE: All the fishery performance reports are shown there. As far as the vision blueprint for the snapper grouper fishery, coming from the homepage, you will navigate to the

Snapper Grouper Management page, and so you click on “Fishery Management”, and click on “Snapper Grouper” there, or the icon that is in the main page there, and, under Snapper Grouper, there are some links, over on the right side, under the Staff Contact and Resources, and so you see my email there. Underneath there, there is the “Snapper Grouper Vision Blueprint” button, and that’s where you click it, and, within that page, there’s a description of it, and there’s the actual vision blueprint document, and that’s this highlighted document right here, and so, if you click that, then you see kind of the document version.

There were two amendments that resulted from that visioning, and they were Regulatory Amendment 26 and 27, and so that’s talked about in the description as well, and, as I mentioned a little bit earlier, the goals and objectives that resulted from this are also actually on the Snapper Grouper management page, because you adopted those as the goals and objectives for that FMP.

MS. MCCAWLEY: All right. Thanks, Mike.

MS. THOMPSON: Thank you.

MS. MCCAWLEY: All right. Anything else? Any other Other Business to come before the Snapper Grouper Committee? All right. With that, I turn it back to our Chair.

(Whereupon, the meeting adjourned on March 7, 2024.)

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Certified By: _____ Date: _____

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Amanda Thomas
April 15, 2024

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Trish Murphy, Vice Chair
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✓ Earl "Sonny" Gwin
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Snapper Grouper

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Jeff Buckel (online)

Rick DeVictor

Sherri McCoy

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

2023 COMMITTEE MEMBERS continued

Thur., March 7, 2024

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✓ Earl "Sonny" Gwin
✓ Staff Contact: Mike Schmidtke
✓ Amy Dukes

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Nikhil Mehta

Frank Helies

Ed Glazier

Jamal Ingram

Martha Guyas

Jeff Buckel (online)

Sherri McCoy

Heather

Tue., March 5, 2024

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Attendee Report: SAFMC March 2024 Council Meeting (3/5/24)

Report Generated:
03/05/2024 05:56 PM EST

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended
785-631-531	03/05/2024 08:00 AM EST	9 hours 40 minutes	156	116

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Attendee Report: SAFMC March 2024 Council Meeting (3/6/24)

Report Generated:
03/06/2024 05:37 PM EST

Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended
785-631-531	03/06/2024 07:59 AM EST	9 hours 24 minutes	175	123

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Attendee Report: SAFMC March 2024 Council Meeting (3/7/24)

Report Generated:

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Webinar ID	Actual Start Date/Time	Duration	# Registered	# Attended
785-631-531	03/07/2024 07:56 AM EST	9 hours 9 minutes	199	124

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