

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

FULL COUNCIL

Webinar

June 11, 2020

SUMMARY MINUTES

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Other observers and participants attached.

The Full Council of the South Atlantic Fishery Management Council convened via webinar on Thursday, June 11, 2020, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: I think we're good to get started. Welcome. I am calling to order Full Council this morning, and just a couple of introductions. We mentioned this earlier in the week, but we have a new Coast Guard rep. Lieutenant Robert Copeland will be replacing Lieutenant Commander Jeremy Montes. Jeremy, would you like to say a few words about your replacement, Robert?

LCDR MONTES: Absolutely. Thank you, Jessica. I will start off by actually just thanking everybody on the council, everybody that I have worked with for the last three years. This has been a great experience, and hopefully I've been able to be impactful in a positive way and helpful to everybody, and I'm going to look back fondly on our time spent together arguing about definitions and moving towards real good change in the management of our federal fisheries in the South Atlantic.

As far as Bobby is concerned, I have known Bobby since he was a young, eighteen-year-old fourth-class cadet at the Coast Guard Academy. He was one of my students back when I was teaching there, and I have nothing but respect for the man. He has done great things in the Coast Guard so far, and he is definitely drinking out of a firehose right now, with regard to everything that he's kind of getting piled onto his plate, and so he's probably nervously laughing in the background, while he's muted right now, but I think that you guys are in excellent hands with Bobby and with his support network, and, luckily, I'm not going very far. I am just moving up to Pensacola, Florida, and so I'm still relatively in the same area, and so he can still reach out and touch me if he gets completely lost, and I encourage the same from everybody else. If you ever have any questions for me, please let me know. Thank you.

MS. MCCAWLEY: Thank you so much. Thanks for those words about Robert, and, yes, we did spend a lot of time arguing about definitions, and I'm thinking back to maybe the best fishing practices amendment, but we appreciate all that you have done on the council these past three years, and it has been very helpful, and it was great to get to know you, and good luck on your new assignment in Pensacola.

All right. We're going to move into Adoption of the Agenda. Are there any changes or additions to the council's agenda for today? Staff, do you see any hands raised?

DR. CHEUVRONT: I am not seeing any hands raised.

MS. MCCAWLEY: All right. Any objections to the approval of the agenda? I am assuming that you guys don't see any hands.

DR. CHEUVRONT: I do not see any hands.

MS. MCCAWLEY: Thank you. Seeing no hands, the agenda stands approved. Any modifications or changes to the minutes from our March meeting? Any hands?

DR. CHEUVRONT: Again, no hands right now.

MS. MCCAWLEY: All right. Any objection to approval of the March meeting minutes?

DR. CHEUVRONT: No hands.

MS. MCCAWLEY: All right. Seeing none, the minutes stand approved. We're going to move into our first item, the allocation discussion and any further council guidance. First, we're going to do an SEP discussion, and I believe Christina and Scott are going to give that to us.

MS. WIEGAND: Thank you, Jessica. Good morning, everyone. What we wanted to do was just take a little bit of time at the start of Full Council to bring you all up-to-date on recent discussions regarding allocations. If you will remember, back in March, staff gave you a presentation, and it sort of covered the history of allocations, as well as possible social and economic factors that you might want to consider when discussing revisions to allocations as we start to go through this process, and you had indicated that you would be interested in hearing more on criteria, such as market needs, fairness, equity, cultural importance, accountability, dependence on a fishery, in addition to the traditional landings criteria that you guys have historically used.

At the SEP meeting this spring, we gave them a similar presentation to what we gave you and then asked for feedback on different data sources and social and economic approaches that might help provide useful information related to the criteria that you all indicated being interested in, and it's likely that the SEP is going to discuss allocations multiple times again at a future date, but the great thing about engaging them this early on is that they really tend to think outside of the box, and they came up with some really unique ways to get at the concepts that you guys said you were interested in. Dr. Scott Crosson, who is Chair of the SEP, is going to give you guys a presentation that sort of summarizes the SEP's recent discussions on allocations.

DR. CROSSON: Good morning. I'm Scott Crosson, as was mentioned, and I'm the Chair of the SEP and a member of the SSC, and I'm also a NOAA economist down in Miami, and so I just want to make it clear that I'm speaking for the SEP here and not necessarily the Science Center and not even myself, per se, but I know that the Science Center and Regional Office and council staff are going to be working on some more allocation stuff in the future, and so you will be seeing things in the coming months.

I just wanted to briefly go over the SEP report, and, for better or worse, this report looks like economists wrote it, and it got a little technical and jargony, and so I want to go over the three main principles that we discussed, which is the equimarginal principle, producer surplus, the consumer surplus, and then I-O modeling, or multiplier effects, and I will also go over a little bit about the social factors that we discussed and what we thought generally should be factors that you should consider when you're deciding whether to reallocate within a fishery.

The equimarginal principle is a very technical term, but it's not really that difficult to comprehend. Economists tend to love efficiency, which means that resources are going to their maximum potential use, and so, for what we're talking about, it's fisheries, and so what's the maximum potential use of this different nature of the fish harvested will have, and so, under the equimarginal principle, which is sort of a foundational thing for economics and allocation, you want to allocate each traditional unit of the resource to the sector where it's most highly valued. Each of those sectors is -- As you keep allocating fish to the commercial or the charter or the recreational or

whomever, you're going to have declining marginal value, just like everything else in our lives. The more you give us of an object, the less we're going to value each additional unit.

What that means, in reality, is that -- Chris Dumas, who is on the SSC and SEP, and he's at UNC-W, Chris made an analogy once by where he said imagine several different baskets of fish, and, wherever you see the highest dollar sign, that's where you put the next fish, and you just keep moving it along, and so you have Group A that has the highest value for this particular unit of resource, and you give it to them, and you keep adding units to that particular basket, and the value is going to go down at some point, and the next fish is going to be worth more to Group B, and so you send it over there, until that value goes down a bit, and then you keep sending it back and forth and back and forth, and so it doesn't matter where you start. You're just going to start wherever you see the highest value initially. When the value drops from one particular sector, you start allocating to the next one.

How do you measure that? I am going to get into some more of this, but this is the technical way we think about it, but I'll also talk about what that means in reality. The way we measure it, as economists, is, for the commercial sector, you think of producer surplus, which is not your gross revenues, but it's your net revenues, your profit margin, and we also subtract the opportunity costs, because there's other fisheries, and there's other things that the boaters or the crew could be doing with their time, and we want to account for that as well. Whatever is left over is the producer surplus.

For the private angler, we talk about consumer surplus all the time, which is the difference between what you actually paid and what you would have been willing to pay, whatever that difference is, and hopefully it's positive. Otherwise, you wouldn't have gone out and done it. You would have gone and done something else, like going to a baseball game, and so we compare that consumer surplus for the commercial sector and the -- I'm sorry. The producer surplus of the commercial sector to the consumer surplus for the private anglers and look at which one is valued more highly for each additional unit of fish.

For the charter sector, it's kind of a little trickier. We think about the captain as a commercial enterprise, and so they do have a producer surplus as well, and the anglers that are paying the captain also have a consumer surplus, and so we need to add those two things together, and so we tend to, a lot of times, think that tends to add a lot of value to the unit of fish.

So, limitations on just thinking about what I just said, on the commercial side, really, there is more surplus there than we tend to account for, because something that you frequently hear from commercial fishermen is they are feeding the public, and so, a lot of times, especially in U.S. fisheries, we have encouraged them to go where that is most highly valued, and the restaurants aren't really open right now and selling what they have been, but that willingness to pay that the final consumer has at the restaurant or at home right now has to be accounted for, and so, ideally, we would like to add that to what we have. We don't currently do that right now.

The second factor to keep in mind, when we're talking about allocation, is that there are no limitations to new entry for the recreational sector, for the charter or for private anglers, and so, when we talk about trying to generate surplus, it's difficult when there is always more people that might be willing to go into the fishery and try and harvest fish, because I understand that it's part of -- As a recreational angler myself, I recognize that that's limited for most recreational anglers,

but, a lot of times, it produces that race to fish, which makes it difficult to generate any kind of meaningful consumer surplus. There is still some, but not as much as there could be otherwise.

In terms of available data to analyze these things, the SEP -- You all have seen Chris Liese's report, and I guess he presented it to you at one of the earlier meetings this year, and the SSC and the SEP have seen it as well, and so we're very fond of that report, and that is pretty much what we're looking for for generating producer surplus. It has net revenue estimates, and it has them for specific fisheries and specific sectors, although it's difficult as you drill down and get smaller sample sizes, but it's very robust, and Chris also accounts for opportunity costs of the captain and crew's time, which we think that that's definitely a great place to start, and, indeed, that was one of the purposes of generating that dataset, that would go through this in the future.

For the consumer surplus side, you guys have heard of the willingness to pay studies that we're running a lot of times, and we also use -- Those are stated preference models, and that's what people are telling you they are willing to pay to go do something, and there is also travel cost estimates, which is just showing you how much people were willing to spend to get to where they're going to fish or how much they paid in charter fees, plus the cost of traveling, and then there's fuel consumption, which is yet another model, a revealed preference model, that several of us did in the Southeast a few years ago.

The important thing about these is not that you pick one or the other. The important thing to realize is that they are fairly robust, because we have compared the results of all three of these different methods for estimating consumer surplus in the Southeast, and they all come up with pretty similar numbers, and so we do have some pretty good estimates for the consumer surplus as well in the Southeast, and so that's what we would recommend using, generally.

Economic multiplier effects, I think the SEP report was probably overly negative on this, and the important thing to realize is that you don't want to use I-O models, or IMPLAN, or multiplier effects, stuff that tends to put out numbers about how many jobs and how those dollars are spent throughout the community, and that stuff is very valuable for looking at how impacts are going to be distributed once you reallocate, but it's not what you should use to actually do the allocation, because it's linear, and you're going to come up with something where one sector is going to basically -- If it's a linear model, it's just going to tell you that one sector should get all of the allocation, and it's not going to account for diminishing returns.

Once you actually do decide to allocate, it is an important way of looking at how those dollars are spread throughout the community, and that's why we put them into the FMP reports and into other things, and so it's something to account for.

Social analysis, I admit that the SEP did not spend as much time on this as we need to, and I'm sure there's more stuff in there that we can look at, and you already have the measures, the community measures, of engagement that you're seeing in the amendments and the FMPs, and Lisa Colburn and Mike Jepson have done a great job of putting those together, and we like those a lot, and there is some stuff on job satisfaction studies, but a lot of it is in other regions of the country, and it's very piecemeal, and so it's difficult to get something on that.

Of course, you have your committee reports, and the stuff that Chris Dumas has been working on, and I can't explain it very well, but he's talking about the fair division problem in social choice,

or public choice, and, even though I have graduate work in political science, I'm not really familiar with this, but it's related to basically ways of negotiating out allocation when you have things of different values, and so, at some point, Chris is going to, I'm sure, be able to get a presentation together or something that we can send on to the council. As Christina mentioned, we're going to be looking at this stuff again as you guys send things to us.

Then when to reallocate, and that was one of the questions that staff asked us to consider. Obviously, any time you see that there is big and sustained differences in the marginal value between sectors, you should probably consider reallocating, and it was noted that, if you have a sector with a very short season, that implies that there is an excessive amount of demand that's not being met, and so that implies that there is a high marginal value to consider allocating towards, and so, if you see a fishery that has very short seasons, and there is probably a higher marginal value, then you should probably consider allocating back over to that sector, as compared to a long season.

Then, lastly, it's been brought up before, before the council, that, if one sector is not meeting its quota, then it probably is eligible to be considered for reallocation. As long as you keep in mind that fishermen -- MSY might not be the correct term, but recreational fishermen may not want to fish just for the poundage of fish that they're catching. There is other factors in there, and so they may not be trying to catch their entire portion of the quota, and that's a discussion that Steve Holliman, at the Regional Office, and I had before he retired, and so that's something we do need to account for before you consider allocating away from a sector that hasn't caught its quota repeatedly over the years. Christina, are you going to add any comments to this, or are we just going to move to questions?

MS. WIEGAND: No, I think you've explained things pretty well. I would encourage council members to ask questions about anything that they see here, and now is a great opportunity to sort of pick Scott's brain about these concepts.

MR. SAPP: I have got an issue with traditional economic theory here with fisheries, especially on the commercial side, because the domestic fishermen cannot supply everything for our demands. Therefore, the supply and demand doesn't work here. There is far more demand than we can supply. However, typically, when fish start biting real well, you flood the markets, and the price dumps for a temporary amount of time, and so how do you do supply and demand when you can't supply enough?

DR. CROSSON: Well, I mean, there's a couple of factors. As you're aware, there is different levels of consumer interest, and so, a lot of the stuff you're trying to sell, I guess you're trying to get the highest value, and there is segmentation in the market. You can talk about there's a flood when stuff comes in, and there is two things. I mean, if it's naturally occurring, because the fish are coming through the area at that particular time of the year, then you're just going to naturally have that, and, if you can't serve it fresh and you have to freeze it whatever, or ship it out of the region, I mean, I guess that's one way of handling it.

The other factor is, if you have a problem, because there's a race to fish, that the sector is trying to catch all of the allocation before everybody else does, there is no way out of that, unless you guys adopt some other system besides the short seasons or the trip limits that you're using right now. I am not saying that you should have ITQs, but, with ITQs, they can sort of naturally balance that

out. If you guys are having different management measures, then that's going to be part of the problem that you're going to encounter, but, again, the answer to that depends on whether you're talking about the natural factors or if it's the economic factors that are limiting the price.

MR. POLAND: Thanks for that report, Scott. I attended the SEP meeting, or listened in via webinar, and, first off, I just have to say that I'm always taken aback by the depth and the breadth of knowledge in this panel, and I'm not an economist by trade, and so a lot of the terminology and concepts are foreign to me, but, just listening to you all in the last two years, I have really gotten interested in it, and I even bought a copy of *The Wealth of Nations* that I'm reading right now, and so I'm really big on capitalism at the moment.

There was one concept, and I think it was Chris Dumas that brought it up, and he brought up a lot of good concepts, but there was one where he offered up kind of a new way, a new conceptual model, to think about allocation, as opposed to how we typically do it as a cake or a pie and pieces out of the pie. He went into a little detail about this example of an apartment with roommates and shared chores and that kind of stuff, and can you elaborate a little bit on that, because it's not often where we get presented with just new conceptual ways to think about something that seems as simple as allocating fish to one group or another.

DR. CROSSON: The thing is that Chris has been working on this for a while, and he needs to, I think, probably be the one to present it. I mean, like you said, it's related to -- They call it the roommate problem, which is where you have several people that are sharing a space, and you have bedrooms that are -- Some of them have more windows, and one might have some kind of bathroom, and so you're trying to figure out how much each person in the apartments should be paying for rent, and so it requires a negotiation according to certain economic principles, and it is a new approach, and I know it does require a discussion between the different sectors, and that's one thing that would have to happen, but I think -- I don't know if you all want to invite Chris to present this sort of idea, and I know he has discussed it and gone over it with his classes before, but I can't say that I'm completely familiar with it, but that's when I mentioned when I mentioned the social choice literature. That's where it's coming out of.

I know he has some handouts that I can forward to you, Steve, and you can take a look, ones that are for his classes, and so you don't require a big economic graduate degree to look through it, but I can't go into too much more detail on that. This is something that Chris has been working on. Every time he presents it, I'm always thinking that's really interesting, and then it just slips out of my mind again, because there's only so many things I can hold in there at a time.

MR. POLAND: Thanks. I would appreciate that, and, to the council, I think, as we get further and further into these allocation discussions, that might be something we get some value out of, and maybe having Dr. Dumas come and give us a presentation, just kind of on the conceptual idea of that, because it is interesting, because it kind of factors in a lot more of those kind of social interactions and social factors, which I see as really, really driving allocation decisions, or at least perceived allocation fairness, among the sectors, and so I think that's something we could possibly get some traction out of.

DR. CROSSON: I would definitely second that, because I think one of Chris's strengths is his ability to explain technical concepts to audiences that don't have the same background. I guess it comes from his skill as a teacher, but Chris is quite good at that. He's good at that on the SSC,

and he's good at that on the SEP, sort of distilling these things down to more non-technical language, and so I would definitely encourage you guys to think about that.

MS. MCCAWLEY: Thanks, Steve.

MR. WOODWARD: Thank you, Scott, for the presentation. Us fish squeezers have always been sort of mystified and intrigued by natural resource economic theory and social theory, and it has always fascinated me, and I want to sort of talk about this last bullet on this slide that's still up on the screen, and it's something that has always interested me particularly, in light of the fact that we have some stocks where we have chronic underharvest of the recreational sector's ACL, and do you think that the current add-on survey methodologies and analyses are capturing what fish left in the water are worth to the recreational and for-hire sector, in terms of the value of perpetuating increased encounter rates?

DR. CROSSON: I haven't seen that for the Southeast, and it's certainly something that I would like to see. When I went to one of the national SSC workshops a few years ago in San Diego, there was a -- It was a management strategy evaluation, and it wasn't a normal economic analysis that I am familiar with, but I really kind of grabbed ahold of it when I saw it, and it was an MSE that was given to all the different SSC members, representatives, that were there in San Diego, and it was a professor at Michigan State, and he was talking about the way they did this MSE is that they looked at the value to the commercial sector for one of these Great Lake harvests, and I can't remember what they catch up there, and then there was a recreational sector, and they were able to translate the biomass of the fish in the water into encounter rates, rather than poundage, encounter rates for anglers.

They were able to sort of do that balance, and so that's something that I think, as an angler, there's a lot of fish where you spend a certain amount of time out there on the water, and you hope to at least run into the fish, or more than one of them, and so there were -- I know I recognized a lot of the fish that we deal with, especially that don't have -- Where the recreational sector is not catching its portion of the harvest, and a lot of them are pelagic, and they're moving around, and so it's not the same as a closed ecosystem that you have in the Great Lakes, but, if there were a way to generate encounter rates, based off the biomass, I think that would probably go a long way towards solving a particular angle, because that's what I think we're really talking about. We're talking about -- When I say that the recreational fishers may want to have more fish in the water than you would normally think, according to sort of just this per-pound analysis, the way I'm thinking about it is that they want to have an encounter rate.

Also, there's other factors. There is certain fish, like king mackerel, where they want to have a trophy fish, like for the tournaments or whatever, and so that's another thing to keep in mind, and it's not just the simple measurement, but there's also things in there about the average length of a fish.

MR. WOODWARD: Thank you, Scott. I appreciate that.

MS. MCCAWLEY: I don't see any other hands. I appreciate this presentation, Scott. Like Steve mentioned, this is definitely not my forte, but I appreciate hearing about it and learning about it. I guess a question I have for Christina is, moving forward, as we talk about these allocation discussions, and I know we've asked for, post-stock assessment, these amendments to come back,

where we're going to start looking at allocation, and is the intent to have lots of this type of data come back to the council, and would this only come back after the fall SEP meeting, or is something that you would go ahead and add to documents?

I am just thinking about what we're going to see, moving forward, so that we can make decisions and maybe what you had in mind. I know you gave us a presentation, either the last meeting or the meeting before, about some of the qualitative data, and so I'm just trying to picture, in my mind, what the timing would be for those things to come back and what you had in mind to put in the documents.

MS. WIEGAND: We haven't really discussed that, to a large extent, as staff. My sort of initial thoughts is that you've got red porgy, king mackerel, and greater amberjack that you have asked to come back in September, and I think that's where we would want you guys to begin a more concrete discussion of the factors you want to consider for those specific species.

One thing to keep in mind is that some of these larger social and economic analyses would take quite a bit of time, and so, while we may be able to present some preliminary information to you in September, I think what we would really be looking for is direction for you for alternatives that you might want to consider that would incorporate these ideas, and then we would start the process of conducting any analysis.

Depending on timing of those amendments, I do think it would be good for them to go back to the SEP, and they usually just meet in the spring, but we could feasibly hold another webinar meeting, if necessary, but it would be good for them to analyze or to discuss any more concrete analysis that we were going to choose to do based on alternatives, but I still think, even within these amendments coming up, that we're in the very beginning stages, and that we'll sort of continue the discussion in September about what specific types of alternatives you all might want to consider.

MS. MCCAWLEY: Thank you, Christina, and I didn't mean to put you on the spot there. I guess I'm hoping that, since this is the first time we've done this in a while, that maybe you could make some suggestions in September about what we might want to look at on the different species, just because, for most of us, this is really not our area of expertise, and I guess I'm looking to you to help us as we get started, as we embark on this.

I feel like it's kind of a new process, new things to think about, new things to look at, and then I was worried about the timing. If we're looking for some of this data, we're looking for some analysis, are we going to throw out some of the analysis just because we don't want to wait for it, and so I guess I would also -- If you're making some suggestions in September, I would like to know how long it would take to bring back that type of information.

You make a good point, and I'm wondering if, for the coming next two or three years or so, if we need to meet the SEP twice a year, so that we can make sure we're not just developing a backlog of items that we need them to look at, and I think it's okay if one of those meetings is by webinar, but, yes, you made a good point. I thought they met twice a year, and I didn't realize that they only met once. I see more people with their hands up here. I feel like I opened a can of worms. Sorry about that.

MR. BREWER: I think you did open a can of worms, but I kind of see this as a -- It's not a do-it-all-at-one-time kind of a deal. Right now, we are faced with reallocation on dolphin, because of new information on catches, and that can be balanced out, I think, at least temporarily, on the historical catch records and balancing back with the new info, but, in the long term, we need to look at allocations as more than just trying to repeat historical data.

The charge that we've been given is that we will take a look at a lot of different indices, and those are going to be more long-term. The information that we've just gotten is a really good basis for starting to think about reallocations, number one, and, number two, I don't think we have to do every species at one time, and I know that we were talking, at one point, about trying to put together an allocation formula that would then be used across all the different fisheries, but I see that as a herculean task, to try to get that right, and it almost seems like we ought to be tackling the major financial money-making species and start working through them one-by-one, applying all of these different factors that we've talked about, like resource rents and on and on, and I just throw that out there, because that's sort of the way I would see this coming down.

MS. MCCAWLEY: Thank you, Chester.

DR. CHEUVRONT: One of the things, as staff, that's been a little bit difficult for us, in talking about allocations, is that we have been very, very careful in trying not to lead the council on, and we've been trying to provide the council with information, with the hope that the council will provide us within direction and where they want to go, but, from what I'm hearing from the discussion today, and I would like a little bit of clarification, is it sounds like you're wanting staff to maybe provide some suggestions, and we have avoided doing that in the past, purposely, because we don't want to be seen as trying to direct the council in a particular direction.

What I might suggest, and, if I'm wrong, just tell me, and we'll back off, but what we could do is we could look at some of these scenarios that the council is facing now, particularly with the species that the council has gotten assessments for at this meeting, and we can look at some of these other methods, and, when we get to the next presentation that I'll be doing, based on the GAO report, we'll get back into this a little bit more.

We as staff can evaluate some of these and say maybe this one has potential in this case, and we could maybe think about it a little more concretely and think about how it might be applied and bring that back to you. We have avoided moving that far along down the road, because we didn't want to be seen as being too directive, but, if you're okay with us doing that, I think we could probably try that approach and see kind of how that works, and I would also like to address one of the things that Chester said, because this is also on your priorities list.

You have a whole bunch of unassessed species that you also can address allocations on, and I don't think it was ever the intention that you had to use that same single like bow-tie method that was used during the comp ACL amendment, that one allocation method had to be applied to all of those species. If it came across that way, that was not the intention, and it had been done in that way in the past, but we weren't intending that that had to be done that way in the future.

We were going to be bringing that to you at this council meeting, but that was one of the things that was removed from the agenda because of the sake of time and all that from this meeting, and the thought was that we would be bringing it back to you in September, and so we may need to

think about how you want to handle that amendment as well, but I agree with Chester that you probably need to focus your greatest amount of attention on those species that are the most important to the council and their management, and those tend to be those species that have been assessed. I just wanted to put all that out there, to get you all thinking about some of how you might want to put this, maybe, in more manageable, or bite-size, chunks when you come into allocation discussions.

MS. MCCAWLEY: Thanks, Brian. You brought up some good points, and, before I go to Steve, because maybe Steve can talk about this too, I just -- I am certainly not an expert on this. As Spud said, I'm a fish squeezer also, and I just don't even know sometimes what type of information could be brought, other than landings, on a particular species and how long it would take to get that information. Those types of suggestions, I think, is what I'm talking about, and I thought that that was what Steve was saying as well, but I don't want to put words in Steve's mouth.

Also, to your point about the unassessed species, I am glad that you said what you did about how, for those species, and I also agree that they likely are a lower priority than the species that are getting stock assessments, but, in my mind, I had thought about all of them possibly needing to be done the same way, and you mentioned that, no, we don't have to do that, that we don't have to use the same formula for all of them, and that was helpful. I didn't realize that I was thinking about it that way, but I was, and it makes sense that we could do something different, and so I'm glad that you brought that up, but I'm going to go to Steve, to see if he wants to add to this and maybe clarify what you said earlier and make sure that Steve and I are saying the same thing.

MR. POLAND: Thanks, Jessica. Yes, I think we're pretty close to on the same page. Brian just dumped a lot on us, on trying to work through it, and so I had some comments earlier, but I guess I will just start where he ended and work back from there first. I like the idea of prioritizing this based off of what species we have in the hopper, as far as assessments, and the point that Chester brought up about this herculean task of having one formula, and I agree that it's a herculean task, and, in all honesty, my opinion is that I don't necessarily want one standard formula, because then I feel like that would be a pretty easy cop-out for us, just to throw everything through that formula and say here it is, and we might not have the breadth and the depth of the discussion we need on particular species.

All these species are different, and they all have just different social and economic influences, in addition to the biological influences, but I certainly understand where, yes, it is nice to have a nice, neat formula, from a simplistic standard, and, to Brian's recommendation, to task the staff with coming back, and not for all the species, but for whatever species are in the hopper right now, to really dive into these allocation discussions, coming back with a list, or just some input, on what's available, what data is available right now, and what techniques are available.

Some of the stuff that was discussed at the SEP meeting, like some of the stuff that Chris Dumas went into and the apartment example that I mentioned, I was kind of unclear where that is, as far as is it still kind of more in the theoretical end of the spectrum, have there been any empirical studies there, has it even been applied to fisheries science, natural resource management, that kind of stuff, and so there's still some questions there.

Then, going back to my original comment, to kind of further what Spud was commenting on, as far as what's the value of fish left in the water to the recreational fishery, I think that would be

very interesting to see, but I just caution with kind of enumerating what that value is, and I'm just nervous that that discussion, that allocation discussion, would just kind of evolve into this is more valuable here than here, and so it all goes in this bucket, which I don't necessarily think is really what our charge is as a council.

I mean, certainly that economic value needs to be considered, but then the recommendation that Scott made, as far as looking at how many fish need to stay in the water for a desirable interaction rate, and, to me, that seems like something that could mesh very, very well with our current management paradigm, where there is a number of fish left in the water that achieves whatever extraction rate we want, and that's a hard number, and that can be considered when setting sector ACLs, and we could incorporate that through an ACT or something in our management, or something like that. Having an actual like number of fish, that really caught my attention, and that's something that, Scott, I don't know where the literature is at on that, but that's something that I would be very interested in hearing, and I think that's all the comments that I have.

MS. MCCAWLEY: Thanks, Steve.

DR. CROSSON: Since the SEP reconstituted, I guess in 2011, the council has asked us more than once to look at allocation, and it's always been sort of these generally broad questions, and I think, at one point, you asked us about Boyle's Law, for those of you who have been on the council long enough to remember Boyle's Law.

Some of these things that have come up before, you guys have always just had these big, general questions, and I think it would definitely -- If we meet in the fall, that's fine with me, and it's a topsy-turvy world right now, and I don't know how everybody's schedules work, but I think it's important, and, as Steve mentioned, this is a really good committee, and we're good at taking these questions in-depth and also being very practical about it.

It's a pragmatic group, and so it's not all theorists, and I think that it would be great if this committee was able to sort of dive into a few species and look at potential allocation formulas based off of data that is available, and so I'm not against that, and so I know that the committee is going to change a little bit, and I know that Jim Waters is stepping off, which we will miss him, but it's definitely a really good committee, and I think, if you all want us to take a look at some of these things in the fall, that's fine.

MS. MCCAWLEY: Thank you, Scott. I think that was a great suggestion.

MR. BELL: We thought that stock assessments were difficult to comprehend at times, and, just like you and Spud, I mean, this is an area that I know nothing about, but I just know it's important, and so I was trying to figure out, okay, what do we need to decide here today to help us to move forward, and I really appreciate Brian's concerns about making sure that staff are not directing us or kind of limiting us, and so those interactions and how we interact and how we get help from them is important.

Certainly, based on what Scott said, they've got a good team, and there's a little bit of a change, but, if we can just kind of figure out how best to continue to engage them, and maybe -- I think the idea of prioritizing right now on things that -- Assessed species that we may need to do something with sooner than some of the others, and maybe that's a good place to start to kind of prioritize, to

work through options or examples or something with them, and then, later on, we get into an approach for unassessed species that might look a little different, but I'm just trying to wrap my head around, okay, what's the actual next step and the best thing that we can do to kind of keep this moving.

Is it to ask staff to just kind of provide us with some options for doing that, or are we already down to just options for how you would actually look at incorporating this type of look into some of the species? I am just trying to keep us moving forward here, but being sensitive to Brian's comments and just making sure we're interacting appropriately and using the SSC as best we can to be where we need to be, and then using staff as best we can, but not asking them to tell us what to do, but just present us with appropriate options for how we might consider this stuff, because I don't think any of us on the council are economists or claim to be experts in this area.

MS. MCCAWLEY: Thanks, Mel. I agree with pretty much everything you said, that it's about thinking about what are the next steps and having the council make some suggestions about data and other things that could be used, and then another thing that you mentioned that I think a couple of us have stated is that focusing on these assessed species first and, after we get going on those, at some undetermined time, come back to these unassessed species and work on that, but, yes, I think that the most immediate task at hand is the species that have assessments, as well as dolphin. I would lump dolphin into that group as well, just because we are working on an amendment for that that is bringing in the new MRIP numbers, and so good points.

DR. BELCHER: I am going to piggyback on yours, because I think that's the hard part, right, because we've got two species right now that are unassessed stocks that are asking for allocations to be done, and they are recreationally-dominated fisheries, which also leads us to some of the issues and concerns that we have with what do we do about situations where you have a fishery that brings you an absolute number of landed fish, and yet the other one is all dependent on the methodology that we apply to determine what's removed.

Unassessed stocks, we have no way of knowing what needs to be left in the water, because we have no idea what OFL even looks like, and I think there's a lot of really busy moving pieces, and I just caution us to, as we go with it, that we really put some due diligence to it, because it really does change up, depending on -- A commercially-dominated fishery is going to have a much easier chance of being able to ratchet things down than one that's going to be recreationally dominated, and those are just some of the things that I see going forward that I think are really going to make some of these conversations difficult to find just only a few. I mean, I'm hoping that we won't be looking at too many options, but I definitely don't think there's a one-size-fits-all approach there.

MS. MCCAWLEY: Great points, Carolyn.

MS. BECKWITH: I think part of this discussion also has to be considering a new definition for optimum yield. If we're setting allocations, we're setting them on something, based on something, using whatever data is available, but I think, as a council, we have to come together on what the roadmap is, and the roadmap really is our definition of optimum yield, and, through that definition, we can discuss the fact that the goals of the recreational and commercial fisheries are different and that recreational fishermen don't want to catch every fish, necessarily, and they do want some abundance and some ease of catch, and the commercial folks certainly have a desire to catch every fish, in order to sell and be profitable, and so I see them tied, and I don't really know how we go

forward with one without the other being considered, but I do agree that we should move forward with the assessed species first.

MS. MCCAWLEY: Thank you, Anna.

MR. GRIMES: I just wanted to note maybe a procedural thing and something for you to keep in mind maybe as you work through this, but, if we address allocation, we're going through and looking at stocks on an FMP-by-FMP basis, and so, if we went in and said snapper grouper, and we readdress allocation for some stocks and not other stocks, as I understand it, everything is based on -- All allocations are based on historical landings, and all of those historical landings for the recreational sector have changed.

Right now, the issue is that the allocations we have, and let's say the council decided that the allocation is based on these certain years, and the catch for those certain years is no longer the same, and so it's not based on -- The current allocation arguably is not based on the best available scientific information, and that's for all of those species, and so, if you come in and address some of them piecemeal, and we came in, and understanding that the size of the task, but, if you come in and address four or five of them, and they're very controversial, you will be establishing the record for why you need to change allocations and why they're not based on the best available scientific information as they stood, and that's going to be true for all those species that you haven't addressed.

Not addressing those is definitely going to create some legal vulnerability of things that you are moving forward, and I don't think that's necessarily very helpful, but I hope it's informative and something to keep in mind, and I don't want to discourage you from moving forward with things that you think you need to prioritize and move ahead with, but there will be some vulnerability to those, and, if somebody doesn't like one of the allocations you are changing, I think they could use the fact that you're not changing some of the others to attack that, and I wouldn't be surprised to see that, and so please just keep it mind.

MS. MCCAWLEY: Thank you, Shep. Those are great points. Just to add here, I was thinking, and I can't speak for others, but what I was thinking was that these assessed species -- Clearly we need to come up with some kind of priority order here, because staff can't work on all of them at once, or even get the data and move it through the SEP, et cetera, and so, just like we prioritize everything else, I was thinking that, since we had these stock assessments, plus we've got dolphin and wahoo in the hopper here, that we would just basically move those to the front, and then the unassessed would come after.

I'm just suggesting that we probably can't tackle all of those things simultaneously, but you make a good point that, as we start this, and I think that this is kind of what Brian is going to get into when he talks about the GAO report, but, as we start this, even the first couple of species there, through the allocation discussions, is building the council's record for how we're going to move forward in the future for everything, and so I think that you're just also highlighting the importance or how important those initial discussions are going to be.

MR. GRINER: Unless I am mistaken, I thought we had already gone through a pretty rigorous discussion of our allocation trigger policy and come up with a schedule, and that was due to be turned in last August, if I'm not mistaken, but I thought we had already fleshed out that we were

going to look at allocations, as a mandate, after every assessment, and then we had also picked a series of years that we had to abide by as a time trigger, and so I thought we had already laid all this out in a format that we could just stay with, as far as when we're going to look at these allocations, and I thought that was the whole trigger policy.

As far as what kind of things to consider when we're looking at these allocations, I think it is much more than just historical landings, and so I think the MSA has some good guidelines, and I think there are some policy directives that NMFS has put out, and so I think there's some really good guidance out there, but, as far as when to do and what order to do them in, I was under the impression that we have already kind of mapped that out, unless I am mistaken, but we have got a couple here that we're going to start with, the dolphin, the amberjack, the porgy, and I think it's just going to be a feeling-out process, that we're just going to have to kind of get in there and see what makes sense, but there's never going to be a formula that we can just apply across-the-board. It's much more complicated than that.

When you start talking about leaving fish in the water and rates of encounter, well, that all sounds well and good, but, for recreational fishermen, I dare say that 10 percent of the recreational fishermen catch 80 percent of the fish. I mean, you can have as many fish in the water as you want, and, if you're dragging a drone spoon through the water upside down with a treble hook on the line, I don't care how many fish are in the water, but you're still not going to catch one, and so there's a lot to it, but, as far as when we're going to do these, have we not already gone through that? Didn't we decide all that already?

MS. MCCAWLEY: Yes, we did. We talked about -- So it was making sure that we had timeframes in there that -- From my recollection, and I don't have it in front of me, but that was so that we were -- Timeframe is the best thing I can think of, and we were going to have a mechanism so that we were assured that we would go back and look at these allocations, and so we were establishing a timeframe, and one of our triggers for that included stock assessments. I agree, and then, the rest of your points, I think you're just underscoring how difficult these allocation discussions are going to be. I think those are great points.

DR. PORCH: I think Anna raised a very important point about how we define OY. I mean, as everyone knows, OY is MSY as reduced by relevant ecological and socioeconomic factors, and here we're talking about making allocation decisions based on socioeconomic considerations, either implicitly or explicitly, and those decisions will end up reducing long-term yield, and so, in a sense, it is a form of optimum yield, the long-term yield with the reallocated strategy.

The way the FMPs are written, we just turn around and call that new long-term yield the new MSY, and so, in a sense, we're not giving ourselves credit for actually taking socioeconomic considerations into the long-term yield. In other words, when you do all these reallocations, and you're taking into account socioeconomic factors, that is in fact a form of optimum yield, because you could get a greater yield if you just focused on the fishery that catches the most optimal size range of fish, but, of course, you are considering other things besides the fishery that just optimizes the size of the fish being caught.

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

MR. POLAND: I agree with what Clay said, and that really kind of highlights that pull and tug between all the National Standards, as far as how we allocate and fishing gears and incorporating socioeconomics and all that stuff. I mean, I know, originally, we had some actions in Dolphin Wahoo 10 to kind of explore this, as far as redefining optimum yield for the recreational sector in there, and we ultimately took it out, because, obviously, it was going to be a big discussion, but I originally raised my hand to just bring up the allocation trigger policy.

At least for me, it would be really helpful to see now, since we have these three assessments, and we have ABC recommendations for these unassessed species, just kind of what stocks have been triggered on that. I mean, I know there's a time component there, and so we have some that are already in the hopper, just because of where we are in 2020, but which other ones have been triggered? I kind of want to see what species or stocks right now are we obligated to at least start the conversation on.

MS. MCCAWLEY: Those are good points, Steve, and so this has been a good discussion. I think we've actually kind of bled over into what Brian's going to end up talking about with the GAO report, and so I guess I would ask, Brian, if you're ready to do that, and, if we're going to transition to that, I want to thank Christina and Scott for the SEP report-out and discussion and giving us some of these ideas to think about, and so, Brian, what are you thinking? Are you think that now is the time to do your report?

DR. CHEUVRONT: Yes, ma'am. A lot of the discussion that has occurred up to this point are things that are relevant to this presentation, and so I think perhaps some of the discussion that I thought might occur after my presentation has already occurred, and so maybe it might not take quite so long, but it would be good to go ahead and run through the presentation and do it now, if it works for you.

MS. MCCAWLEY: That works. As you're bringing it up, I just wanted to mention one thing that Steve just brought up, and so it sounds like, maybe when we come back in September, one of the background documents that we want to see is that letter that had our trigger policy in it, and Tim brought that up as well, and so just putting out a little nugget of information there, that we probably want to have that letter in our back pockets, so that we can re-look at that when we get to the September council meeting.

DR. CHEUVRONT: I just wrote myself a note about making sure that gets into the September briefing book. If you're ready, I will go ahead and start this presentation.

MS. MCCAWLEY: Yes, please.

DR. CHEUVRONT: Okay. As you all remember, we were waiting for the GAO's report on allocation, and we were expecting it last December, and it was delayed, and it came out at the end of March. The report was, just to give you a little bit of background, was the Modernizing Recreational Fisheries Management Act of 2018 basically told the GAO to review the mixed-use fisheries allocations in the South Atlantic and Gulf of Mexico, and it was about a little over a year ago that they really started getting into doing this, and we were contacted, and NMFS was as well, SERO, by the GAO, to start working with them, and, actually, you go into this sort of thing with the same kind of feeling you do when you are going to be audited by the IRS. It's one of those oh-my-god, gut-wrenching sort of things, and it turned out to be actually a really good experience,

and we worked very well with them, and we had a lot going back and forth, and it was a very good, professional experience.

Anyway, we got the report back from them at the end of March, and you were all sent a copy of the report, but, if you would like for me to send it out and make it available again, I can do that. I didn't put it in the briefing book, because you had gotten it in early April, but I can get it out to you again if you need it.

The report examines three main areas, the council's history of establishing and revising mixed-use fishery allocations, evaluating the key sources of information that are available for reviewing allocations, much of which we were talking about earlier this morning, and evaluate the extent to which the council has developed a process to guide allocation reviews.

In their review process, the GAO met with NMFS employees, council members and staff, and members of the public, and I am including in the members of the public that they met with a number of AP members, and you may remember that, last June, there were several GAO folks at our June meeting in Florida, and they met with a lot of council staff and council members, as well as members of the public, at that time.

Greg Waugh and I worked mostly with the GAO last year, and I basically did the data requests for them and handled a lot of the day-to-day interactions with the GAO and handled the phone calls and the questions that they had as they came up. They gathered information on what data we had available and how it was documented, our history of allocations, and how people perceived allocations -- How the process went and how adequate the allocations were.

What I wanted to point is one of the things that people thought was going to be in the report, which is not there, is that the GAO report does not specifically tell NMFS, or the council, the frequency of doing allocations, and they acknowledged our allocation trigger policies, and they thought those were fine, nor do they tell the council how to allocate by sector, and there is no specific thou-shall in that document.

They did make recommendations for data to use for making allocation decisions, and they suggested that the allocation reviews pay attention to things like trends in catch and landings, stock assessment results, economic analyses, social indicators, ecosystem models, and it also noted some of the limitations for each of the types of information. Interestingly, the South Atlantic Council has discussed each of these five types of data already, and we've got them in that list that was generated when the council discussed this last March, and I actually have, at the end of this presentation, that list that the council developed, and I want to talk about that briefly, when we get there. We did pretty good, as well as the GAO, in identifying the types of data and information that could be used to help make allocation decisions.

In the report's conclusions, it says that, as we all know, allocation decisions are complex and difficult, and the outcomes have important implications, both social and economic, and they acknowledge that the council took an important step in our allocation trigger policy, but the council -- They did say that, specifically, the South Atlantic Council has not fully developed a process for how it will conduct or document such reviews, and they had similar comments for the Gulf Council as well.

The report gives two very specific recommendations to the councils, and I have taken these word-for-word directly from the report, so as not to have an interpretation of them, but just to put them in there just as they are in the report, and so what they had said is the NMFS Assistant Administrator for Fisheries should work with the South Atlantic and Gulf of Mexico Councils and other councils, as appropriate, to develop documented processes for conducting allocation reviews.

Notice it says “processes”, and not a single process, for how to conduct allocation reviews. I know that there has been some work going on within SERO, and I believe Mike Travis has been working on some policy, as well as some others, that I believe is going to -- The last I heard, it was supposed to be available I think this fall, but I don’t know how the pandemic has affected the timing of this, and that is going to be looking at processes that the councils can use to help them in conducting allocation reviews, but, again, it’s not going to tell them that, in this scenario, do this, necessarily, and, in this other scenario, you need to do that, but there is going to be some guidance to help councils get through some of this process.

A second recommendation is that the NMFS Assistant Administrator for Fisheries should work with the South Atlantic and Gulf of Mexico Councils and other councils, as appropriate, to specify how the council will document their allocation reviews, including their basis for their allocation decisions, whether fishery management plan objectives are being met, and what factors were considered in the reviews.

Now, this one is a little different. This says they will specify how the documentation of the allocation reviews are going to occur, and they give three very specific things that that documentation needs to include, and so one of the things that was identified when they were reviewing the South Atlantic Council was that, whenever the council changed allocations between sectors, it was always done through an action in an amendment, but, if the council discussed allocation changes between sectors, but decided not to make a change, there wasn’t always necessarily good documentation of how that discussion went or the rationale of it, and it wasn’t organized specifically in an easily-identifiable place.

We actually have a project going on right now that has been affected by the pandemic, but we’re looking at being able to literally scan the minutes from all the public meetings of the councils and all that, so that the text would become searchable, but this is going to be a several-year project, to get it all done, but, when that’s finally done, we could literally back and historically go through all of the documents, the minutes from all the different meetings and everything that we can find, and we can do searches and things on allocation discussions by species or whatever kinds of discussions that the council had, but we’re several years away from being able to do that.

The GAO identified that as a weakness in the South Atlantic Council’s process in dealing with allocations, because one of the things that it sort of looked like was that there were cases where the council had set allocations for species, for example mackerel, that were set back literally in the last century, and it looked as if the council had never done anything with them since, where, in fact, that may not have been true at all, where the council had had discussions about it, but, at the time, they decided not to change anything, because they decided that those allocations that were set back in the 1980s, or 1990s, were actually working just fine and didn’t need to be changed, but that was not documented anywhere.

In the interim, what I have started doing is that, based on the data requests that we had gotten from the GAO, I was able to modify one of the spreadsheets that we had put together for them that we went through every single FMP, through all the actions and all the FMPs and amendments and everything, and we pulled out every single time we looked at changing an allocation for every species, and it was documented every time that it had changed, when it changed, what amendment it occurred, what the changes were, and all that.

What I have done is modified that, so that we can continue that on, and, even if the allocations are not changed, the data request spreadsheet that we had put together can now record even discussions by species, so that we won't lose it in interim, until we get some direction on how the council ought to document their allocation review, and we don't know what that final documentation requirement will look like, but at least we're going to start now keeping track of some of that information, and so we've got the ability to get the jump on that.

That was basically what was in the report, in the two recommendations, and I want to go back and talk now a little bit about what you all did last March when you talked about the future allocation discussions that you had at that point, because that came up in the discussion earlier this morning.

We talked about landings history, and we talked about looking at market needs, fairness, equity, the cultural importance of a species, how accountable a fishing sector is and the importance of the fishery to a sector and which fisheries might be best served by managing it as a single allocation. In other words, are there fisheries where we could just get rid of sector allocations, and that might help with some of the problems, and then one other thing that came up was looking at the expected discard rate. If the expected rate is high, should a sector be allocated more fish? This falls under that other category, like an ecosystem type of criterion for allocation.

I have gone through it fairly quickly, but one of the things that I wanted specifically for the council to discuss, and these may or may not be relevant questions at this point, given the discussion you had earlier today, but does the GAO report now, and also the SEP report, change the council's thinking about how they want to proceed in their allocation discussions, and what does the council want staff to bring back to them the next time the council discusses allocations?

That's my last slide, Madam Chair, and, if there's any questions about the report, I will do my best to answer those, but I did kind of have a suggestion about something that the council staff might be able to bring back in September that might help the council with some of the questions and things that they were struggling with in the discussion earlier this morning.

MS. MCCAWLEY: Would you like to share with us what that is?

DR. CHEUVRONT: Sure. I didn't know if it was the appropriate time or how you wanted to handle that. One thing I was thinking of is that there was some discussion, and I think Shep's points were -- I was glad he brought that up, about whether, because of the changes in MRIP and going to the new method, we could end up in a situation where we have some things that are no longer considered the best scientific information available, and that's really true.

The staff have already done some work on this that looks at some of this, and so what I would like to perhaps suggest that get done is that you ask the staff to, while emphasizing the species that

have been recently assessed, we can come back to you with some suggestions on how to handle these different scenarios.

We talked about these were some of the things that you had said that you wanted the council staff to look at, that you wanted to consider for the different species. The assessed species that you need to do with right now, we could look and see what do we know about these different things associated with those species, but we can also look at some of those unassessed species, and, for example, I think, about half of those species that are in the unassessed species, neither sector is meeting its sector ACL, and, even though those ACLs, for example, like the sector ACLs, were set using the bow-tie method, which used data through 2008, and some people are saying, oh my god, that's old data, well, look at some of the mackerel sector allocations that were literally set in the last century and haven't been changed, and they were set using data even older than the bow-tie method, and they still work.

If they are still working, why do you need to change them? You can say that your indicator for the reason that they don't need to be changed is that neither sector is reaching its ACL, and there is some sort of equilibrium there, and so you might be able to use that. Now, we're going to have to look at the new landings, at the FES data, and make sure that that still holds in those cases, but you might be able to scratch some of those species off the list almost immediately, using some kind of criteria or argument saying that what we have in place now works, and here's why it works, and the ones that are going to be difficult are where one sector is meeting its ACL and the other one is not, but the ones that could really be difficult are high-demand species, or higher-demand species, where both sectors are meeting their sector ACLs, and so both sectors want more fish, and the pie is just not big enough, based on demand.

Those are other species that you're going to have more difficulty with, but we could analyze some of that for you and bring it back, so you can get an idea of how large is the scope of the issue that you're looking at. I don't know, but I just thought we could bring that back as like a white paper, options paper, something like that, and give you some idea of how big of an issue you're looking at, and you could bite of the chunks at any given time of how you want to deal with it, but I think, right now, I'm not sure the council has a full understanding of the scope of the entire problem.

MS. MCCAWLEY: Brian, I think that's a great idea. I mean, I guess my question is -- I feel like we're piling a thousand things on you guys, and is this something, that white paper, that comes back in September?

DR. CHEUVRONT: Well, Madam Chair, what I was going to suggest is that -- Because everything is also tied together, and you have on there, on your priorities list right now, you have to bring back the unassessed species thing, and we have some data that we had already put together for the June meeting, and this would probably -- I was going to be leading that, as well as the wreckfish ITQ modernization, and those are probably the two things that I would have been working on.

I will still work on the wreckfish thing, because that's got to get going, and I understand that, but I could be the lead, for example, on this white paper and use input from staff to put this together, but I think we can -- I can pull that together and have that together for September.

MS. MCCAWLEY: It sound like a great idea, if you can do it, because it sounds great.

DR. CHEUVRONT: What it would be is it would be to help provide you, I'm hoping, with the tools that we can provide you to help you to have a more robust discussion to help you figure out how you're going to make this work, and, basically, it will tell you what do we know at this point, and so less sort of fumbling in the dark and saying this is what we know and this is what we can do, and this is how long it will take us to find the answers to the questions that we can figure out, and these are the ones that we should take this part of it off the table, because there is no way, in the foreseeable future, that we would ever be able to tell anything meaningful about this part of it, related to this species.

MS. MCCAWLEY: I think it would be great if you guys can get it ready. It sounds like a great idea. I feel like we've had a lot of good discussion on this this morning, and I thought the GAO report was a good read, and what I took from it was the two councils need to think about what their process, or processes, are, and they need to write it down, and they need to write down every time they look at allocations and consider a change, even if they don't make a change, and so it didn't have magic answers in there, but it just said, hey, you guys need to work on a process, and then you need to write it down every time you talk about allocation. I feel like we've had a lot of good discussion on this topic, and I don't see the little hand-raise box here.

MR. KLASNICK: Jessica, there are a couple of folks. Here we go.

MS. MCCAWLEY: Thank you. I was going to let people react to the presentation that you gave, Brian, and, if they had any other thoughts, based on the suggestions that you had, and then hopefully we can wrap up this discussion, and we can take a break, and then we'll move on to the next item, but I don't want to stop the discussion, if people have things that they want to say about allocation in general or about that report or your presentation.

MR. BREWER: Brian, thank you for that. Jessica, my take-away from the GAO was maybe perhaps a little bit different, but along the same lines, and that is I think they expect that there will be some litigation over allocation decisions that are made or not made, and, therefore, they want us to have this stuff ready to be used, quote, under the Chevront doctrine, to show that there was reasonable discussion and alternatives, the stuff that we do all the time, but, Brian, I am little confused, and that is I would have thought that our minutes and our transcripts were searchable, and is that not the case.

DR. CHEUVRONT: The ones in more recent years are, but what happened was is a lot of the things that we have go back to the literal dark ages of technology, where they were typed on typewriters, and, a number of years ago, they were scanned and made into PDF documents, or not scanned -- Well, yes, they were scanned, and some were made into PDF documents, but they have not been OCR, optical character recognition -- They have not been made into searchable, but, in the recent years, yes, they have been, but we have things that go back to the 1980s.

MR. BREWER: Well, I think that the concern would be for things that are going to happen more in the future than stuff that happened in 1980, and that's not going to come into litigation, and so, if everything that we're doing right now is searchable, and, when I say everything, I'm talking about transcripts and minutes, I think we're in pretty good shape, and I don't know that you need to spend the time to go back and take those PDFs and I will call it digitize them, so that they're

searchable back to 1980, or 1970, or whatever. I wouldn't put a real high priority on that, and, with that, I will mute myself.

DR. CHEUVRONT: That project is not being done just for allocations. It's being done because we actually have other needs for some of these documents. We actually have amendments and things that we have that are literally not searchable, and so we have other needs for this project as well, and what I brought up was just an example of one of the things that the results of that project could be used for.

MS. MCCAWLEY: Thank you.

MR. BELL: I just had a technical question in Brian's presentation. So we've got the recommendations from the GAO of the things we need to do, in cooperation with NMFS and all, and does that come with a directed timetable? Were there dates associate with you've got to do this or get this in place, this process, within a year or something, or is there no time assigned to it?

DR. CHEUVRONT: Mel, nothing was specifically done with a specific timetable, and, actually, the GAO report did not come out and say things like the South Atlantic Council shall kind of things. What it's going to do is it will come through NMFS, and it will probably provide the direction, and I see Jack's hand is up, and he probably knows better than I do, but the direction will probably come to NMFS, and they will do something, and the policy will come down, and then the council will probably have to react to that, but, right now, we're not under a specific timetable. The council probably will need some guidance from NMFS, particularly if they need to have some kind of coordinated effort among councils.

DR. MCGOVERN: I don't have anything to add to what Brian just said about that, but I just wanted to clarify one thing that Brian said in his presentation about what Mike Travis is working on. He's not developing guidance for allocation review. What he's working on are best practices for economic analysis of allocations.

DR. CHEUVRONT: Okay.

MS. MCCAWLEY: Thank you, Jack.

MR. CARMICHAEL: I wanted to note the list of parameters that Brian has, and it's pretty extensive, and, as I think folks are probably thinking, a lot of those, we don't have quantitative data, but what I'm thinking is we dealt with that in some similar type of parameters at the SSC, when we were dealing with the ORCS, and even before that, when we were trying to come up with ways of defining risk tolerance and probability to overfishing and dealing with data-limited ABCs and all that stuff.

We had a process where we've done workshops and brought in fisheries representatives, primarily from our APs, and worked with the SSC to come up with qualitative ways of ranking those different types of parameters, and I think it would be a good exercise to follow that, probably after the September meeting, when you come up with some more guidance, but, just because we don't have quantitative data, it doesn't mean we don't perhaps have some ways of at least ranking those different criteria for different stocks and helping to further that effort.

MS. MCCAWLEY: Thank you. Any more discussion on allocation or on the GAO report or the presentation that Brian gave? We've had a lot of good discussion on this, and I really felt like we were kind of getting into the meat of the discussion before Brian gave his presentation, and so we've had a lot of good discussion on this topic, and I just want to make sure that there isn't anything else that people want to say before we take a break. All right. Thank you, Brian, for that presentation. Thank you, Christina, and thank you, Scott. I think we've had a good discussion on this, and I think we identified some items that we would like to see come back in September. Let's go ahead and take a ten-minute break, and, when we come back, we're going to be talking about COVID impacts, and so a ten-minute break. Thank you.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: I think we're good to move on, John.

MR. CARMICHAEL: Thank you, Jessica. I have a fairly brief staff report section here at this meeting, and I wanted to just fill everyone in a little bit on our COVID impacts at the council staff level. We have essentially been working from home since March 16, when Charleston County went into close-down, and they closed schools and government offices and stuff at that time. What we have done is told staff that they are free to work from home. If they need to go to the office and use resources, then that's available as well, and so, during some of the webinars that we've held, folks have gone into the office, for the better internet connection and larger screens and stuff, and so it is allowed, when people are in there, for them to maintain plenty of distance.

One of the things we did from the beginning of this was ask staff to give regular daily updates to their supervisors, by 10:00 every morning, and it's really helped us, as supervisors and senior staff, to keep tabs on what's going on and add some little semblance of normalcy to what we've done, and also holding our regular staff meetings, which we now do via Go to Meeting with all of us on with video conference, and it has certainly helped add some normalcy too, at least as much as you can hope for.

Overall, it -- I have been very pleased with staff and their ability to continue to get things done and prepare for this meeting and keep critical business moving on, despite all of these challenges, and, speaking of that, we held several SSC and AP meetings back in April via webinars, and those have gone quite well, and you've seen, in several cases, the outcomes of those meetings.

We did cancel the Snapper Grouper AP, but that was largely out of concern for the fishermen and respect for how they were already being so heavily impacted in April by the COVID regulations and pandemic responses that had taken such a huge chunk out of their activities, and so we didn't feel it was right to have them involved in that, and that's also the reason that we didn't discuss AP selection at this meeting, because it seemed like an unnecessary burden to put upon the fishermen, with everything they were dealing with, to talk about making them reapply for seats, and we were very concerned that, if a fisherman did not get an application in, they may lose a seat that they otherwise really wanted. This is a few of the things we did to try and recognize the response of our folks.

At this point, we're starting to look ahead to what's the impact for the rest of the year, when do we start coming back into the office and such, and, really, the anticipation is that we'll be under some type of restricted activity, reduced travel, impact on our regular business, probably at least

through the end of this year. It seems more and more, as you look around, that's going to be the case, and more organizations are accepting that, and so looking at what's happening colleges and stuff reinforces that view.

Our plan now is to hopefully start coming back into the office around July 1, and we would plan to not have any council staff going out on travel through September 1, and meetings that we're holding this fall, the AP and SSC, which we normally hold in October, if we can hold those over webinar, then that's going to be our first plan. If we need to hold them in person, we'll be holding things here in Charleston, and that gives us an ability to see what's going on in different areas and see how a venue is perhaps handling social distancing and that sort of thing, and it makes it a lot easier to at least keep staff distant.

That's our plans, and what we will do is, after this meeting, senior staff is going to start working on a few memos, to lay out how we're going to handle this, at least for the foreseeable future, and we'll be working with the council leadership on that, to review those, and we'll get word out to everyone, just to kind of know, but I think the short answer is, as we've mentioned a few times this week, we expect to be continually impacted by this for most of this year and under some type of social distancing, because -- It seems to be that, until there's some type of vaccine or something, this is going to be out there floating around in the population, and we don't want to put anyone at unnecessary risk.

That's the COVID impact for us, and I have one more bit of news that I want to add, and that is announcing that we do have a new staff person coming on. As mentioned before, we were looking to hire a new tech staff person to help with the FMP workload, and emails have gone out about this, but I want to go ahead and note it here, that we have hired Mike Schmidtke, who now works at ASMFC, and a lot of you guys are familiar with him, from his work with the South Atlantic Board, dealing mackerel and cobia and other stocks of interest to us.

He is going to start with us in August, and he's wrapping up his commitments up there to the ASMFC, and we're willing to allow that type of flexibility when you're bringing someone over from one of our partners in conservation, and so we're looking forward to having Mike come onboard, and sorry, Bob, that we've stolen him away from you. You guys are a good training ground up there, as I can speak to myself, having cut my teeth up there as well many, many years ago, and so any questions on COVID stuff or that? Otherwise, that concludes my report, Madam Chair.

MS. MCCAWLEY: Thank you, John. Thank you for that, and I know it's been challenging to maintain progress on all this work, but, just from what I see, it seemed like staff were doing great with working at home and getting lots of stuff accomplished during this challenging time period. I don't see any hands in the air, and so the next part of the COVID discussion is COVID impacts on South Atlantic fisheries, and the state agency reps have put some of our data into a PowerPoint, because we thought that that would help start this discussion, so people could see some of the data that we have, and John is pulling up that presentation right now, and I think that we're going to go into starting that presentation, and so, state agency reps, when you see your slides come up, then just feel free to walk us through those slides.

MR. CARMICHAEL: Thank you, Jessica. Our first state up is Steve Poland for North Carolina.

MR. POLAND: Thank you, John. Much like all the rest of the states, I will present really three different sources of data that we have available right now. The first is recreational license sales, and I will go a little bit into commercial landings and then, lastly, marine patrol. North Carolina, back towards the end of March, the governor passed an executive order that was basically a shelter-in-place order, with a lot of limits on travel, especially for out-of-town and out-of-state travel, and a couple of our coastal counties even went a little bit further and limited county travel to just residents.

Places like Dare County, which is our largest coastal county, and really drives a lot of our coastal tourism economy, which includes fishing, they did a non-resident restriction there, and so, for about close to two months, a little less than two months, they were basically closed borders, closed to out-of-state travelers, or even in-state individuals who would travel there at that time of the year to fish and play and do whatever tourists do.

We did see a substantial drop in some of our coastal and recreational fishing licenses, and we have quite a few categories of recreational fishing licenses in North Carolina, and we call it the coastal recreational fishing license, and we also have an inland fishing license, which our sister agency, the Wildlife Resources Commission, provides, and then we also have what's called a unified license, which is your coastal and inland waters license.

We also have ten-day licenses, which are typically purchased by either out-of-state travelers or folks who may live inland and only come to the coast for their week of vacation, and all they need is that ten-day license, and so, below, you see a line chart as well, a histogram, of our license sales over the last four years, and it includes 2017, 2018, 2019, just to give you an idea of how license sales were affected during 2020 and the response to the pandemic, and so, across the board, coastal fishing licenses, and, again, this is the license that allows you to fish for a coastal species, and this is the resident license, and we saw about a 17 percent drop in 2020, for March and April, compared to the previous three-year average, but we did see almost an 81 percent increase in that unified license, that inland and coastal license.

I am really not going to go into hypothesizing why this is the case, and really all I can assume is that most folks, since they were barred from travel, if they were local, they bought whatever license they could to fish wherever they were, and, if it was in one of those counties that was on that margin of coastal and inland waters, in years where they would have only bought one, they might have chosen to buy two this year, but this is a resident license, and it was really interesting to see that increase.

Ten-day non-resident licenses fell about 55 percent, which that was to be expected, with all the shelter-in-place and travel restriction orders, and we also saw about an almost 50 percent decline in subsistence waivers, and these are waivers provided to individuals who meet certain economic status, where they are eligible to receive a waiver, basically a license for free.

It was kind of perplexing when we saw that, because I feel like a lot of us would kind of assume that, during a time like this, that everyone is sheltering in place, and folks might fish more, and fish more for personal consumption, but, after talking to our license staff and others, we feel like what's really driving this was closures to a lot of governmental buildings, a lot of county buildings, and the subsistence waivers are typically received at the county level, or at least verification of the economic metrics at the county level, and a lot of those buildings and facilities were closed, and

so we felt like that probably contributed to the drop that we saw in these subsistence waivers. In total, for the months of January through May, compared to the previous three-year average in 2020, we saw about a 19,000 license drop.

Now we'll get in a little bit to what was going on with our commercial sector, and so, in North Carolina, we have a trip ticket program, much like most of the other South Atlantic states, where, to land fish under a commercial license, you have to sell to a licensed dealer, and a trip ticket is generated, and it's basically the census of what you caught, what you landed.

Trip ticket staff and commercial statistics staff pooled landings for March and April from the previous five years, 2015 to 2019, and averaged those landings out, as well as values from those years, and compared that to landings that we observed in March and April, that were reported to us in March and April of 2020, and, before I get into the numbers, I want to note a few caveats.

First off, as far as estimating losses and value, these are based on an average of the reported price data from 2015 to 2019, and, for most of the fisheries, or some of the fisheries, price data isn't recorded, or it's recorded on a voluntary basis, and so just be aware of that when looking at these dollar figures, and, where values were available for 2020, those were included in the analysis, and, just to ensure that confidentiality was maintained, all of these numbers were rounded up, value as well as landings.

Data is still preliminary, and it simply takes about six months for commercial data to go through all the verification checks and be considered verified and complete, and so data from March and April is still in a preliminary state, but a lot of our -- All of our federal fisheries are electronically reported, and there are strict deadlines for electronic transmission of landings data, and so we feel like most of that data is complete, and it just hasn't completed the QA/QC process yet.

Again, as I've already mentioned, all these values were summarized to the lowest level and rounded, to just ensure confidentiality, and so, for March and April, in coastal migratory pelagics, it was interesting. We actually saw increases, compared to the previous five-year average, in landings and value, and we thought that was interesting, and a little unexpected, but, however, for snapper grouper, for 2020 landings and value, compared to the average of the previous five years, we did see a decline in landings. For March, it was 15,000 pounds, and, for April, it was about 6,500 pounds, and the estimated value loss of about \$42,000 for the month of March and about \$25,000 for the month of April, and, again, these values are based off of voluntarily-reported price data received at the trip ticket level.

In contrast to the landings and value of all of our state fisheries, and so this is excluding any of our federal fisheries, and that includes not only South Atlantic federal, but Mid-Atlantic and HMS species, and so just state-managed species or state species, state-jurisdiction species, we saw about a 434,000-pound drop in landings for the month of March and April of 2020, compared to the previous five-year average, and that equaled about anywhere from \$1.2 to an estimated \$2 million loss for the commercial sector, and this is boat price, and this is the price that's reported at the fish house that's being paid to the boat.

Lastly, as far as marine patrol, we saw about a 50 percent drop in citations and warning tickets, compared to the previous three-year average, for the month of March and April, and this is something that we were kind of surprised to see, because marine patrol and other staff on the water

during this time did report an increase in boating activity for the months of March and April, and really still ongoing, because still a lot of people here are either working from home or working alternate schedules, and so it seems like there's a lot more free time, a lot more home time, and so we are still observing an increase in boating activity at the moment.

Lastly, and I mentioned this earlier in the council meeting, but I don't have any information for the charter/for-hire fishermen in the state, and there are two reasons. One, we don't have a for-hire survey at the state level, and so we don't have any information like South Carolina has and Mel is getting ready to present, as far as trip-level impacts and that kind of stuff, and, also, our for-hire licenses are sold on the calendar year and not a running annual year, or running year, based off time of purchase, like our recreational licenses are, and so we really won't know until the next fiscal year, once the license renewal deadline has passed, potential effects to that industry, as far as individuals dropping out or not renewing licenses or anything like that, and so, unfortunately, we don't have a lot of quantitative information to provide for the for-hire sector. With that, John, that completes my two slides. Jessica, I don't know if you want to wait until the very end to take questions or if you want to stop after every state and take questions.

MS. MCCAWLEY: I am thinking wait until the very end. John, what do you think?

MR. CARMICHAEL: Yes, I think that would be fine. It is getting kind of late, and so that would probably be best.

MS. MCCAWLEY: Thank you, Steve.

MR. POLAND: Yes, ma'am.

MR. CARMICHAEL: Up next is Mel Bell and South Carolina.

MR. BELL: Good morning. I think what you will see is that you're probably going to see kind of the same trends, probably, for all of us, and so starting out with the recreational license sales, and it's the same kind of thing going on. Our resident licenses were actually up, and this is 31 percent from the period of March and April 2020 from just looking at the previous year, in this case, and that's probably for the same reason that Steve was talking about, that people -- Well, one, people were perhaps fishing more, and, two, because of the nature of the various executive orders from the governor, and people were adapting, and, as you all know, fishermen are very adaptive and very good at working through things and solving problems, and so, basically, for people to access beaches at one time, or to actually be in their boat, they had to be fishing, and so, if you're fishing, you need a license, and so that's good.

We had the same problem that North Carolina had, and our non-resident licenses dropped, and particularly our fourteen-day non-resident, and that's because the tourism wasn't there. We didn't have people coming in, and the hotels were closed, and the restaurants were closed, and so that makes sense, but then, interestingly enough, when you do all the math for all the license types, and I won't go into all of those, we were actually up almost 20 percent in revenue, and so there's a silver lining, I guess, to the COVID cloud there, in terms of the revenue right there.

Now, where we end up as the year goes on will be a little scary, and our recreational licenses are now -- Most of them are based on when you -- It's either annual or every three years, and so it's

not a fiscal year tie-in for most of the recreational licenses, but the impacts we saw in license sales can be attributed to what was going on with the various restrictions that the executive orders were placing on folks' activities.

There is some law enforcement impressions here, and this is basically sort of anecdotal from law enforcement, although they did share with me all of their activity reports for these months, and it was a huge data dump, but, basically, under boating, boating is above average. During March, they were saying the landings and the waterways looked like the 4th of July every day, and it was just crazy, because folks were allowed, at times, to go boating, and we also had times where the landings were restricted, and so that was kind of back and forth, but, overall, there was more boating activity.

Beaches became really crowded at times, and that led to some of the restrictions that the governor -- That we had to place to try to disperse crowds, and so beaches were kind of an issue at times, anchored vessels nested up, having floating parties, and that was a little bit of an issue at times, and then, obviously, where you have high-population-density areas, like around Charleston, you had higher traffic, and so, overall, law enforcement contacts were up, but fewer citations were written related to fisheries, but you can imagine that a lot of the contacts were of an educational nature or of a crowd control nature and that type of thing, and so they weren't spending a lot of time writing fisheries citations, and I'm not sure of the percentage reduction, but they were spending a lot of time having interactions and educational sessions with the public.

Fishing itself, as best they could tell, fishing activity looked like it was above average, because, again, there was a requirement, at one time, that, if you were going to be out there, like on a beach, you could be on the beach, but you had to be fishing from the beach, and so, whether or not you were ever a fisherman before, you were a fisherman now, and so fishing activity appeared to be up, to them, and from anchored boats as well, because, at one point, you could anchor your boat, but you had to be fishing from your boat, and so it was just an interesting adaptation on the part of folks to work through this, but the idea was that being outside was a good thing, and we were encouraging folks to get out and enjoy nature and fishing, and just don't do it in crowds.

Actual data is we do have a charter logbook system, because we have a fiscal-year-based licensing system for charter boats, for-hire boats, for just the species, the trips, that are reported that were offshore trips basically targeting species that we manage, and there's a 76 percent reduction in the trips, and it's some of the things that you heard from the public and others, is that trip cancellations, obviously, that people couldn't come here, couldn't stay here, and there were restrictions on -- Depending on the executive order that was in place, and, at first, boat landings were only open to commercial fishing boats.

Then there was a question of, well, is a charter boat a commercial boat, and, well, we would say that they're not technically part of the commercial fishing fleet or industry, but they are a commercial enterprise, and so there was a lot of reinterpretation of executive orders and changes and things over time, but the net result was that it did impact -- This is only looking at the trips for species that we manage, but, looking overall, we also did our own internet-based survey of 531 licensed captains, and the results from that are still coming back, but I think it will just basically put some quantification on numbers and things related to that reduction, and, again, that 76 percent reduction does not include inshore trips.

Related to commercial fisheries impacts, and, now, this is all based on a previous five-year average versus March through May of 2020, and so total trips, again for species that we manage, were down 47 percent, and total pounds landed was down 26 percent overall, and ex-vessel value was down 20 percent, and, in this summation, and I'm going to run through a couple of just quick tables to show you the details, but we're not including confidential data, because some of the data ended up, of course, being confidential.

This is a breakdown just by the different groups, and you see by month for March, April, and May, numbers versus the previous five-year average, and so red is negative, and so, for the deepwater complex, it's a 34 percent reduction for March, and then you can see how that plays out, and so, overall, you have a lot of red numbers up there, and it's some of the same stuff that you'll see that Steve was talking about, and we saw upticks in some areas, and we saw obvious downticks in other areas, and so you can kind of see -- Again, this is using our landings data for these trips that land these particular species, and it hurt across the board, no doubt.

This is also looking at it in pounds, and so we actually had some upticks in pounds, where they shifted over to other species, perhaps, and you can see where the big damage in some of these -- What we would call just the deepwater complex, the deepwater species, and you saw some pretty big numbers, a 20,000-pound deficit there, but we did some, like I mentioned, upticks. The shallow-water complex for snapper grouper was up, actually, once May got here, and then actually, over in other species, you will see bumps up, and so it's probably the same thing that Steve was seeing up there with certain species. It all depended on which species it was and the fishermen and how the trip was structured, and so pluses and minuses, but a lot of red.

That's when you look at it in actual value, ex-vessel dollar value, and our fisheries aren't as large as other states, but certainly there's a lot of red there, and you actually see some green, which is actually more than the five-year average, and so that was interesting, and, again, it's the same thing that Steve had mentioned earlier, and you go, wow, that's interesting, and I don't know if it's shifting effort or focusing in certain areas where they could actually still fish, and so pluses and minuses, but an awful lot of red.

Again, kind of looking at the for-hire sector specifically, as I mentioned, we license them on fiscal year basis, and it's same sort of pattern here, and you can see it broken down by trips where snapper grouper are targeted or caught, or dolphin wahoo, or coastal migratory pelagics, and so a lot of red numbers, and these are actual effort, and this is trips, documentable trips, and so this is for them, these particular groups, versus their previous five-year average, and so there's definitely visible damage done, and so now we're into June, and things are opening up, and hopefully they will pick up some more bookings.

I heard one of the guys yesterday mention losing bookings all the way through the end of the year or whatever, and so we haven't really gotten into that level of detail, and we hope to learn a good bit more once we analyze the survey results that we did for them, and that's really I have at this point.

MS. MCCAWLEY: Thank you, Mel.

MR. CARMICHAEL: All right. Next up is Georgia and Carolyn.

DR. BELCHER: My slide is pretty short and sweet, but I can give you more detail on what's going on there, and so, following on the same train with everyone else, commercial data, obviously, is not finalized yet, and April we don't expect usually to be done, as far as without areas, for another thirty days, but, in looking at the first blush of everything, and this is all the fisheries combined, we're looking at about a 43 percent decrease for March and April, as compared to the previous five years.

This kind of -- I would have expected it to be pretty close to 50 percent, only because we have fisheries that were highly impacted, as far as state fisheries, and blue crab, our peeler and soft-shell industry, is pretty much in its height in these months, and there is no market, and they want live product, and so they get lesser dollars for the frozen product, and so why go through what it takes to grow these animals out, and so, obviously, they were hit pretty hard, and yet sectors, such as our shrimp fishery, where there is some federal water fishing, but a lot of them are state water, the state waters were closed during that time window, and so their impacts were pretty nil to zero there.

We have very little federal fisheries folks that are involved in that, and so the impacts are there, and our shellfish industry has felt some impacts there as well. Recreationally, our SIP, which is a saltwater permit, we saw increases during March and April, as compared to the previous three years, and it was up about seven-and-a-half percent, and then, overall, the recreational fishing licenses actually increased by 37 percent in those same months.

For us, some of the things that caused conundrums is we didn't have the issue for enforcement of essential activities there, and so our charter fleet didn't have the pressure that South Carolina did or with the fact that boat ramps were closed there. We never closed the boat ramp on the coastal area. There were a few that were closed because of large congregations of people, but mostly in the inshore areas and not here, and so our guys -- Their biggest problem was if they were at a marina. If they could operate out of a boat ramp, and people were still willing to fish, they could do it, but, if they were at a marina and the marina was closed, then their opportunity was obviously controlled by the access through the marina.

Recreational fishing in general, we had -- The interesting thing that happened were a couple of municipalities closed the beaches to activities, and, when the governor put out a more comprehensive state-wide executive order, which had our shelter in place on it, he opened the beaches. It wasn't directed that he opened it, but, basically, he scrubbed -- By putting his edict out, he said any other municipality orders that were out there were at that point kind of a sponge, and they could do other things to supplement, but they could not -- Anything that was there that was more restrictive was basically taken away, and so the beaches were opened, but we ended up putting in a caveat, through our DNR branch, that basically let it be open to exercise only, and so people were not allowed to recreationally fish from the beach, and so there was a little bit of, obviously, impact there.

For us, with law enforcement, the hard part with our law enforcement is they are not dedicated marine patrol, and so they have other activities, but, because of the activities that were supposedly not being done on the beach, they spent much of their time doing beach patrol, and so less of their time was spent on the water, and so we really don't know, from their eyes, what effort, as far as boating effort, looked like during that time window, but there's been other folks who will tell you that boating activity was definitely up.

That's pretty much what I've got for Georgia. Relative to for-hire, we have done surveys in support of what's going on with the MRIP surveys, and, basically, those trips are showing that they are significantly down.

MR. CARMICHAEL: All right. Thank you, Carolyn. Florida will be Jessica.

MS. MCCAWLEY: All right. Thank you, John. First, I'm going to start out with a couple of slides that were taken from a Sea Grant study, and so they surveyed some of the industries during the months of March and April and the first week of May, and I'm glad that Andrew Ropicki is not on the webinar, because I feel like I'm going to butcher his data, but there is extensive report on this, if you want to see it, but, just to talk a little bit about it, but, before I get into the data, let me remind folks that there were some roadblocks up in certain parts of Florida, and so, in the Keys, there was a roadblock, and they weren't allowing non-residents into the Keys, unless they were going to work, and even some of those folks weren't allowed in.

There was a four-county area in southeast Florida that was basically shut down, and a lot of businesses were shut down. Also, the number of visitors coming by car to the State of Florida went way down, and the governor had some checks on the road, and so there were certain I'm going to call them hotspot areas, where they were looking to see if people were coming in from those particular states, like the State of New York, and so there were some things that hindered people coming to Florida to do any type of recreation, but also to fish.

For this Sea Grant survey, on the commercial side, they conducted -- Sea Grant conducted this set of online surveys to try to assess the impacts of COVID-19 on these various marine industries, and so there's a number of responses from each of these different four industries, and so, for commercial, 51 percent remained in operation, and so I'm just reminding you that this is March and April, and then 97 percent that closed were expected to reopen, as things got better, and 92 percent indicated decreased revenue, and so that had to do with the market channels, and I'm going to get into that a little bit more on another slide.

On the seafood wholesale dealer side, 84 percent of those folks surveyed remained in operation. Of the ones that closed, 86 percent were expected to reopen, and 92 percent of the folks surveyed indicated decreased revenues.

On the charter/for-hire side, and so this also included dive trips, and so not just fishing, but people that were doing diving as well, and so 49 percent remained in operation, and 96 percent of those that were closed were wanting to reopen, or expected to reopen, and 100 percent of the people surveyed on the charter side indicated decreased revenues, and then the marine recreation support, and so this included bait and tackle folks, marinas, boat repair, boat sales, and boat storage and things of that nature, and so 82 percent of those businesses remained in operation, and 100 percent of those that were closed were expected to reopen, and 83 percent indicated decreased revenues.

Basically, for example, on the boat sales, this was down at first, and now I believe it's back up, and so, also, when this study started, this Sea Grant study, folks were also asked when they began to feel the impacts of the shutdown and the changes from COVID-19, and people were reporting impacts ranging from March 12 through March 16, and so that's kind of where they're saying the start of the impacts were, and so around the second week in March.

This is another slide from the Sea Grant data, and so this is just indicating the revenue declines across those four different groups, and so, just to help orient you here, basically, the orange bar, which it's orange on the left, and then, in the little legend -- It's orange on mine, but it's blue on this one, and that's the average reported sales revenue change by sector, and then you can see the blue-dotted line is the full range of what was reported.

From this graphic, you can see that the greatest decline was in the charter/for-hire, with 88 percent, and commercial fishing was down 57 percent. The marine recreation support businesses were down 42 percent, and then seafood wholesale dealers were down 68 percent.

There was some growth reported in the marine recreation support sector based on what particular business it was, and so, if you were a boat storage facility, then you were reporting that lots of people were coming to get their boats out and take them out on the weekend, or during the week, and boat rentals were up. This category also included some grocery store sales, and that was up as well.

This is our FWC data, Florida saltwater commercial fisheries data, and this is based on trip tickets on the left and landings on the right, and so, on mine, it's a little bit difficult to tell the difference between these two blues, but the top bars in both of these graphs represent the older time period, 2015 through 2019, and the bottom lines represent 2020, and so this is basically showing that the number of trip tickets -- There was a 46 percent decrease in the number of trip tickets submitted compared to that previous five-year average, and then, on the commercial landings value, as reported through the commercial trip ticket system, it was 63 percent less than the average from the previous five years.

On the recreational side, and so, just like other states, we have a number of combo licenses, and we have in-state licenses, three-day licenses, and we have things called gold sportsmen, military gold sportsmen, and so lots of combos that include hunting, saltwater fishing, recreational fishing, and we have those types of combos both for in-state and out-of-state, and so we have lumped across a lot of different categories here.

The line, the lighter-blue line, is the non-resident licenses, and the darker-blue line is the resident licenses, and this is just honing-in on March and April, and you can see that there was, just like other states, this decline in non-resident licenses, and then the resident saltwater fishing license saw a small increase in 2020 for these two months.

Just some law enforcement observations, and this is anecdotal law enforcement observations by region, but, in northeast Florida, there was increased fishing and boating activity, especially on weekdays and weekends, and so, just like you heard in other states, at least for private recreational anglers, it was like a holiday weekend almost every day of the week, at times. This increase in vessel traffic -- Law enforcement did report that a number of folks that they encountered on the water weren't necessarily out there fishing, and they were just doing boating activities and trying to maintain social distancing on the water.

In certain parts of the state, there were people that normally like to raft up on particular sandbars, and there was a governor's executive order that prohibited that, and so law enforcement spent a

lot of time trying to enforce social distancing on the water, but, in northeast Florida, they did indicate that there appeared to be some increased fishing effort, both inshore and offshore.

In east central Florida, there looked like there was increased recreational fishing effort, but then reduced commercial fishing effort, and, in south Florida, and so this is both southeast Florida, in that four-county area, where boat ramps were closed and a lot of things were shut down, as well as the Keys, and, so, in southeast Florida, marinas were also closed in certain areas, and so there was a significant decrease in fishing effort in this four-county area, partly because people couldn't necessarily access the water as easily as they could in other parts of the state, based on all the different closures.

Then, in Monroe County, in the Keys, as I mentioned earlier, this area was closed to non-residents, and you heard Bryce Barr, during public comment last night, talk about how he had all these cancellations all the way through January, but a lot of the Keys are charter boats that non-residents coming down to the Keys are chartering these boats, and so the roadblock, basically, prevented non-residents from coming down and taking charter trips, and so charter folks in the Keys and southeast Florida -- It definitely hit really hard in this area.

Also, just a couple other things to point out, and exports of spiny lobster to China basically were, at first, non-existent, and I think that there were some folks that were able to ship out towards the end, but this severely impacted large amounts of Florida Keys commercial harvesters and seafood dealers, and, also, folks in the Keys really stopped moving stone crab, and folks got their stone crab traps out of the water early. I think that's my last slide, and this I think is the conclusion of the state PowerPoints, and is that right, John?

MR. CARMICHAEL: Yes, that's correct.

MS. MCCAWLEY: With that, we'll take questions on these impacts that the states reported, and so do we have questions for folks?

MS. SMIT-BRUNELLO: I have a question for you. Apart from your last slide on FWC Law Enforcement observations, I am assuming the other information was for both coasts, right, for Gulf and South Atlantic?

MS. MCCAWLEY: You broke up there, but I think you were asking if the Florida information that I presented was for the Gulf and South Atlantic, those slides, and, yes, that is correct. Did you have any more questions, Monica?

MS. SMIT-BRUNELLO: I did not. Thank you.

MR. SAPP: I will leave my personal experiences with this deal out of it, because I don't see a purpose in it, but, outside of the fact that I think whoever was reporting to you about what was going on in the tri-county, outside of the Keys -- The Keys got totally whacked and shut down, but recreational traffic was unbelievable. Every day was a Saturday, and the weather happened to be phenomenal.

When they shut the boat ramps down, or when they started to threaten that they were going to, folks started putting their boats in the water and leaving them behind people that live on the water's

houses, and they were rafted up, stacked up, four and five deep in places, and so I will say that we saw very little FWC Law Enforcement, but we saw tons of BSO and Broward County, county and city officers, trying to keep the rafting down, and I think they were quite successful with that, and fishing pressure was the highest that I have ever seen recreationally.

They did shut the three counties down, Broward County for eighteen days, where we weren't allowed to charter fish at all, period, none, and Dade County was worse, and Palm Beach County was a little better than Broward County, but the activity was, at the highest, seven days a week, in all three counties.

MS. MCCAWLEY: Thank you, Art.

MR. BREWER: I am proud to report to this group that I live in the, quote, tri-county area, and the county that I live in, which is Palm Beach, has the highest death rate of any county in the state of Florida, including Broward and Dade, Miami-Dade. I really -- Of course, everything is local, and, as I have kind of taken a look at the impacts around here, to the restaurants and the hotels, and it's -- We're going to lose a lot of businesses, and, while there may have been a lot of folks that had boats in their backyards who said, okay, well, let's go out and let's go fishing and let's get out on the water, because we don't have anything else to do, because literally everything was shut down, including the beaches. The numbers that we've seen here are bad, but I think that they don't really -- Certainly not for the area that I am in, but they don't paint a true picture of essentially the devastation that occurred as a result of this thing, and, with that, I will mute myself.

MS. MCCAWLEY: Thank you, Chester. Any more question about the state PowerPoints? Next up on our list -- Art, did you have another question?

MR. SAPP: I just wanted to agree entirely with Chester. The long-term is going to be brutal here locally, and one of the major causes was the beach closures. 90 percent of my personal cancellations came when the beaches closed, and a lot of my buddies are -- I have several friends who have said, all right, that's it, we quit, and they're hanging up the charter deal, and they're going to go work somewhere else, and so good point there, Chester. This is going to be a pretty long-term recovery, if it happens at all, for a lot of folks.

MS. MCCAWLEY: Thank you, Art. The next item we have here is we're going to have a broader discussion here on 3c, which is the council response and emergency action request and consideration, but, before we get into considering those, I think we're going to get a CARES Act update, maybe from Kelly.

MR. CARMICHAEL: Yes, Jessica, that's correct. We have Kelly Denit on from HQ, and so hello, Kelly.

MS. DENIT: Good morning, everyone. My name is Kelly Denit, and I'm the Chief of the Domestic Fisheries Division at NOAA Fisheries up in Silver Spring, and so I'll take just a few minutes to step through the CARES Act and how we did the allocation, the eligibility, and where we are in the process right now, and then I'm happy to answer any questions. I will move pretty quickly, because I know that you guys are a little behind in your agenda.

Thank you for the opportunity to speak with everyone today, and, as you all know, the overriding goal was to get funding out as quickly as possible, and so the agency took the approach of using a proportional allocation across all coastal states, tribes, and territories, and we used readily-available data for total annual revenues for the commercial, charter, and marine finfish and shellfish aquaculture, as well as the seafood supply chain, and so processors, dealers, wholesalers, and we also took subsistence and cultural fisheries into account.

We used multiyear averages to estimate, whenever possible, and, as you all know, there can be fluctuations on a year-to-year basis, and so we wanted to use multiple years. In general, we were able to use a five-year average for commercial fish revenues, and available multiyear averages for aquaculture were included in the commercial revenue information.

Overall, the average annual revenue from Alaska, the Northeast, and the Mid-Atlantic states were adjusted to attribute landings in those regions to vessel owners' state of residence, and a similar adjustment was applied to at-sea processors on the west coast. Other west coast fisheries and Pacific Island and southeast and Gulf of Mexico fisheries, which are most relevant to you all, did not have that adjustment applied, because we did not have readily available data, and it also represented a smaller proportion of the total revenue.

The seafood sector revenues were calculated using our input/output economic model, known as IMPLAN. Again, we used multiyear data, and that included both first and second-line processors. A five-year average of for-hire angler trip expenditures was used for the for-hire charter fleet, and we used a multiplier to account for the subsistence and cultural aspects, and so there were some exceptions to the multiyear approach, where data was not available, for example, for some shellfish aquaculture, but, for the most part, we were able to use five years' worth of information. In addition, we established a minimum and a maximum, \$1 million minimum and a \$50 million max, as part of the allocation process.

Next, I will talk just a quick minute about eligibility, and I'm sure that you have all looked at the CARES Act, or have heard, and so, in general, commercial fishing businesses, charter/for-hire businesses, qualified aquaculture operators, processors, tribes with saltwater anadromous fisheries, as well as other fishery-related businesses, are eligible. There is some flexibility for the states, as it relates to the other fishery-related businesses, and so some businesses, such as restaurants, are not included as part of the eligibility for our portion of the CARES Act, the fisheries assistance, but others could be.

The two main stipulations in the CARES Act are that revenue losses have to be greater than 35 percent compared to the prior five-year average, and it was really interesting to see those presentations from the states, to see what some of that loss information is looking like, or, if there's been any negative impacts to subsistence, cultural, or ceremonial fisheries.

The revenue loss determination is left to the state, territory, or tribe to determine how they are going to determine that loss and how they're going to document it, and it does not have to be done on an annual basis, and, again, we just saw multiple examples of looking at month, or couple month, information to look at those losses.

In terms of the process, as you all are likely aware at this point, we are working with the respective interstate marine fisheries commissions to execute the funds, and we're using those commissions

because of our strong relationship with those guys, and I know Bob is on this call, or Toni, and so the commissions are responsible for working with each state, territory, or tribe to develop the spend plan for that state or territory, and the spend plan is where the specificity on how you will determine a 35 percent loss for the cultural or subsistence impact will be articulated. It's also where the states will explain how they're going to verify loss.

Once that spend plan is approved by us, then the commissions will be in place to process the payments to the eligible participants, and states can choose to execute the payments themselves, if they want, but, for the most part, we're expecting that the commissions will do that.

Then I've got just a couple more points before I open it up for questions. One key point is that the timelines -- I know everyone is keenly interested in when is this money going to be available, and please know that your states and us are working as quickly as possible to make that happen, and our timelines will vary, depending on the state's development of their spend plan. Most states have started development of their spend plan and are engaging with stakeholders now. The language from Congress gave us the ability to execute these funds on a rolling basis, and so no state is beholden to another state before its funding can be executed. It really just comes down to when the state is able to complete their spend plan and get that submitted to the commission and to us for our approval.

A couple other questions that have come up repeatedly that I will just touch on is, yes, individuals can receive funds from this process, as well as other CARES-Act-related funds, and you are not precluded from applying for this assistance if you did get help through either the PPP or SBA. The big thing here is that you can't make yourself more than whole across all of those different funding streams. I think I will stop right there, Madam Chair, and I'm happy to answer any questions.

MS. MCCAWLEY: Thank you, Kelly. Great presentation, and thanks for joining us to go over that. Do folks have questions for Kelly or questions for the state reps relative to the CARES Act? Council staff, I am assuming that you don't have any hands raised?

DR. CHEUVRONT: No, Madam Chair. No hands raised.

MS. MCCAWLEY: All right. Then let's see if we can start this discussion, and so, since we are behind here, we are going to be suggesting, at some point, a forty-five-minute lunch break, and then we will come back and finish all of the items. Next up on our list is the council response and emergency action consideration. John, I don't know if you guys have a presentation that you want to go over, and then, also, I think that there's a document that has the emergency request that we got from folks listed out as well.

MR. CARMICHAEL: Jessica, we do have a presentation here that will go through it. Take it away, Myra.

MS. BROUWER: Okay, and so hello, everybody. I know it's almost lunchtime, and we're all hungry, but this shouldn't take too long. It is, like John said, a very quick summary, just to walk us through the information document that we've put together that was in your late materials folder in the briefing book, and that was a team effort, and Chip, Mike E., Rick, Kyle Dettloff from the Science Center, and myself all chipped in to put that together, and so it has a lot of information. I

will do my best to summarize it, and then we're all going to tag-team to answer your questions and facilitate that discussion.

The idea was to first go to the stakeholders and request input, which we did via an online form, like the Wufoo form that you saw yesterday, to look at impacts, and we asked for ideas for possible short and long-term changes to management that could help offset impacts from the pandemic, and so we sent this out to commercial and recreational fishery participants, seafood dealers, wholesalers, and whoever else those folks wanted to request this information from, and we are summarizing input from that, from May 15 through June 1.

For the commercial sector, we only had three participants that provided feedback, and all of them said that there were no changes needed at this time, or at least they didn't have any ideas. One participant from North Carolina did note an increase in the demand for one and two-pound vermilion snapper.

The input for for-hire, we did get a little bit more input here, and some of the suggestions are on the screen right now, and suspending the annual closure for shallow-water grouper and allowing fishing in the Warsaw Hole Spawning SMZ in the Florida Keys was one suggestion. Consider delaying the implementation of the for-hire electronic reporting program, because of all the hardship that everybody has been enduring, lengthening the red snapper season, allowing bag limit sales of dolphin by dual-permitted vessels, and, long term, separating the for-hire sector from the recreational and allowing for the for-hire sector to sell their catch.

As far as the recreational sector, we had just a handful of suggestions, opening red grouper harvest in the Carolinas in May of 2021, and recall that this was the first year where red grouper remained closed during May, as a result of actions that you took in Regulatory Amendment 30, and, also, another idea was allowing fishing in closed areas, as long as everybody abides by the regulations, and some folks said no changes, that no changes are needed, go ahead and stay the course, and, also, extending recreational seasons was another suggestion.

We started there, and then we also included, to make sure that everybody is aware of what the criteria and the justification are for emergency action, and all this information is included in the info paper in a lot more detail, and so, as far as criteria, an emergency needs to result from recent unforeseen events, present serious conservation or management problems in the fishery, and it has to be something that can be addressed through emergency regulations for which immediate benefits outweigh the value of advanced notice and public comment.

For justification, to justify emergency action, there is four potential categories. There is ecological, and that has to be to prevent overfishing or other serious damage to the fishery or habitat. On the economic camp, prevent significant direct economic loss or preserve significant economic opportunity. Social, prevent significant community impacts or user group conflict, and, on the public health realm, prevent significant adverse effects to the health of fishery participants or seafood consumers.

We have divided it up into two sectors, and so we started brainstorming of how can we provide the council with some quantitative information, at least a little bit, that they can start sort of focusing on their discussion on species where short-term management changes are going to be relevant, and so that's what we tried to do, and, if you will advance one more, and so, for the

commercial sector, we started looking at landings, and we looked at the average percent that the commercial sector had landed their ACLs between 2016 through 2018, and then we used that to classify species into different groups, to hopefully get at maybe determining some candidate species that would be good for some potential changes.

The three groupings were species that landed less than 50 percent of the ACL, on average, between those three years, and those species are included in the appendix, Table 2.1 of the info document, and I will tell you why in a minute. The second category would species that landed between 50 and 94 percent of their ACLs, on average, between those years, and then the third grouping is those that landed over 94 percent of the ACL, on average.

If we go to Group 1, these are species that may need substantial changes in management to address this issue of long-term underharvest, and so we did not discuss these species any further, but they are included, along with the landings information, how much of the ACL was caught percent-wise and all that, and they are included in the appendix, and this group includes species like black sea bass, the deepwater complex, red grouper, the snappers complex.

The second group was those that were in between, and this is where we thought, okay, these species may be okay having some minor tweaks to management, so that more of their ACL can be harvested, and, of course, there are some species that are removed from consideration, because there is issues with their status or other factors, and all that rationale is presented in the paper, and so, as far as suggesting stocks for further consideration, we looked at maybe mutton snapper and wahoo, and we'll dig into those a little bit further, and I should also mention that the appendix includes a table with a summary of current management measures for both sectors, and so, as you go along with your discussions, if you need to refresh yourself on what the management measures are for each of these species we're talking about, those are included in the paper as well.

First off, mutton snapper, the landings, as of May of this year, were similar to those as of May of last year, and 68 percent of the ACL was met in 2019, and, so far this year, there is still 80 percent of the ACL available for the remainder of 2020, and so one of the potential things the council could consider is increasing the trip limit for mutton snapper. Currently, that trip limit is 500 pounds from January through March and July through December, and then, during the spawning season, which is April through June, the commercial sector is limited to five fish per person per day, or five per person per trip, whichever is more restrictive.

Then we looked at wahoo, and so the landings for wahoo in May of 2020 are about 50 percent less than last year at this time, and so we're thinking changes in management could help increase harvest in that second part of the year, and, here again, perhaps consider a temporary increase in the wahoo trip limit. Right now, the trip limit in the EEZ for wahoo is 500 pounds, and that applies to vessels that have a federal commercial permit for dolphin wahoo, provided that the vessel is not operating as a charter vessel or headboat, and then, if the vessel doesn't have a federal commercial permit for dolphin wahoo, but has another commercial vessel permit, then they're limited to 200 pounds combined of dolphin and wahoo, as long as it is north of 39 degrees, I believe.

Here we're getting into Group 3, and so these are species that are currently harvesting their ACL, and so they're expected to reach their ACL in 2020 under normal circumstances. Again, out of this group, some can be removed from consideration, due to stock status or other factors, and so we are going to dig a little bit more into vermilion snapper, yellowtail snapper, and perhaps Spanish

mackerel. Spanish mackerel landings in 2020 were down from previous years, but the ACL has been met in the Northern and Southern Zones for the past three fishing years.

In 2019, in the Northern Zone, that closed six months into the season. Now, the fishing year for Spanish is March to February, and so there is a few extra months that can be used to recover from pandemic impacts, as compared to a calendar-year fishery, and there's a 7 percent difference between the pace of landings in 2020 compared to 2019, and so, right now, we're thinking the council maybe could just monitor progress toward the ACL and consider Spanish again in September, when you'll have data hopefully through August, and then the fishery will have been open for six months of its fishing year, but we're going to dig down into vermilion.

For vermilion, the landings in May of 2020 were about 200,000 pounds less than landings at this time last year, and, at the time we put this presentation together, 51 percent of the Season 1 ACL had been landed, and I believe -- I checked this morning, and we're at 58 percent, and so it is unlikely that the full ACL will be met this year under the current regulations. Recall that the ACL for vermilion was increased in 2019, and you removed the trip limit step-down in 2020, in Regulatory Amendment 27.

We looked at -- We dug into the data a little bit, and we conducted two different quick analyses, and so, for one scenario, the trip limit could be increased to 2,000 pounds, and, according to this analysis, it would increase the harvest by 100,000 pounds. We are thinking this is not very likely, given that past commercial ACLs were met within six weeks when the trip limit was 1,500 pounds, and that was looking at data back from 2011 through 2013, and one possible reason for this is that this analysis doesn't account for a reduction in effort after the trip limit reduction was implemented during that time.

Looking at it another way, landings per week would need to increase by about 3,100 pounds to catch the second season ACL plus what we're expecting will get carried over, and, if that's the case, the trip limit could increase by a range of 100 to 250 pounds, and so, even though the increases in the trip limit could result in an early closure, we're estimating the season is going to last twenty-four weeks, with a rollover of about 167,000 pounds and a 100-pound limit increase to the trip limit, and so it's also important to consider that only approximately 25 percent of the trips are landing between 900 and 1,100 pounds, and there is some tables and figures in the paper that show some of this information.

For yellowtail, the fishing year was modified in 2016 to begin in August. Going back to the amendment that implemented that change, Regulatory Amendment 25, we looked at that most of the harvest for yellowtail occurs from April through July, and, based on that information, we're expecting that maybe 300,000 pounds would be harvested in June and July of 2020, if the fishery were to remain open that long. Typically, in the last couple of years, couple or three years, it's been closing in early June, but, right now, I believe that landings are at 70 percent of the ACL right now, and so, for this one, perhaps the council could consider a temporary suspension of the in-season closure, to allow the commercial sector that little extra time to harvest that little bit more of the ACL.

Here is just a little summary of what we've talked about so far, and these are just, mind you, ideas of things you could potentially consider, temporary trip limits increases for some species, temporary suspension of in-season AMs for some species, temporary opening of annual closed

seasons for species that are not undergoing overfishing or are overfished. Then allowing carryover of unused 2020 ACL into 2021.

Now, you're going to have to get some guidance from the agency as to which potential management response is doable on a temporary basis, and so I can pause here and I believe the next slide pertains to the recreational sector, and so we can talk about that.

MR. CARMICHAEL: I saw a hand go up from Tim.

MR. GRINER: I was just going to say that, on the commercial side, if we were to do anything right now, I would lean toward some type of carryover. As unfortunate as it is right now, until the market comes back, I don't know if catching more fish helps anybody right now. Our big issue right now is we don't have a place to go with the fish that we're catching, and so, really, I think, if we're going to do something on the commercial side, I either lean toward carrying some fish over or perhaps, if something were to close, then to change that accountability measure and not have an in-season closure, and so much like could benefit the yellowtail, but, for the majority of our species, we're not going to have a problem this year bumping up against the ACLs, and, if anything, that may help some of these stocks, but, at this point, I really just don't want to see increasing limits on vermilion to just start flooding the market with vermilion. There is just nowhere to go with them right now.

MS. MCCAWLEY: Thank you, Tim.

MR. BREWER: Following up on what Tim just said, giving them more fish right now doesn't seem like it will help. What they really need is they need to have some financial aid for what they're losing. I mean, I heard Tim say that he lost 99 percent of his business because the restaurants were closed. Well, until those restaurants get reopened, and they are starting to now, down here anyway, but they are operating at like 25 percent of capacity, and, by law, that's all they can do, and demand is not going to be there. Is there some way that we can, as a council, encourage this CARES Act money to get into the hands of the commercial folks that have been hit so hard, and I don't know, but it certainly would seem to me that, if we could, we should.

MS. MCCAWLEY: The CARES Act money, commercial fishermen are eligible to receive CARES Act money, as long as they've had that 35 percent loss, and so that's kind of already on the table.

MR. CONKLIN: I think, Tim, you have a good point, and more fish is just going to dilute what little bit of market we have right now, considering, if we have another wave of this stuff coming through, or if people are still acting crazy, and there's all kinds of crazy things going on here, and people are not going to restaurants that are open, because they are living in fear of other people, whether they're acting crazy or they're sick. That probably would make more sense, and so I think that's a good idea, and so, right now, we're competing with imports that are dirt cheap. All the big wholesale companies that usually buy domestic fish are buying really cheap imports, because they took such a big hit by having every restaurant in the country closed, and so why would you pay more for a domestic fish? I mean, there's not a whole lot of integrity out there and the imports are really -- Catch those fish next year, and that would be awesome, and hopefully everything comes back and we'll be able to -- For the people that can hold on that long, they can reap the benefits of it. Thank you.

MS. MCCAWLEY: Thank you, Chris.

MR. DILERNIA: Regarding a carryover, it was going to be part of my report, but it's relevant to the discussion now. At our April council meeting, the Mid-Atlantic Council voted to request emergency action to allow a one-time 5 percent rollover of the unused 2020 fishing year, specifically with golden tilefish, on the IFQ allocation.

We have requested emergency action, and I don't think we have received a response yet from GARFO or the agency, but we're asking if we can roll it over. Basically what happened is, at the beginning of the pandemic, prices crashed, and no one was buying fish, and it didn't pay to fish at all, and so we have requested that 5 percent to be rolled over and transferred into next year. Thank you.

MS. MCCAWLEY: Thank you, Tony. I think we're going to have a broader discussion after we get the way through this PowerPoint, and I was trying to focus on questions right now, and ideas are welcome also, but, once we get to the end of the PowerPoint, we're going to have a big discussion about all of this, but, if you have questions, let's certainly get them answered. Are there any more questions? Myra, back to you.

MS. BROUWER: Thank you. For the recreational sector, we, again, broke up the landings as well as we could, and landings, currently, are only available, of course, for Wave 1, and, given the disruption of sampling, it's really not clear just yet how estimates for Waves 2 and 3 are going to be derived for this year, and so, since the impacts of landings can't be estimated, then the species that are considered for temporary changes in management may be based on their importance or desirability.

There is a table in the info paper, Table 3, that summarizes recreational landings similarly to how we broke down commercial, including the percent that was landed, on average, from 2016 through 2018, and the species that landed between 50 and 90 percent of their ACLs are highlighted in yellow in that table.

One species that we looked at a little bit more, and you guys talked about this yesterday, was king mackerel, and the landings have been less than 40 percent of the ACL since 2011, and the stock, as you heard yesterday, is neither overfished nor undergoing overfishing. Right now, there is a two fish per person bag limit in Florida and a three fish per person north of Florida, and Christina reminded you all yesterday that the Mackerel Cobia AP had recommended increasing the Florida bag limit to three fish, to match the rest of the South Atlantic, I believe back in October of last year.

The ACL for king mackerel, the recreational ACL, is eight million pounds, and so we looked at -
- Mike Errigo did a bag limit analysis to estimate the increase in landings from raising the bag limit, and he used data from 2015 through 2017.

If you increase the bag limit, and, actually, the first two bullets, one and two, are for Florida, and the last bullet, going up to five fish, that's for the entire region, and so you can see the percent average increase in landings, and we don't think that the increase in the landings are substantial enough to meet or exceed the king mackerel ACL, and so that's one thing that you can consider.

Yellowtail snapper also is another species where the recreational sector has landed 41 percent of its ACL, on average, from 2016 through 2018. Right now, they are included in the ten snapper aggregate, and so you have a ten-fish limit within that aggregate. Potentially you could remove this ten-fish limit for yellowtail, remove it from the aggregate, I should say, and we don't think that would impact other species, and it could potentially even provide data on how fishing effort responds to loosening restrictions and informs future catch changes for this species.

Then other possible actions that we thought would be to suspend in-season closures for species that are predicted to reach their ACL in 2020, and I don't have a list of what those species may be at this point, and you could consider limiting it just to stocks for which ACLs are not based on stock assessments, and so we do have some, as you pointed out, some data issues. The loss of nearly all access point sampling in April and May, and so something like this could potentially support recovery of all aspects of recreational fishing in the region and avoid unnecessary closures later in the year. Then this is just basically a summary of all the ideas that we have put in this presentation for you guys to just have at it, and so I think that wraps it up for me.

MS. MCCAWLEY: Thank you, Myra. Are there questions for Myra?

MR. CARMICHAEL: Jessica, while we're waiting on that, I just want to add that the philosophy that we were taking towards the recreational fishery was thinking about what kind of changes might make trips more attractive, particularly within the for-hire sector that we saw from the state reports has been hit so hard, what changes might be out there that could make someone more likely to want to take a charter trip and help those guys sell more trips in the remainder of the year.

MS. MCCAWLEY: Thank you, John. That was helpful.

DR. MCGOVERN: I had a question regarding the commercial yellowtail snapper and removal of the in-season closure, and I didn't really understand what that meant. The fishing year ends at the end of July, and so the new fishing year will start on August 1, and so I'm not sure what was meant by what was going on with that one.

MS. BROUWER: Jack, I think we were -- When we were putting this together, we were just sort of thinking that, if it closes like it has been closing in recent years, in early June, maybe allowing the fishermen to continue to harvest yellowtail through the end of July would give them a little bit of a boost there, and that's where we were coming from.

DR. MCGOVERN: It will take some time to do an emergency rule, and I'm not sure we could have it done that quickly. It's June now, and the end of the fishing year is next month, and so it might be hard to get something in place that quickly.

MS. BECKWITH: I mean, I can see some benefit to increasing the king mackerel to four in our region, but, I mean, I also don't think that folks are really going to book all that many more charters for one additional king mackerel. Yellowtail snapper, I'm also sort of cognizant that, when it does close, I think, if memory serves, it's sort of the peak of their spawning, when it does close in July, and so that's something to consider, and so just thinking out loud, and I haven't had a lot of time to sort of digest all of these options.

MS. MCCAWLEY: Thank you, Anna.

MR. BREWER: I am very concerned right now, because the truth of the matter is, if we have the second wave of this COVID, none of this is going to matter that much, really, and the market is voting today with what it thinks -- The market is down over 1,200 points, but, if we are looking for sort of a big bang for the charter/for-hire folks, the best thing that I can think of would be an additional red snapper season, maybe in the fall, that would allow them, and I mean have it a set date, and I will just pull out of the air September 1 through September 30, so that they can have some stability, hopefully, and get some trips booked, particularly with some of the out-of-state folks who come down every year, to Florida anyway, or used to come down every year, to fish for red snapper.

They are hurting, and they need some help. Now, insofar as putting that in place, I mean, there's no question there's an emergency that's going on. I mean, the government is giving out \$1,200 checks like it's candy, and billions and billions and billions of dollars to companies because of the emergency situation. I was wondering if, and I think back to what happened in the Gulf, I think it was three years ago. The Secretary of Commerce just said, no, I think there are enough fish out there, red snapper in particular, that we can add -- I forget how much he added, but I think he added thirty or thirty-five days to the season.

The world did not come spinning to an end, and I don't think that their rebuilding plan was adversely affected. There were some people that were angry about it, but, when he did that, he did it under his authority, emergency authority, and I questioned whether there was an emergency at the time, although I was happy to see some additional days on their season.

We've got an honest-to-god emergency, and so I would like to make a motion, or at least put the thought out there, and we can talk about it some more, but that we write a letter the Secretary of Commerce, Wilbur Ross, and ask that he please consider having an additional red snapper season in the fall. There are a lot of reasons for it.

One of them is that, hopefully, within the next day or two, or maybe even it will happen today, the best fishing practices amendment. That's going to save a lot of fish, and so, along that same line, I would like there to be a direction to staff that, as soon as that thing hits, preparations are made to start evaluating the effectiveness of that amendment, and, in particular, how many pounds, or how many fish, are saved if there is full implementation, and, with that, perhaps somebody can second me.

DR. CHRISTIANSEN: Second, Chester.

MS. MCCAWLEY: We've got a second by Kyle. It's under discussion. I see lots of hands in the queue, and we're pushing the limits of my bladder, but I was hoping that we could get through the questions about Myra's presentation and then start a broader discussion after lunch. We have a motion on the table about red snapper, and then, Myra, would you mind also capturing the direction that Chester mentioned, which was, once the best fishing practice amendment is in place, to start evaluating the effectiveness of descending devices, and that might not be exactly how he said it, and so we might have to come back to that, and so, Chester, you might need to get into the queue again to help fix that up.

I am going to go to the queue of questions, or hands up here, and so, once again, just my thinking is that we can get through this part about red snapper with this motion on the board and then we will break for lunch, and then we will come back and continue the discussions about what we want to do here, and we haven't looked at the emergency action request list that came from stakeholders, and we have a lot of work to do on this item, and so, with that, I'm going to go to the hands that are up. Tim.

MR. GRINER: Thank you, Madam Chair. Chester kind of pointed us in the direction that I was going to talk about as well, but, in listening to this, he is right that we need -- The recreational, the charter/for-hire guys, need a draw, something to draw these people, and this is a great idea. Unfortunately, until the hotels and the restaurants and everything else kicks back in -- I think it will help, but I think it will have a limited effect, and so I don't think it could hurt at all. I don't think you'll see any detrimental effect to the red snapper mass.

It made me think, along the same lines then, if we're going to do that, then I think we should also look at doing away with any of the in-season closures on the commercial side for the red snapper this year. I mean, we're only keeping seventy-five pounds, and it could go pretty quick, and so, along the same lines, I would like to just see that seventy-five pounds just stay in effect the rest of the year. Thank you.

MS. MCCAWLEY: Thank you, Tim.

MR. DILERNIA: I'm going to be brief, but, first, let me be clear that I am speaking now as a for-hire captain with fifty years of experience up here in the Northeast and not as the liaison for the Mid-Atlantic Council, and so it's my own personal opinion, and I think Chester has a very good idea, and I would encourage the council to follow Chester's idea, and, again, I'll be brief, and so that's all I will say at this time. Thank you.

MS. MCCAWLEY: Thank you, Tony.

MR. POLAND: I originally had questions on the presentation, but I will save those for later. As far as my thoughts on this, I would assume we would need to spend a little bit more time talking about our rationale in support for this request, and so I assume that will come either through the discussion of the motion or once we see a drafted letter, but, as far as the direction the staff -- As far as best practices and evaluating the use of descending devices, I am -- It's an admirable request, but it's also a difficult request, because we did talk about this a few times during the deliberations for that amendment and the fact that it's going to take some type of measure of use and compliance, and that's not really something that the council, outside of our act, have the ability to collect, because it really needs to be through APAIS intercepts and MRIP surveys and that kind of stuff, but, even then, validating that is going to be very difficult to come up with an accurate estimate of how many fish we're saving, or at least an estimate that could be weighed against the ACL or anything like that.

I mean, I'm not opposed to providing that direction, and I believe that council staff is already working on that, but I guess I'm just putting this out there just to make sure we're all aware that that's a monumental task, and it might be an unattainable task, especially in the short term.

MS. MCCAWLEY: Thank you, Steve.

MR. CONKLIN: Chester, I like your idea, and, if we -- I mean, if we had to save some fish, we could, maybe just for the charter, federally-permitted charter boats, but I don't know if people would be as supportive of that, but then I'm thinking that, the last two or three Septembers, the whole entire month has been shot, due to hurricanes, and I was wondering if perhaps October 1 through 31 may be better, and plus you get an extra day, but that's just for thought, for people to think about. Thank you.

MS. MCCAWLEY: Thank you, Chris. Art, you're next, and sorry I skipped you a minute ago.

MR. SAPP: I see how it is. No, but I was just raising my hand to second. I like Chester's idea a lot, and I would love to have more conversation about Tim's idea. I think that's a great idea as well.

MS. BECKWITH: If I am reading this right, we would be requesting them to open the red snapper season for thirty days, which makes me question, and I assume that Monica is going to jump in here for this, but we are beholden to the ABC, even under emergency actions, and so, if the Secretary did grant us this, then you might be sacrificing many future years of red snapper seasons because of the required payback provisions, and so I would be a little bit concerned about that and would need more information on that before I could make a decision.

I think Chris is correct that the industry that would certainly need the boost the most for this particular thing would be the for-hire, and I'm not sure that the council would be willing to move forward with just an opening, or a limited opening, for just the federally-permitted for-hire, and I think that would -- If we were willing to do that, I think that would help alleviate some of the overages that could occur.

MS. MCCAWLEY: Just to address a couple of points in there, I mean, we have an assessment coming, and we had a discussion earlier in the week that we think that we'll have something for next year, and we know that there was some data that was left out of the last setting of the ABC, and so the stock could be rebuilding faster than what we think it is, and we could be getting a boost next year, but we just don't have that information right now, and so I'm just throwing that out there, and we've had some of those discussions in the past.

DR. MCGOVERN: My comments are similar to what Anna said, and Roy is on a call right now, and so he can't comment, but I can't support this portion of the motion to send a letter to the Secretary. We do have an ACL, and the council has promised to conserve and manage fishery resources, and what we're essentially doing is asking the Secretary to go over the ACL, and so it just doesn't seem appropriate to me.

MS. MCCAWLEY: Thank you, Jack.

MS. SMIT-BRUNELLO: Along those same lines, we just published a notice, the Fisheries Service published a notice, announcing that there would be a four-day season this year. In that notice, they discussed that last year's five-day season went over. The recreational ACL was exceeded, and they determined that keeping it within four days this year would have a good chance, and it's expected to keep it within its ACL, and so, if you add another thirty days on top of that, I don't see how you're going to stay within the ABC at all. I don't know what this could do to the stock

assessment. As Jessica just mentioned, some things were not considered, as she mentioned, in setting that ABC, and hopefully they would -- They are all supposed to be considered at this next stock assessment, and I just don't see how this would comply with the Magnuson Act at all.

I'm not really going to speak to what happened in the Gulf. That was a secretarial action that Chester mentioned. There was litigation stemming from that. As you know, the ACL in the Gulf for red snapper is enormously higher than the one in the South Atlantic, and I am very empathetic with a lot of the financial impacts that have happened to folks, and so I'm not speaking along those lines, but it's just that I don't see how we are going to stay within the law if this action goes forward. That's, I think, it for now.

MS. MCCAWLEY: Thanks, Monica. My recollection in the Gulf is also that, when the stock assessments have been conducted, that they indicated that, each time, that the Gulf red snapper stock was ahead of schedule on the rebuilding schedule, and I was frantically trying to find some information to completely verify that, but I can't pull it up as quickly as I would like, and you're right that the quota over there is a lot larger than what it is over here.

I guess I'm trying to figure out what is the pleasure of the council. I feel like there's probably going to be more discussion on this before we vote. Do we want to keep this motion on the table and come back after lunch? Do we want to have more discussion on it and vote now? What are the thoughts?

MR. POLAND: My preference would be to handle this motion after lunch.

MS. MCCAWLEY: All right. That's kind of my preference as well, because I feel like we need some more discussion here, and I was trying to pull up some other pieces of data, and so let's go the four people in the queue and see what they have to say.

MR. BELL: I was just going to jump in and say that I prefer to deal with this after lunch, and we can think about it for a second, because there's some other moving parts and all that we need to be careful about.

MS. MCCAWLEY: Okay.

MR. BREWER: I'm hungry, and I want to take a minute to think about what Tim suggested, because I think I'm in favor of that as well, and so I want to think about that over lunch, and so I would even make a motion for it. Thank you.

MS. MCCAWLEY: Thank you.

MR. CONKLIN: I just want to reiterate that September is the prime of hurricane season, and so I would prefer a little later date, and I would prefer it to only be for charter/for-hire, federally-permitted boats, but, with an open-access permit, if we give them until September or October, everybody and their brother is going to go get a permit, and so we already tried to fix that one time, and evidently it's going to come back to bite us in the butt if we do this thing. Anyway, thank you.

MS. MCCAWLEY: Thank you. Let's go ahead and break for lunch, and we'll come back in forty-five minutes. People think about this motion that is on the board here, and we've heard some

other discussion, and we've heard some discussion about charter, and we've heard discussion about options for commercial, and we have also heard discussion about the particular month that's in the motion, the month of September, being prime hurricane season.

In fact, I think we've even cancelled council meetings because of hurricanes in the month of September, and so let's just think about all of these different things. Good points brought up here by everyone, and we will come back in forty-five minutes, and we will continue this discussion. Thank you.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: I think we can go ahead and get going here. Let's go back to the motion that we had. Before we left, we were talking about this motion that was to send a letter to the Secretary requesting an additional recreational red snapper season to be open September 1 through 30. I feel like we need to go back to this discussion. Some of the things we were talking about before we took a lunch break is, is September the right month?

We heard people make arguments for October, and we talked a little bit about, and you see some of it on the board there, about the best fishing practices amendment, and we talked about commercial, and we talked about just a season for for-hire, and we talked about Magnuson, and so who wants to get the discussion started again now that we're back from lunch?

MR. BELL: A couple of points. One is the season, and I know David looked at the peak hurricane activity, at least for us, or maybe the coast, and September is our peak month, and so, if anything were able to be open, I think October would be a better selection, just related to avoidance of the worst-possible timing for hurricanes anyway, and so I would prefer the timing to be a little later, and I realize that winds start picking up, but water temperatures cool, and hurricanes are not as probable, and there are still really nice days, and so I would just prefer not in the peak hurricane season.

Then, related to the ask itself, I think it's real critical of what we're asking or how we're asking, and it's basically we still have to stay within the confines of Magnuson, and asking to do something that might step outside of that is -- You've heard Monica and Jack both kind of speak a little bit, but I would be real hesitant to ask for something that is clearly outside of Magnuson, and, being specific about it, if we could ask for consideration of the possibility of this, if we find ourselves able to stay inside the law, then, sure, I would love to see that happen.

The other thing is I just got off this call with ASMFC, and we had folks from MRIP on there, talking about the big hole we're going to have, in particularly Wave 2, for estimates of landings and things, and it's just going to be this huge data hole, and, well, okay, red snapper was not open during that time period, or during the recent months, but a lot of fishing may have been going on out there, as we kind of heard from some of the stuff we talked about this morning. Therefore, you have the potential for a lot more post-release mortality associated with red snapper, and that's going to be a big question-mark as well.

I'm just a little hesitant about this, and, sure, it would be great to offer this opportunity, and, as Chris mentioned, and particularly to the for-hire folks, because, I mean, they actually have business-related economic losses that maybe they could make up a little bit later in the year, and

that would be fantastic, but timing, staying within the law, and I just don't know how we deal with the data hole, in terms of what we've lost, in terms of APAIS being shut down for a while, and that's it. That's what I've got right now. Thank you.

MS. MCCAWLEY: Thank you, Mel, and so, before we go to the other folks with their hands up, I just wanted to address a couple of points that you mentioned. First, I have some of the same concerns about the month of September, but, also, I, like you, am wondering if the motion needs to be more general. I agree that we don't know what's going to happen with the MRIP numbers, and so I'm wondering if the motion is something like send a letter to the Secretary requesting an additional fall red snapper season, if possible, or something of that nature, and so I'm just throwing that out there, that there might be a way to word this.

Then the rest of our letter could talk about some of the things that we're bringing up here, which, to me, we're bringing up how badly the for-hire fleet has been hurt and how this fall season is really about an opportunity, because it is the fall, and the weather is a little bit more iffy than it is in the summer, and so, really, all fishing days are not created equal, which is something that we talk about a lot for Gulf red snapper.

A fall fishing day, especially a fall weekday, is a lot different than a summer weekend, when it comes to fishing for red snapper, and so the effort would likely be down in the fall. In fact, as we talked about with these particular months, will there be another COVID wave, and will boats even be able to go out in the fall? Are we going to be in the same type of situation that we were in in the March and April timeframe?

I am just wondering if there's a way that we possibly talk about this in more generalities and we talk about kind of our case, like here's our points, here's what we're concerned about, and I think we would also suggest that, while we want this red snapper season in the fall, if the COVID stuff is back like it was in March and April, then maybe October isn't the right month, and I'm just throwing some things out there that we could put in a letter to the Secretary about red snapper, and so just some things to think about. Let me start going through our list here.

DR. CHRISTIANSEN: Real quick, we could talk for years on this, and so I guess one of my points is, if we are going to do something, then we have a very, very short time period to actually -- Where it will help the people it needs to help. If we have to stay in the confines of the Magnuson Act, then it's a moot point, because we're already at our limit, and we're opening it up when basically Florida is opening up and the charter guys are going to be able to fish. The commercial guys, they have their limit, and they have their quota, like everything else, and so it's not like the COVID actually interfered with the red snapper season. We don't have a season. We have four days, and so all of this talking about this, and I think Chester's whole purpose was to give the economy a bump for the people who need it.

As bad as the rebound, or not rebound, but, as bad as we're going to take a beating from the recreational side, I do support the commercial side, for these guys to try to make some money because they haven't been able to fish. The charter boat guys in Florida are starving. I mean, they have cancelled trips and cancelled trips and cancelled trips, and this is -- We have a very short window that, if we are going to try to do something, we have to do it.

My initial understanding of the emergency act was it did not have to stay within the confines of our ACLs, and I guess I was completely wrong about that. If we have to stay within the confines of our ACLs, we're already limited to what we can catch by four days, and, unless they just say the ACLs don't matter and we're going to give you another twenty days to try to make some money for these guys, then what are we talking about this for?

MS. MCCAWLEY: Thanks, Kyle.

MR. GRINER: I guess my question is probably more for Roy. On the commercial end, just suspend an in-season closure, that in-season accountability measure, can that be done through this emergency rulemaking process, and, if it can, can the payback, the post-season accountability measure, can that be then turned and spread out over a longer period of time, or, if we were to suspend the in-season closure, and we ended up in a payback situation, does all that payback have to be done immediately the following year?

DR. CRABTREE: Let me first apologize that I had to leave you earlier, before lunch, because I had a call with the Senate Appropriations Committee staff to talk about, what else, red snapper, and I can see that I missed some things. First off, anything that we do has to follow the Magnuson Act, and, while all of us want to find ways to help fishermen and help people recover from a loss of business, the Magnuson Act is still in place, whether it's an emergency rule or not, and so we do have to follow Magnuson.

In terms of Tim's questions about suspending paybacks and those kinds of things, maybe. We don't have a payback in place for red snapper, and we haven't done a payback ever for red snapper, and so the payback that would come if the season was somehow extended by this amount would be when the new stock assessment comes, because I can't imagine how we wouldn't catch many, many times the ABC, and we would certainly be overfishing with a season of this length.

We looked for ways to lengthen the red snapper season, and you may recall, after the Jekyll Island council meeting, we were talking about three days, and I thought we would announce the season shortly after that meeting, and, well, the virus and COVID kicked in and all of the shutdowns and stay and shelter at home came in, and it became clear to me that we need to hold off, because it's impossible to really know what's going to happen with effort, and it initially made sense to me to believe that effort might be down considerably, but, as we heard from everyone in the earlier discussion, that doesn't really seem to be the case, as far as I can tell, at least for the private fishermen, although it probably is with charter boats, but they seem to be starting back to booking some trips now.

At any rate, only about I think around 15 percent of the red snapper take on the recreational side is by charter boats, and it's mostly private, and so I would encourage you not to send a letter like this to the Secretary. I don't think you as a council want to send a letter out asking for an action that violates the Magnuson Act. To me, that diminishes you as a council, and I don't think you want to do that, and, frankly, I think it puts the Secretary in a very difficult position, because you're essentially asking him to violate the statute.

There is no question that we would be sued over this. When this happened in the Gulf, and I guess Chester brought that up, we were sued immediately after that happened, and we didn't offer a defense from the lawsuit, and Chris Oliver had to put out a declaration that this wouldn't happen

again, and so I don't think you want to come in and ask them to go down that path again, and so I would encourage you not to do that.

There are practical considerations of this as well, and the FWRI does that survey of the east coast of Florida, and that's where our catch estimate largely comes from, and most of the harvest is off of Florida. We transfer money from the Regional Office to FWRI every year to cover that, but I don't have the funds it would take to cover doing a thirty-day excursion over there, and I don't think FWRI would be able to do what they did for an extended season, and so I don't know how we would ever figure out what the catch was. I think we would have to fall back on MRIP, and then we have all these problems with one type of survey from one season and something different, and I think that becomes really problematic, and I think it throws a big monkey-wrench into the next stock assessment.

I am all for trying to help the fishermen and finding things that we can do here, and, if we were talking an emergency rule to raise the catch limits for king mackerel or amberjack, we have favorable stock assessments there, and maybe we could do something like that, but I don't think this is a productive thing to do, and I would encourage you not to go down this path.

MS. MCCAWLEY: Thanks, Roy. That's why I was suggesting that, if we were going to do something like this, the motion be more general about request an additional fall season, if quota was available, or something like that.

MR. SAPP: We're talking, and I'm very partial to this group, the for-hire group as being hurt severely, as they are, but the recreational fishermen aren't making money off of these trips, but the folks they pay are, the tackle shops and the companies that service the tackle shops. They took every bit as big a beating as the for-hire group, and so, while I would love to assist the for-hire group, I don't want to forget about everybody else that has also been affected, and so I'm not a fan of just for-hire getting a break if, by some miraculous fashion, this were to happen.

MS. MCCAWLEY: Thanks, Art.

MR. POLAND: I initially had a question on the scope of emergency action and how that plays with Magnuson, and Roy answered those questions, and so thank you, Roy. I tend to agree with the points that you, Madam Chair, and Mel raised earlier, as far as softening this language up some and just kind of leaving it up to the Secretary to determine if there is any flexibility here, because, I mean, I would certainly -- If there was a way to provide more red snapper, as in more days for the fishery, I am certainly all in favor of it, but what I'm hearing is our hands are really tied by Magnuson, and then I myself, in my position, have some reservations on supporting a motion that's basically asking the Secretary to violate the law. As much as I want to see more red snapper, I don't know if I can support it, as written.

MS. MCCAWLEY: Thanks, Steve.

MR. BREWER: I am not married to September as the time period when it would take place at all, and, Jessica, I agree with you that we might want to make it more generalized, and so I would be happy to withdraw this motion and make another one, with the position of the -- It's been seconded. I'm sorry, and I can't do that, because it belongs to the council now. Let's make an alternative motion.

MS. MCCAWLEY: Okay. Go ahead.

MR. BREWER: **I will make a substitute motion, which would be to send a letter to the Secretary requesting a fall red snapper season, if possible.**

MS. MCCAWLEY: All right. Is there a second to this substitute motion?

MR. SAPP: Absolutely.

MS. MCCAWLEY: It's seconded by Art, and it's now under discussion. Chester, did you want to say anything else about the motion, since you were the maker?

MR. BREWER: Yes, I do. I was thinking about what Art said, and that is that it's not just the charter/for-hire guys, but it's the tackle shop guys, the guys that sell bait, and it's the hotel operators, and it's the restaurants. Ideally, what we want to see happen, if possible, is a pre-announced, solid season, however long that season can possibly be, announced far enough in advance so that people can make their reservations with hotels and make their reservations with the charter guys, and let's try to get some relief, primarily to the charter guys, but also to the people who are the ancillary damage, which was the hotels and restaurants, et cetera, et cetera.

With regard to Magnuson, and I've sure they've got some really smart lawyers up there at the Department of Commerce, and they can figure out at least how to -- Well, how to see how they can squeeze some days out, if possible, and stay within the confines of the law. They did it before, and so we're not really asking them to do something illegal. We're just saying, hey, there's a real emergency here, and we would appreciate it if you could find some way to help, and, with that, I will mute myself.

MS. MCCAWLEY: Thanks, Chester.

MR. DILERNIA: I will be brief again, and I think Chester's substitute motion is a better motion than the original motion. When I spoke to the original motion, I thought that there was going to be a significant amount of unused quota that could be accessed in the fall, but, from further discussion, it appears there may not be, and so I think the substitute motion is a better motion at this point. Thank you.

MS. MCCAWLEY: Thank you, Tony.

DR. CRABTREE: Well, if there was any uncaught quota, I can assure you that we would reopen red snapper, if we had a way to do it. While I agree this is probably a better motion, I still would encourage you not to do this. I can tell you that, because I get a lot of these requests that go to the Secretary, or to Chris Oliver, for various things like this, and I have a request from the Ocean Conservancy in the Gulf of Mexico asking us to essentially reduce the recreational red harvest of red snapper, and the response we sent back to them was that we believe the best way to deal with this is through the council process.

If I was asked to respond to a letter like this, from a constituent or someone else, I would say that you need to take this to the council. It's their job to determine what's possible within the confines

of the Magnuson Act, and the council has a staff of experts, and the council has some very smart lawyers to advise them.

To me, what you're doing here is you're turning onto the Secretary what is really your job to figure out. Is there a way to lengthen or have another red snapper season while following the requirements of the Magnuson Act, and so, if you send a letter like this, and if somehow it gets sent down to the Regional Office to draft a response, I would refer you to follow your own process and determine this, because that's really what you guys were appointed to do. You all took an oath to follow the Magnuson Act, and so you've got to do that, but you need to figure out if there's a way to deal with this and not just -- I would not just punt it up to the Secretary.

MS. MCCAWLEY: All right. Thank you, Roy. I would also like to point out that the state agency reps don't take the oath, and they are also not appointed exactly in the same way as everybody else.

MR. BELL: Well, I like the general nature of this and where we were going with it, but what I thought of it as being was just stating that, if we find ourselves -- Let's say we get to July, and we have our four days, and let's say three out of the four days are a blowout or something, or all four days are a blowout, and I realize that it takes us a little bit of time to kind of figure out what our numbers are, but my thinking was that you find yourself with potential quota available, and it's now fall, and that's why I wasn't really sure.

Roy, you said you figure it out, but do you have the authority right now that you would need for us to implement another two days or three days, whatever it ends up being, in October? I wasn't sure that you actually had the ability to make that happen, and that's why I thought this is just simply stating that we realize these issues, we realize the impacts, and this would be great, and, if we find ourselves, after July, sometime after we've kind of done a count, with fish left on the table, can you -- Do you have the authority to quickly pick a weekend, because, if we have to go, like you said, as a council -- Now we're into -- We have gone through maybe the September meeting or something, or maybe it's about that time, and, yes, we're engaged, but we're not meeting again until December, and do you have the authority to make sure that the fishermen can have access to those additional fish that are remaining on the table, so to speak?

DR. CRABTREE: If I can respond, the answer is yes. We have the authority to reopen the fishery if the quota is not caught, and you may recall that we did that this year with the golden tilefish longline fishery, and we reopened for an additional ten days, and we also have authority with red snapper, built into the regulations, if there is tropical weather, we have authority to move the season and reopen it, and so we have all that.

You're right that it could turn out that we don't have time to consult with the council about something like that, and so we would just reopen it, as best we could, but we have authority in pretty much all these fisheries, and we close when the quota is caught, and, if we determine the quota wasn't caught, for whatever reason, then we reopen, and we do that quite often.

MS. MCCAWLEY: Thanks, Roy.

MS. BECKWITH: I am not in support of this motion, and I would be more interested in thinking through some of the other options, like increasing bag limits for king mackerel or temporarily

increasing the trip limit for vermilion for commercial or something that might make more of an impact.

I know Tim and Chris have stated concerns that the commercial really didn't have a place to sell the fish to right now, but I suspect that -- Well, I certainly hope that, in the fall, and as we recover a little bit economically over the summer, and restaurants are opening up now, and there is some local tourism, and certainly Carteret County is seeing quite a few people, and so I won't be supporting this motion, and I simply would suggest that we move on to something else as well to discuss before all of our time is up.

MS. MCCAWLEY: I guess my take on that is hold that thought. We're coming to those other fisheries as soon as we can get through this red snapper discussion, and so hold that thought.

MR. SAPP: I promise this will be it for me on this thought, but one of the added benefits to making it happen in the fall like that would be if April especially, and March to some degree, are of the busier times, at least in Florida, for charter fishing, and it really picks up, and then September and October are by far the two slower months throughout the whole year, and so, if you could somehow boost that time, to make up for losing so much of the highly-valued time, it would be wonderful.

The mystique about that pretty little snapper will absolutely draw trips. Unfortunately, the SKA went out of business several times, because there just isn't that big of a mystique about kingfish. Adding a few kingfish isn't going to draw a whole bunch of charters. It will certainly supplement charters that already exist, but you're not going to book a whole bunch of trips because you get to catch one or two more kingfish, unlike with snapper.

MS. MCCAWLEY: Thanks, Art.

MR. POLAND: I appreciate Roy's last comment, and everything we've heard is it seems pretty clear that, if we send this letter, regardless of how it's worded -- I mean, there's not a lot there for the Secretary to do, and it's really kind of still in our court, as far as coming up with some unique options, or ingenious options, for this, because it's just not a lot of fish, as far as the ACLs, to deal with here, and, in hearing what Roy said loud and clear, and the fact that we have been encouraged to work through this emergency action, not only for red snapper, but for all these fisheries, to kind of find some relief, there is some other ways that we can affect red snapper catch, or even catch rates, or even survival, and I feel like all of that is still on the table for red snapper.

For example, we've got Regulatory Amendment 29 out there, and I don't know where it is as far as that final rule being published and implemented, but nothing is stopping us, I don't think, from requesting an emergency rule to go ahead and make descending devices required in the red snapper fishery, and so, if it's in place hopefully before this July season, and, again, I don't know how quickly it can get in place, but that might give us a little more of an argument to say, hey, we've done something to reduce discard mortality and increase survival of discarded red snapper, not only during the season, but outside of the season, and so, if survival is increased, could we get another day or two or something like that, and I feel like might be a potential emergency action that we could look for, and I am interested to hear what the rest of the council thinks on that.

MS. MCCAWLEY: Thanks, Steve.

MS. SMIT-BRUNELLO: I was going to speak to the ability of the Fisheries Service to reopen if there's uncaught quota, and Roy already addressed that, and so I do want to speak to something that Steve just said though, and that is that the Regulatory Amendment 29 final rule I think is in the queue to be published in the Federal Register, and, while it doesn't require that descending devices be used, I think we debated that and suggested that it may not be appropriate at all times, and so it would be -- You determined that it would be appropriate to have those onboard and used if necessary, and so I'm not sure what you would do with an emergency rule, and maybe I didn't understand Steve correctly, but, in any event, we couldn't get an emergency rule in place prior to the start of the July red snapper season.

MS. MCCAWLEY: Thanks, Monica. I appreciate all these points, and, before we vote, I want to make sure that everybody has a chance to speak if they want to. Another thought I have here is we could change this to send a letter to the Secretary and Roy, but I guess that I kind of thought, based on some of Chester's initial arguments and coming out of these presentations that we've seen today, I felt like part of what was being suggested by this motion was indicating to the Secretary how important a fall red snapper would be, because of this COVID situation, and laying out some of the reasons why it would be important and talking about the damage to the for-hire fleet and about the opportunity that this would offer and those types of things.

I saw this, and that's why I was suggesting making the motion more general, which is what the substitute motion is, but I thought that part of it was about the importance of the for-hire fleet, and it was about adding these fishing opportunities and things of that nature, that it was bigger than what it appears, just as simple as we're going to add one day in the fall, but it was more that this is important, and we think our for-hire and commercial fleets are important, and then kind of here's some suggested actions from the council, and this was just going to be kind of one of them on the list, is what I was thinking, but I don't think everybody was seeing this the same way, and so I don't want to step over folks.

MR. BELL: To that, I think a letter like you have described, which is not sort of what we're talking about here right this second, certainly kind of memorializing all of this conversation we've had and the data brought in and expressing the concerns and pointing out the importance of the fishery and the impacts on -- I mean, that's great, but, to this particular motion, in a way, after hearing Roy, it sounds like, in a way, what we're saying to the Secretary is we would really like for Roy to be able to do this if the opportunity affords itself.

Then great, and, if he can already do it, he can already do it, and so I think maybe the value is the discussion we've had on the record here, and, if we want to kind of put that in a letter, just like you've said, sort of expressing some specific points and saying that, sure, and, I mean, we definitely would encourage this to happen, if we find ourselves at the end of the season with fish on the table, and we would definitely encourage this, but, if Roy has the authority right now, then that's not an issue, and he'll do it if he can, and we'll stay within Magnuson, but it's kind of a different letter, what you just described, but I agree that could be valuable, to just sort of put all that in a letter, expressing the things that we understand about all of this now.

MS. MCCAWLEY: Thanks, Mel.

DR. CRABTREE: On the descending device rule, that's going to I think file at the Federal Register tomorrow, and they're going to roll it out tomorrow, and it will become effective on July 15, and

so it will catch one day of snapper season, but, really, you want the descending devices after snapper season, right, when the discards are going to occur.

I think, if you want to write a letter to the Secretary about the various things you want to do, if you want to emphasize the importance of the for-hire fishery and recreational fishing in the Southeast and your concerns about how COVID has affected it, if you want to thank the Secretary for moving Amendment 29 quickly through the process and the importance of that, if you want to express your desire to continue to work together to find ways to increase snapper season, if you want to emphasize the importance of the assessment that's coming up, I think those are all great things, and, if you want to say that you want to work with NMFS to ensure that we maximize the harvest of red snapper and that if there are any fish left on the table that we would like to have a fall season, I think those are all fine, and you can do those, but I just think that you need to be clear in your letter that you're doing your jobs, and you're doing your due diligence, and you're finding -- You're working through the Magnuson Act.

The other thing with determining if there are fish left on the table with red snapper is, Jessica, I don't know how quickly FWRI might can turn around the catch reports, but that would be a key part of this, is for us to be able to tell what's caught in the four-day mini-season, and, in the past, we've gotten those reports late in the year, and so, if there's anything that can be done to turn that around a little more quickly, and I don't know if that's possible or not, but I would make the letter along those lines.

Emphasize the importance of the fishery, the recreational fishery, and the upcoming stock assessment and express your desire to continue to work through the process and with the agency to find ways to make sure that we have as much access as we can have.

MS. MCCAWLEY: I like those points, Roy, that you made about what all -- I was trying to write them down as fast as I could while you were making them, about what all should go in this letter, and I think that those are great ideas, whether this particular motion passes or not, but, to me, I saw the motion as this broader thing, kind of like what you're describing, because I was mentally trying to construct this letter in my head, but, to address the FWRI data coming out of the season, I can certainly talk to our folks about how soon we could get that through, and something that I was going to talk about in my state liaison report is our commission just approved the state reef fish survey, which is, if you're familiar with our Gulf Reef Fish Survey, it's now taking that and putting it out there state-wide, and so that rule will be effective and starts July 1, that folks have to have the state reef fish survey if you are fishing from a vessel and you're going offshore, and we have a list of species, and red snapper is one of them.

While this will still be in the early stages, it will be in effect this year for Florida, and we'll hopefully be able to get some better numbers that would go with our intensive sampling that we would have this year, and, of course, moving into the future, away from this initial phases of the state red snapper system on the Atlantic coast, I think the data will continue to get better and better over time, but, yes, I was trying to leave that out of the discussion here and just talk about it in the liaison report, but there is another piece of data that will be happening during the red snapper season off of Florida this year.

DR. CRABTREE: If I could, Jessica, if the motion is interpreted along the lines of a letter like that, then I'm fine with it. I would tell you that the Secretary did personally take an interest in the

descending device rule, and he did help to get that through the process and off to the Federal Register on an expedited basis.

MS. MCCAWLEY: Thank you, Roy. Go ahead, Spud.

MR. WOODWARD: Thank you, Jessica. You actually answered my question, which was about the reef fish survey. I had thought that it was going to be updated in time to capture the data, and, if not, then I think the approach that Roy has described is probably the best. I liken this to an urging resolution from a legislative body that says we would really like you to do this, and I think it would be appropriate, in that letter, to ask the Secretary to consider the aggregate of things, like what was the harvest in July of 2020, what is the efficacy of Amendment 29 for reducing discard mortality and the benefits of additional harvest, to mitigate some of the adverse economics of the COVID-19 pandemic, and urge him to work through NMFS and us to seek opportunities to perhaps allow additional harvest and not be prescriptive in saying, well, we want you to just trod on the Magnuson Act with disregard, and that puts him, in all of this, in an untenable position.

MS. MCCAWLEY: Thank you, Spud.

MR. POLAND: I agree, and I think the letter, at least how you and Roy had kind of talked through it there, is probably our best path forward, and I do appreciate the updates on approval of Regulatory Amendment 29, and, to just expand a little bit on what my earlier thoughts were, I was just kind of thinking along the lines of, if that was still going to be a few months out, if there would have been the potential to do an emergency rule to go ahead and make that requirement to add a descending device onboard, through emergency action, and then that would give us the ability to make the case that, because we've taken these measures to reduce dead discards, maybe that could translate into a few more fish, and a few more fish for later in the year, but I also -- I think I recall as well, as far as the recreational allocation of red snapper, that I think there's only a thousand fish off the top for dead discards, and so, really, any improvement in survival of discarded red snapper would really just be something less than a thousand, and so that might not translate into a lot of days, but thank you.

MS. MCCAWLEY: Thank you, Steve.

MR. BELL: Here's a thought. A lot of good stuff that I've just heard, and I agree with Roy's approach, and so maybe what we should do is dispatch with this motion and then -- Maybe this is through direction to staff, or, if we need another motion, we can do that, but I've heard a whole bunch of good stuff, and I can't take notes fast enough either, and so the idea being that we have pulled in these things that different people have pointed out and have staff help us construct a letter, and maybe we also have an opportunity to shoot in additional input to this for things for that might make sense to include, but develop the letter that you were kind of thinking of and then kind of handle that as the way we move forward with this, in the term that Spud used, where there is a -- The resolution thing. I think that maybe we've got to deal with the motion and then go in that direction, and, if we need a motion to direct staff to help us work with that, that's a possibility?

MS. MCCAWLEY: To me, I saw this motion as being able to do that, and, if we want to put some bullet points under here, because -- So, in my mind, the way that this was happening, and maybe this is not correct, and so maybe John can speak to this, but, in my mind, we're going to talk about

lots of different fisheries here, and lots of different actions, as Anna mentioned, for consideration of some type of emergency action by our council.

I saw this as one letter, and not a letter for each species, but one letter that had all these points in there, and I saw the part about red snapper as just a piece of this letter that is listing out what the council discussed and what we think is important and what our request is, and so I saw this as just all of one document, and so, if we want to -- I don't want to preempt Chester here, but, if we want to add some bullet points under here that captures what Roy was saying and what I was saying about what we think the points should be in this letter, and I didn't read this motion as this would be a stand-alone red snapper letter, but I was just thinking that this would be part of a longer letter that went to the Secretary and Chris Oliver, et cetera, about what the South Atlantic is suggesting as our COVID response, and so I'm just going to put that out there, and I'm going to go to Chester. He is the motion maker, and we'll see what he has to say here.

MR. BREWER: Thank you, Jessica. I had envisioned that this letter would bring up a number of things, like the use of descending devices as the primary one that I was thinking about also, and COVID-19 and the situation that we found ourselves in as a result, and I'm not married, quite frankly, to the motion as it reads even now, but I think that it needs to be -- I do think that it needs to be tweaked, and I do think that we need to list out factors that we have discussed here today and put them in the letter. In fact, that's what I thought we were probably going to do, but then, for the sake of brevity, I made the motion the way I did, and perhaps that was in error, but I agree, and I think something along the lines of what Roy just said would probably be appropriate.

MS. MCCAWLEY: Okay, and so then, with all that said, do we want to put some bullet points underneath this with some of the points that we've all brought up, and that would be part of what goes in our letter about all things COVID here, and so I see John.

MR. CARMICHAEL: I guess one thing I wanted to do is you mentioned a letter versus multiple letters, and I guess we'll hear from Roy on that, just in terms of dealing with emergency rules, if it's better to do them separate or to put them together, and then, as far as what to include in this letter, this has become pretty complicated and convoluted, and it seems to me that it may be better to just dispense with this and then start a new motion that says something that is send a letter to Roy and the Secretary expressing the council's concerns with red snapper, in light of recent regulations and the COVID pandemic. Then you can list those different concerns, if we would like.

MS. MCCAWLEY: The points that Roy brought up were also thanking him for Amendment 29, the importance of the use of descending devices, how we want to emphasize the importance of the upcoming stock assessment, how we want to work with NMFS to maximize harvest opportunities for red snapper, and so I felt like there were a number of points there, in addition to the ones that you just brought up, but I'm going to go to Roy, to see if he has a solution to this whole is it one letter for every single species/emergency action or all separate.

DR. CRABTREE: Well, I mean, normally, I think, when you request an emergency rule, that's a letter that you send to the Regional Administrator, and you include exactly what you're asking for and the motion passed and what the vote tally was and here's our rationale for the emergency rule. So far, we haven't talked about a motion to request an emergency rule, and so I think that we would deal with differently.

If it's a letter expressing the desire to work together and all of the things that we've been talking about with red snapper and the importance of this and those kinds of things, then I would say all of that goes to one letter that you can send to the Secretary, if that's what you want to do, or to Chris Oliver, however you want to do it, and so I guess, in the end, Jessica, it comes down to are we talking about a letter along those lines, encouraging and thanking and this and that, or are we talking about actually requesting an emergency rule to do something specific?

MS. MCCAWLEY: Well, I actually thought that -- This is, I think, what John was asking, and I saw all of those things going as one, and so let me just do some pretends here. Let's say that we are requesting an increase to the commercial trip limit on vermilion snapper, and let's say we're going to request an increase on the king mackerel recreational bag limit, and whatever it is, and let's say there is five or six of these things, and I just assumed that they could all go in one letter.

If we needed to have the vote listed out per species or per action, that would be in there, and this discussion that we're having about red snapper would be part of that letter, because I assume that the preamble of this letter is some of the state data about the impacts that happened from COVID in March and April and how things are slowly getting going again, and then here's the emergency actions we're requesting, and we want to thank you for the descending devices, and we want to just reiterate our red snapper concerns and willingness to work together to get more days or more fish.

I saw that all as one, but maybe Monica can speak to -- Maybe all of those different emergency actions can't be in a single letter, and maybe you would have one letter on king mackerel and one letter on vermilion snapper, and I just don't know, because I don't have a lot of experience with these emergency action requests. Roy or Monica?

DR. CRABTREE: Well, I think you could do it one letter and say we passed the following motions requesting emergency rules, and give your rationale and all that, and I think that could be in one letter. Monica can correct me, or Jack, if I'm wrong, but I think, in the past, when you've requested emergency rules, those have been letters that went to the Regional Administrator, but, either way, it will end up in the same place, ultimately, and so I don't know if Monica, or if Shepherd is still there.

MS. SMIT-BRUNELLO: I think we're both still here listening, and I don't think there's any magic to this, in the sense that, if you want to make one letter or separate letters. I think, regardless of what you do, it ought to be real clear what you're stating, and so, if you intend to put, for example, all of this in one letter, that's fine. You can have different sections of the letter, if you want it to address different species, or, if you want different species together, if they have the same kind of record for what you're asking for.

The thing to remember is, when you're requesting an emergency rule, or something of that nature, you should have some sort of record for it, and then you should describe what those facts are that make you want to support a request for an emergency rule, and so, whether you put it in one letter or two letters or three letters, I don't think it matters a great deal.

MS. MCCAWLEY: Thanks, Monica. All right, and so I think I'm going to ask Chester, since he was the motion maker. Are you wanting to offer another substitute motion, or is somebody

wanting to offer another substitute motion, that's more about the points that are there at the bottom of the screen about this letter that Roy is suggesting, or are you wanting us to vote these two motions down, and then another motion to deal with this letter? I'm going to go back to Chester, since he started this discussion.

MR. BREWER: Or started this mess. What I would like to have happen right now is that we remove both motions, but I can't do that, because the motions now belong to the council. They've been made and seconded, and so I guess what I can do though is make a motion to remove both of these motions and start again. To send a letter, very similar to what Roy has already said, and so I will make that motion, to remove, but I can't do it by myself, because it belongs to the council.

MS. MCCAWLEY: Let me just pause right there. Kelly, you are our Roberts Rules person. Do we really need to make a motion to remove previous motions that are already held by the council, or is it better to do a substitute motion?

MR. KLASNICK: I think a substitute would be better, or taking a vote and voting them down.

MS. MCCAWLEY: Yes, I agree.

MR. BREWER: Let's vote on both of them and vote them down.

MR. BELL: I am channeling Joe. Joe would say just vote both of these down and erase the board and start fresh. That's the best approach.

MS. MCCAWLEY: All right, and so we're going to vote on the substitute motion. We are in Full Council, and I think you know you are and who can vote in Full Council. **The substitute motion is to send a letter to the Secretary requesting a fall recreational red snapper season, if possible.**

MS. BECKWITH: Point of order, Madam Chair. Are we going to have to do a voice vote for each of these?

MS. MCCAWLEY: I believe we are, because we are -- I believe we are.

DR. CHEUVRONT: Why is that, Madam Chair? Can't you just get consensus?

MS. MCCAWLEY: So we're going to consensus that everybody is a no?

DR. CHEUVRONT: You can do that.

MS. MCCAWLEY: Okay.

DR. CRABTREE: A point of order, Madam Chair. I think you could ask if there is anyone in favor of this motion and, if nobody speaks, it fails.

MS. MCCAWLEY: All right. **Is there anyone in favor of this substitute motion?** If we have a hand raised, and not to be a bully here, but, if we have a hand raised, then we're going to be calling names.

DR. CHEUVRONT: Mel, I just put your hand down, and so, if you want to speak again after these motions have been taken care of, you will need to raise your hand after the motions have been taken care of.

MR. BELL: I understand.

MS. MCCAWLEY: All right. **Is there anyone in favor of this substitute motion?** Does staff see any hands?

DR. CHEUVRONT: No.

MS. MCCAWLEY: All right. **The motion fails. We're going to go back to the original motion to send a letter to the Secretary requesting an additional recreational red snapper season to be open September 1 through 30. Is there anyone in favor of this motion?**

DR. CHEUVRONT: I see no hands, Madam Chair.

MS. MCCAWLEY: All right. **The motion fails.** Would someone like to make a motion?

MR. BELL: Can I ask a question?

MS. MCCAWLEY: Go ahead, Mel.

MR. BELL: I was just going to say that the motion would be to -- Because we can't construct this letter right now, obviously, and maybe we have an agreed-upon full list, or maybe we don't, but could the motion be to direct staff to construct this letter that does the things we want it to do that we have talked about and then that, obviously, is going to take a little time to do, and it may be even capturing things that we've already put on the record to pull into it, and could it be that simple?

MS. MCCAWLEY: I'm a little afraid about that. I would rather be more specific, like what's typed on the board here, that lists out some of these points that we're going to put in there. That other open-ended thing made me a little bit uncomfortable.

MR. BREWER: Before I make the motion, let me just give you my thoughts. If we wait to approve a letter like this until September, in essence, it's going to be probably too late. We've had a very robust discussion on a number of these different issues and a number of these different effects, and I would like to authorize the Chair, Vice Chair, and Executive Director to review the transcript of what's been discussed here and to put together a letter listing the important points and send that letter to the Secretary of Commerce. That being said, I guess I will try to make a motion again, and I've been failing terribly, but I will try to make a motion. The motion is to authorize the --

MR. CARMICHAEL: Chester?

MR. BREWER: Yes?

MR. CARMICHAEL: Just to you and Mel's comments, basically, when you guys make a motion like this, that you wish to submit a letter, essentially, the process you described is exactly what we do. We go back through the record, and we make sure that we have captured any points that were made on the record to include in that letter, and, normally, the letters are drafted by staff, working with the Chair and the Vice Chair and appropriate committee chair or another interested member, and so, if you do the motion just to submit the letter, and as many items as we can highlight the better, but that is the process that we would follow.

MR. BREWER: Well, that's what I want, and so -- Is the way that it's up there right now -- Would that be sufficient?

MS. MCCAWLEY: Yes, because all those things that John said are going to happen as part of the letter submission process.

MR. BREWER: Okay. Do you want me to read it or just say that I move what's on the board right now?

MS. MCCAWLEY: Either you can read it or I can read it, but I need a motion to do it.

MR. BREWER: **I move that we submit a letter as set forth on the board right now.**

MS. MCCAWLEY: All right. We have a motion by Chester. Do we have a second?

DR. CHRISTIANSEN: Second.

MS. MCCAWLEY: Second by Kyle. **The motion is move to submit a letter to the Secretary addressing red snapper concerns and pandemic effects. Items to address include: descending device effects, thanks for approving Amendment 29, importance of assessment getting completed on time, importance of red snapper to the fishery, importance to address pandemic impacts, willingness to work with NMFS to maximize harvest and access, and consider aggregate impacts of abundance best practices COVID impacts.** Okay.

DR. CRABTREE: I think I'm fine with that, but I just want to make sure, and we're not requesting any sort of emergency rule or action here, right?

MS. MCCAWLEY: I don't get that from this motion, no, and I don't see any request for emergency action.

DR. CRABTREE: Okay, and so it's not a request for an emergency rule. Okay.

MS. MCCAWLEY: No. Okay. We've had a lot of good discussion, and we even voted some motions down. Any more discussion on this motion? Any clarification that's needed about this motion? All right. **Are there any objections to approval of this motion?**

DR. CHEUVRONT: I am not seeing any hands.

MS. MCCAWLEY: All right. **Seeing none, that motion carries.** All right. I appreciate that good discussion, and I want to go back to Anna. Would you like to start with some of the actions

-- Well, wait a minute. Before we go back to Anna, council staff, don't we have a list of what the public requested as specific emergency action requests, and can we go to that, so that we make sure, when we have this discussion, that we are addressing that, and, frankly, I think we already addressed one of them, but there's a couple more on there.

MR. CARMICHAEL: Yes, Jessica, we do, and it's Full Council Document A2c, and it is the emergency action request, and so here's the first one, which addressed the red snapper season, and we had a second one that addressed balloon releases, and so it's requesting that the council enact regulations, similar to Florida's, that prohibit the release of balloons, due to their dangers to sea turtles and other marine species.

The third one addressed opening Oculina for shrimping. That was actually submitted in response to the executive order, but then it was also changed for August of 2020, which is more compatible with emergency action, but it does fit in well with the concept behind the executive order that we're talking about later, and so I will zoom back up to the second one and see if there's any discussion here.

MS. MCCAWLEY: I can talk about the second one. Janie Thomas submitted this request in response to a balloon release that happened in the State of Georgia. The Florida statute is listed there in the document, and it's on the board there, that prohibits the release of balloons under certain conditions, because of their danger to wildlife, marine animals, but specifically turtles, and so I think that this is outside of the council's authority, and so I would look for somebody, maybe Monica, to make sure that it's outside of the council's authority to do that, and then the third one, as John mentioned, I actually think that that, to me, fits right in line with the presidential executive order, but I guess, Steve, if you don't mind, can I go to Monica first?

MR. POLAND: Yes.

MS. SMIT-BRUNELLO: I agree with you that the banning balloon releases is outside of the council's authority.

MS. MCCAWLEY: Thank you, Monica.

MR. POLAND: I had a question before lunch, and this is going all the way back to Myra's presentation, but it's not related to these requests, and so I'll hold onto it for a little longer.

MS. MCCAWLEY: Okay.

MR. BELL: I was agreeing that it doesn't fit within the council's authority or jurisdiction, and it just doesn't, and, to your point about the third item fitting more like under the executive order, I think that it does match up nicely there, perhaps.

MS. MCCAWLEY: Thank you, and so I feel like we've had some discussion on these three, and I feel like we need to come back to the Oculina one when we talk about the executive order. I'm going to ask John Carmichael. Do we want to talk about the executive order now, and then go back to questions from Myra's presentation, any additional questions from the state PowerPoints, and then talk about actions related to both emergency requests and the presidential executive order

at the same time, or should we stay on emergency requests right now? What is your suggestion, John?

MR. CARMICHAEL: I think, since the executive order has come up, it's probably okay to kind of say a few comments on that and deal with that, for what we can, at this meeting, and so, in the Other Business materials for the Full Council session here, you see the executive order, and there's a letter from Chris Oliver stating the deadline that we have. Essentially, councils were given 180 days to come up with potential changes in regulations or policies or practices, and it's really a very open order, that would make our fisheries more competitive, help ensure that we're taking the full amount of yield that is available to our fisheries, essentially, and so we have until that deadline to come up with recommendations for NMFS rules or for changes that we would make within our rules and to submit a plan and timeline for when we would accomplish those things.

The deadline is early November, and I think it's the 5th, based on when the order went out, and so that means we basically have our September council meeting to talk about it, and so our plan was to set aside ample time at that meeting to come up with potential things under the executive order, and staff has already begun looking at things we've discussed in the past, such as under regulatory reform, that maybe were done or were not done that could fit in with that, and there's been kind of working list going, and things have come up in this meeting, and so our plan is to have more there.

I think, if we focus on emergency action here at this meeting, that will -- We'll have a better chance of getting through that, and, anything that comes up from the presentation that we think deserves the executive order, and Myra mentioned those species that are staying well below their ACL, and so those are ones that we as staff think fits in with the executive order, and we could note that, and, if people have ideas about the executive order, please pass them on, but I think, in the interest of time, we probably should focus on our emergency actions.

One note on that is to remember that we aren't bound to only consider emergency actions at this meeting. We are seeing COVID still playing out, and we'll have other opportunities at our other meetings to consider emergency actions, and I was struck by what Tim said about markets not being open and commercial fisheries with regard to trip limits, and we already had the suggestion in there to allow carryover.

Timing-wise, it might be better to move on the carryover, and perhaps the emergency action would go in in September, when we have a chance to work out all the details of that, because it is complicated, and then you would have the option to, later on, after that, look at how much carries over and think if you need to relax or change a trip limit going into 2021, because, if you think you have -- You basically have a year in which these emergency actions are going to take place, and so you may want to take that first step, and let's get rolling on the carryover for the commercial fishery and then look at trip limits again perhaps in September as well, or even in December.

MS. MCCAWLEY: Thank you, John. That was helpful, and so a couple of things that I wanted to bring out of that discussion to start this. One, of those three emergency requests that we just talked about that came in from stakeholders, the Oculina one, I would like that to go on our list for discussion for the presidential executive order. Then another point that you brought up, which I think is a good one -- I think we need to talk about these emergency requests that we want to consider right away, and then maybe we have some emergency requests that we want to consider

at the September meeting, but we would have some discussion on that at this meeting that we're wanting staff to bring back more information.

If there is an emergency request that we want coming out of this meeting, we definitely need to have that discussion today, and, if we have some ideas of emergency requests that we would like to consider at the September meeting that we need more information on, having some discussion about that as well. It sounds like, so far, one of the items we want to see more on at the September meeting is a carryover item, and so I'm going to go back to Steve, because you had questions in Myra's PowerPoint, and then I'm going to Anna, because you had some ideas about some other species, and so I'm coming to you next.

MR. POLAND: Thanks, Madam Chair. I had a question about the last bullet over there in the recreational options, the suspend in-season closures. You know, they're predicted to reach their ACL, and so I guess my question is what's going to happen if, yes, we do suspend in-season closures and then OFL is reached for some of those fisheries. Would that be a payback the following year, or would that trigger an overfished status for that? I guess it's more of a question for Roy or Jack.

MS. MCCAWLEY: Who can answer Steve's question?

DR. CRABTREE: I think suspending closures and allowing the fishery to go over the ACL is a problem, and so I'm not sure what we would do with that, and we have paybacks for some fisheries and not for others, and so, if you have a payback provision in your regulations, we would follow that, and, if you don't, we wouldn't, but, I mean, I'm not sure that we can just suspend AMs or ACLs, because they're requirements of the statute, and so I think that would be a problem to do that. If you had room under the ABC to raise an ACL, you could potentially do something like that, but I think, in most cases, our ACLs are set at the ABC.

MS. SMIT-BRUNELLO: I agree, and I think it would be an issue under the Magnuson Act. You know, you have a requirement, when you specify these ACLs, that you also specify some sort of measures to ensure accountability, and we call those accountability measures, the AMs, such that overfishing doesn't occur in the fishery, and so I'm not quite sure how you would suspend in-season AMs and make sure that you didn't go over your ACL, such that overfishing would occur, and I guess we could put on our extra thinking caps, but I'm not sure how you would do that.

MS. MCCAWLEY: All right. I'm going to go -- Well, let me go to Myra first.

MS. BROUWER: Thank you, Jessica. I just wanted to clarify. Where we were coming from is most of our species, or at least snapper grouper, I should say, because that's what I am most familiar with, we have an AM that is tied to overfishing status, in terms of payback, and so the post-season AM doesn't kick in until the total ACL is exceeded, and then you have the accountability measures. If you remove the in-season closure for one sector, for species that aren't getting close to meeting their total ACL, I think that's more or less where we were coming from, instead of talking in-season shifts in allocation, and does that make sense?

MS. MCCAWLEY: I think so. Steve. I don't hear anything from Steve.

DR. CHEUVRONT: I didn't see that Steve had his hand up. He's trying to --

MS. MCCAWLEY: He's the one that asked the question.

DR. CHEUVRONT: His audio disconnected, and he's trying to get back on.

MS. MCCAWLEY: Okay, and so then, while he's doing that, I'm going to go to Anna.

MS. BECKWITH: Thanks, and I was going to mention that, under the briefing materials, all the way at the bottom, there's that Excel file that lists what all the accountability measures are, and so, if folks wanted to skim through that, all the recreational and commercial accountability measures are in that Excel file.

Back to Myra's presentation, and I was just going to speak to the recreational options. The suspend in-season closures, I kind of see where you guys were going with that, but I'm also interested in a carryover option, and that could be interesting, because I also think that we're going to see these effects carry over into the fall, and it's going to take a while for folks to get back fully into it, and so, if we could carry over into 2021, it might allow us to better assist the recreational and charter industry in the following year, to boost some of those bag limits when they might be able to actually use them.

I'm okay increasing the bag limit for king mackerel, and I agree with Art that you're not going to sell any more trips, because you can keep one more. The guys that already catch them probably don't even want four king mackerel, but, if it helps a handful of people keep an extra fish, then sure, why not, and there's no harm in it. In terms of removing yellowtail from the snapper aggregation, I'm not opposed to the idea, but I feel like that would have to be really coming from Florida, and, if you guys were comfortable with it, I would certainly support that, and I do feel that the commercial counterparts should speak to some of those commercial issues. Thank you.

MS. MCCAWLEY: Thank you, and so I guess I'm going to start calling people out, because we still have lots of work left to do, and we're definitely behind schedule, and so I was just going to ask Tim if you could get in the queue to speak to the commercial stuff. Anna, the carryover, are you thinking that that's something that staff bring back for the September meeting and that we talk about for the September meeting, and, the king mackerel bag limit increase, is that something that you're wanting us to put on the list for emergency action at this meeting or September? I am just trying to get some clarification.

MS. BECKWITH: The king mackerel could be now, but, really, I think it would be most beneficial, at least to North Carolina, in the fall, for those that might be interested, and the carryover -- Yes, I think the carryover provision is going to be more complicated and could certainly come back to us in September with additional information.

MS. MCCAWLEY: Okay.

MR. SAPP: Kind of jumping around a little bit, but, with regard to the executive order, it sounds like a great opportunity to start talking about dually-permitted for-hire vessels and selling mahi. It's an opportunity to get fish in the marketplace that wouldn't otherwise be there.

MS. MCCAWLEY: Okay. I added it to my list here.

DR. CRABTREE: To the issue of suspending in-season closures in the recreational fishery this year, I think the real question there is what to do with in-season closures this year, because we have a gap in the landings, and we don't have any landings for Wave 2 and Wave 3, and so how do we figure out whether to have an in-season closure this year, and so I think that's something legitimately you could talk about doing that might not really take an emergency rule or anything, but should we assume that landings were down, and I know the state presentations got at some of that, but that's really been the issue we've been struggling with, in terms of what to do with recreational closures this year, because we just assumed the catch rate was the same as last year, and that's likely to be pretty far off, and we're going to have a similar issue with carryover in the recreational fishery, and I don't know how we're going to know what was caught to begin with, and so what's around to carry over. I think, in terms of Art's comment about allowing charter boats to sell certain species temporarily through an emergency rule, that probably is something we can do.

MS. MCCAWLEY: Okay.

MR. POLAND: I am back. Sorry. I did hear Roy and Monica's response to my question, and I switched over to computer audio real quick, but Roy just made a good point, too. With the missing wave data for MRIP, I don't -- Even having an in-season closure this year is going to be a little difficult to track those landings, and, honestly, Wave 4 is going to be our first complete wave since Wave 1 this year, and, if anything is triggered or exceeded in Wave 4, it's still going to be into October, or potentially November, before those estimates are even published, and so, by then, it will be the end of the year, almost, anyway.

To speak to the king mackerel bag limit increase, I agree with Anna and Art, and it's probably not going to sell any more trips, but I view it as a low-risk, high-reward endeavor as well, and, I mean, we just received a stock assessment, and the stock is doing great, and so I don't see any reason why we couldn't do that.

MS. MCCAWLEY: Thank you, Steve. I put it on the list as something that we might want to consider now.

MR. GRINER: We're talking about using the emergency rule for this to allow a carryover of our unused commercial into 2021. What happens -- After that, whatever that period is, and is it a 180-day period, or is it a one-year period, that that emergency rule is in place? After that, to continue this as a normal course of business, is this that we would then have to roll that into an amendment? Would it be a framework amendment? How would we -- Once we got that started, how would we continue that process?

MS. MCCAWLEY: Council staff or NOAA?

MR. CARMICHAEL: I was thinking, and I would yield to Roy, but I think what we would do is this would -- It has the period that you would change the ACL there for in 2021, to the number that reflected the carryover, and that would be the ACL for 2021, but, as has been mentioned, ACLs equal ABCs, and so this comes with some discussion with the SSC about adjusting the ABC.

We have talked about this in the ABC control rule, and there are circumstances where it's believed that that would be okay on a temporary basis, but that would mean that there would probably need to be some limits, and that's why we think of September, but, Tim, correct me if I'm wrong, but I don't think we will need to do a whole amendment to make this. You know, we are planning an amendment down the road, in the ABC control rule, but I think you can do this through the emergency action for the temporary period that adjusts it for one year.

MS. SMIT-BRUNELLO: Tim, the emergency action essentially is -- Let's just say it's for a year, but it's divided up into two roughly six-month periods, and so, for your first 180 days, you would put in place what you want to put in place, and then the only way you can extend that for 180 days, or 186 days, to make it a year, is if you're actively working on an amendment that takes care of the issue.

You do have an ABC control rule amendment that's in the works. However, I'm not sure whether that could be finished in time or what else you would want to do to take care of the problem that you're trying to address by emergency rule, and it just kind of depends on the facts that you're going to develop and what it is exactly that you're going to be asking for, as to what kind of action, whether it's a plan amendment, whether it's a framework amendment, whatever it is, and it just depends on the facts you're going to develop and what you're asking for as to what that additional amendment process would look like.

MS. MCCAWLEY: Thanks, Monica. Shep, did you want to add anything to that?

MR. GRIMES: No thank you. I was just going to mention the ABC control rule amendment. Thanks.

MS. MCCAWLEY: Thank you.

MS. BECKWITH: I just wanted to speak to the dually-permitted sale of mahi, and I know that, for at least the past six or seven, or maybe eight, years, we've had this discussion around the council table numerous times, and we have received this request, and so, while I recognize that this would be a huge boost economically to the charter guys in the Keys, and I'm not opposed to it, I do want to acknowledge that the council has had robust discussions about why we did not want to move forward with allowing this, and, if we were to provide this in the form of an emergency action for a year, it would be incredibly difficult to take that away from the guys in the Keys after the fact, and so I would caution us as we move forward with that, and we would also have to make very clear that you would have to be dually permitted, including commercially permitted, and I think that there's probably a lot of recreational for-hire guys that are not dually permitted that would be very upset that they did not have the opportunity to do this.

DR. CRABTREE: Well, Anna makes a good point, and the other thing is I think most of those sales were going towards restaurants and things, and that market is way down now, and it potentially -- Some would probably see it as competing with the commercial fishermen who were trying to help, and so it sounds pretty good at first blush, but it's more complicated than that.

MR. GRINER: I was going to say the same thing. It sounds great, but, once you start peeling back the layers, then we're right back to where we always seem to come to, and who is counting those fish? Where are they coming from? All of a sudden, are all these charter boats going to

throw these fish in their truck and run down to a dealer that they can find who is not even taking fish across his dock right now and get a trip ticket done and get everything legit? Man, as much as I -- I think there's an opportunity, but I just don't see that we can do this right now. There's just too many things that will go wrong, not to mention the fact that now you're just competing with guys that are already struggling.

I keep going back to where are these fish coming from, whose quota, and how are we counting them, and these guys are not going to have a relationship to go throw these in the back of a truck and haul them to a fish house from every single private charter boat dock there is, and so I just don't think it's a good idea.

MS. MCCAWLEY: All right, and so I've heard some things that we might not want to do, and I am going to throw out some ideas and try to facilitate this discussion. I am looking for actions today that we want to request for emergency action. Also, I would be looking for items that we want staff to come back with information to the September meeting for possible emergency action, and so I've heard Tim mention some things that maybe we thought were good ideas that aren't good ideas, like increasing the vermilion snapper commercial trip limit, and maybe we want to consider increasing the vermilion snapper recreational limit, and I don't know, and we've talked about king mackerel, and do we want to do that today?

We have talked about carryover, possibly considering that in September and not today, and so that's the kinds of things that I am looking for to try to move this along. What emergency actions are we wanting the council to consider today and what emergency actions would we like to consider, or think we might want to consider, in September that we need some more information on?

MS. BECKWITH: I was actually originally going to speak to something Tim said, but, to your current question, right now, the only thing, off the top of my head, is king mackerel for now, and I'm trying to see -- What is the bag limit for recreational vermilion? Does anybody know off the top of their head?

MS. BROUWER: I believe it's five.

MS. MCCAWLEY: Let me go back to the king mackerel thing before you leave that, Anna. Myra had a nice slide where we could just increase it for off of Florida, or we could increase it for everybody coast-wide, and I would like to know what amount you're thinking that you would want to go to, and so can you think about that?

MS. BECKWITH: I am only going to speak for our region, but I would bring us up from three to four, and I wouldn't necessarily go higher than that, if it's even necessary.

MS. MCCAWLEY: Okay. Do you have anything else?

MS. BECKWITH: For the vermilion, I just -- I worry that, whatever we give now, or after we take it away, it's like this catch-22. We've had this issue with black sea bass. We increased black sea bass, and now we're going to have to come back and take black sea bass away, and so I sort of recognize that we're trying to boost things, but I also am a little concerned that anything that we're going to have to pull back after the fact, I would rather be very conservative with, and so that's

why I am struggling with increasing the vermilion bag limit for recreational, because I think, in the long term, if we have to pull it back again, it's going to cause more problems, but, at least with king mackerel, we can just increase it and leave it increased and be done with it.

MS. MCCAWLEY: Thank you.

MR. POLAND: King mackerel at four for us, and I guess four for Florida too, and so it would be an increase of one north of Florida and an increase of two south of Florida, and I think we can go ahead and do that right now. As far as b-liners, the commercial trip limit increase, based off the input we heard from Chris and Tim, it sounds like the market is not there right now anyway, and there's already a rollover from Season 1 to Season 2, and so I think that's something that we can tackle in September. Then, also, in September, I would like to look at Spanish mackerel commercial landings and see how they progress through the season.

MS. MCCAWLEY: All right. Thank you.

MR. CONKLIN: You said to increase some recreational bag limits on like vermilion snapper and stuff, and I would be all for it, and then Anna had a good point. Unless we come out with some sort of a strict timeline, that this is going to last a year or something like that, but I think it's going to take a couple more quarters for people to really realize the effects of this thing, and I don't know if a couple extra fish are -- I mean, while it might be all we can do, if it's going to help out a lot, but I would support increasing the bag limits on everything we can, if we're not going to run over, and especially for the charter fishermen, and there were some good points about the tackle shops and the private rec and all that, and so I'm in full support, as long as we can have a real clear timeline that says this is going to last this long. Thanks.

MS. MCCAWLEY: Thank you.

MR. GRINER: I was just going to say also that I think the carryover -- Allowing the carryover of unused on the commercial side, that can wait until September. I mean, that can come back in September, and there's no -- I don't see the rush to that right now, but I do want that to be included, and I do think that's something that we should take advantage of right now and see how it plays out with the ABC control rule and see if we can't somehow get that into a normal course of business for us, but, as far as an emergency rule right now, I think we've got plenty of fish out there to do right now, and so I think we're okay.

MS. MCCAWLEY: All right. Who else wants to weigh-in here? We have a list going for action at this meeting, and only recreational king mackerel is on that list, and we have an action to consider for the September meeting, and we have three items on that list. Anything else that we want to consider an emergency rule request at this meeting, and, ultimately, we will need a motion to take emergency action to do that recreational king mackerel possession limit to four per person coast-wide.

DR. CHEUVRONT: Madam Chair, I am not seeing any hands right now.

MS. MCCAWLEY: Okay. Does no hands mean that we do not want to take --

MR. POLAND: Madam Chair, I was going to go ahead and move to make that motion. Do you want me to read it?

MS. MCCAWLEY: Yes, please.

MR. POLAND: **Move to direct staff to prepare an emergency action request to increase the recreational king mackerel possession limit to four per person coast-wide.**

MS. MCCAWLEY: All right. Motion by Steve. Is there a second?

UNIDENTIFIED: Second.

MS. MCCAWLEY: All right. It's under discussion.

DR. MCGOVERN: I just want to make a point that it will take a little time to get these emergency rules in place, and, for something like that vermilion snapper commercial trip limit, if we wanted that to have an effect on this year's -- The quota for the second season, we kind of need to start working on it now, rather than wait until September.

MS. MCCAWLEY: Good point, Jack.

DR. CRABTREE: I just wanted to point out that we'll need a roll call vote on an emergency action request and to remind folks that I have standing orders to vote no on emergency rule requests, but it doesn't mean that I oppose it or that it won't be implemented.

MS. MCCAWLEY: Thank you for that.

MR. POLAND: This is to Jack, and what's a back-of-the-envelope estimate as far as the time it will take to develop that emergency rule for vermilion?

DR. MCGOVERN: Monica and Rick can help me out, but we have to do a NEPA document, and then we have to do rulemaking, and so I figure it's going to take a couple of months anyway, and Rick is out there, and he might have a better idea of the timeframe.

MR. DEVICTOR: I think a good metric is to look at last June you requested the king mackerel increase, and that took about three-and-a-half months to get in place, right before the October 1 season, and so that was one action, one trip limit increase, and it took three-and-a-half months.

MR. WOODWARD: Not to imply any opposition, but, to do this, we will create an out-of-sync issue with some state regulations, and that's just something that we need to be considering, because Georgia's state regs are three fish.

MS. MCCAWLEY: Okay.

MR. GRINER: In that case, I would like to see the carryover allowance of the unused 2020 into 2021 move out of the September and put it up here on the immediate request. If not, I'm afraid that you run the risk of getting to the end of the fishing year and not having it done, and so I think

that's an easy one to do, and so let's go ahead and get that one done now as well, just so we'll have it done and behind us. Thank you.

MS. MCCAWLEY: Okay, and so you requested to move the carryover up. Based on what Jack said, do we really -- Don't we want to move the vermilion snapper commercial trip limit up? Tim?

MR. GRINER: Well, yes, and, I mean, we might as well. Not that I think it's going to really affect anything, but, if we're going to do it, let's do it right now. It doesn't make any sense to go through the exercise and the effort if it's not done in time to help you.

MS. MCCAWLEY: Okay, and so I'm going to speak to Roy's point. I know that we need a roll call vote, and do we need a roll call vote for each one of these separate? I think we do, and so, in other words, we would have to take king mackerel separate from carryover and separate from vermilion. All of those need a separate roll call vote, and is that right?

DR. CRABTREE: I will defer to Monica on that, I think.

MS. SMIT-BRUNELLO: It depends. If you're considering it in one emergency rule request, then, if you're considering that to be one request, then we just take one vote. If you're wanting them to be separate emergency rule requests, then you're going to need separate votes.

MS. MCCAWLEY: Okay.

MR. POLAND: I agree that moving the carryover and b-liner trip limit increase up to this meeting, but the motion has already been seconded, and so I don't know if you would entertain a substitute motion to include that or is somebody just making a friendly amendment to this? As far as what is still left down there for September, consider an increase in the Spanish mackerel commercial trip limit, if it's going to take three months, then, to me, that's a moot issue, because, if we wait until September, it will be December, and, at least for the Northern Zone Spanish mackerel trip limit, the fish are already gone from here, but I guess it could still be on the table for the Southern Zone, and I'm just putting that out there.

MS. MCCAWLEY: Well, I guess I would say, if it's something that you want to consider now, then you need to bring it up to the stuff for this meeting, and I agree that we already have a motion on the board here, and we can vote on that, but there's still a lot of people in the queue here for this discussion, and so, Steve, be thinking about Spanish.

MR. CONKLIN: It only makes sense that, if we probably are going to catch the vermilion quota, that we have a higher trip limit in the following year, to ensure that we would catch it, and I'm all about making less trips. I am telling you that turning and burning on these boats is not good for them, and we're paying so much more fuel and wear-and-tear on the boats, and I hate to say it, but most of the really good old fishermen are all dead or in nursing homes, and it's pretty silly. We don't have much of an industry left, and there's a few good guys that can still catch those fish, and let's bring them to the dock and get them on the market.

DR. CRABTREE: Jessica, on the portion of this motion that says allow carryover of unused ACL in the 2021, is that talking about all species that you manage, or is that specific to vermilion?

MS. MCCAWLEY: Great question, and I don't know if I know the answer, and so it sounds like we would need to clarify that when that part of the motion is made.

DR. CRABTREE: Yes, and I would say, if it's all species, that's probably a significant amount of analysis to figure out what that means.

MS. MCCAWLEY: Okay.

MR. CARMICHAEL: Jessica, to that point, that was one reason that was something that staff had suggested to bring back in September, when it could be vetted a little bit better and consider the impacts of ABCs in 2021 as well and get some SSC feedback. I think that one is difficult to get done, as Roy said, and, as far as the motions, based on what Monica said, perhaps we just do these as individual motions and individual roll call votes.

MS. MCCAWLEY: I am leaning towards that, John. Thanks for both of those points. I will continue moving through my list here, and then we're going to vote on this king mackerel request.

MR. GRINER: I don't want to rush that carryover and not have it fully vetted and really gone through all the fine details of it, and so, if it takes longer, it takes longer, and I'm fine with that, but I just want to make sure that we get that right and we do it in conjunction with whatever work we're doing on the ABC control rule, so that, if we have to get into this thing and pare it down to a few very important species, where a carryover could help us, if we ever start bumping up against quotas again, then we'll have that as a tool, and so I hear loud and clear what Roy said, and it's very worth taking our time and delving into that and make sure we have all the information that we can to be able to pick and choose what species it's going to apply to and how to get it done. Thank you.

MS. MCCAWLEY: Thanks.

MS. WIEGAND: I just wanted to make a quick comment on Spanish mackerel. If you will remember, back when we were still working on Framework Amendment 9, Mike Larkin did an analysis of trips in the Northern Zone, and it showed that most trips weren't landing more than 1,500 pounds, even though the full trip limit is 3,500 pounds, and so, when talking about raising the Spanish mackerel trip limit, that might be something to consider, and I know the Southern Zone functions a little differently with their trip limit step-downs, but I guess, when we get to talking about Spanish mackerel, be it for emergency action now or to bring information back in September, I would just ask for, I guess, a bit more specifics on what we would be looking to do for Spanish mackerel.

MS. MCCAWLEY: Thank you.

MS. MCCAWLEY: Some of my comments were going to go the carryover, which has already been discussed, because you can't exceed the ABC recommendation that the SSC gave you, and that does look like a pretty heavy lift, to get all your record together to support that at this time, at this meeting. If you wanted to look at September, and even more focused species, it seems like that would be a better idea, to me.

The other thing is remember you have to have a record for all of these, for the emergency actions, and I know we've talked, the council has talked, at length about the impacts from the COVID-19 pandemic. If there is other kinds of facts that help you support these actions, I suggest that you put them in the record at this time, and I'm sure that staff will get everything together, to send everything together, meaning the record together, to support the action when they forward this over, if the vote passes, when they forward it over to the Fisheries Service.

MS. MCCAWLEY: Thank you, Monica.

DR. MCGOVERN: For the bullet for increasing the vermilion snapper commercial trip limit, I assume that's for 2020, and I just thought that it would be good to make sure to specify it in the motion.

MS. MCCAWLEY: Thank you.

MR. GRIMES: Madam Chair, I was just going to say that, in terms of the carryover, for one, changing that, that's going to be more complicated, and I think the discussion is going that, if it's going to be more complicated, you would want to take more time with it, but, if it's going to take -- If it's going to be more complicated, it's going to take longer to do, and so I wouldn't want to -
- There will be consequences to delaying.

In terms of carryover, what we're talking about, John mentioned going back to the SSC, and John and I -- I don't want to belabor this discussion, but we talked about it a lot in the context of the ABC control rule, and, with carryover, you don't really know what you're going to want to carry over until you've got it available, and so, like this year, you wouldn't know what would be available to carry over for 2021 until late in 2020, and, at that time, if you know how much you were going to carry over, you could go back to the SSC, and, if it looked like that amount was going to exceed the prior ABC recommendation, they could take that into account, and you could do it on a case-by-case basis like that, but the point being that you would need to have your authority to do carryover in place before you knew how much you had to carry over and actually got to the point of implementing some type of carryover. Thank you.

MS. MCCAWLEY: Thank you.

MR. POLAND: Christina made the point that I was going to make about Spanish mackerel trip limits, and, given our changes to state management of our gillnet fishery, with the limits and stuff, I expect that those trips, or at least trips that hit the trip limit, are going to be much less, and it sounds like Spanish mackerel might be a good candidate for one of the species we look at carryover for next year. As far as king mackerel, since that's the motion on the board, and I haven't heard a lot of discussion on it, and just to get us moving along, I think I'm going to call that question.

MS. MCCAWLEY: The question has been called.

MR. SAPP: Wait. I was waiting for my opportunity to discuss this. May I?

DR. CHEUVRONT: A point of order is the question has been called. Doesn't that mean the discussion ends?

MS. MCCAWLEY: Yes, it does, and so I believe you have already spoken to this, Art, and so you've already had a chance at it. The question has been called.

MR. KLASNICK: Yes, that's correct.

MS. MCCAWLEY: All right. The question has been called, and so I will read the motion. **The motion is move to direct staff to prepare an emergency action request to increase the Atlantic recreational king mackerel possession limit to four per person coast-wide.** This is a roll call vote.

MR. CARMICHAEL: Everyone can see your names, and hopefully that will help you be prepared to unmute and we'll get through this as quickly as we can. Beckwith.

MS. BECKWITH: Yes.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Yes.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Christiansen.

DR. CHRISTIANSEN: Yes.

MR. CARMICHAEL: Conklin.

MR. CONKLIN: Yes.

MR. CARMICHAEL: Crabtree.

DR. CRABTREE: No.

MR. CARMICHAEL: Griner.

MR. GRINER: Yes.

MR. CARMICHAEL: Poland.

MR. POLAND: Yes.

MR. CARMICHAEL: Sapp.

MR. SAPP: No.

MR. CARMICHAEL: Whitaker.

MR. WHITAKER: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Bell.

MR. BELL: Yes.

MR. CARMICHAEL: McCawley.

MS. MCCAWLEY: Yes.

MR. CARMICHAEL: **The motion carries.**

MS. BECKWITH: Madam Chair, a point of order, just for our education's sake, from all the training we've taken, a call the question requires a second, and it requires a two-thirds of the voting members to be in favor to cut off debate.

MR. BREWER: Anna is correct.

MS. MCCAWLEY: Would we like to back up? Is that what you're suggesting, Anna?

MS. BECKWITH: No, and I think it won't have any impact on the vote, but I'm just educating my counterpart, who -- You cannot call the question and stop debate just because one person wants to stop talking about it, and so I just wanted to remind everyone what that particular Roberts Rule was, for future use.

MS. MCCAWLEY: Thanks. Okay. Let me try to articulate where we are. After we talk about these other two or three things here, then we'll take a break and go back to moving through our agenda. What we need to discuss now is what we want to do about this carryover, and we've already decided that each one of these actions we want to do -- If we want to take an action, we want to do the roll call votes separately, but it sounds like, if I can try to summarize what we've heard, it sounds like that the carryover -- I think that we're suggesting that we want that to come to September, because we need more information about that, such as what species, and we should probably do it on a species-by-species basis, et cetera, and so maybe that one is more consideration for September. I'm going to kind of leave that one there, and people start getting in the queue for hands raised.

Then, the vermilion snapper, I'm thinking that we want to do that one at this meeting, because of the timing, and that's what Jack had suggested, that, in order to increase this vermilion snapper commercial trip limit for the second part of the season, that we would likely need to do that now. I am going to put that out there, and so let's kind of talk about those two, and, if we're wanting to move forward say with the vermilion commercial trip limit increase, we need to know increase to what and when, and so we would need a motion to do that, and so I have people in the queue here. Art.

MR. SAPP: I don't know what happened, and I lost the audio for a bit, but I'm good.

MS. MCCAWLEY: Okay. Chester, I think that you're unmuted already, and so, Chester, do you want to speak to either one of these, the carryover or the vermilion? Chester, can you hear me? All right. Tim.

MR. GRINER: Thank you. After hearing Shep talk there, yes, we're going to need more analysis on this carryover, but it sounds like it's going to take more time, and so, even by waiting to gather more information, then we've really put ourselves behind the eight-ball, and so, because of the complicating nature of it, and it's going to take more time to do, I'm still leaning toward getting that done now.

MS. MCCAWLEY: Before you go, can you tell me what you think about the vermilion snapper commercial trip limit increase? What do you think about that?

MR. GRINER: Again, I can understand why it's something that seems attractive to do, but we're already in a situation here now where we're just not really able to get rid of the fish, and, quite frankly, I don't see this turning around as fast as some people may think it's going to, and so I would be more interested in rolling the unused quota over than I would trying to somehow get it all and then not be able to sell it, and so, the way I look at it right now, I'm more interested in rolling anything that's unused over than rushing and trying to get a bunch of fish to market this year at prices that aren't going to support it, and it's only going to benefit a few, if anyone, to start having bunches of boats come in with 2,000 pounds of vermilion snapper this fall.

Although I don't like leaving fish in the water, I think we may be much better off if we can roll some of these over into next year, and then we can have a much better chance of having both the split seasons and going all year long, and that's my two-cents on it.

MS. MCCAWLEY: I appreciate that. I see you in the queue, Chris, and I'm going to come to you in a minute, and I can tell you that there's some folks in Florida that are still moving fish, and I get the impression that they would welcome an increase in this vermilion commercial trip limit, and so I'm just going to throw that out there, but back to the queue. Chester, you were in the list, and we had you unmuted earlier, but I don't think you could hear us.

MR. BREWER: I took my headphones off, because there's three grandchildren over here, but the reason that I raised my hand doesn't matter anymore, and it was for the same thing that Anna was talking about. When there's a motion to limit or cut off discussion, it's a two-thirds vote to do that, because you're cutting off discussion. You can't let one person do it, and you can't even let the minority do it. It's got to be a super majority, and so, with that being said, I will mute myself again.

MS. MCCAWLEY: Thank you.

DR. CRABTREE: I just would urge you to be sparing in how many emergency rule requests you put forward, because we have a limited number of folks to work on these, and they're going to require environmental assessments, and it's a substantial amount of work to do one of these, and, the more of them we have to do, the longer it's likely to take to get them done, and some of these

things aren't going to really help anybody if they take a long time to get done, and so we need to make sure these are things that are going to actually have an impact and make sure that we don't ask for too many things, and you might want to put some priority as to which ones do you want us to do first.

MS. MCCAWLEY: Thank you.

MR. CONKLIN: I mean, the law of economics is a dollar today is worth more than a dollar tomorrow, and I know there is no way to tell in the future that everything is going to be hunky-dory next year and everybody is going to be healthy, and I think that the market could handle the fish, even if they're not going to be top dollar, but, I mean, that's going to be the case pretty much all the time, because we're competing with all these nasty imports, but we'll talk about that when we do the executive order, but I know -- I don't know any commercial fishermen in South Carolina that would be opposed to having a higher trip limit on vermilion snapper. Thank you.

MS. MCCAWLEY: Okay. Just remember that I need somebody -- If we want to do this, then I need somebody to make the motion that we're directing staff to prepare an emergency action request to consider an increase in the vermilion snapper commercial trip limit. That motion has not actually been made yet.

DR. MCGOVERN: I just raised my hand to echo what Roy said. All these emergency rules, for us, are just like doing an amendment, and we have to do NEPA documents and rulemaking, and then we've already got ten amendments that we're planning on bringing back to September, and so that's a pretty heavy workload for folks, and so I just wanted to point that out.

MS. MCCAWLEY: Thank you, Jack.

MR. CONKLIN: **I would like to make that motion, what you said in the form of a motion, and do we need to like come up with a range of alternatives or just make a motion and let the staff do it?**

MR. SAPP: I second that motion, and I want to talk a little bit, if I can.

MS. MCCAWLEY: Okay. I think we need a specific number for what we want to increase it too, but, once again, I am not an expert on emergency actions.

MR. CARMICHAEL: I would think so, too.

DR. CRABTREE: Absolutely you need to put a number.

MS. MCCAWLEY: Okay. This isn't alternatives, because I think that this is the one and only time that we would see this or talk about it, because this is -- Between now and the next council meeting, we are asking the staff to increase this through an emergency action request, and so I think that we would need a number, and so I'm going to go to Art and then to Tim.

MR. SAPP: I will let Chris make a number, but there is real monetary value in this, whereas, with that king mackerel deal, there is no monetary value, and there is no value to it whatsoever, other

than a few more dead fish that could potentially hurt the fishery, and, like Roy was saying, it's greater workload with minimal to no value.

MS. MCCAWLEY: I am going to throw out a number, maybe 1,100 pounds, for vermilion snapper.

MR. GRINER: I wasn't going to throw out a number, but I was going to make the motion to direct staff to do the carryover, but, I mean, as far as a number goes, I don't know that 1,100 is going to help you much. I think you're going to have to be up around 1,500 or 2,000 pounds.

MS. MCCAWLEY: We already have a motion on the table here. You know what? Why don't we take a break? We're going to take a ten-minute break, and people can think about this vermilion snapper action, and we can think about the priority of this vermilion snapper action relative to the king mackerel action and think about what the vermilion snapper trip limit should be increased by, and I thought that staff said that the max we could go without causing a closure was 250 fish, but let's take a ten-minute break, and then we'll come back and talk about this.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We have some people in the queue here, and so I'm going to make a couple of suggestions, and so we have a motion on the table on vermilion snapper, and I would like for people to make some comments on that. Again, I asked John to talk a little bit, in a second, about the document that staff prepared that was in the late materials that has more specific information than just a PowerPoint, and so I think there's some information in there that you might want to look at on vermilion, but, also, I would strongly suggest the carryover item go to the September meeting.

It is going to take more work, and we need to see some analysis, and I just think it's going to take more time, and so I would like to see that one go to September, and I'm just throwing that out there, and it is a big workload, and I don't feel like we have enough information, and we don't have a lot of specifics to even make, in my mind, a good, clear motion right now, other than to direct staff to bring it back to the next meeting with some more information.

Right now, I would like to focus on vermilion, and, John, do you want to talk to us a little bit about the information that's in the late materials that has more specific information and that is more of a report?

MR. CARMICHAEL: Yes, Jessica, and I would be glad to do that. I will direct you to Full Council Document A2a. This is the detailed information paper from which the summary we saw in the presentation that Myra so nicely went through is covered. If you look at vermilion snapper, some of the information we looked at will say here is the proportion of trips that caught different trip limits, and so, looking at past years, you see that somewhere about 10 percent were catching 1,000 pounds, 1,100 pounds, 900 pounds, and so you see that a few trips don't catch a lot, and then you sort of have this saddle here, and then you get a few trips that are kind of coming at the trip limit, and so there is a limit, and guys are going to hit around it, and they're not always going to hit right at it, but you could say we looked at anywhere from 20 to 25 percent of the trips are the ones that seem to really be going to catch the full allowance of vermilion that they can, and that's critical.

The other part that we looked at was some analysis of what's being caught now and how much is likely to carry over, and that's addressed in here. We looked at what the catch rate is per week in the early season and the late season. Based on that, we gave an estimate that there could be up to 160,000 pounds that is likely to carry over into that late season, and so that gives you a pretty good extra bunch of fish to catch here in the second half.

The real gist of it sort of comes out in here, and looking at, with the rollover of 167,000 pounds, what is likely to be caught, and, well, if you take what I was just saying about the trips, and I think this is sort of the key part of it, about 25 percent of the trips are landing 900 to 1,000 pounds, and there is like fifty-some trips a week that has been observed, on average, in that late season, and so 25 percent of that gives you about thirteen trips per week that you could say are really focusing on vermilion snapper, and it seems like they're trying to catch that limit.

If you raise the overall trip limit by 250 pounds, and those thirteen trips that are really targeting on them can catch at least 200 pounds additional, then that contributes 2,600 pounds to the weekly total, and we're looking at needing to get about 3,000 pounds per week added to catch the quota plus the potential carryover, and so, if you do the 250, and thirteen trips are able to get a good bit of that, on average, then you're going to get about 80 percent of what is necessary to reach that ACL in the second half, and so that's sort of the justification for the 250 pounds. If every trip caught a few more fish, then you could probably do it lower, at like a hundred pounds, but, obviously, some of these trips that aren't catching that many fish are probably unlikely to necessarily catch that many more with a hundred-pound increase in the trip limit.

Then the other concern is, if you were to raise it to like 2,000 pounds, you could have a significant change in the fishery, and people may suddenly start to go after them that didn't previously, and I think you really get into the concern that Anna raised about this is temporary and how are you going to take that back, and so, at the staff level, we really felt that maybe 250 was a happy medium that gave you a good chance of catching it by not really changing the fishery so significantly, and so that's why our suggestion for 250 is, and I wanted to make it clear that there is more information in here to help support the record, and this stuff would have to be reflected in the letter that we send and justifying what we do, and then, as NMFS has said, they would then take this and other information and do the full workup and documentation. Thank you, Jessica, for that chance to highlight some of this more detailed information.

MS. MCCAWLEY: Thank you, John. I'm going to go back to the hands in the air.

MR. GRINER: John, that is very useful. Part of the problem with looking at it for the second-half of the season is if everything is going to be on this weekly average or trip average, and the weather just doesn't cooperate, and so, yes, it would be nice to think that you could just spread this out at 200 pounds more per trip, thirteen boats that are doing it per week, and you get your 3,000 and everything sounds great, but, in reality, the second-half of the year, that just doesn't work that way, I don't think, and, like you said, there is really only a few that are the 1,000 or 1,200-pound guys anyway, and, in order to make a dent in this thing, I think you really are going to have to be at 1,500 pounds, and, even at that, I think we'll still end up with carryover.

I do hear what you're saying, but I'm just not sure that another couple hundred pounds is really going to make that big of a difference anyway. At 200 pounds a week, for a couple of boats, that

really isn't going to do much on the market side, that's for sure, and so 200 pounds is better than nothing, but I think, if you really wanted to make an impact for the guys that you could help, it would probably need to be a little bit more than that.

MR. CARMICHAEL: Tim, to that, this was based -- The trip counts and such and the landings per week are based on three years of data that we had showing weekly effort, and so it does vary, of course, but this isn't one year, and so you're right that there will be some weeks when they get far fewer trips, but then there will be other weeks when they get far more trips, and, assuming that at least weather conditions are more or less the same, then that should work out. I think the bigger concern is COVID and, as mentioned before, can they move that much fish and how much can they move, et cetera, which none of us really know right now at this point.

MS. BROUWER: John covered what I was intending to say about vermilion, but, since I have the mic, I wanted to remind you -- I got an email from Christina, and this is going back to king mackerel, and she wanted to remind the council that the king mackerel action will not affect the Keys, because that is Gulf jurisdiction, and it creates an inconsistency, and so the bag limit for kings in the Keys would be three, and up the coast would be four, and so I just wanted to put that on the record, to make sure it got out there. Thanks.

MS. MCCAWLEY: Thanks.

MR. CONKLIN: The vermilion snapper, they haven't been biting for about a month. My charter boat went out, and he had more in one day than all eight of my commercial boats that were fishing it, and that was with the recreational limit, and so, I mean, I know what's going on currently, and I understand and appreciate the research and the information that you presented, John, and I agree with Tim. 1,500 pounds would be ideal, but, if we have to base our decision off of the information that you provided, then 1,250 would be welcome, and so I will just stop talking.

DR. CRABTREE: Would the trip limit increase just be in place for 2020 and then would go away on January 1? You're really talking -- Say we could get it in place by October, and this would only be in place for a few months, and, if we close early, then probably not even that long.

MR. GRINER: That was going to be my point there, too. I mean, you've still got to factor in how long it's going to take to get this done, and so I don't know that increasing a couple hundred pounds for a month or two does anything, especially when you're talking about the months of November and December, and so, like I said, I think the intention here was, just as Roy said, only -- If we go back to business as usual, come January 1, with the exception of hopefully having some provision to roll some fish over, if needed, and so, I mean, I'm like Chris at this point. 1,500 pounds would be great, but, you know, if we're going to try something and only have a couple of months, then 1,250 is better than where we are right now, and so I am fine either way, but I don't -- I think the most important thing is to get some carryover going, and so, either way we want to go with this, I will support it.

MR. CARMICHAEL: I think we were thinking that it could go longer, and I guess I wasn't expecting it to have to end at the end of the year, and so for 180 days it was probably assumed, and I think, if it does happen as late as October, then I think the analysis definitely gets called into question, because it assumes that's in place for the whole second season, in which case maybe 1,500 pounds is a better number. Chris, you and Tim both, if you all really feel like 1,500 pounds

is the right number, that's fine, but I think we just wanted to make sure that you were clear where we were coming from on the 1,250.

DR. CRABTREE: If I could, Jessica, I think the second season starts in July, or does it start in August, and I can't remember.

MR. CONKLIN: July 1.

DR. CRABTREE: So there's no way we could get it in place by July 1, and so it would be substantially later than that, and so if that affects how much you raise it by, and I'm really asking the question of would it go away on January 1, and it could go for 180 days, but, if you let this run into next year, and if we are back to business as usual, then it's likely to lead you to an earlier closure in the fishery.

MR. CONKLIN: This was my motion, and I was going to put a number in there earlier, and so I am prepared to, but I think I already had a second in the middle of it. **I move to direct staff to prepare an emergency action to request increasing the vermilion snapper commercial trip limit to 1,500 pounds.** If it's only going to last 180 days, it's better than nothing, and so I don't know when it would start or end, and so I don't think we need the period in there, and so 180 days is good, and that's a lot longer than the pandemic is -- The quarantine is, and so, hey, bring it on.

MS. MCCAWLEY: Okay. I can't remember who seconded this, and I'm assuming that the seconder is okay with the specifics.

MR. SAPP: Yes, I'm fine with it.

MS. MCCAWLEY: Okay.

MR. GRINER: The only thing, the problem, that we're going to run into, and Roy just alluded to it, is now we've bumped up the trip limit to 1,500 pounds during the first half of the following season, and we're going to run the risk that, if we can't get any of the carryover, then we're right back to pounding the vermilion and being off-kilter with the triggerfish, when we need them both open at the same time.

I mean, the goal here is to keep those fish that live together, that we catch together, open for the whole season, and so I think we've done this 1,500-pound trip limit before, and we've had years where we can't even get through April, and so I am very hesitant to not just do the 1,500 pounds until the end of the year, and go back to business as usual, and get some rollover and see how that rollover helps us extend the following season, and that's my thoughts, and that's what I would like to see.

MR. GRIMES: I just wanted to note that you can terminate the emergency rule early by a publication of a notice in the Federal Register saying things did get back to normal, and, sometime early in 2021, if you wanted to reduce or eliminate the increased trip limit, you could do so easily. Thank you.

MR. DEVICTOR: I just wanted to note that the regulations have 1,000 pounds gutted weight, and the council website says 1,100 whole weight, and so if we could just clarify gutted weight or whole weight.

MS. MCCAWLEY: Before we go to Chris, I am lost as to what we want to do here, and I feel like I am hearing people that want to do this for vermilion, and I am hearing that people don't want to do this, and we do have a motion on the board, and I feel like we need to go ahead and vote on it, but, to be honest with you, I don't know what people want, and remember this is a roll call vote.

MR. CONKLIN: Shep, I appreciate you saying that, if we see that landings are going crazy and we need to slow the rate of harvest and go back to the 1,000-pound gutted weight trip limit that we have the latitude to do that, and, with that being said, I hope that makes Tim a little more comfortable, and I hope we can go ahead and get this thing voted on, because this meeting is supposed to be ending sometime today, and my family has forgotten who I am this week, and so thank you.

MR. GRINER: Absolutely, Chris, and I'm with you. Thank you, Shep, for that bit of information. That is all I needed to hear right there, and so I'm ready to vote when you guys are.

MS. MCCAWLEY: All right. Thank you. Then we're going to go ahead and vote, and this is a roll call vote.

MR. CARMICHAEL: All right. Here is the roll call vote on the vermilion snapper trip emergency action, and I will call down your names in order, again, as you can see. Beckwith.

MS. BECKWITH: Abstain.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Yes.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Christiansen.

DR. CHRISTIANSEN: Yes.

MR. CARMICHAEL: Conklin.

MR. CONKLIN: Yes.

MR. CARMICHAEL: Crabtree.

DR. CRABTREE: No.

MR. CARMICHAEL: Griner.

MR. GRINER: Yes.

MR. CARMICHAEL: Poland.

DR. CHEUVRONT: John, I think we've lost Steve. I don't see anything from him there right now.

MR. CARMICHAEL: We'll come back if he gets in. Steve, if you get in, I will come back. Sapp.

MR. SAPP: Yes.

MR. CARMICHAEL: Whitaker.

MR. WHITAKER: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Bell.

MR. BELL: Yes.

MR. CARMICHAEL: McCawley.

MS. MCCAWLEY: Yes.

DR. CHEUVRONT: Steve is back now, John.

MR. CARMICHAEL: Poland.

MR. POLAND: Yes.

MR. CARMICHAEL: Thank you. **Madam Chair, the motion carries.**

MS. MCCAWLEY: Thank you, John. So back to the carryover discussion, and so I think that this needs to come back for discussion at the September meeting. I do not feel that we have enough information to act on it really at this meeting. I don't think we know the species, and I don't think we can assess the impacts. We need more information, and so I would be looking for someone to make a motion that this come back to September for consideration of an emergency action.

MR. GRINER: **So moved.**

MS. MCCAWLEY: All right. We have a motion. Do we have a second?

MR. WOODWARD: I will second.

MS. MCCAWLEY: All right. It's seconded by Spud. It's under discussion.

MR. WOODWARD: I seconded that because I wholeheartedly agree that we don't know what the real consequences of this are going to be, and it would be premature of us to make an all-encompassing decision like this at this point.

MR. BELL: That's exactly what I was going to say, and so I concur with you and Spud.

DR. CRABTREE: I agree with that as well, and I think, Jessica, since this is a motion to bring it for consideration in September, and it's not requesting an emergency rule, and so it doesn't need to be a roll call vote.

MS. MCCAWLEY: Thank you. Any more discussion on this motion? **Any objection to this motion?** Council staff, I'm assuming you don't see any hands.

DR. CHEUVRONT: That is correct. I am not seeing any hands right now.

MS. MCCAWLEY: **All right, and so that motion carries.** I am going to make a couple of suggestions here, because we're just a teensy bit behind, because we were supposed to end at noon today, and so, on the presidential executive order, we need to send a letter about what-all we would like to consider, and we need to send that letter/finalized letter at our September council meeting.

My idea would be, if you have some ideas for this, why don't you go ahead and send an email to John, within the next week or so, about what your ideas are. If we are possibly going to have a meeting that happens via webinar between now and the September council meeting, we could add the presidential EO discussion maybe to that meeting and have some more discussion then, but, since this doesn't have to be done at this meeting, I am suggesting that we take this up at a future meeting before the deadline.

Also, you guys have the joint council workgroup on the Modern Fish Act, and you guys have that report that was sent around, and so I'm suggesting that we skip the report-out on that, and you guys have the report, and you can read it. With that, I am going to go to the NMFS SERO presentation on the for-hire amendment status.

MR. DEVICTOR: Madam Chair, I'll be giving that, and it's a very short presentation. I will go through this really quickly. Attachment 3b is your presentation, and I also put together a document, and it's Attachment 3a, that is more detail, such as, if you want to see the status of the final rules or a little more information on outreach and customer service and dually-permitted fishermen and their requirements, you can look at 3a.

I just want to quickly go through and update you on where we are with the SEFHIER program and the requirements and timeline and what we have accomplished, and we do this at each meeting. Just to remind you of the requirements, as I go over each time, this applies to all Southeast federally-permitted charter and headboats, regardless of where they are fishing, and so, whether you're fishing in state waters or you're fishing off the coast of Maine, you're going to report if you have these federal permits.

Of course, this is going to require the submission of electronic fishing reports, and so what we call electronic logbooks. In the South Atlantic, the report is going to be due Tuesday following a fishing week, and the reporting week is Monday through Sunday, and, of course, you can do a no-fishing report up to thirty days, if you know you're not going to be fishing.

The Gulf of Mexico is a little bit different, a little more robust program, and they're going to require, prior to offloading, that you report, and they also have this hail-out, which is the expected return date and time and landing location, and, of course, the purpose there is if port agents want to do further sampling or law enforcement, if they want to meet you at the dock, they will know where you are returning and the date and time.

Also, the Gulf program has a location tracking device, and we talked about this before, where you transmit your vessel location, and it's a VMS that is permanently attached to the vessel and always on, and, if you have both the Gulf and the South Atlantic, you must follow the Gulf requirement, regardless of where you are fishing, and that was put in place to avoid duplicate reporting.

We typically show you this graphic that walks you through the timeline, and so, as reported at the March meeting, the final rule published on February 24, and the final rule is effective September 1. Now, our goal is to have the program up and running later this summer, so fishermen can go on and create accounts and obtain the necessary software and then begin reporting. However, you must start reporting by September 1. Basically, it's a couple of months for fishermen to get used to this and practice reporting.

Outreach, I have a future slide on outreach that we're going to do, but we're really going to vamp that up, because we are getting closer to that September 1 date, and then I want to point out the Gulf of Mexico is working on their final rule right now, and they're probably going to be pretty close to publishing that, and they're looking at two phases, the hail-out and logbooks first and the location device requirement would be second, and they're just trying to allow a bit more time for fishermen to get the equipment that's needed to meet those requirements.

Right here, I do want to point out that the Gulf of Mexico Council is going to discuss this next week when they meet, and they will talk about the timing, such as if they're going to keep the September 1 date, and you all may want to talk about that here, that effective date of September 1 and if you have any opinions if that should be moved, due to the COVID-19 impacts, but just know that the Gulf is going to talk about it next week at their meeting.

What have we accomplished, and so logbooks, and this is for the Gulf and South Atlantic, and then the hail-out for the Gulf. The software tech specs and the approval process has been posted. Of course, fishermen will have to report via computer, phone, or tablet, and, to do that, they're going to need software to transmit the data from fishermen to ACCSP, which is the data warehouse, and then to NMFS, and so, right now, we're currently testing eTRIPS, which is an ACCSP program, and VESL software, which is the Bluefin Data that they use in South Carolina, and we have gotten those two software, and they're currently running it through the system and testing it with making sure that they meet those tech specs, and so we expect approval of those two fairly soon.

Finally, the data warehouse, we had a data security audit, and that's complete, and that's approval in process, and that had to do with ACCSP couldn't receive permit data until their system met

NOAA IT security standards, and so that took quite a bit, and it kind of slowed up the process a bit.

Just quickly pointing out the location devices in the Gulf, just like with the software for the electronic logbooks, you need tech specs for VMS units, and so satellite-based units should be approved quickly, and hopefully that's more the traditional VMS that the commercial usually uses, and we're working on a final rule for the cellular-based VMS approval process.

The final slide here is just a little more on outreach, and we've been working very closely with the South Atlantic Council and Gulf of Mexico Council staff, and thank you, Cameron Rhodes, for all your help on this. We have already sent out letters to permit holders when the final rule went out, and now we're working on additional letters and informational packets that will be mailed to all permit holders. These have step sheets, and they're nice and pretty, and people can go and find hopefully all of the information that they need.

We're planning outreach sessions, and, of course, those were going to be in-person, but we're going to move those to more of a webinar format, at least for the time being, and that will be an effective way to reach out to people. We'll maybe have a webinar a week, or something like that, where people can jump on when they have time to listen to us outline the requirements.

We've got a phone line and an email, where people can contact us, and we have a website where we list the FAQs and the presentations and the amendments and rules. Two things that I want to highlight here that we've been working on is instructional videos are being developed with council support, three short videos, and one is to deal with the background and the requirements, and two is to go through the electronic reporting, and three is to really focus one video on VMS requirements.

These would be videos that has a voiceover, and it shows a fisherman that's fishing and reporting through these tablets or computers or phones or what have you, and so we feel that that's going to be an effective way to get the word out to people and that they can watch these videos when they have time.

Finally, I just want to point out that we are currently hiring new staff and contractors, and so customer service, and these are people to answer the phones and emails and help develop outreach materials, and QA/QC staff, and we're going to hire them, and they're going to review the data and contact fishermen if they see potential mistakes and then work with the fishermen to fix that, and they will work on QA/QC protocols and controls.

Finally, the last person that we're going to hire is VMS, and they're going to be responsible for testing and management of the VMS units, and it looks at the location data, and then they can conduct customer service related to VMS, and so that concludes my report. I went through that pretty quickly, but I know we're very short on time. If you all want to talk about it, if you have any comments on that September 1 effective date, that would be helpful to us. Thank you.

MS. MCCAWLEY: Thanks for that presentation, Rick. I had a couple of questions, and, other folks, if you have questions, start raising your hand, and we'll get you in the queue, and so a couple of things. One, FWC had written some letters in the past, and we were hoping that the Gulf and South Atlantic systems could really go live at the same time, in order to try to reduce confusion,

and then I guess my other concern is based on what's happening with COVID, and maybe we should push this back to say January or sometime in early 2021.

I am just concerned, with everything that people are experiencing right now, that this is just going to be like a slap in the face to people, I'm afraid, and I know that there might be some outreach money, and possibly even some money for VMS systems, at jeopardy here, but I'm just really concerned about this.

DR. CRABTREE: I think there are some concerns along those lines, Jessica, and we have wanted these rules to become effective at the same time as well, and so what I really need to know from you is, is your priority to have the two programs effective at the same time, and, if that's the case, if the Gulf decides next week to delay until January 1, do you want us to change the effective date on the South Atlantic program and keep them synced up, because I don't know what the Gulf will decide next week.

Their rule, final rule, is still under review at Headquarters, and it hasn't published yet. It will have to publish by July 1 in order for the program to become effective on September 1, because we need to give them sixty days to get the equipment and get what they need, but I think that's the discussion, and I won't know until next week what the Gulf wants to do, but, if your priority is to keep the rules synced and have them effective at the same time, then that would mean, if the Gulf delayed, we would delay on your side too, and I think that's where you need to focus.

MS. MCCAWLEY: Okay.

MR. POLAND: I was just going to mention that I share your same concern about rolling this out right now, given all the impacts from COVID, and I would certainly like to see this maybe delayed a little bit, potentially into next year.

MR. BELL: I had the same concerns about the COVID stuff, and we've talked about doing this in-sync with the Gulf for a while, and I think our state, given the fact that our guys are already being allowed to use VESL, I mean, we would have the easiest time of getting this up and running for us, because our guys are already acclimated to it, but I was worried about the kind of it seeming to be one other thing to deal with, and for some people it's kind of new, and on top of all the other stuff going on, and so I don't mind if you want to try to keep it in sync and we go into next year or something. I mean, we're ready to roll whenever.

MS. MCCAWLEY: Roy, if you're asking me, I would say that we would like to keep the Gulf and the South Atlantic synced-up, and, at least right now, we would prefer to push this off until early 2021.

MR. DEVICTOR: That was going to be my question, if it was something like January 1 or beyond that, and so okay.

DR. CRABTREE: I guess what I would ask, Jessica, is, if that's your desire, is to wait until January 1, I don't know who the liaison is at next week's Gulf Council meeting, but it would be good to relay that message at the Gulf Council meeting and let them know your preference, and then I guess, if the Gulf Council decides they don't want to delay, do you want us to delay yours anyway, or do you want us to keep them synced-up?

MS. MCCAWLEY: Good question, and I can certainly -- Martha is on this meeting right now, and she's the Gulf Council liaison, and we can arm Martha with that information, so that she can be prepared to answer that question. Since we don't know what the Gulf discussion is going to look like, such as what the access to those VMS funds would be on the Gulf side, what the consequences would be for delaying on the Gulf side, about access to that, et cetera, I would rather arm Martha with that information, so that she could answer that question, after that discussion occurs on the Gulf side.

Just to be clear, I am suggesting pushing to early 2021, and I am not necessarily saying that has to be January 1, 2021, but I am saying that, if the COVID situation continues, and things with the industry remain as they are right now, I think it would be better to push this off until early 2021.

MS. GUYAS: I am on it, and I'm hearing delay for the South Atlantic, and I heard sync it with the Gulf, and so, if there's any other messages you would like me to carry on to the Gulf Council, let me know. Thank you.

MS. MCCAWLEY: Thanks, Martha.

DR. CRABTREE: What we would do then, Jessica, is we'll get through the Gulf Council and see what they want to do, and then, if they wanted to delay, we'll go ahead and change the effective date in their rule, and then I will consult with Monica about what it would take to change the effective date in the South Atlantic rule, and it would be something would have to go in the Federal Register and a notice, but we'll try to get it all resolved as soon as we see what the Gulf Council does.

MS. MCCAWLEY: 10-4.

MR. POLAND: I just want to say that I'm the South Atlantic liaison to the Gulf next week, and I can make sure that our position is communicated on this as well.

MS. MCCAWLEY: Thank you, Steve.

MR. BELL: I guess, if we didn't get enough at this meeting, we can all go to the Gulf next week. I just going to say the only other thing to consider in the timing of when you start this is, and this may not work, because we're all so different latitudinally, but you could kind of start it during a period of not like maximum operations, and that's always nice, and then it can kind of slowly ramp up as the fishery ramps up, but it may be that we're so diverse, in terms of when things are busy, that you can't find something like that, but that's just the only other thing that kind of comes into play.

MS. MCCAWLEY: Thank you. Rick, do you feel like you have what you need from us?

MR. DEVICTOR: Yes, I do. Thank you for that.

MS. MCCAWLEY: Thank you for the presentation, Rick. All right. We're going to move on to the next item on our list, which is the review of the exempted fishing permit, and so just a reminder that we got a presentation earlier this week and a chance to ask questions. If you are looking for

where the exempted fishing permit information is, it was in the items under the Snapper Grouper Committee. I am going to open up the discussion on EFPs. Remember that the council doesn't approve EFPs, but we just make a recommendation about whether or not we think NOAA should approve the EFP. I am going to open up the floor for discussion. What we would be looking for here is ultimately a motion to send a letter to the Regional Office about what our recommendation is.

MS. BECKWITH: I mean, we had a fair bit of discussion on the black sea bass pot, and I liked it, and so I would support it, and that's a very ineloquent way of saying, if wanted to do -- **I move that we send a letter in support of that EFP.**

MS. MCCAWLEY: Thank you for that motion, Anna. Do we have a second?

MR. BREWER: Second.

MS. MCCAWLEY: All right. I heard a second. I am still going to move through the list. We have a motion on the board.

MR. BREWER: That was me seconding.

MS. MCCAWLEY: Thank you, Chester. Do you have anything else you would like to say?

MR. BREWER: No, except that this is a proper use for exempted fishing permits, and, when used properly, they are wonderful. They are great.

MS. MCCAWLEY: Thank you, Chester.

MR. CONKLIN: I was going to make the motion, but do we need to say anything else about it, or we took care of that in committee?

MS. MCCAWLEY: This is the time now, if you had any concerns or if you wanted to support it. Ultimately, we're going to vote on this motion.

MR. CONKLIN: I am in support of it.

MS. MCCAWLEY: Okay. Great.

MR. BELL: I was going to make the motion, but I support it. I think it's a great one, and I think it could produce some really useful information.

MS. MCCAWLEY: Thank you, Mel, and so we have a motion on the table to send a letter in support of the black sea bass EFP. Any more discussion on this motion? **Any objection to this motion?**

DR. CHEUVRONT: I am not seeing any, Madam Chair.

MS. MCCAWLEY: All right. Thank you, Brian. **Seeing no hands, this motion carries.** All right. Moving right along through the agenda here, now we're going to go into the committee reports. First up, I believe we have the Information & Education Committee.

DR. CHEUVRONT: Madam Chair, we need just a second, because we've got to switch presenters here.

MS. MCCAWLEY: Okay. 10-4.

MR. CARMICHAEL: It will just take a second.

MR. WOODWARD: Thank you, Madam Chair. The Information & Education Committee met on Monday, June 8, 2020, via webinar. The committee approved minutes from the March 2019 meeting and the committee agenda.

Scott Baker, the Chair of the Information & Education Advisory Panel, provided a report from the Advisory Panel meeting held via webinar in April 2020. Baker summarized the advisory panel's outreach and communications recommendations for best fishing practices, MyFishCount, and Citizen Science. In addition, the committee heard a request from the Advisory Panel to meet twice per year, if possible, once in-person and once via webinar, to allow for more frequent discussion.

Staff gave a presentation summarizing many of the best fishing-practices-related resources made available by state agencies, Sea Grant offices, and other partners. Following the committee's review of those tools and associated analytics, staff discussed the current development of relationships with influential members of the fishing community in an effort to promote the use of best fishing practices.

The committee also received an update on postponed outreach events as a result of COVID-19 concerns, in addition to plans to attend future in-person events as allowed. Lastly, the committee reviewed a draft webpage highlighting best fishing practices. Committee members supported the webpage and its interactive design.

Staff provided a summary of ways the committee might consider restructuring the advisory panel to accommodate the inclusion of additional seats for partner agencies and fishermen. The proposed modifications would also allow for added flexibility as the committee's needs change over the years. Committee members expressed concerns about the cost of expanding the advisory panel. As a result, the committee directed staff to provide additional information on those estimated costs during the Full Council session. Madam Chair, I would call on Cameron to provide that information.

MS. RHODES: Hi, everybody. We had Kelly pull some numbers, to get an idea of what it might cost to add some additional seats, and keep in mind that this is definitely a rough estimate, but, based on the fact that the Information & Education Advisory Panel tends to meet over one day, with just like one overnight stay, the estimated cost per individual would be \$800. With that in mind, I just wanted to remind you all that the attachment that is in the briefing book, Attachment 3 under the Information & Education Committee, should be helpful in navigating what discussions you all might have as a committee relevant to whether you want to move forward with the proposed

adjustments as they are now or if you would like to make some changes, to see if there's any way that we can still move forward with some of these adjustments, but I would turn that back over to you, Spud.

MR. WOODWARD: Thank you, Cameron. I appreciate that. We have discussed that, and we certainly understand the concerns about the fiscal impacts. I think, like a lot of other APs, I don't know that the number of people matters as much from a functional standpoint. I think, as Cameron mentioned during our meeting, they don't make decisions, and they don't vote, and they don't have binding decisions, and it's more of the interaction, to make sure that everybody is communicating with each other and make sure that our messages are flowing similarly from different sources.

If there are concerns that remain about the cost, and there is a desire to reduce the size of the proposed restructuring, we believe the priority should be given to adding additional fishermen, and perhaps not all four states having their Sea Grant representatives, and we think that it's extremely important that the customers of our outreach and communication be involved on this advisory panel.

Things have changed dramatically over my lifetime, and we've gone from newspaper outdoor writers to social media, and so the world continues to evolve, and so, with that, I will open it up to the council members for discussion or questions or suggestions. Are there any hands raised?

MS. MCCAWLEY: I think I'm fine changing the name at this meeting, but I might like to continue discussion of this in closed session at the next meeting, because we're talking about cost and other things, and I have more questions, and we're going to be having some additional carryover discussions from our closed session earlier this week at the next meeting, and so I might like to continue those discussions there, if that's okay, and so, once again, I am fine changing the name, but I would prefer to wait on the proposed structure changes until another meeting when we can go into closed session.

MR. WOODWARD: Very good. Are there any other council members that feel similarly or dissimilarly that would like to weigh-in? I don't see any hands raised.

MR. BREWER: I would agree with Jessica.

MR. WOODWARD: Are there any members that feel emphatically that we need to move forward with the restructuring? If not, this is certainly not an urgent matter, and it can be delayed for further deliberation, and we're fine with that. I don't see any hands raised, and I will consider that matter deferred.

The committee did make two motions. However, unfortunately, neither one of those motions are valid. One motion was made by an enthusiastic individual who was not a member of the committee, and the other motion was seconded by an enthusiastic member of the council who was not a member of the committee, and so we have two invalid motions that I would like to return to the council for reconsideration. It's a rookie mistake that I shouldn't have made.

MR. BREWER: I would like to make a motion, but, first, I want to make sure that I'm on this committee.

DR. CHEUVRONT: You're at Full Council.

MR. WOODWARD: We're at Full Council, and at this point it doesn't matter.

MR. BREWER: Fine. I would like to make a motion then, please, Spud.

MR. WOODWARD: Please do, sir.

MR. BREWER: **I would like to move that we change the name of the Information & Education Committee to the Outreach & Communications Committee.**

MR. WOODWARD: Thank you, sir, for that motion. Do we have a second?

MR. POLAND: I will enthusiastically second.

MR. WOODWARD: Okay. Thank you very much, Steve. Any discussion on this motion? **Any opposition to this motion? If so, please raise your hand or state your opposition. Hearing none, we will consider that motion accepted unanimously.** We have another motion for reconsideration.

MR. BREWER: **I would move that we change the name of the Information & Education Advisory Panel to the Outreach & Communications Advisory Panel.**

MR. WOODWARD: Thank you very much. Do we have a second?

MR. POLAND: Second.

MR. WOODWARD: Second by Steve. Carolyn, I will call on you.

DR. BELCHER: I was just seconding, but it's too many movements, and I have to do computer and then phone, and so it takes me a delay.

MR. WOODWARD: I understand. Thank you. We have a motion before the Full Council. Any discussion on the motion? **Any opposition to the motion? Raise your hands or state verbally. Hearing none and seeing none, we consider the motion approved.** Madam Chair, that concludes the business of the now Outreach & Communications Committee.

MS. MCCAWLEY: Thank you. Next on our list, we're going to Dolphin Wahoo.

MS. BECKWITH: Thank you, Madam Chair. The Dolphin Wahoo Committee met, and we approved the amended minutes from the March 2020 meeting and the agenda, and we received a presentation on the dolphin wahoo catch level recommendations. The SSC briefed the committee on the revised acceptable biological recommendations for dolphin and wahoo that were discussed during the SSC's April 2020 meeting, and the SSC chose the third-highest landings from 1994 to 2007 for both dolphin and wahoo to set the ABC.

We then received an update on the dolphin wahoo HMS pelagic longline bi-op, and it was noted that there was no jeopardy determination within the document, and the committee was also briefed on a potential change to a rule for HMS fisheries that sets the maximum allowable length for a pelagic longline in the Mid-Atlantic region.

We then began our lengthy discussion on Amendment 10, and we had quite a few motions. The committee discussed the amendment and provided the following guidance as well as made the following motions.

Motion 1 is approve the IPT's suggested edits in Action 1 in Amendment 10. On behalf of the committee, I so move. Is there any discussion? I also like Spud's way of, if there's opposition to something, just yelp out, in case we don't see you quick enough. **If there's no discussion, is there any opposition to this motion? Seeing none, that motion carries.**

The second motion was to approve the IPT's suggested edits to Action 2 in Amendment 10. On behalf of the committee, I so move. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

Motion 3 was to approve Action 3 and the proposed range of alternatives for consideration in Amendment 10 with associated direction to staff. On behalf of the committee, I so move. The direction to staff is on the screen for everyone to review. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

Motion 4 was to approve Action 4 and the proposed range of alternatives for consideration in Amendment 10 with inclusion of direction to staff. On behalf of the committee, I so move. Take a quick peek at the direction to staff. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

Motion 5 was to remove Actions 5, 6, and 7 from Amendment 10. On behalf of the committee, I so move. The direction to staff includes that these actions should be moved to an amendment that comprehensively addresses the definition of OY in the South Atlantic Fishery Management Council managed fisheries as they relate to revised NS 1 Guidelines. Is there any discussion? **Is there any opposition? Seeing none, that motion carries.**

Motion 6 is to remove Alternatives 2 through 5 in proposed Action 8 and add an alternative that would reflect the current AM, but remove the post-season accountability measure that includes a payback. On behalf of the committee, I so move. Is there any discussion? **Is there any opposition?**

MS. MCCAWLEY: I don't have any opposition, but I just wanted to remind us that we had a short discussion about the accountability measure, commercial accountability measure, on wahoo, and I am not seeing it in here, between these two motions, and so is that something that we're going to get addressed, or can staff look into it? I am not raising my hand in opposition to the motion, but I'm just putting this back on our radar.

MS. BECKWITH: Okay. I'm not sure that I remember that discussion. John, do you have recollection?

MR. HADLEY: I didn't catch it, or at least I didn't include it in the draft committee report, but, if that's what the committee, or the council, wants to do, we can certainly have it as direction to staff, and the IPT could come back with that wording.

MS. BECKWITH: Jessica, are you comfortable with that?

MS. MCCAWLEY: Yes.

DR. CHEUVRONT: John, when we get through with this, if I can have you add that to this report.

MR. HADLEY: Yes, absolutely, and I will just take that as direction to staff, to add language for wahoo similar to proposed Action 8 and that same guidance.

MS. BECKWITH: Okay. Is there any further discussion? **Any opposition to the current motion? Seeing none, that motion carries.**

Motion 7 was to split Action 9 into two actions, one for the AM trigger and the other for the post-season AM. Alternative 4 and its sub-alternatives become the action for the trigger. Alternative 5 becomes the action for the post-season AM, and, to Alternative 5, add sub-alternatives that would reduce the recreational bag limit and reduce the recreational vessel limit. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion carries.

Then John did put some direction to staff in blue, because he just wanted to make sure that that was what we had intended, and so if everyone can take a quick look at that and make sure that they're comfortable with that direction to staff. Okay.

The next motion was to split Action 10 into two actions, one for the AM trigger and the other for the post-season AM. Alternative 2 and its sub-alternatives become the action for the trigger. Alternatives 3 and 4 become the action for the post-season AM. Add to the new action alternatives that would establish a vessel limit and a reduced bag limit. On behalf of the committee, I so move. If you scroll down, there is also some additional direction to staff in blue that John wanted us to take a quick look at. If there is no discussion, is there any opposition? Seeing none, that motion carries.

Motion 9 was to approve the IPT'S suggested edits to Action 13 in Amendment 10. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Hearing none, that motion carries.

Motion 10 was to add an alternative that would remove pelagic longline gear as an allowable gear in the dolphin wahoo fishery unless you hold an HMS limited entry permit. On behalf of the committee, I so move. Is there any discussion on this motion? Is there any opposition? Seeing none, that motion carries.

Motion 11 is move proposed Action 14 and proposed Action 15, along with the new alternative, to a new amendment that will be discussed in March of 2021. On behalf of the committee, I so move. Is there any discussion on this? I presume that there will be some

discussion on this, since I did not gather that the intent of the council was to come back and see this in March of 2021.

MS. MCCAWLEY: I am confused. Can you say that again?

MS. BECKWITH: On Motion 11, this would be new Dolphin Wahoo Amendment 13, right, and that's what we would be accomplishing, and so, in this motion, we specify the time certain of March 2021, and I did not gather, from our Executive Finance discussion, that you guys were interested in seeing this potential amendment come back in March of 2021, and so I think, unless you guys actually want to see this, the pelagic longline amendment, in March of 2021, we're going to need a substitute motion that just moves it into an amendment without that date certain.

MS. MCCAWLEY: Let me just ask a question. I mean, I don't know if it's up to this committee, now Full Council, to make that determination. It was my understanding that Executive Finance was still going to be talking about the priorities even after this meeting, and so I don't know if it's bad to make this motion, knowing that the Executive Finance Committee could still determine the timing of other things, but, I mean, that's just kind of my take here. I'm up for whatever.

MS. BECKWITH: So we could pass this and then simply, in Executive Finance, it would just not be a priority, and it would get pushed back, and so I see what you're saying.

MS. MCCAWLEY: That's what I was thinking, yes, based on the additional discussion at the Executive Finance level, yes.

MS. BECKWITH: Okay. I'm fine with that if other folks are, but I see a couple of people in the queue.

MR. BELL: Actually, that's what I was going to say. We had that discussion about the when part in Executive Finance, and so this was the motion that the committee made, and that's fine, but then, in Executive Finance, that's where we actually deal with the schedule and the workload and all of that.

MS. BECKWITH: Okay. I'm comfortable with that, but I just wanted to make sure that everyone else was cognizant of this.

MR. POLAND: I agree with Mel and Jessica, and I have nothing else to add.

MR. CONKLIN: In Executive Finance yesterday, we were talking all about our priorities, and, I mean, the pelagic longliners are still going to go out and try and catch dolphin and target them, and there's a couple of miniscule boats that hold a dolphin wahoo permit that participate in it, and I just don't see that there's an urgent need to begin another amendment on that, trying to deal with those guys, unless it just starts ramping out and going out of control, but I don't see any merit in it right now. We've got other busy, important things to do.

MS. BECKWITH: Yes, I gathered that as well from that discussion, that this would not be a high-priority amendment. Okay. That was good discussion. **Is there any opposition to this motion? Seeing none, that motion carries.**

Then we started our discussion on Amendment 12, adding bullet and frigate mackerel to the FMP as an ecosystem component species, and the next motion was to approve the IPT's suggested purpose and need. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Hearing none, that motion carries.

The next motion was to approve the IPT's suggested edits to the options. On behalf of the committee, I so move. Is there any discussion? Any opposition? Hearing none, that motion carries.

Motion 14 was to approve the Dolphin Wahoo Amendment 12 for public hearings to be held at the September meeting, with comments brought back at the September council meeting, with the intent of a vote on formal approval of this amendment. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Hearing none, that motion carries.

We then received an update on the dolphin wahoo participatory workshops, as well as we had a discussion on the Mid-Atlantic representation on the Dolphin Wahoo Advisory Panel. The committee discussed this topic and made the following motion. **The motion is to add two members to the Dolphin Wahoo AP that are representatives of the Mid-Atlantic and that we would encourage a commercial and a recreational member. On behalf of the committee, I so move. Is there any discussion? Is there any opposition? Seeing none, that motion carries.**

There were no items under Other Business, and I do need someone to make the timing and tasks motion. Please note that that last bullet also discusses the potential Amendment 13, and so do I have a taker on making the motion?

MR. POLAND: I move to approve the following timing and tasks: continue work on Amendment 10 for review at the September 2020 meeting; continue work on Amendment 12 for review at the September 2020 meeting, with the intent of holding public hearings and potentially voting on formal approval of the amendment; work with Mid-Atlantic Council staff to identify two new Dolphin Wahoo AP members from the Mid-Atlantic region; and work on developing a new dolphin wahoo amendment that focuses on proposed Actions 14 and 15 in Amendment 10 for review at the March 2021 meeting.

MS. BECKWITH: Thank you. Do I have a second?

MR. BELL: Second.

MS. BECKWITH: Okay. Is there discussion?

MR. CONKLIN: Actions 14 and 15, was that what we were just talking about that was not a high priority?

MS. BECKWITH: Correct, and so the same discussion would apply here, I assume, that the timing would be --

MR. CONKLIN: With regard to the new amendment, another one?

MS. BECKWITH: Yes, and that would be determined by Executive Finance. The priority list would be determined by Executive Finance.

MR. CONKLIN: So this says that we're going to use staff to work on developing another amendment. I mean, is that immediately, or just, in Executive Finance, we'll figure it out?

MS. BECKWITH: It's my understanding that Executive Finance will set the priorities, and, if this does not fall within the priorities, then that March 2021 meeting is inconsequential.

MR. GRINER: I am like Chris, and you've got me a little confused here. Why does this timing and tasks motion have to have a date in it?

MS. BECKWITH: I am fine with that, if you guys want to make a substitute motion and not include that, and you're certainly welcome to, and that's why I pointed it out before the motion was made. If you care to make a substitute motion and not include that third bullet, we can certainly do that.

MS. MCCAWLEY: I was trying to get in there before Steve made the motion, and I would just edit that last bullet that says that they would work on developing a new dolphin wahoo amendment that focuses on proposed Actions 14 and 15, and then the -- **I would just delete that last part.** Then I think we're okay.

MS. BECKWITH: Okay. Is the motion maker and the seconder okay with that?

MR. POLAND: **Yes.**

MR. BELL: Yes.

MS. BECKWITH: Sounds great, and so we can straighten that out. Is there any additional discussion?

MR. GRINER: Yes, absolutely. I think we just need to take the whole bullet out. The idea with the timing and tasks with Executive Finance was to not start work on this, and it was down below the green line, and so I don't think it's proper to put a bullet point in here saying that we're going to start work on developing a new dolphin and wahoo amendment that we have already said that we're not going to start work on.

MS. BECKWITH: This timing and tasks would simply allow that to be part of the list, even if it's below the line. If we don't put this in the timing and tasks motion, then there is no above or below the line, and it's just not on the list. Is there any additional discussion? Does that clarify it?

MS. MCCAWLEY: Just to respond to what Tim was suggesting there, and so, first of all, if you didn't want to work on developing this new amendment, then you should have voted this motion down. This is just the timing and tasks motion, and so, also, the Executive Finance had a discussion about where to put that amendment, but they didn't have a motion to accept those priorities, and they also stated that they wanted to meet again after this council meeting, because we've got all these other things happening, emergency rules and actions and a presidential EO and all this other

stuff, and so they're going to have a separate meeting after this council meeting to finalize those priorities, and so I don't even think that we could fix that today, if that makes sense.

MR. GRINER: Yes, absolutely. Thank you.

MS. BECKWITH: Okay. Is there any additional discussion? **Is there any opposition to this motion? Hearing none, that motion carries.** That concludes my report, Madam Chair.

MS. MCCAWLEY: Thank you. All right. Next up, we have Snapper Grouper.

MR. CARMICHAEL: Jessica, are we going to do the liaison interruption?

MS. MCCAWLEY: Yes. Thank you. Tony has another meeting that he needs to get to, and so we're going to go ahead and do the Mid-Atlantic liaison report, and I would also like to note, Tony, that I feel like we always move this report for you, and so I just think we're keeping with tradition here to let you go ahead and throw this liaison report in here, and so I'm going to turn it over to you, Tony.

MR. DILERNIA: Thank you, Madam Chairwoman, and I would just like to say that Luanne and I are in the process of taking advantage of all the sunshine that the great State of Florida has to offer us, and we are installing solar panels up on the roof, and the contractor was standing next to me, trying to get me to go up there with him, and so I did want to -- I appreciate the council giving me this opportunity to jump ahead a little bit.

First of all, I would like to thank the council for favorably reviewing all of the requests that the Mid-Atlantic Council has made, and you've all been wonderful partners with us in our management, and, on behalf of the entire Mid-Atlantic Council, I would like to thank you very much for the favorable considerations you've given to our requests.

Since the last time the South Atlantic Council met, the Mid-Atlantic Council has met twice. We met first in April, for an abbreviated meeting also, much like you have, because of COVID. At the April meeting, we adopted our golden tilefish specifications for 2021 and 2022, and we also voted to request an emergency action to allow a one-time 5 percent rollover of the unused 2020 fishing year golden tilefish IFQ allocations to the 2021 fishing year.

We recommended no changes to the previously-approved blue-line tilefish specifications for 2021, and we approved the scoping document for the black sea bass commercial state allocation amendment, and we reviewed the 2020 Mid-Atlantic State of the Ecosystem Report, and we discussed climate change, the climate scenario planning and plan for a potential east coast Mid-Atlantic exercise, and we received from -- Your council was very gracious and sent someone up to our council to give us an update on the South Atlantic for-hire reporting requirements. That all happened at our April meeting.

We had a one-day joint meeting with the Atlantic States Marine Fisheries Commission, and the council and the board together determined the following issues to be considered for further development, the fishery management plan goals and objectives, and we are looking at the recreational and commercial allocations, in light of the new MRIP data. We also are looking at

commercial allocations to the states, recreational and commercial sector transfers, commercial state-by-state quota transfers, and we looked at the rebuilding plans.

There was some discussion regarding sector-specific management uncertainty. Then we looked at some separate allocations for the for-hire and private sectors of the recreational fishery, and we also considered *de minimis* provisions to relieve states from having to adopt recreational fisheries regulations if there is a very small fishery for a particular species in their state.

The council also met jointly with the ASMFC Summer Flounder, Scup, and Black Sea Bass Board to discuss development of draft alternatives for summer flounder, scup, and black sea bass for a commercial and recreational allocation amendment. Then the council and board also supported exploration of a variety of approaches for potential modifications for the commercial and recreational allocations for summer flounder, scup, and black sea bass. Those different approaches included status quo allocations, based on different data or series of timelines, allocation percentages, and we also looked at the harvest control rules and some dynamic allocations and allocation transfers between the sectors.

I am happy to take any questions that anyone may have, and, actually, Dewey is also online here with us, and I'm not sure if Dewey has anything else to add, and, again, thank you for letting me jump up ahead here a little bit, but I do have four men up on the roof standing up there looking at me saying that they need to come out here and talk to us. I will wait for questions. Thank you.

MS. MCCAWLEY: Thank you. Any questions for Tony?

MR. KLASNICK: I am not seeing any hands.

MS. MCCAWLEY: All right. Thank you, Tony. Thanks for joining us this week, and thank you for your report. Good luck.

MR. DILERNIA: Again, thank you very much, Madam Chairwoman, for going ahead. I won't make a habit of it. You've been very good to me these past few meetings, and I really appreciate it. Thank you. You folks have a great rest of the meeting, and I am going to sign-off now. Thank you.

MS. MCCAWLEY: Thanks, Tony. All right. Now we're going to go back to the committee reports, and we're going to go into the Snapper Grouper Committee. The committee met earlier this week and approved the minutes from the March meeting and the agenda for this committee meeting. We then got a report-out on the status of amendments under formal review, and then we went into COVID-19 impacts and a potential response. This was a presentation by staff based on information requested from our advisory panels.

Then we got two separate presentations on the greater amberjack stock assessment, and we made a motion. **The motion was to direct staff to bring back an options paper to the September meeting, including sector allocations for greater amberjack and catch level adjustments, based on SSC recommendations and the latest assessment. On behalf of the committee, I so move. Is there any discussion? Is there any objection? Seeing none, that motion carries.**

Next up, we got into Regulatory Amendment 34, which is the SMZ amendment off of North Carolina and South Carolina. We made some direction to staff, but we also made a note that we were going to come back to this discussion in Full Council, and so I'm actually going to turn it over to Mel. I know there's been a number of discussions outside of the meeting to talk about the issue of circles versus squares and the boundaries and what ends up on the charts, and so I'm going to go to Mel.

MR. BELL: Thank you, Madam Chair. I will be brief. Recall the discussions that we had about issues that law enforcement had brought up with concerns about particularly circles as an artificial reef or as an SMZ superimposed on an artificial reef. I give full credit to Duane Smith and Pat O'Shaughnessy. They worked with Steve and I via email and via phone, and we had a lot of discussions, and Pat and Duane did a lot of research, but the bottom line, after all of that, was that I think they were in agreement that, in the ideal world, it would be great if your SMZ boundaries matched your reef boundaries and that is what appeared on the NOAA nautical charts, since I brought that point up.

In doing some of the research, they realized that we have some issues with not all of the reefs that are plotted on the NOAA nautical charts right now are exactly where they're supposed to be, and so it's an actual issue that all state reef programs have been dealing with with NOS for decades, and we had a lot of discussion about that for specific reefs, but I think, after all of this, we certainly appreciate them pointing this out, and they are actually kind of getting involved in talking to people at NOS and kind of realizing the process, but, to correct the issue we were kind of left with, which was, obviously, it's not a perfect situation, where the chart matches exactly, and that's where we left off.

The solution to that is not something that's going to happen between now and September or now and December or now and maybe the next five years, and it's really outside of what we were talking about related to this amendment, in that what the states have presented in this amendment are the exact coordinates of the permitted artificial reefs, per the Army Corps of Engineers permit, and those eventually, somehow, will end up on the NOAA nautical charts in the correct position.

I think South Carolina reefs were fine, and there were some issues with North Carolina, but we're not picking on North Carolina at all, because all states that have reef programs have had this issue with NOS for a good while, and Duane and Pat pointed out that here's a contact point for NOS, and Steve will tell you that he's been actively engaged with NOS for quite a while, and so, based on all of that, I think the main issue we have right now is not anything we can resolve anytime soon, and so I would more than happy to kind of try, in the interest of moving things forward and helping to clear the deck a little bit, particularly after yesterday's Executive Committee discussions about scheduling and workloads and things, and I would be more than happy to make a motion at some point.

If you would like to have a little more discussion before that, there's no problem there either, but we do really appreciate Duane and Pat working with us on that, but, again, the only way to change those little blue circles into blue squares on a chart would require a state to go back and change their reef permits to do that and then hopefully, eventually, they would end up properly annotated on the charts by NOS, and, again, this is something that all reef program coordinators have been dealing with for decades, and so that's what I have right now, Madam Chair.

MS. MCCAWLEY: Thanks, Mel, and so, just to clarify, the motion I think you're talking about would be the motion to finalize this and send it to the Secretary for approval, and is that the motion you're talking about?

MR. BELL: Yes, ma'am, and I'm prepared to do that, and, again, recognizing that law enforcement gave us their input and recommendations, but I think, at this point, the specific issue that we have is not anything that can be resolved anytime real soon, either through the Army Corps of Engineers or the NOS, and so I would be prepared to do that, and, if you want to have a little discussion, that's fine.

MS. MCCAWLEY: Yes, let's have a discussion, and let's also get through Motion Number 2, which is suggesting these edits, and I will come back to you for that motion, Mel.

MR. SMITH: I appreciate Mel's nod to us as having worked with them, but I think the situation is a little bit different, from our perspective, than laid out by Mel. Let me, as briefly and as succinctly as I can, lay out for the council what we see, we meaning the federal law enforcement community, myself, the Office of Law Enforcement, and the Coast Guard, see as the problems.

Actually, let me just state too, from the start, that it's clear from our discussions that the council shares law enforcement's goal. What we want to do, you and us both, is make sure that resulting regulations are easy to understand and easy to enforce, and so, from the outset, let me thank you for your support in that regard and for the amount of time you have devoted to this squares versus circles that has now morphed into -- Or circles to squares that has now morphed into a little bit of a larger problem.

Here's what we did. In the course of our discussions during the Snapper Grouper meetings, Mel highlighted a significant issue that the federal law enforcement community believed was important for us to fully understand. Areas that are closed to particular fishing are not normally displayed on NOAA charts as such, and people often have to be aware of them and plot them for themselves, and that's one of the reasons we like squares, but these particular SMZs are based on artificial reefs that pose a potential hazard to navigation, and they are in fact supposed to be displayed on NOAA charts as obstructions, with the label of "fish haven".

Because they are already depicted on the charts, Mel argued that any SMZs created should overlay the charted positions of the fish havens and that doing otherwise would lead to confusion, and so, for these particular small areas, frankly, federal law enforcement found Mel's argument persuasive, and so the next step was let's just groundtruth these areas, and so we discussed the issue with NOAA's charting folks at the National Ocean Service, and they confirmed what Mel said, that NOAA will only display on its charts the area that corresponds to the Army Corps of Engineers permit, and so, if a state requested a permit for a circular area, then they plot a circular area, and that's what goes on the chart. If the state requested a square, then, if that's what's on the state's permit, then the square is what goes on the chart, and so I guess one point we would make is, going forward, we would ask the states to request squares, so that we don't have this argument.

In actually analyzing the SMZ's in front of the council right now, South Carolina's proposed SMZs correspond precisely to already charted fish havens on NOAA charts. In the case of South Carolina, law enforcement agrees that, despite our preferences for boxes, the confusion that would be engendered by having a different-shaped SMZ than that already charted, the already charted

fish havens, would offset any good from -- Therefore, law enforcement is okay with South Carolina's proposal proceeding with the one box and the three circles they have asked for.

Unfortunately, Mel's persuasive argument pans out a little bit differently in North Carolina. Eight of North Carolina's proposed SMZ's plot at or near the center of already charted circular fish havens, but eight plot in or near fish havens that appear as rectangles or squares on NOAA's charts, and the remaining fourteen don't appear to align with any existing charted fish havens or are not centered in existing fish havens.

Steve said that North Carolina is aware of these discrepancies, but he asserted that North Carolina's proposed SMZs are consistent with circular Army Corps of Engineers permits obtained for their artificial reefs, and I have no grounds to dispute Steve's assertions, but it is clear that, as of now, there is a significant disconnect between North Carolina's proposed SMZs and the fish havens that are plotted or are missing completely from NOAA's charts.

Because of these discrepancies, accepting North Carolina's proposal, as it currently exists, has a potential to lead to great confusion by the regulated community and law enforcement. The people we spoke with at the National Ocean Service are supportive of correcting the discrepancies we've identified in our analysis, and we are committed to working with North Carolina to reconcile North Carolina's information, what is currently plotted on NOAA's charts, but, for the very same reasons that federal law enforcement now supports South Carolina's proposal to allow its SMZs for charted fish havens, we're opposed to North Carolina's proposal until North Carolina can reconcile its proposal to fish havens or any displayed on or currently missing from NOAA's charts.

Pat O'Shaughnessy actually did all the grunt work on this, and he performed a detailed comparison with the proposed SMZs and NOAA's charts, and he can respond to any specific questions that the council may have about his analysis, and, with that said, Pat and I are both available to respond to any questions that the council may have.

MS. MCCAWLEY: Thank you.

MR. POLAND: I echo Mel's gratitude to you and Duane, Pat, in meeting with us for the last day-and-a-half and trying to work through this, and I agree with Mel's point. It's a great point to have these match, and that's something that, unfortunately, NOS has not been able to correct the charts off of North Carolina yet for us, but this is something that we've been working with NOS for quite some time now, and they do have our permits.

I know, currently, talking to our artificial reef coordinator, they've been in contact with NOS since mid-2015 on this issue, and, in talking to my state director earlier this morning, who was our artificial reef coordinator in the 1990s, he said that he's been trying to work with NOS to get these issues corrected since the late 1990s, 1997 or 1998, and so we acknowledge that, yes, there are discrepancies in the chart, and, before Mel made his point yesterday, we were aware of it, but it was really two independent streams that had never crossed before, because, from our perspective, up until Mel's point yesterday, that was an NOS charting issue, and we had never even considered tying an SMZ or enforcement to what's on those charts, because it's just never been brought up before with any of our previous South Atlantic Council SMZs.

Again, I appreciate you kind of rattling the cage there at NOS and getting this conversation -- At least getting this up on their radar again, but, I mean, all I can offer is that we've been working with them for years now, and the issues still aren't rectified, and we're continuing to work with them to get these issues addressed.

MS. MCCAWLEY: Thank you.

MR. GRIMES: I guess, based on what I heard from Duane, and notwithstanding what Steve just said, and that's the first I've heard of even that they've been working with NOS this long, but it seems to me that, given that there's -- I haven't heard any urgency discussed relative to this regulatory amendment, and so maybe a couple more months and waiting until the next meeting, until we could get together with NOS, and maybe we can shed a little more light on this and figure out whether we can get consistency between the charted areas and the artificial reef areas requested by North Carolina and the SMZs that are overlaid on top of those. Thank you.

MS. MCCAWLEY: Thank you, and I would echo what Steve has said, that every state has issues like this, and we have been putting in requests for years to try to get things of this nature resolved, and I just think that some of that is beyond the scope of the FMP. I mean, we're not going to fix those NOAA charts through an FMP, but let me go to Robert Copeland, and then I'm going to go back to Mel.

LT. COPELAND: Thank you. I just wanted to echo Duane and the NOAA counterparts there and their standpoint with their previously-mentioned comments. Thank you.

MS. MCCAWLEY: Thank you. **Mel, first, let me go to Motion 2 here, which was, in this document, to accept the IPT's suggested edits to Action 2 in Regulatory Amendment 34. On behalf of the committee, I so move. Any discussion of this motion? Any objection to this motion? That motion carries.** Mel, back to you.

MR. BELL: Thank you, Madam Chair. One other thing to keep in mind is that each individual state puts out locations for their artificial reefs, either electronically or in written material, and so, even if they are not correct on the NOAA charts, or some of them are not correct on the NOAA charts, the correct information is actually out there, disseminated by each artificial reef program, and Duane is correct that that was the point that I made, and that's in kind of the ideal world, and this is not necessarily the ideal situation.

The other thing I would point out is that I'm a little concerned about staff workload right now, in terms of what we've got to do moving into the end of the year, and even into next year, and so that was part of my rationale, I think, in wanting to move along.

The other thing is we can -- We have honestly been dealing, we the reef programs, and I say this because I was a reef coordinator years ago, have been dealing with NOS for years and years and years, and I don't see -- To Shep's point, I don't see any resolution to this by September or by December, and I, honestly, am not sure that they could resolve this in a matter of years, and so, yes, indeed we will -- Where we will end up is we will have SMZs designated to match the exact coordinates that are on the permits held by the states, and the states, again, promulgate those data, and, yes, it's not a perfect situation, in that it doesn't match up on the NOAA charts, and, indeed, that was my argument.

I think I don't really see us being able to fix this, from the council perspective, and it's something that we've got to sit down with the reef -- The individual states have to work through this with NOS, and, yes, bringing this to their attention, perhaps through this format, could be useful, but I don't see us being able to go -- We're going to be in the same situation in December as we are right now.

MS. MCCAWLEY: All right. Are you wanting to make a motion?

MR. BELL: I will go ahead and make that motion, Madam Chair. That will be fine. **I would move that we approve Snapper Grouper Regulatory Amendment 34 for formal secretarial review and deem the codified text as necessary and appropriate. Give staff editorial license to make any necessary editorial changes to the document/codified text and give the Council Chair authority to approve the revisions and re-deem the codified text.**

MS. MCCAWLEY: All right. We have a motion. Do we have a second?

MR. WOODWARD: Second.

MS. MCCAWLEY: All right. It's seconded by Spud. It's under discussion.

MR. SMITH: I would just make what should be a fairly obvious point, that there is a logical inconsistency that borders on hypocrisy to say that we really have to go with these circular areas because that's what is on the chart, and that's a true statement for South Carolina, but we pointed out that North Carolina's situation is a mess. These things, once they get in the books, they're on the books, and they're going to be there for potentially decades, and it seems to me that we could take the time to get it right. That's the only comment I would make.

MS. MCCAWLEY: Thank you.

MR. O'SHAUGHNESSY: I guess I can't help but point out the irony that the very reason that the council originally did not want to move to squares, as the law enforcement community had wanted, was that it would cause confusion to the fishermen that we would have squares in the regs and circles in the chart, and now we're to the point of having twenty-two different areas that will have circles in the regs, but squares, or something that is not aligned with, on the chart. The argument worked one way, but not the other, and it will cause confusion, as far as law enforcement goes, and I would reckon to say that it would cause some issues for General Counsel in potentially prosecuting any of these cases, if it should get to a hearing. That's all I wanted to point out.

MS. MCCAWLEY: All right.

DR. CHEUVRONT: Madam Chair, I just wanted to point out -- I just wanted to make sure that this direction to staff that you have above Motion 2, all this that I'm going to highlight right now, probably ought to be removed from this report, and I just wanted to make sure that you all are okay with the fact that this should be deleted, this direction to staff and the note that follows it just above Motion 2.

MS. MCCAWLEY: I believe, based on making the motion to finalize this amendment, that, yes, that would need to be removed from this committee report.

DR. CRABTREE: I know all that I've heard was creating confusion, because it's created a lot of confusion with me, and I don't think we ought to approve this amendment today. I think that folks need to sort this out and see if we can't figure out what to do with this, and so, if we are going to vote on the amendment today, I can't support it, and I will vote against this amendment.

MR. POLAND: I just wanted to point out that the rationale for sticking with circles, because that's what was on the chart, that rationale wasn't offered until yesterday, and we have provided rationale in the past, at least from North Carolina's perspective, that we wanted to maintain circles, because that's what our permits are in, and those are the boundaries that we publish at the state level in our artificial reef guide and that kind of stuff, and they've been circles for some time, and we felt like drawing squares around those circles would be perceived as a land grab and that we would be extending fishing regulations through areas that are outside the permitted region and are really outside of the affected area, as far as the reef is concerned, and so there was additional rationale outside of what is printed on the charts.

MR. BELL: I acknowledge the apparent disconnect in what I'm saying, and I get it, but, where we're going to land up when this is all finished and it is resolved, is the SMZs in the exact positions as described in the amendment right now. What needs to come along can come along afterwards, as NOS fixes their part, and, if that has to be done through the states and engaging through the Army Corps of Engineers or whatever, but, as Steve pointed out, what is being presented, as far as the positions of those reefs, are the actual Army Corps permitted positions, whether they are circles or squares, and that is where they will be.

We are establishing those SMZ regs on those boundaries, and those will be the exact same boundaries that we end up with, even if this took five years to resolve, and so we're going to end up in the same place, is what I'm saying, and so we can try to work this out with NOS, and we should, because they should be charted correctly, but, whenever that process is finished, if it takes six months or six years, we're going to be in the exact same spot that we're in right now, in terms of the areas that we're proposing being exactly where they need to be, on the Army Corps permitted areas, and so that's all I can offer.

Again, I will say that the states do a good job of communicating with the fishermen about where the reefs are, and we have our own materials that we put out, and so that's the best I can do, in terms of explaining why I don't think it's logical to wait six months, eight months, twelve months, whatever.

MR. SMITH: I would just say that, with respect to the reefs that Mel has proposed on behalf of South Carolina, I wouldn't disagree with that. For North Carolina, there is a real disconnect between North Carolina's assertion of what they have sent to us as the Army permitted places with NOS's assertions that they only plot exactly what is in the Army Corps permit, and yet we have this incredibly huge disconnect with respect to the North Carolina proposed SMZs.

Again, it's seems to me that it would be better to wait until we can get it right. It's not a matter of just having NOS catch up, and I think there's some serious problem here, and, until we can sort

that out and be sure that those situations, as Mel represents it, is the same in North Carolina as it is in his state, then I just, again, think it would be imprudent at this point.

MS. MCCAWLEY: Thank you. Any more discussion on this motion? All right. This is a roll call vote, and I will turn it over to John.

MR. CARMICHAEL: All right. Thank you very much. This is a roll call vote, and it will be in the same alphabetical order as before. Beckwith.

MS. BECKWITH: No.

MR. CARMICHAEL: Belcher.

DR. BELCHER: Abstain.

MR. CARMICHAEL: Brewer.

MR. BREWER: Yes.

MR. CARMICHAEL: Christiansen.

DR. CHRISTIANSEN: Yes.

MR. CARMICHAEL: Conklin.

MR. CONKLIN: Yes.

MR. CARMICHAEL: Crabtree.

DR. CRABTREE: No.

MR. CARMICHAEL: Griner.

MR. GRINER: Abstain.

MR. CARMICHAEL: Poland.

MR. POLAND: Yes.

MR. CARMICHAEL: Sapp.

MR. SAPP: Abstain.

MR. CARMICHAEL: Whitaker.

MR. WHITAKER: Yes.

MR. CARMICHAEL: Woodward.

MR. WOODWARD: Yes.

MR. CARMICHAEL: Bell.

MR. BELL: Yes.

MR. CARMICHAEL: McCawley.

MS. MCCAWLEY: Yes.

MR. CARMICHAEL: Madam Chair, the vote is eight in favor, two in opposition, and three abstentions. So the motion carries.

MS. MCCAWLEY: Thank you. All right. Now back to the committee report. Next, the committee heard about the red porgy stock assessment, and we received two presentations. **We made a motion to direct staff to begin work on a framework amendment to end overfishing of red porgy and begin work on a plan amendment to address rebuilding and allocations. On behalf of the committee, I so move.** Is there any discussion on this motion? **Is there any objection to this motion?**

MS. BROUWER: I guess I just want clarification that you do in fact want two different amendments for red porgy. Yesterday, we talked about the fact that allocations can't be done by framework, and neither can revisions to rebuilding, and so I didn't know if the council might want to consider packaging everything up into one amendment document, and I'm just putting it out there for discussion.

MS. MCCAWLEY: Thank you, Myra. I forgot about that. I really think that this needs to be a plan amendment, for those reasons, and I'm hoping that Shep can weigh-in that we would be okay to bypass the framework amendment, in order to put everything in the plan amendment, because, to me, it's partly about the timing.

MR. GRIMES: I was trying to get my hand up before the vote on that motion, and so, after committee, we talked about this, and, if you guys remember, back in 2007, we lost a case, and North Carolina Fisheries I know was in the name, but, anyway, it dealt with rebuilding plans for black sea bass, snowy grouper, and, as a matter of coincidence, it also dealt with red porgy, but, anyway, in that case, the South Atlantic Council did a framework to end overfishing and then implemented a rebuilding plan in a separate action, and we were challenged on that, and we lost, and the court said that, no, based on an interpretation of the statute, it said the plain language is clear, and we had to do the two of them together.

We're in the same situation now, and I think, notwithstanding what has recently occurred with red grouper, I would strongly advise that these be done in the same action, and I think the only way to do that is through a plan amendment, and so I would strongly advise that the council put all of this in one plan amendment, that you take action to end overfishing and develop the rebuilding plan in one action, and that's my guidance. Thanks.

MS. MCCAWLEY: Thank you, Shep, and so what I think we need is a substitute motion where we would begin work to end overfishing and address rebuilding and allocations, et cetera, in a plan amendment, and so I think we need a substitute motion, since we're already passed this motion.

MR. CARMICHAEL: Jessica, I think, if the council doesn't make this motion, then it could just stand as approved by committee, but the council could make an alternative motion, and that would be the council's motion.

MS. MCCAWLEY: I am getting tired, and it's late in the day, and I thought we just approved the motion, but maybe we didn't.

DR. CHEUVRONT: No, you haven't approved it yet.

MS. MCCAWLEY: Okay. Then maybe we just need a new motion. Chester, I assume your hand is up to make the motion?

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

MS. MCCAWLEY: Thank you, sir.

MR. BREWER: **I would move that we direct staff to begin work on a plan amendment to address rebuilding and allocations and overfishing, or we may not need to say overfishing, but for review at the September meeting.**

MS. MCCAWLEY: Thank you, Chester. Do I have a second?

DR. BELCHER: Second.

MS. MCCAWLEY: All right. It's seconded by Carolyn. It's under discussion. Does everyone understand what is happening here?

DR. CHEUVRONT: Can you make sure that that motion is correct now, please?

MS. MCCAWLEY: It looks like it matches up with what Chester said. All right. Any more discussion on this? **Any objection to this motion? Seeing no hands, the motion carries.** Then we went into Other Business, and we talked about the exempted fishing permit.

MR. GRIMES: Madam Chair, I'm sorry to interrupt, but I'm trying to get in here before we move on.

MS. MCCAWLEY: Go ahead, Shep.

MR. GRIMES: Okay, and so the only other thing that I was going to mention is so what will happen with this, timeline-wise, is you will get notification from the agency, the letter that the new stock assessment is in, and it's best available, and it shows overfishing. That will give the council the notification that starts the two-year clock under the statute for this amendment to be done, and so the question is does the council then want to request interim action before this is implemented to address the ongoing overfishing of red porgy?

You don't have to discuss this now, and I just wanted to at least put a placeholder down, so that it was on the record, and we can start considering it. I don't think you will be talking about trying to do something in the 2020 fishing year, but possibly having something ready for the 2021 fishing year, and the statute says that we can take interim measures to reduce overfishing, and so, if you wanted to bring those up, you could probably wait until September, and it might be better to do that when you have at least the start of those plan amendment in front of you, so folks have a clearer of picture of where this might be going. Thank you.

MS. MCCAWLEY: Thank you, Shep. What I heard is that we need to have a discussion on that, but we don't necessarily need to have it right now, and it sounds like we could discuss that at the September meeting, but let me go to the hands raised. Chester, did you have something additional here?

MR. BREWER: Yes, I did. I originally had said that we would review this at the December 2020 meeting, and that's what I said, but the motion says September and not December, but I was wondering, given what Shep just said, whether perhaps it should be September, to at least be started, so that we can take a look at an interim rule that I am guessing would go into place for the 2021 fishing year, and am I reading that wrong, Shep, or is that sort of a good timeline?

MR. GRIMES: In my view, I agree with you, but I -- It's sort of up to -- Certainly, if you're thinking you want any hope of having something in place in early 2021, you shouldn't wait until December to start talking about it.

MS. MCCAWLEY: I thought that the December timeline was when we were just doing the plan amendment and a separate framework, so that we could get the framework ahead of the plan amendment, but, now that we've combined them all into one, I believe that they need to come back in September, and, actually, I thought you meant September, Chester, and so I didn't address it, and so --

MR. BREWER: Jessica, I was trying to -- We are so overloading staff for the September meeting that my thought was that we would put this off until December, but, given what Shep says, and the fact that we probably are going to need an interim rule to end overfishing, I think September is the time to do it, but, again, it's looking more and more like we need to have an additional short meeting to get through some of this stuff, because, I mean, we have so loaded up September.

MS. MCCAWLEY: I know, and this is my concern as well, but, to me, this is not the item to back off on. If we're going to back off on something coming to September, it likely needs to be something else, and I 100 percent agree that we are not going to be able to solve what-all is coming to September today at the end of this council meeting, even in the Executive Finance discussion. There is too many other things that we've discussed even today that are not on our priority list, and I don't think it's fair to ask staff to try to edit that list right now, and I would rather just come back at another webinar and talk about those priorities and work on the thing that you just mentioned, the fact that we have too many items coming to September.

DR. CRABTREE: I think that an interim rule is probably a good idea at some point, but you're going to have to figure out what you're going to do with the allocation issues and some other things, and then you also -- Remember that an interim rule with an extension is good for about a

year, and so you're going to need to sync an interim rule when you think you can get the plan amendment in place, because I don't think you want to put in place further reductions and end overfishing but then have it bounce back while we're waiting to get the plan amendment in place, and so I think the timing of the interim rule is going to have to wait until we get a better feel for the timing of the amendment.

MS. MCCAWLEY: All right. Good points. Okay. I feel like we're good on that motion that we just passed. I am just pausing in case staff has other ideas there. Then we went to Other Business, and we discussed the exempted fishing permit, and then we have a draft timing and tasks motion, and so I think that, Brian, that timing and tasks motion needs to be edited. Instead of initiate a framework -- We need to fix that up, so that we are working on a plan amendment. I am just going to pause here while you're editing all of this.

MS. BROUWER: That first bullet probably should go away.

DR. CHEUVRONT: Thanks, Myra.

MS. MCCAWLEY: Thank you, Myra. All right. We need someone to make the following timing and tasks motion. Do I have a volunteer?

MR. CONKLIN: **I make the motion to direct staff to do the following: initiate a plan amendment to address modifications to management of greater amberjack in response to the results of the new assessment and prepare an options paper for the September meeting; initiate development of a plan amendment to address overfishing, rebuilding of red porgy, and other management modifications and bring an options paper to the council in September.**

MS. MCCAWLEY: Thank you, Chris. Do I have a second?

UNIDENTIFIED: Second.

MS. MCCAWLEY: All right. It's seconded. It's under discussion. **Any objection? Seeing none, that motion carries.** That brings us to the end of the Snapper Grouper Committee, and I believe that we're going to go into SEDAR.

The SEDAR Committee met earlier this week and approved the minutes from the December meeting and approved the agenda. The SEDAR Committee got an activities update, and I believe that Chip is going to provide a little bit more information right now.

DR. CHEUVRONT: I've got that document up right here, Chip, and so you just tell me when you want me to scroll.

DR. COLLIER: This is under the third item for the terms of reference for approval, and I just wanted to make sure -- This was actually part of Attachment 3a, which was the terms of reference and schedule for red snapper, and I wanted to make sure that you guys were aware of the schedule for red snapper, as was discussed, and so this is how it's going to lay out.

One thing that was brought up was, during that selectivity workshop, it would be great if we could have the results of that workshop presented to the National Marine Fisheries Service by that November 16 working paper submission deadline, and so that might need to go under timing and tasks. Other than that, you can see the rest of the schedule that's proposed, with the report getting to SEDAR staff by April 2, 2021, and, that way, it would be ready for review by the SSC at their April meeting.

There was one other thing that I wanted to bring up with you guys, and you don't necessarily need to approve this, and we just wanted to make you aware of it, and the other thing that I wanted to bring to your attention is, because there is so much involvement with the state participation, whether it's Florida or South Carolina, we thought that it might be a good idea for the council to sponsor a few individuals to go to the SEDAR stock assessment, that in-person workshop, if it's going to be held in-person, and we were thinking maybe an additional five people that would be covered by the council, and, if we could get approval to do that, that would be great. I think that was it.

DR. CHEUVRONT: Chip, when we get to the timing and tasks, will you chime in on the wording for the extra item that needs to go in there?

DR. COLLIER: Yes.

MS. MCCAWLEY: Thank you, Chip.

DR. PORCH: I just wanted to support what Chip said, but I would even magnify it. I think it's critical that we get those results by that November 16 deadline, and it's the same deadline for all the working papers. Actually, the sooner the better, but we really do need to have something to work with by November 16 if we're going to get a finished product done by early spring. Thanks.

MS. MCCAWLEY: Thank you, Clay.

DR. COLLIER: The other thing that I had forgotten to mention was, given that red snapper is kind of under this rough schedule, getting the participants is going to need that interim process of approval, and so it's going to take the approval of the SEDAR Chair and the Council Chair, as well as the Executive Director, but I just wanted the Full Council to be aware of that.

MS. MCCAWLEY: 10-4. Thank you for the reminder on that. All right. The SEDAR Committee got a Steering Committee update, and then we discussed the terms of reference for the red snapper operational assessment, and we made a motion. **The motion is to convene a working group, including SSC representatives, to meet via webinar or in-person, as needed, to review model development relative to Terms of Reference 1 through 4. On behalf of the committee, I so move. Any discussion? Any objection? That motion carries.**

Then we made another motion to approve the Red Snapper SEDAR 73 terms of reference, as modified. On behalf of the committee, I so move. Any discussion? Any objection? That motion carries.

Then we made another motion to approve the South Atlantic Selectivity Workgroup statement of work. On behalf of the committee, I so move. Is there any discussion? Any objection? That motion carries.

Then we made Motion 4 to approve the black sea bass stock assessment terms of reference, as modified. On behalf of the committee, I so move. Any discussion? Any objection? That motion carries.

Then we went into Spanish mackerel and made a motion to approve the South Atlantic Spanish mackerel terms of reference, as modified. On behalf of the committee, I so move. Is there any discussion? Is there any objection? Seeing none, that motion carries. Now we get into the timing and tasks, and I am going to let Brian and Chip modify this timing and tasks motion, to get the new stuff in there.

DR. CHEUVRONT: Okay. What do I need to put in there, Chip?

DR. COLLIER: Just that the report will be available by November 16, 2020.

DR. CHEUVRONT: Which report was that?

DR. COLLIER: Number 1, just right before “for SEDAR 73”.

DR. CHEUVRONT: Okay. By November what?

DR. COLLIER: November 16, 2020. While my mic is still hot, I just wanted to check to see if the council was fine with those additional five people that would be council funded and not funded through SEDAR.

MS. MCCAWLEY: I think I’m okay with that. Do we need more discussion on that, folks?

MR. POLAND: I am fine with those additions and costs.

MS. MCCAWLEY: All right. Thank you, Steve. Chip, are you sure this covers everything that we need to do?

DR. COLLIER: I think so. Now that I’m not driving and everything, it’s a little easier to navigate.

MS. MCCAWLEY: Nice. All right. Would someone like to make this timing and tasks motion?

MR. POLAND: I will, Madam Chair.

MS. MCCAWLEY: Thank you, Steve.

MR. POLAND: I move to direct staff to complete the following tasks: work with FWRI to convene a selectivity workgroup in the fall, so that the report will be available by November 16, 2020 for SEDAR 73 and other upcoming South Atlantic stock assessments.

MS. MCCAWLEY: All right. Do I have a second?

MR. BELL: Second.

MS. MCCAWLEY: All right. Thank you, Mel. Any discussion, or any more discussion? **Is there any objection? That motion carries.** That concludes the SEDAR Committee, and now we're going to go into Citizen Science, and I'm turning it over to you, Mel.

MR. BELL: Thank you, Madam Chair. The Citizen Science Committee met on June 12, 2020, and the committee approved the June 2020 Citizen Science agenda and approved the minutes from the December 2019 meeting.

The first thing we did was a program evaluation. Staff and Rick Bonney gave a presentation on highlighting the importance of evaluation and the efforts the CitSci Program has made toward developing a program evaluation plan. The presentation summarized the work done by the CitSci Operations Committee in developing program goals, objectives, strategies, and indicators, which are critical to the development of an evaluation plan.

The committee reviewed and provided feedback on the draft CitSci Program goals, objectives, strategies, and output indicators of success, and that's contained in the attachment. The committee noted the importance in documenting the contribution of citizen science projects to the council research priorities. Committee members also noted the importance of Goal 4 contained in there, which is objectives which focus on learning, collaboration, and engagement. A couple of things is they noted that volunteer engagement can be challenging and that sharing information with volunteers about how their data has been used can be important for retention. Members suggested existing state level programs, such as carcass collection programs, could be shared with stakeholders as examples of successful citizen science projects.

After reviewing the program planning document, Rick Bonney gave a presentation sharing examples of citizen science projects and project outcomes that were measured through evaluation. Staff will continue to work with Rick Bonney and the CitSci Operations Committee to develop program evaluation plan options, which will be presented to the council for their review at the September or December 2020 meeting. Citizen Science Program and Project Updates, we received updates on a number of projects that are underway right now, as well as the program, and I won't go into all of that. You can read the details in the report itself.

The committee also received updates on projects and collaborations in progress and under development. Updates were given on the two pilot projects in progress, the SAFMC Scamp Release and FISHstory, as well as a Nature-Conservancy-led project focused on promoting Gray's Reef through engaging Georgia anglers.

The projects under development include a project to collect data on rare species observations, to potentially serve as an early-warning system for shifting species and a project to collect diver observations on data-limited species. Additionally the program has continued the collaboration with the SEFSC to coordinate a series of dolphin wahoo participatory workshops. There were no motions made, and there was no further business, and so, Madam Chair, that concludes my report.

MS. MCCAWLEY: Thank you, Mel. Next, we're going to go into the Mackerel Cobia Committee, and, Steve, you're up.

MR. POLAND: Thank you, Madam Chair. The Mackerel Cobia Committee of the South Atlantic Fishery Management Council met via webinar on the evening of June 10, 2020. After dispensing with approval of the minutes and the agenda, we received an update on amendments under formal review from Rick DeVactor from SERO.

Then we received an update on the king mackerel stock assessment, and we received a presentation from Matt Lauretta from the Science Center on the assessment results, and then we received a presentation from Genny Nesslage, Chair of the SSC, on the SSC's ABC recommendations.

Following discussion, the committee passed the following motion to direct staff to bring back an options paper to the September meeting, including consideration of sector allocations and catch level adjustments based on SSC recommendations and the recent stock assessment update. On behalf of the committee, I so move. Is there any discussion? Any opposition? Seeing none, the motion stands approved.

Also, we provided the following direction to staff, to include information in the options paper that shows what allocations would be under the current allocations formula. We then had a brief discussion on the impacts of COVID-19 and potential responses, and then that discussion later fed into our discussion at Full Council earlier today. There was no other business brought before the committee, and so I will entertain the timing and tasks motion up on the screen.

MS. MCCAWLEY: Before we get there, Steve, Jack has his hand up.

MR. POLAND: Sorry, Jack. Go ahead.

DR. MCGOVERN: That's okay, but I just had one comment about bringing back the king mackerel amendment in September, and I was thinking that we could -- Because of the workload, that it might be possible to bring in back in December instead, and we're not meeting either the commercial or the recreational ACL, and the stock is really healthy, and maybe there's not the urgency for that amendment, and that's just a suggestion. It may be something that we could talk about in Executive Finance.

DR. CHEUVRONT: Jack, that was one of the things that I had been thinking about too in my mind, when we get to that point about talking about workload.

MR. POLAND: All right. Thank you for that, Jack.

MR. WOODWARD: I will make your timing and tasks motion, if you would like.

MR. POLAND: All right. Go ahead, sir.

MR. WOODWARD: I move to adopt the following timing and tasks: prepare an options paper considering sector allocations and catch level adjustments based on SSC recommendations and the updated SEDAR 38 assessment for review at the September 2020 council meeting.

MR. POLAND: Thank you, Spud. Do we have a second?

UNIDENTIFIED: Second.

MR. POLAND: I heard a few seconds. Any discussion? Jack pointed out the timing, but, as we've discussed in previous committee reports, that's something that we can probably take care of in Executive Finance. Is there any further discussion? **Any opposition to approval of the motion? Seeing none, that motion stands approved.** Madam Chair, that concludes my committee report.

MS. MCCAWLEY: Thank you, Steve. Next up, we have the Executive Committee. The committee met and approved the agenda and the minutes from the March meeting. Then we started talking about council priorities, and we did not make any motions, but we did agree to meet via webinar before the September meeting to develop a detailed workplan to accommodate the many recent changes in priorities. Then John gave us a CCC update, and then we got into policies and practices.

Then we made Motion Number 1, which was to approve the internal research funding and project selection process, as modified. On behalf of the committee, I so move. Is there any discussion? **Any objections? That motion is approved.**

Then the committee made the second motion to approve the staff performance evaluation process, as modified. On behalf of the committee, I so move. Any discussion? **Any objection? That motion is approved.** Then we have the timing and tasks motion, if someone would like to make this timing and tasks motion.

MR. POLAND: I can, Madam Chair.

MS. MCCAWLEY: Thank you, Steve.

MR. POLAND: **I move to approve the following timing and tasks: plan an Executive Committee meeting via webinar prior to the September council meeting to discuss council FMP priorities and workload management.**

MR. BELL: Second.

MS. MCCAWLEY: Thank you. All right. Is there any discussion? **Any objection? That motion is approved.** Next on our list, we have the review of the SSC Selection Recommendations, and so we met as Full Council, and I guess this is just showing the summary here. Do I need to read these motions?

DR. CHEUVRONT: I think, Madam Chair, what needs to happen is, because these were done in closed session, that this shows the motions that were approved by the council, and so I think probably just reading the motions that were approved by the council is probably sufficient.

MS. MCCAWLEY: All right. Steve, would you like to do that?

MR. POLAND: Yes, ma'am, I can. **Motion 1 is reappoint all SSC members who have reapplied for the SSC, and that includes Scott Crosson, Eric Johnson, Anne Lange, Amy**

Schueller, Tracy Yandle, and Fred Scharf. That was approved by the council. Next, we passed a motion to appoint Dr. Jie Cao to the SSC. That was also approved by the council.

The next motion was to reappoint all six members who have reapplied to the SEP, and that includes Scott Crosson, Chris Dumas, Jason Murray, Kurt Schnier, John Whitehead, and Tracy Yandle. That was approved by the council.

We then made a motion to appoint Andrew Ropicki to the SEP, and that was approved by the council, and we made a motion to appoint David Dietz and Adam Stemle to the SEP, and that was approved by the council. The last motion was appoint Dr. Walter Bublely to the designated South Carolina seat on the SSC, and that was approved by the council.

I guess, since this is Full Council, I will -- Well, we've already passed this motion, and the timing and tasks motion is adopt the following timing and tasks: draft and send letters to all the SSC and SEP members that were reappointed for another term; draft and send a letter to Dr. Jie Cao announcing his appoint to the SSC for a three-year term; draft and send letters to David Dietz, Adam Stemle, and Andrew Ropicki announcing their appointments to the SEP for five-year terms; draft and send letters to all the other applicants who applied for positions on the SSC and the SEP but were not appointed, thanking them for their applications; draft and send letters recognizing the contributions of Marcel Reichert and Rob Ahrens to the SSC; consider adding another seat to the SSC at the September council meeting, evaluating the need of the SSC for any additional expertise; draft and send a letter to Dr. Walter Bublely announcing his appoint to the SSC for a three-year term. That timing and tasks motion was approved by the council.

MS. MCCAWLEY: Thank you, Steve.

DR. CHEUVRONT: Madam Chair, that is all the motions that were passed in committee and in closed session.

MS. MCCAWLEY: All right. Thank you, Brian. Now we're going to move into the agency and liaison reports. We have already heard the report from the Mid-Atlantic, and I am going to go to North Carolina and Steve.

MR. POLAND: Thank you, Madam Chair. We have already gone into quite a bit of detail on the impacts of COVID-19 to the fisheries here in North Carolina. We went into great detail in the presentation on the specific commercial and recreational impacts. At the agency level, we went under a state executive order about a week after our March council meeting for stay-at-home, and our building was closed, and staff were encouraged to work from home. This also put a hold on a lot of our field operations, and a lot of those operations are still on hold.

We are slowly working through the department in getting safety protocols in place to allow staff to go back out into the field, and so, much like the rest of you, we have -- We will have gaps in data for this time, not only of our fishery-dependent sampling, but a lot of our fishery-independent programs, and that's something that we'll have to deal with for decades, especially in those fishery-independent time series, where there will be a big gap there.

I did report earlier in the week that our APAIS staff and MRIP staff have started operations again, but they are under strict guidance to do everything they can to limit contact with individuals in the field and basically don't do anything more than that they feel comfortable with, as far as interacting with fishermen and measuring fish, and so, even though APAIS and MRIP staff are back out in the field, that data will probably still be diminished.

At the state Marine Fisheries Commission level, we're working on a few things right now internally, and our marine fisheries commission met via webinar last month, and they instructed division staff to start developing rules to require the use of circle hooks in state waters, as well as barbless treble hooks, and so staff are currently working on developing that rule paper, an options paper, and there will certainly be plenty of discussion at upcoming Marine Fisheries Commission meetings, and I mention that just because that has the potential to affect some of our council-managed species, namely king mackerel and Spanish mackerel. It's still unclear the intent of our commission, as far as if these requirements will extend out into the ocean, to the three-mile zone or not, and so I will make the council aware that we're working on that.

We're also working on modifying and streamlining all of our estuarine gillnet regulations, and I mentioned at the last council meeting that Director Murphey, by proclamation, made some adjustments to yardage limits in our small-mesh fishery, which, among other things, primarily harvests Spanish mackerel, as well as attendance requirements and setback requirement state-wide. Other than that, nothing too exciting to report, as far as interesting going-ons, because we've all been working from home. That concludes my report.

MS. MCCAWLEY: Thank you, Steve. Mel.

MR. BELL: Thank you, Madam Chair. Really similar in terms of what Steve was talking about with the COVID-19 impacts. At the same timeframe, we all went into tele-work mode, and it was extremely disruptive to our field operations across the board, which are just now beginning to recover a little bit, and we're still operating under some fairly restrictive measures related to personal contact and stuff and how many people can be in a boat and how many people can operate in the field and how many people can be in a vehicle, and so it's pretty restrictive, but we've entered Phase 1 of our state reentry plan, and so things are getting a little better.

We hope to -- We will see, and we will probably get to Phase 2 in the next couple of weeks, or by the end of the month, which will again relax things a little bit, but we are -- One of the biggest challenges that I have dealt with is like our commercial permitting and licensing. The folks that are running that are doing a remarkable job of trying to do all of that without having contact with people, because our commercial fisheries licensing is pretty much a paper endeavor, and we don't have online capability for that, other than to print forms, and so we're getting by.

We still don't have direct contact with the public in our buildings, as of yet, and so that's a little disruptive, obviously. In terms of field efforts that we are interested in, particularly at the council, Marcel passed along that reef fish and trawl survey sampling was severely impacted, as you might imagine, by not being able to get vessels underway, and we're still working through protocols to man vessels and that sort of thing, and so we're going to have issues with data gaps, and there has been no reef fish sampling to date so far this year, and, again, I mentioned just trying to work through protocols that fit to the restrictions that we're still under related to contact with folks.

We've been able to do a lot of things from home, and we've become extremely adept at the virtual world. For meetings, we've been doing a lot of training and education and then work via electronic means, and so thank goodness we have this technology.

Of interest, we did open our -- We were able to open our commercial shrimp, basically most of our state waters, or all the rest of our state waters, on the 27th of May, and we had some challenges, again, related to acquiring the normal data we use to do that, but we did it, and it worked out. Our General Assembly, of course, the way we operate, all of our state fishery regulations, our state law, we had several things in the hopper this year, and one was a cobia bill, which I know we have passed off cobia to the commission, but we had hoped to get that through, and it almost made it, but it succumbed to COVID.

We did manage to -- They did come back, the General Assembly came back, and dealt with some stuff, and we did pass a state fish law, a tripletail law, for state waters, and so that was actually started last year, and so we did manage to get those through, but it's very similar here to other states. We are just trying to figure out how to operate under current restrictions, and we're going to have data gaps, and we just hope to get back to full swing at some point soon, and that's really all I have to report, Madam Chair.

MS. MCCAWLEY: Thank you, Mel. Carolyn and Georgia.

DR. BELCHER: Thank you, Madam Chair. Kind of echoing the same thing as Steve and Mel, and, obviously, we were a diminished workforce. I had to use the phrase "liberal", but we were fairly liberal, in the State of Georgia, in the sense that we didn't push everybody to tele-work, and we had a lot of positions that their jobs pretty much made it difficult for us to find tele-work for them, and so, to the degree we could cut the workforce back, we did, and we were operating at about a third of the capacity in the building.

Technicians were still out in the field doing some tagging work that we're working on to do an escapement study for red drum, and so supervisors were kind of rotating in and out, to make sure that there were at least senior staff here to help them as things progressed through the time window.

We were fortunate, because we didn't have a lot of programs up and running during that time window, and our main surveys don't start until this month, and so the only ones we really had out there were the APAIS survey and our trawl survey, and so, with those, we lost one month's worth of time, and then the APAIS clerks went back to work on the 15th of May, I believe, and so we lost a month or month-and-a-half worth of their time, but, for the most part, everybody is back to work.

We are not -- Again, we weren't as restrictive as some states were. Masks are not required, and we have made people -- We have made it available for them as they interact with the public, and it's all the things that we can do to keep people comfortable and safe as they continue to do their jobs, but we have never really had a slow phase-in that was kind of everybody hit the ground running, understanding that there was personal comfort and safety that needed to be addressed on the front-end of that.

Our shrimp season opened later than Mel's, and we were able to collect our data and support its opening, and we opened on June 10, and so it's only been open since yesterday, and I guess there were some good drags yesterday, from what I've heard, and others are still kind of gearing up.

We're in the process of receiving our first replacement research vessel, and that boat is due to be actually transiting down on Monday, and our two boat captains for that, for the Anna, are flying up to Maine on Saturday to meet with the builder and their crew, and they're going to pilot the boat down here, with the expectation that it will be here on Thursday. Everybody is kind of looking forward to that.

Kind of related to that, and, Mel, this is something that I was going to tell you about, was we tried to figure out how best to deal with calibration issues with the new boat and the old boat, and we have -- Through contact with one of our old SSC members, we were able to find a professor at the University of Massachusetts, at Dartmouth, that can help us with the gear meristics, and so we're contracting that group to come down to spend about two to four weeks, depending on what the workload is, to get the two boats working and outfitted in a similar fashion.

We are standardized enough that a lot of the things I think that plagued the NEAMAP survey when they were trying to do calibrations -- We're kind of more fair-weather and shallow-water, and so we don't have a lot of variance that they had happen to them, that I think kind of influenced their break in the calibrations, and so we're hopeful, if nothing else, we can get the vessels tuned to each other.

Our second research vessel is replacing the R/V Marguerite, who has been with us for just about twenty years, and that one basically is just a direct substitute, and, actually, it's the same builder yard, but it's now on the Maine side, that's building her.

The Golden Ray is still there, and they have put the -- The lifting lugs are now in place, and they are working on the last one, with the hopes that the cranes will be here, the gantry cranes will be here, in the first part of July to start cutting it apart, and the cutting chains have been laid under, and so they're good to go, and they've got the containment pilings out, and it's just working through all the little fine details of getting ready to start. The assessment teams, getting them geared up for folks to start patrolling, as things start moving more and the potential for spillage occurs.

The last thing is, of course, budget cuts. Obviously, we're all dealing with that as a result of COVID. We have already been hit with projections on that, and then we've actually added two new vessels to our offshore reefs up off of Savannah, and sunk a menhaden boat up off of Savannah, and we also had a steel-hulled shrimp boat that was also added to a different reef in the offshore area off of Savannah. It's the first time in quite a long time that we've actually had boats of that size hit the bottom, and it went fairly well, and everybody was really happy. We had this big joint venture, and CCA put some money into it, and, through our license plate funds, that was part of that program, and through our artificial reef program is where a lot of the rest of it came from, and that's pretty much all the news from Georgia.

MS. MCCAWLEY: Thank you, Carolyn. Let me give you a couple of highlights from Florida, and so we're pretty much in the same situation as North Carolina and South Carolina. We are still doing tele-work. Thank goodness for Microsoft Teams. It has allowed us to continue doing a lot of our business by webinar, and so we don't have a date yet to return to the office, but hopefully we'll know that soon, and it will be a phased approach, as we go back to the office, and the buildings are still closed to the public, and, as we phase back, it will be a certain percentage of

staff that will be in the office each day as we get all the way back up to full capacity. There are also travel restrictions in place, and we are not allowed to travel outside of the state at this time.

I wanted to let everybody know that the FWC submitted our Florida Keys National Marine Sanctuary letter on time, and so that letter was due by the end of April, I believe, and either Kelly or John sent that around to the council after we submitted it, and, if you didn't see it, or you want it sent around again, certainly let me know, and we can make sure the folks have that. It was a lengthy letter, maybe thirty-plus pages long, if you guys are interested in that letter.

Also, as I mentioned earlier, FWC had a program called Gulf Reef Fish Survey, where people would sign up to be a Gulf reef fish angler, and that was noting their intention to target some reef fish offshore, and then we are sampling these people monthly, a subset of them, to ask them about their trips, and we were using that information to supplement MRIP information.

It was originally funded with oil spill money, and the funding is running out, and so, at our recent FWC Commission meeting, the commissioners took final action to make that a state-wide program, and this starts on July 1, and so, for this Atlantic red snapper season, folks will need to be signed up for the State Reef Fish Survey Program. We have all that information on our website, and we're working on outreach, and we have some cool outreach materials to go with it, and so, if you need more information on that, then just let us know.

We're also working on some rules for stone crab, and so stone crab used to be managed by the Gulf Council, and they turned over management to the FWC, and we are working on some rules that we've been working with the industry on over the past five or six years, and I would say that the rules are fairly controversial, and they are set to go to final action at our July commission meeting.

Another item that we're working on, and there's an item in the late materials, is there's a letter from the FWC, and so we are working on some flounder regulations, and so we sent a letter to the council that was notifying the council of our intent to extend flounder rules into federal waters, and so we're in the process of looking at all of our flounder rules, and our rule covers four different species, and so we're looking at changes, and then we're also looking to extend those regs.

Right now, we have a draft rule set to go to our July commission meeting, and then, if directed, we'll go to final action at the October meeting, and so, in the past, when FWC has submitted these letters with their intent to manage a species in federal waters, the council has usually written a letter back to indicate whether or not they intended to regulate at this time that particular species, and so just to let you know that a similar letter went to the Gulf Council and to Roy Crabtree, and so I don't know if anybody wants to comment on that.

I guess we technically have one more council meeting to discuss this, if people have some concerns about extending our regulations into federal waters, but, ultimately, before FWC takes final action, we just want to be sure that the council has no intention of managing in federal waters these four flounder species and is okay with us managing there. With that, I will stop there, on flounder. If anybody has any comments on flounder, I would love to hear them, or if people feel like they are ready to make a motion to let the FWC know that the council does not intend to regulate in federal waters, and I would accept that as well. Anyone? Anybody? We can also add this to the agenda

for the upcoming special meeting and maybe get a motion then, since it seems like crickets on flounder.

MR. CONKLIN: **I will make the motion.** I'm still here.

MS. MCCAWLEY: Okay. All right, Chris.

MR. CONKLIN: **I want to make a motion that the South Atlantic Council has no intention of managing the four flounder species in federal waters.**

MR. BREWER: Second.

MR. GRINER: Off of Florida, right?

MS. MCCAWLEY: I don't think the council has intention to manage it in federal waters throughout the jurisdiction, but I am going to go to Mel and Chester, because I see hands up.

MR. BELL: I was prepared to make the motion, and we don't have any interest in -- That's not something that we would normally consider doing anyway, and so I saw this as something fairly simple, in terms of the statement that, no, we don't intend to manage flounder in federal waters.

MS. MCCAWLEY: All right. Chester, were you just seconding?

MR. BREWER: I was seconding the motion.

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

DR. CHEUVRONT: Madam Chair, I just tried to write what I thought that I heard, but I'm not sure that I got it all, and so can we verify that this is the motion that was intended?

MS. MCCAWLEY: **The motion that Brian has up is that the South Atlantic Council does not intend to manage the four flounder species in federal waters.**

MR. CONKLIN: Do we need to write a letter as well?

MS. MCCAWLEY: I would love that, if you want to add that to the motion.

MR. CONKLIN: **That's exactly what I want to do. I want to add that the South Atlantic Council is going to send a letter to the appropriate agencies to make that clear.**

MS. MCCAWLEY: Okay.

DR. CHEUVRONT: So would that be the FWC and who else?

MS. MCCAWLEY: I agree it's the FWC, and I don't know if it also needs to go to NOAA. I see Jack has raised his hand, and let's see what he says.

DR. MCGOVERN: I think it would be fine to go to us as well, but what I heard Chris say was that the South Atlantic Council does not intend to manage the four flounder species in federal waters off of Florida, and so maybe “off of Florida” should be added to that.

MS. MCCAWLEY: All right.

DR. BELCHER: Would it be good just to clarify that you’re talking about your Paralichthys flounder, because, I mean, just manage the four flounder species in federal waters is kind of vague when there is many other flounder species.

MS. MCCAWLEY: One of them is fringed flounder.

MR. CARMICHAEL: It’s southern, summer, fringed, and Gulf.

MS. MCCAWLEY: Yes, it’s Gulf, summer, southern, and fringed.

DR. COLLIER: I was just going to say that it might be good just to keep it off of Florida, just because there is the Mid-Atlantic Fisheries Management Council that does have management jurisdiction of summer flounder as you move northward.

MS. MCCAWLEY: All right. Is there more discussion of this motion? **The motion, as edited, is that the South Atlantic Council does not manage intend to manage summer, southern, fringed, or Gulf flounder species in federal waters off of Florida and write a letter to the FWC and NOAA of the intention.** Any more discussion? **Any objection? That motion carries.** That concludes my Florida report, and I am going to go to Martha to give us the Gulf Council report.

MS. GUYAS: Okay. I don’t have much. Our April meeting was cancelled, because of COVID, and we do have a joint SSC meeting coming up with the South Atlantic SSC members to review the yellowtail snapper and king mackerel stock assessments, and the agenda is on the website, the Gulf Council’s website, and that meeting is scheduled for July 21 through 23. Then our next meeting is next week, and it should be lively, and that’s all I will say about that, since it is very late. Thanks.

MS. MCCAWLEY: Thank you, Martha. Thanks for hanging in there with us this week. Next up, we’re going to go to the Coast Guard report. Is anyone from the Coast Guard still out there?

LCDR MONTES: Our report from Coast Guard is we’re kind of, I think, in the same realm as everybody else, but we have got, I guess, better news on the enforcement side of things. About mid-March or so, we got formal direction from our bosses to completely halt all fisheries law enforcement at-sea, due to concerns with transmission and with the community and keeping our people safe and keeping the community safe, and we’ve actually entered into, again, the same thing that everyone else is doing, which is a phased approach to reconstituting normal operations.

At the end of May, we did receive formal go-ahead to resume normal operations, and so that that looks like for, and for anybody else that’s listening in, is the Coast Guard is out there, and we’re doing operations at the normal level that we have been pre-COVID, but, when we do conduct law enforcement operations, we are in full protective equipment, and so they’re wearing goggles, N95

masks, gloves, and protective coveralls, and so it's a bit of a challenge in the maritime environment to wear that gear and conduct their jobs, but our folks are out there doing a great job.

We went from about ten boardings in the month of April to 120 boardings in the month of May, and June is looking like a good month, to where we know that people are getting back out on the water, and we know people are out there possibly using this as an opportunity to engage in illicit activity, and so we've really stepped up our operations.

Some of the highlights that we've seen over the last couple of weeks is we've had four, or maybe five, Lacey Act violations of folks returning from the Bahamas or being caught illegally fishing in Bahamian waters without the necessary permits, and so we've had some fantastic cases recently, and we look forward to some of the future challenges that may come, and, by we, I mean Bobby. He definitely looks forward to those challenges.

Today, I was finally able to get on the phone with my movers, and he'll be here on Monday and Tuesday of next week, and so I'm out of here on Wednesday, and so, again, I'm going to end my report with thanks for all the hard work that everybody has put in, and hopefully I've left a positive impact on behalf of the Coast Guard, and, again, I open up the invitation, if anybody ever needs anything, and you guys have my email address and my phone number. Please reach out, and I would be more than happy to help out.

MS. MCCAWLEY: Thank you for that report, and, once again, thank you so much for your service. I am now going to go over to the Regional Office. Any updates or reports from the Regional Office?

DR. MCGOVERN: I don't have much, Madam Chair. In addition to the lively Gulf Council meeting we expect next week that Martha talked about, we're going to have the Caribbean Council meeting the following week, and so we'll have three consecutive virtual consecutive council meetings in June, and, like everybody else, we're doing the mandatory tele-working, and there will be a phased approach to coming back, but I anticipate that we'll be tele-working for many months to come.

The last thing is I just want to recognize the council staff for putting all of this together, and I would imagine that this was a pretty difficult task, to hold a virtual meeting this way, and they really did a great job, and so that's all I have.

MS. MCCAWLEY: Thank you, Jack. Clay, do you have any updates for us?

DR. PORCH: Yes, but not a whole lot. I mean, we have the same challenges as everybody else. I would say, generally, we're operating around 70 to 80 percent on most things, except for field work, which, of course, we're not really doing any, just some limited port sampling, and not a whole lot else, and there is relatively little work with our biological samples, and we're not doing much ageing of the otoliths or anything like that.

Generally, I don't think that it will affect the progress of our stock assessments this year, but there could be gaps in the stock assessments for subsequent years that rely on this 2020 data, and we do have some challenges with our white ship surveys, and it looks like we probably won't be able to use a NOAA white ship for the SEFIS survey, the video survey, and so we're hoping to make up

for that by chartering the Savannah, and maybe another vessel, and so we're looking into that, but, other than that, I think it's just what you would expect, given the situation we have with COVID-19.

MS. MCCAWLEY: Thank you, Clay. Monica or Shep, did you guys have any updates for us?

MS. SMIT-BRUNELLO: I will just add one thing, that we've hired an attorney named Katharine Zamboni, and she replaces one of our attorneys who left about eighteen months ago, and so you may see her at a future meeting, and I'm not sure. All our staff is doing a great job of tele-working totally, and that's all I have to report. Thank you.

MS. MCCAWLEY: Thank you, Monica. Do we have a NOAA Law Enforcement report? I'm not sure if you guys are still hanging in there with us at this time.

MR. O'SHAUGHNESSY: It's very late, and so I will make this very short. Our council report was sent to the council staff on June 4, and so hopefully all the council members received it. A real quick summary for the second quarter is we had 122 open incidents, of which twenty-nine were handled with summary settlements, which is our tickets, for lack of a better word, and we had four cases forwarded to General Counsel, and the rest were handled with compliance assistance or written warnings. Those summary settlements range from \$325 for undersized fish to \$1,500 for retention during a closure and failure to maintain intact.

Of those twenty-nine summary settlements, a short summary, and there were nine seasonal closure violations, six undersized retention violations, four fishing in Florida Keys Sanctuary closed areas, three bag limit violations, three failure to remain intact, one charter permit, one dealer permit violation, one HMS permit violation, and one dolphin feeding violation. Of the four cases that were forwarded to General Counsel, two were for fishing in the closed area, one was for failure to keep fish intact, and one was for a significant exceeding of the bag limit.

Otherwise, OLE personnel items, I have been briefing, for the last three councils, the three individuals we hired in November, which will be new South Atlantic enforcement officers, and they're still waiting for their physicals and psychological exams. We used Federal Occupational Health for those processes, and, obviously, they became tied up with the COVID-19 response, and so we're still waiting to get those folks scheduled, and hopefully sometime in the future that will be accomplished, and that is all I have.

MS. MCCAWLEY: Thank you, Pat. I think that that covers our agency and liaison reports. We did Tony's earlier. A couple of items for Other Business, and so just to acknowledge -- We've talked about it already, but we got a letter from Chris Oliver about this presidential executive order and that we have to turn in a letter later this year, and we've mentioned that we're going to finalize that in September, and we started some discussion, and, if you have some ideas that we didn't get on the record today, but you don't want to forget them, feel free to send those to John, or you can send them to me. Otherwise, maybe, in this council meeting where we're going to talk about priorities, maybe we can start more of these discussions on this presidential executive order ideas, but, either way, we will be having a robust discussion on this item and preparing a letter at our September meeting.

There was also a changing stock status policy directive, and a presentation was given at the CCC meeting, and the documents for this are in the late materials. We didn't spend a lot of time talking about it, and we did have the SSC look at it, and then sent in comments. If you have any additional comments on these materials, if you have a chance to look at them, if you could please get with John in the next couple of days, if you have additional comments on this. The SSC comments should have been sent around.

MR. CARMICHAEL: Jessica, Genny, the SSC Chair, is still with us, and so maybe we could take a few minutes and let her give a quick rundown of the SSC comments, so that people at least hear those.

MS. MCCAWLEY: That sounds great. Thank you, Genny, for hanging in there with us.

DR. NESSLAGE: No problem. Would you like me to go through the comments?

MS. MCCAWLEY: Yes, please.

DR. NESSLAGE: This is a summary of individual SSC member comments, and these are not consensus statements, but hopefully they will still be useful to the council. Overall, we felt that the document promoted consistent and transparent agency decisions and that the guidance it provides was quite reasonable and encouraged flexibility, where appropriate, for species in context-specific situations.

There was some concerns raised about there being no guidelines provided for how quickly a stock that been assigned an unknown status would be assessed or reassessed, and that could lead to a stock with an unknown stock maintaining that unknown status indefinitely, which could be a concern, and then there were some questions raised as to how the ABC would be determined for those newly-assigned unknown stocks, or stocks with unknown status, whether or not that would follow the normal ABC control rule or not, and it was unclear, but, overall, we felt the directive was helpful to both the SSC and the council.

Then, just moving along, there is really three main situations and some sub-situations that they highlighted and provided guidance on, and the first has to do with changes to management units, where there might be a breakup of a management unit or a species pulled out from a species complex, and the SSC felt that the advantages of this approach would be that this would be really helpful as we start to deal with challenges due to climate change, and this guidance will definitely be something that we can look to at that time and that this assigning unknown status to any of the new units, as appropriate, or allow carryover of the old status, as appropriate, in species-specific situations and stock-specific situations seemed flexible enough.

Some concerns were raised, in that a number of complexes will likely need reevaluation, as we move species out of them and to have their own separate assessments, and it's not sure how that will happen, if there's sufficient data, especially if that species may not be typical of the rest of the complex. Other concerns were raised that, if there are certain indicator stocks that are choke species that are removed from the stock complex and assigned unknown status, but not quickly assessed, that their status could worsen.

There is another category where they deal with ageing of stock assessments as they get older, and the guidance document suggested that stock assessment accuracy starts to degrade after about five years, and probably is no longer adequate after ten years, and so they have suggestions for how to move forward in those situations, that it would default to an unknown status once it reaches ten years, unless there has been a species-specific maximum age for that stock assessment assigned.

The SSC felt that the advantages of this approach were that this five to ten-year range seemed reasonable, and it covered most of the short and medium to long-lived species that the council manages, and that it seemed to be consistent with the stock assessment improvement and prioritization processes that we had previously reviewed. They also pointed out that, for some of the species for which there would be exceptions, like shrimp or dolphin or wreckfish, the approach allowed for case-specific changes to be made, where you might go with a shorter age or an older age for that stock assessment, and they thought that flexibility was important.

However, some folks raised the concern that setting a ten-year guidance as a hard ceiling seemed a bit arbitrary, and they encouraged the establishment of species-specific maximum age for each assessment for each species, and there also were some concerns that no mention was really made of any major changes to the fishery and whether that would trigger an assessment becoming out-of-date, and only life history and assessment characteristics were specifically mentioned in the document.

Then, moving to C, this actually is three sub-parts. This is the situations in which there is not enough information to support stock status recommendations, and how would you decide then to assign an unknown stock status, and C1 was the first category, and that's where the stock assessment, for some reason, fails, but the previous model with new data are accepted for use, and, in that case, the SSC thought that this seemed all well and good and reflected what's largely been done for a bunch of our South Atlantic stocks and that, often, the continuity run provides timely management advice with updated data that can be used by the council until that new modeling approach can be developed that passes review.

Some cons that were raised were presumably -- Folks mentioned there were concerns with the old model that had led to the development of a new model, and so the SSC and the review panel would have to weigh those concerns against the age of the old assessment when determining whether or not that continuity run should be used to assign a known status.

For the Sub-Approach 2, this is a case where there is no new numerical estimates to determine stock status, but there seems to be other evidence suggesting that the stock status would be known, and so the peer review could suggest maintaining the known status for both overfishing and overfished conditions, or, if there's no evidence to support retaining the current known status, you could switch it to unknown, and so the SSC felt that this provided some background and some justification for preventing qualitative or kind of off-the-cuff subjective changes to the overfished or overfishing status if there is no solid assessment support or other evidence for it, and it seemed to be what we're currently doing with many of our assessments.

Some folks did raise the concern though that this could be a super subjective process and that it would lead to a lot of variability among review panels within a council process or among SSCs, with regard to how conservative each group might want to be, or tend to be, and that could lead to

major inconsistencies between review panels or between SSCs, and the suggestion was made that perhaps each council's acceptable level of risk for that species could help inform the decision.

The Sub-Approach 3 had to do with previous assessments having been invalidated, and there is no new assessment information, and what do you do? Do you assign it an unknown status? Basically, this deals with having to do with making sure that the justification for that known status be reported and made transparent. The SSC felt that this allowed flexibility to respond appropriately if there are identified flaws in previous assessments, and there really were no cons raised for this sub-approach.

Then the final condition was one in which the stock assessment deviates from the stock determination criteria specified in the FMP. In this case, new assessments could deviate from the stock status determination criteria, and the research track assessment terms of reference may actually specify the new criteria be re-evaluated or updated, and, in that case, the approach suggested would be that you would maintain the last known stock status, based on the criteria that's in the FMP, until the new assessment criteria are adopted in the FMP, and, of course, you would need to report on that and provide justification, noting that this would be updated, and they mentioned that letters to the relevant council regarding stock status changes should request that the criteria be amended in a timely manner, and National Standard 1 Guidelines provide for that flexibility and the adaptive process, to make sure that the new criteria are quickly updated to reflect BSIA in the FMP.

The SSC felt that that provided good, consistent protocols, and that seems to fit with what we do. However, there were some concerns raised that there is no timeframe suggested in here for how quickly the FMP should be changed. The language indicated that NOAA would request the FMP changes be timely, but, if they end up not being, the slow process could result in delays in ending overfishing and/or rebuilding, and that is my speedy report on this, because I know everyone is probably very hungry.

MS. MCCAWLEY: Thank you, Genny. Are there any questions? All right. I don't see any hands up, and so, John, I will turn it over to you to talk about our new upcoming meetings document.

MR. CARMICHAEL: All right. Rather than just highlighting various things coming up, we started giving a more thorough rundown here at this meeting, and we give you this document, which tells you what is coming up. We have a couple of webinars planned in July with the SMP and the Citizen Science Ops Committee, and we have more webinars, as you will see, in October, and the CCC, as I mentioned, and our September meeting is planned for Charleston, and I guess stay tuned, as we figure out how we're actually going to hold that meeting, but we will try to decide sooner rather than later and err on the side of caution, as we have so far.

Then AP meetings, as I mentioned earlier, as many of those as we can do with a webinar, we're going to plan for them to be a webinar upfront, and it makes life a lot easier for everyone, and so you see that we have quite a meetings already lined up into October and November that's going to keep us pretty busy with AP stuff. That's leading up to our council meeting in December, which is planned for Wrightsville Beach, and I think we're all hoping that we can see each other's smiling faces by that point, but, to round out the year, our March 2021 meeting is scheduled for Jekyll Island, Georgia, and so it's a pretty busy calendar already.

MS. MCCAWLEY: Thank you, John. I forgot to ask folks if there was any other business to come before the council, and so I will just pause for a second there.

MR. GRINER: It's not really other business, but it's been a little bit of a challenge for me with the technology and everything, but I finally kind of muddled through it, but I want whoever knows how to change your screen that looks like you're just turning the page to help me out here, because I think that's really pretty cool, and so I don't know how you set your computer up to change pages and look like you're actually flipping a page, and I think it's probably Brian doing that, isn't it?

DR. CHEUVRONT: I am not doing it on purpose, if that's what you're seeing. I am not trying to do that.

MR. CARMICHAEL: It's your Mac feature.

DR. CHEUVRONT: Everybody hates my Mac in the office, but I don't know. It's not doing that on my computer.

MR. BREWER: I see that Cindy is still on here, and I had a question for her, and that is do we get combat pay for this meeting?

MS. MCCAWLEY: With that, I would like to thank everybody for hanging in there, and we're only seven hours over the time period that we were supposed to end today, and so I want to thank staff for all their work in setting this meeting up and running it through webinar, and I want to thank council members for sticking with this on this webinar format, and I know it was challenging, and I know that we would rather be in-person, but I appreciate you guys' willingness to do this webinar meeting, and so thank you so much for that, and, unless there is any other comments, I think we're good to go ahead and adjourn this meeting. Thanks, everybody.

(Whereupon, the meeting adjourned on June 11, 2020.)

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Certified By: _____ Date: _____

Transcribed By:
Amanda Thomas
June 30, 2020

SAFMC June Council Meeting

Attendee Report: (6/8/20 - 6/11/20)

Report Generated:

06/12/2020 07:41 AM EDT

Webinar ID

714-501-819

Actual Start Date/Time

06/11/2020 08:27 AM EDT

Last Name	First Name
Alger	Brett
Atran	Steven
BLOUGH	HEATHER
Bailey	Adam
Beal	00Bob
Beaty	Julia
Beckwith	00Anna
Belcher	00Carolyn
Bell	00Mel
Bianchi	Alan
Brame	Richen
Brouwer	01Myra
Bubley	Walter
Burgess	Erika
Byrd	Julia
Carmichael	01John
Chaya	01Cindy
Cheshire	Rob
Chevront	01Brian
Christiansen	00Kyle
Clarke	Lora
Colson Leaning	Dustin
Conklin	00Chris
Copeland	00Robert
Coutre	Karson
Cox	Jack
Craig	Nico
Dancy	Kiley
DeVictor	00Rick
Defilippi Simpson	Julie
Denit	Kelly
DiLernia	Anthony
Dunn	Russell
Errigo	01Michael
Finch	Margaret
Fitzpatrick	Eric
Foss	Kristin

Gamboa-Salazar	Keilin
Gentry	Lauren
Glasgow	Dawn
Gore	Karla
Grimes	Shepherd
Griner	Tim
Guyas	Martha
Hadley	01John
Harrison	01BeBe
Hart	Hannah
Helies	02Frank
Hemilright	Dewey
Hill	Timothy
Horton	Chris
Howington	Kathleen
Hudson	Rusty
Iberle	01Allie
Iverson	01Kim
Jepson	Michael
Johnson	Alison
KELLY	BILL
Keener	Paula
Kolmos	Kevin
Kramer	Rob
LARKIN	Michael
Laks	Ira
Laney	Reid Wilson
Lauretta	02Matt
Lee	Jennifer
Levy	Mara
Long	Stephen
Lyons Gromen	Pam
Mackown	Amy
Malinowski	Richard
Mask III	Tad
McCawley	00-Jessica
McCoy	Sherylanne
McGovern	00John
McPherson	Matthew
Mehta	Nikhil
Merrifield	Jeanna
Montes	Jeremy
Morrison	Wendy
Moss	David
Muffley	Brandon
Murphey	Steve
Nee	Shannon

Neer	Julie
Nesslage	02 Genny
O'Shaughnessy	Pat
Palmer	Vince
Peters	Jason
Pfleger	Mariah
Porch	00Clay
Pugliese	01Roger
Pulver	Jeff
Ralston	Kellie
Reichert	Marcel
Reynolds	Jonathon
Rhodes	01Cameron
Roberson	Kimberly
Rock	Jason
Sabo	Mary
Sapp	00Art
Sartwell	Tim
Sawicki	02Kim
Sawicki	Kim
Schueller	Amy
Scott	Tara
Sedberry	George
Seeley	Matthew
Seward	McLean
Shervanick	Kara
Sinkus	Wiley
Smart	Tracey
Smit-Brunello	Monica
Smith	Duane
Soss	Alison
Spanik	Kevin
Spurgin	Kali
Sweetman	CJ
TRAVIS	MICHAEL
Takade-Heumacher	Helen
Vara	Mary
Walia	Matthew
Waters	James
Whitaker	David
White	Geoff
Wiegand	01Christina
Williams	Erik
Willis	Michelle
Woodward	00Spud
Wrege	Beth
Wyanski	David

bennett-martin	paulita
brewer	chester
colby	barrett
collier	01chip
crabtree	00Roy
crosson	scott
fabbri	jeffrey
hood	peter
m	j
poland	00steve
sandorf	scott
sminkey	thomas
thomas	suz
walter	john
waters	lauren

ROLL CALL VOTE 2020

DATE 6/11

Location web

MOTION KING MACK BAG ea

NAME	YES	NO	ABSTAIN
Beckwith	X		
Belcher	X		
Brewer	X		
Christiansen	X		
Conklin	X		
Crabtree		X	
Griner	X		
Poland	X		
Sapp		X	
Whitaker	X		
Woodward	X		
Bell (Vice Chair)	X		
McCawley (Chair)	X		

ROLL CALL VOTE 2020

DATE 6/11

Location _____ WEB _____

MOTION SG RA34 SUBMIT

NAME	YES	NO	ABSTAIN
Beckwith		X	
Belcher			X
Brewer	X		
Christiansen	X		
Conklin	X		
Crabtree		X	
Griner			X
Poland	X		
Sapp			X
Whitaker	X		
Woodward	X		
Bell (Vice Chair)	X		
McCawley (Chair)	X		

ROLL CALL VOTE 2020

DATE 6/11

Location _____ WEB _____ MOTION vs TRIP ea

NAME	YES	NO	ABSTAIN
Beckwith			X
Belcher	X		
Brewer	X		
Christiansen	X		
Conklin	X		
Crabtree		X	
Griner	X		
Poland	X		
Sapp	X		
Whitaker	X		
Woodward	X		
Bell (Vice Chair)	X		
McCawley (Chair)	X		