

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SNAPPER GROUPER COMMITTEE

Webinar

September 14-15, 2021

TRANSCRIPT

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Jimmy Hull
Trish Murphey
LT Patrick O'Shaughnessy
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Bob Gill
Dr. Jack McGovern
Dr. Genny Nessler
Dr. Clay Porch

Additional attendees and invited participants attached.

The Snapper Grouper Committee of the South Atlantic Fishery Management Council convened via webinar on Tuesday, September 14, 2021, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: We are going to call the Snapper Grouper Committee to order. The first order of business is Approval of the Agenda. Are there any changes or additions? One item under Other Business is I think Dewey is going to bring up blueline tilefish. Are there any other items for Other Business that we know about at this time? If there are, go ahead and raise your hand. I don't see any hands, and is there any objection to approval of the agenda? All right. With no hands, we'll take that as the agenda is approved.

The next order of business is Approval of the June 2021 minutes. Any changes or modifications or questions about those June 2021 minutes? I don't see any hands. Any objection to approval of the minutes? Still no hands, and we will consider the June 2021 minutes approved. All right. Next up is the Snapper Grouper Two-for-One Permit Evaluation, and, Myra, I think John is going to walk us through that, and is that right?

MR. HADLEY: That's correct, yes. I will go ahead and jump into that. Thank you, everyone, and I just wanted to start off -- There was a discussion document in your briefing materials. It was the first attachment in the Snapper Grouper folder, and it goes over the snapper grouper two-for-one permit discussion. Rather than go through the paper itself, I went ahead and pulled some salient points of it, to put in a presentation, and so I will run through a few slides on this, and then we will turn it back over to the committee for discussion.

This is a topic that is certainly a group effort on staff's part, and we had several staff members working together to put a general evaluation and information on the snapper grouper two-for-one provision. As a general overview of what we'll be going over, there's just a little bit of an introduction, and then we'll get into some background material on commercial snapper grouper permits and Amendment 8, which is where the two-for-one provision was implemented.

There is some information and analysis, and, again, this is all pulled directly from the paper that was provided to you. There's a brief profile of the current snapper grouper fishery, trends in the fishery, and we'll hand it over to Jimmy Hull to go over the Snapper Grouper AP input, which came up under Other Business during their meeting, and then, finally, we'll wrap it up with a discussion, with the intent of getting some direction from the committee on which way -- Some direction to staff on how to tackle this, or if to tackle this, or reexamine, the two-for-one provision for the commercial snapper grouper unlimited permit.

To get into the brief introduction, the whole reason that we're here discussing this is that it's in response to Executive Order 13921, which was issued in early 2020, and this Executive Order instructed councils to submit a list of actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries. The council worked through this, over a couple of meetings in 2020, and they came up with a response to this Executive Order. As part of that response, the council indicated that you wanted to evaluate the performance of the snapper grouper two-for-one provision and consider if changes would provide social or economic benefits to the fishery.

Within this, it was stated that fishermen are reporting that the burden to entry has become excessive, especially to younger fishermen, and so, really, that's kind of the framing components of this discussion. It's just reevaluating the two-for-one provision and then whether or not it has become a burden to entry, an excessive burden to entry, potentially, for younger fishermen to get into the commercial snapper grouper fishery.

As a little bit of background on commercial permits, the commercial snapper grouper permit was first required via Snapper Grouper Amendment 4, and this became effective in 1992, and so permits have been required for a fairly long time in the snapper grouper fishery. Each permit was issued to a vessel. Amendment 8 came along, and this amendment established the two-for-one method of limiting the number of commercial snapper grouper permit holders, and so Amendment 8 went into effect in 1998, and that's a key date that we'll come back to later on in the presentation, where there's a very clear market and delineation of what happened in 1998 and thereafter, once this two-for-one provision went into place.

There was -- Kind of the mindset of the council at the time, if you will, was in 1996 and 1997, as the council was developing Amendment 8, there was concern over excess capacity and intense competition for the snapper grouper resource. There was concern over competition between recreational and commercial participants as well as commercial participants employing different gears.

The size of the commercial fleet had been increasing, and there was concern that some stocks were experiencing overfishing and approaching an overfished status. Additionally, there was concern that gains from regulatory measures with an open-access fishery would just continue to attract new entrants, and there really wouldn't be any notable gains due to the new entrants into the fishery, from a conservation or conflict resolution perspective, and so that was one of the -- That's kind of the background information going into Amendment 8 and what the council was facing at the time.

Looking at Amendment 8 itself, this amendment resulted in two different -- The two snapper grouper commercial permits, and so you have the Snapper Grouper 1 permit, or SG 1 permit, which is also referred to as the unlimited permit, and so, with this permit, there is no overall poundage restriction for the permit, clearly aside from species-specific trip limits, but there is no overall snapper grouper poundage restriction related to this permit. Also, this permit is transferable, and so this is really the permit that is the focus on the discussion, and so, when we're talking about the two-for-one provision, it applies to the SG 1 permit.

The provision to obtain a new Snapper Grouper 1 permit, or a snapper grouper unlimited permit, is that a vessel owner had to purchase two permits and retire one of them to commercially fish within the snapper grouper fishery, and so this is a provision for new entrants, hence the two-for-one requirement that has been referred to earlier and will be referred to throughout the presentation.

Additionally, in Amendment 8, there was the Snapper Grouper 2 permit, SG 2 permit, which was limited to harvest to 225 pounds of snapper grouper species, and so this was intended to only be transferred to immediate family or onto a new vessel under the same ownership, and so, really, much less of a transferable provision there, compared to the SG 1 permit that was intended to be fully transferable.

Looking at the initial background for receiving permits, it was based on vessels that possessed a valid snapper grouper permit between February 11, 1996 and February 11, 1997. Additionally, vessels had to show at least one landing of snapper grouper from January 1, 1993 through August 20, 1996, and so that was the kind of the timeframe that the council used in setting eligibility for commercial snapper grouper permits under the limited-entry system.

Snapper Grouper 1 permits, as far as eligibility, was based upon vessels that landed at least 1,000 pounds of snapper grouper species in any one year between 1993 through August 20, 1996, and so, in total, there were 1,075 qualifying vessels that fit this criteria. For the snapper grouper permit, again, the trip-limited permit, the vessels that -- This was based on vessels that landed less than 1,000 pounds, but showed at least one landing of snapper grouper species over the same time series, and so that 1993 to 1996 time series, and there were 448 qualifying vessels.

Looking at the -- Diving into Amendment 8 and the stated objectives of the amendment, the amendment really aimed, through this limited-entry system and the two-for-one provision, it aimed at -- The stated objectives of this were to prevent overfishing, provide a mechanism to vest participants, promote stability, create market-driven harvest pace, minimize gear and area conflicts, decrease the incentive for overcapitalization, prevent continual dissipation of returns, and evaluate and minimize local depletion.

That recently covers the background information for the SG 1 and SG 2 permits and how they came about. From here, we'll jump into sort of an analysis mode, if you will, looking at the commercial snapper grouper fishery, and, to start off, it's noted -- This is noted in the discussion paper, but there are two recent reports, as many of you may recall, but not everyone was necessarily sitting at the table, but there are two relatively recent reports that the council received on the commercial snapper grouper fishery, with a great deal of information in each one of these reports.

Kari MacLauchlin-Buck, in 2018, developed a very detailed socioeconomic profile of the snapper grouper fishery. There is a multitude of different data points and different kinds of information in this report, but, in general, it examined the commercial snapper grouper permits and distribution of them, fishing communities, participation, and landings data, and it really covered the years from 1998 through 2016, and so when the Amendment 8 went into place in 1998 through 2016, which is the terminal year for the analysis in that report.

Additionally, there is Elizabeth Overstreet, Larry Perruso, and Christopher Liese that, in 2018, produced a technical memorandum on the economics of the commercial snapper grouper fishery, examining data collected in 2014, 2015, and 2016, and so this tech memo has a great deal of information in it as well, and it was produced by the Southeast Fisheries Science Center, and, amongst the information provided, it is a look at the commercial snapper grouper fishery as a whole, and there is also different subsets of the fishery, and so looking at say the deepwater species or shallow-water groupers or specifically looking at some of the driver species, such as vermilion snapper or yellowtail snapper, and so there is really a great deal of information in here as well, and it also provides information on economic returns in the fishery.

Those are two great resources, the links to which are both in the discussion paper, but I don't want to spend too much time on those, because we could probably spend half the morning, because there is so much information in there, and it's very useful, if anyone cares to dive into it.

Looking at the analysis of permits, there has been a considerable change in the number of permitted vessels in the commercial snapper grouper fishery between 1998 and 2019. At the top there, as noted, there were 1,075 vessels that qualified for the SG 1 permit, 448 vessels that qualified for the SG 2 permit, through Amendment 8.

Kind fast-forwarding in time to 2019, the number of permitted vessels has decreased considerably, and there are 543 SG 1 permits in existence and 148 SG 2 permits, and so, overall, you've seen about a 49 percent decrease in SG-1-permitted vessels overall, and then a 67 percent decrease in SG 2, and so the 225-limited permits, and so there's a pretty considerable drop, and we'll take a look at this again in a figure in a little bit, to show kind of how that has occurred over time.

Looking at the permits in general, looking at recent data, on average, approximately 83 percent of snapper-grouper-permitted vessels record commercial landings of snapper grouper species, and so that's at least one pound of snapper grouper species is sold, recorded as sold, or caught commercially and sold, I should say, by those vessels, and so the take-home point there is that you really have a pretty high utilization rate of the existing snapper grouper permits that are out there, and there's not a whole lot of latent effort, if you will.

Approximately 45 percent of the Snapper Grouper 1, SG 1, permits are corporate owned, and this is certainly an -- This trend has increased since the implementation of the permit. Originally, in 1998, that was 17 percent of the SG 1 permits were corporate owned, and that's an important point, the reason being that the corporate ownership can potentially allow sort of a workaround, if you will, of the two-for-one provision, in that, depending on the structure of the business itself, if that SG 1 permit were to be transferred to a different owner, it may not have to qualify under the two-for-one provision, and so that's a point that I know many council members have discussed and are familiar with, but I just wanted to point that out, but, on the other side of things, you do still have the majority of SG 1 permits are owned by individuals and subject to the two-for-one provision for new entrants.

As far as estimated costs to enter the fishery, Kari MacLauchlin-Buck, and so Buck 2018 would be the reference for that, estimated the cost of SG 1 permits as about \$60,000 to \$80,000, and so looking at a ballpark estimate to obtain the permit to enter the fishery. Looking at leases, the advertised price for leasing a Snapper Grouper 1 permit was approximately \$6,000 to \$8,000.

Looking at a profile of the recent commercial fishery, and so what does it look like currently, on average, looking at average data from 2015 through 2019, you have about 556 vessels active in the fishery, taking approximately 11,000 trips a year. These vessels account for almost five-million pounds of South Atlantic snapper grouper species, in landings, and approximately 8.6 million pounds in total landings, and so other species or snapper grouper species from the Gulf, from another region, and that would be kind of the total landings of the snapper grouper fleet, if you will.

Looking at the revenues generated by the snapper grouper landings, it's approximately \$18 million a year in gross revenue, and we're really looking at ex-vessel value here for the snapper grouper species that are landed, and average annual gross revenue per vessel is approximately \$46,700, with approximately 70 percent occurring from the sale of South Atlantic snapper grouper species, the point being that the vessels that are active in the fishery, not surprisingly, are very reliant on snapper grouper species. That's the major component of the revenue for those vessels.

Looking at historic trends in the fishery, these are figures that are also pulled from the table, and this first one shows the number of vessels and trips that have occurred in the fishery from 1993 through 2019, and, as you can see there, there is that red vertical line right at 1998, which was the implementation of Amendment 8, where the two-for-one provision went into place for the SG 1 permits, and you can see, since then, there's probably a multitude of factors, but the amendment clearly was sort of a marker in time, as far as the decrease in the number of trips as well as the number of vessels active in the snapper grouper fishery.

The next figure shows overall landings in the fishery, and so the top line there, that has the square shapes on it with the gray, that's total landings, and, down below, you have South Atlantic snapper grouper landings specifically, as well as landings of other species or landings from other regions. In general, there's been a decreasing trend in landings from a pound perspective, and it has somewhat leveled out in recent years.

When you look at gross revenues, there's a little bit of a different picture there. What's interesting is that -- Again, you have -- On the top line here, you have total revenue on top, and then the middle line and the bottom line shows gross revenue from South Atlantic snapper grouper landings, as well as gross revenue from other species or other regions, and there has been -- You know, it certainly varies from year to year, but, particularly, looking at the middle line here, and so the blue line with the triangle markers on it, there is a fairly -- It's variable from year to year, but it has somewhat of a flat trajectory, and so revenue has exhibited a little bit more stability than the overall landings. The likely reason for this is it's been partially offset by an increasing price per pound for most of the snapper grouper species.

You have a decreasing participation in the fishery, and then you have a somewhat flat revenue stream, and so you tend to have increasing gross revenue on a per-vessel basis, and so the revenue is spread amongst fewer vessels, and so there has been an increasing revenue per vessel exhibited in the fishery as the participation has gone down. This figure shows average revenue per vessel for snapper grouper vessels. Similarly, again, the top line here, the gray line with the square markers on it, that shows total revenue. The middle line shows revenue specifically from snapper grouper species, and the bottom line shows revenue from other species or revenue from landings in other regions.

You can see that all three of those lines exhibit an upward trajectory over time, and particularly since the 1998 marker there, and so that's kind of an interesting trend in the fishery, and, there again, it's likely an outcome of decreasing participation, but a fairly flat revenue stream.

Last, but not least, is a figure that looks at a percent of total revenue, and so the take-home here is the top line shows the percent of total gross revenue from snapper grouper landings. Overall, vessels active within the fishery have shown an increasing reliance on the snapper grouper group of species, from a revenue perspective, particularly in recent years.

If you use 1998 as the baseline, the Amendment 8 implementation, you've seen an increasing reliance on snapper grouper species from a revenue perspective, and so it's upwards of 70 percent, in recent years, of the total revenue for vessels active in the fishery comes from snapper grouper landings. I will take a break here, and I will hand it over to Jimmy Hull, who I believe we have on the line, to go through the Snapper Grouper AP input from when they recently discussed this.

MR. HULL: Thank you, John. A lot of what you presented answers some of the inquiries from the AP on this discussion. We started the discussion with some younger fishermen that were concerned about how hard it was for them to get a permit to enter the fishery, and so that's kind of how all of this discussion started for us, and then we moved into what you see here.

I think that the first bullet, the number of commercial snapper grouper permits has been greatly reduced, and the AP wants you to consider whether the number of permits has reached the goal for the two-for-one policy, and what is the goal? Well, that's for the council to determine. We had a lot of discussion about it, and there's lots of different viewpoints from different -- A lot of it is regional, as to where you fish.

Some of the other items were the fishery may not be able to sustain additional permits, with several populations showing declines, and a small portion of the permits are catching a large portion of the landings. The majority of management has been toward decreasing pressure on fish stocks, and it may be counterproductive to increase the number of permits, as that may increase fishing pressure. I don't think we're talking about increasing the number of permits here, but I think we're just talking about stopping the reduction of permits.

Consider the cause of the reductions to populations, like sector, too many participants overall, from every sector and not just the commercial consumer producers. The age of the fleet, the operators in this fishery, most of them are older guys, or older women, and older people that are -- They need to be replaced. If we want to continue to have a commercial fishery and provide seafood to the consumers, we need to have new entrants.

It was interesting also, and we talked about, geographically, the different needs in the different areas, and so, here, we talked about a small portion of the permits catching a large portion of the landings. However, I think you showed that we don't have the actual numbers of poundage per permit, but I think you showed that 70 or 80 percent of the permits were being used and weren't latent. I think that the council, back in -- We discussed that, in 1998, and you stated it in your presentation, that it was determined that the fishery was overcapitalized, and so that's why this was put in place. Well, again, what is the goal? Have we reached the goal?

I think there's a lot of concern among the AP members about what the future holds for a commercial snapper grouper fishery, as these permits continue to decline, and then there's also the perception, from permit holders, of what about the value of my permit if this stop, and maybe I got into this and put out lot of investment, and now you're going to stop it, and what's going to happen there, and I think that's one of the reasons why, of course, the value went so high, is because of the two-for-one, which then made it almost impossible for a new, younger person, that doesn't have the wherewithal to enter the fishery, other than leasing or some other way.

There was a lot of discussion on different angles and looking at it, and everybody has a little bit of an angle on it, but, overall -- The information you gave was very good, and you showed that the reliance on the snapper grouper fishery, from the permit holders, was very high, but it is part of their portfolio of king mackerel fishermen, of other fishermen in other species. To survive as a commercial fisherman in the South Atlantic, you have to have many permits. You have to be able to move from one fishery to the next.

There was also a discussion of some of the permits, which may be some of the latent ones that are out there, the few that are that were held in the Keys by like lobster fishermen, as insurance against a hurricane that wipes out their gear, and they can still go make some money snapper grouper fishing to rebuild their traps, and so I think we were looking for also -- You said a white paper exploring the analysis further, that you have already done, John, which, as I said, you've pretty much covered it with your information, and it just needs to be looked into. I think I've covered that end of it. If there's any questions, I am ready to answer them.

MR. HADLEY: We'll take a pause here, if anybody has any questions for Jimmy.

MS. MCCAWLEY: I see Laurilee's hand.

MS. THOMPSON: My question is on the cost of the permits, and so it's \$60,000 to \$80,000 for a permit, and so is that \$60,000 to \$80,000 for someone to buy two permits and retire one? Is their investment in getting into the fishery \$60,000 to \$80,000, or is it actually \$120,000 to \$160,000, because they have to buy two permits? Can you please clarify? Thank you.

MR. HULL: John, do you want to handle that, or do you want me to?

MR. HADLEY: I am happy to. I can at least explain where that number came from, and, if I misspeak, please correct me, but, to that statistic specifically, that came from Kari Buck's paper in 2018, and she looked at it in the way of looking at entry into the fishery, and so that looked at if you were to be able to purchase a permit, corporate permit, that allows you to just purchase that permit and enter the fishery, and that would be \$60,000 to \$80,000. If you were to purchase two individual SG 1 permits, and so, under the two-for-one provision, the price would be about half, and so that \$60,000 to \$80,000 figure reflects what it would take a new person to get into the fishery, and it's not double that, if that makes sense.

MR. HULL: If I could add to that, that's in 2017 numbers, and I can tell you that, in today's world, a corporate permit is \$100,000, and you would have to buy two individuals, obviously, for \$50,000, roughly, if you could do that, to enter the -- If you could find two. That's the other difficulty, and that's why this discussion needs to be had, because there is a point now where you can't enter the fishery buying individual ones, because you can't find two individuals to purchase, and the same with the corporate. There's not enough there to -- I mean, we've reached the limit of, okay, well, we don't have anything to work with here, and we're selling out of an empty wagon. Does that answer your question, Laurilee?

MS. THOMPSON: Yes, it does, and so, based on that, I know that there is some concern about the value of a permit going down if the two-for-one option is done away with, but it seems like, if an individual permit is worth \$50,000 now, in my mind, that individual permit -- It might become more valuable if you don't have to buy two of them, and I can see where the corporate \$100,000 permit -- That may go down a little bit in value, but I don't see how it's possible for the individual permits to go down in value when this thing goes away. Thank you.

MR. HULL: Yes, ma'am. I just had one more thing on the value, and everybody, again, looks at that in a different way. To use me as an example, as a fisherman, an active fisherman, my value in the permit is having the permit and the ability to prosecute the fishery, and I had to invest to do that. I don't plan on selling my permit, and so some people look at in a different way, that I put in

this much money, and, when I get out, I want that much money, and so, I mean, I'm going to make my money by participating in the fishery, and I have to have that permit to participate.

MS. MCCAWLEY: Thank you. Mel.

MR. BELL: Thanks, Jessica. Good morning, Jimmy.

MR. HULL: Good morning, sir.

MR. BELL: Thanks for the report. I listened to the various times you all have talked about this, and so I guess -- You're right that there was some diversity of opinions and things, and it all depended on where you were and where you were in terms of entering the fishery or not, but did you get a sense that -- You mentioned that sort of -- You kind of said a couple of times there that it's sort of what the council desires, or what the council thinks. I mean, if we go back to the original one of the main concerns we had back in 1998, it was that overcapitalization aspect, and I guess you can say, well, we perhaps dealt with that, and that doesn't seem to be the issue, if you look at the trends on all those lines that we're looking at, and things seem to be, in some respects, kind of stable at this point.

I guess we could say that, yes, we've achieved that aspect, but I guess where we are now is, okay, it's a different era, so to speak, and we've got this fishery of this size, and, for the fishermen themselves, for those participating, is this working, and then that's kind of back to you all, and I guess what you're telling us is that there wasn't a consensus of opinion of like, okay, council, you might want to -- We might want to try to tweak this now, to make it better, or we're satisfied with the way it is, because I guess what I was hearing you say was it's kind of back to us, council, and what do you all think, but I would say you guys are -- Just like you explained your position in the fishery, and it's really your fishery, and is it working, or is it not working, and were there any specific recommendations for things that the council might do, or was it just sort of a general back to us and, council, what do you all want to do? I mean, how did that end, I guess, in your mind, Jimmy?

MR. HULL: Well, thank you, Mel. As you said, we couldn't really come to some firm recommendation, other than throw everything out, but we needed to see the evaluations and the analysis that John provided, and that would have been helpful, at the AP meeting, to have that in front of us. As you said, you can see where things have basically flatlined out, and we don't have the continued overcapitalization.

I think, to address the problems that -- You know, we're dealing with small fisheries, and we're always going to have closures, pretty much, or shortened seasons, in most of these snapper grouper species, but, you know, the biggest issues are, as I stated, is new entrants. Getting some younger blood into the fishery is a big issue, and everybody is aging out, and so I think we've reached the goal, and I think the point was missed, maybe, at the AP meeting that this isn't going to increase the permits. It's just going to stop the reduction, and so, you know, we're at a place where I think we've reached the optimum level right now, when you take everything into consideration and you look at how do we keep a snapper grouper fishery going.

Well, we're maintaining a level -- If you look at all the analysis, we're pretty leveled off on production, and the price is ever increasing, and the demand, and so the price is going up all the

time for the product, but we're not going to have, you know, anybody to go fishing, to supply product and run these boats. I mean, it's not an easy thing to do, and you don't just jump into it. You need to get started and get going, and so I don't know that just stopping the two-for-one is the only thing that you need to do. You may need to look at it and think about it. How do we get new fishermen into the snapper grouper fishery, along with -- I think that, if we had that analysis at the AP meeting, in front of us, I think they would have come to, we would have come to, a consensus that, yes, we've reached the goal. I do, and so does that help you?

MR. BULL: Yes. Thanks, Jimmy, and you made the point I was thinking at, is that we started this out with a discussion about ending the two-for-one, but perhaps the actual issue, as you've identified, is the future of the fishery, and particularly how do we maintain the fishery in the future with new people, and so, like you said, it's not so much focusing just on that two-for-one, but it's what could be done, if anything, to accommodate or facilitate new people coming into the fishery, to keep the fishery going, and maybe that's the focus.

Also, yes, I mean, it might be good for, obviously, the AP to look at the report that John presented at all, and take another swing at it, but I think you hit on it. It's not so much just focusing on that two-for-one aspect, but it really is about the future of the fishery and new people, perhaps.

MR. HULL: Yes, it's part of it, Mel. It really is, and we sit here, and we're in the fish business, not just as -- You know, we have four boats, and it's tough to get people to operate these vessels. I am lucky enough to be in that situation, to have those vessels and have a business that is in the seafood business, and we're searching for product continuously, and it's tough, and it's getting tougher, and so, if we want to have a snapper grouper fishery for the general public seafood consumers in the future, we need to do something here, because we are being dismantled, and we've been being dismantled since, what was it, 1998, where our effort has been reduced considerably, and it continues to be.

You know, it's a big -- That's why, as you say, it's back to the council, and you are the people that can figure this out. We can tell you what we think, and that's what we've done, and I think that the information that was provided, although some of it is dated, it's important, but we have reached, pretty much, an optimum level at this time, and I don't think that the two-for-one is going to help us anymore.

MS. MCCAWLEY: Thank you, Jimmy. We definitely have some more hands, and I have a couple of questions as well, but let's go to Tom.

MR. ROLLER: Thank you, guys, for this presentation. This has been very, very helpful. I will reiterate some of the same comments that were made. I have -- It's a brief question, but a little bit of a comment here. The nature of this comment, for me, is that, as a full-time career fisherman, and I recognize that I am for-hire, there is a lot of parallels here, at least in my concerns, big picture, of being able to make sure that not only can young fishermen enter the fishing industry, but do so profitably.

You know, we're in industries with very tight bottom lines, and I want to make sure that, economically speaking, that fishermen can do so, and for people who are trying to make a good go of it, that they can do so and do well. I think it would be very helpful -- I would be very interested in seeing what sort of information that we could get from kind of the market dynamics

of the leased permits. I know a lot of young fishermen, in my area, are leasing permits, and I would be curious to see what sort of information you can provide on that. Thank you.

MS. MCCAWLEY: Thank you, Tom. Kerry.

MS. MARHEFKA: I have more comments than questions for Jimmy, and so, Madam Chairman, I will leave it up to you about whether or not you would rather me wait and we continue asking Jimmy questions, or if this is a time for me to provide my comments.

MS. MCCAWLEY: Let's go to a couple more questions, and I will come back to you, Kerry, if that's okay.

MS. MARHEFKA: That's great.

MS. MCCAWLEY: Okay. Thanks, Kerry. Dewey, do you have questions?

MR. HEMILRIGHT: I am along the same lines as a couple of comments, and so I guess I will wait, also.

MS. MCCAWLEY: Okay. Thanks, Dewey. Laurilee, do you have more questions?

MS. THOMPSON: No. I just have my opinions and comments.

MS. MCCAWLEY: Okay. Stand by with that. Spud, have you got questions?

MR. WOODWARD: Yes, I do. Good morning, Jimmy. We're talking about impediments to recruiting new fishermen, and I just would like your perspective on what additional impediments there are. We all know that the cost of doing business has gone up over the years, and we're talked about the price of acquiring permits, but I am curious as to what would an individual be looking at to acquire a vessel, acquire the gear, the permits, all the other necessary things it takes in order to actually be functional in the fishery, and I'm just kind of curious as to what that number might be, and I know it's all over the place and highly variable, but, any number you can put on it, I appreciate it.

MR. HULL: Hi, Spud. Thanks. Well, I can tell you that, to buy a vessel to prosecute the snapper grouper fishery, you're going to spend \$100,000 for a reasonable single-engine vessel. Then you're going to have to -- Maybe it will be equipped with some of what you need, and maybe not, but that would be a minimum, in my opinion, and then you've got to get your permit, and so, if you were able to lease one, if you could find one to lease, that would be a relatively inexpensive part of your costs, probably \$10,000 to \$20,000 to lease an SG 1, somewhere in that range, if you can find one to lease, and so, you know, you can get into it, if you can find a permit to lease, which as you know, you don't really lease the permit. The permit holder leases your vessel, and so it gets a little convoluted, and it's hard to find someone that's willing to do that, and there's all kind of legal implications along with all that leasing.

I have to do it, but it's something that is a little weird. I mean, I have to lease a vessel to myself to move permits around. I mean, it's -- The whole thing needs to be looked at, but, yes, there are impediments. Just being in the commercial fishing industry, in any of them, is an impediment,

just because of all the hoops we have to jump through to go along with everything else, the reductions, the reporting, on and on and on, the inspections from the Coast Guard, the this.

I mean, every year, and you've got to repack your life rafts, and you have to do this, and, I mean, the expenses are endless, and I don't have the list in front of me, but they're endless, and so there's a lot to it, and we need to do something here and make it easier for new entrants to get into this fishery, whatever it takes, and, the way this is set up now, with the two-for-one, it's a big impediment, and, again, the leasing part of it is about the only way that you can afford to get into it, if you're a young person, and the leasing part of it is screwy. I mean, it's necessary, and there has to be a way to do -- The end result of the lease is necessary, but the way the lease is set up is, in my opinion, pretty screwed up.

I don't know if that helped answer your question, but you've got to have \$100,000 or \$150,000 investment, if you can lease one, and, if you can't lease one, now you're talking a couple hundred thousand dollars to purchase a corporate one for \$100,000 and then have a boat for \$100,000, and on and on, and more and more, but, you know, it doesn't sound like a lot of money, but it is. It is a lot of money for a young person to get started in the fishery, and so I don't know if that helps you.

MR. WOODWARD: Yes, it does. Thanks, Jimmy.

MS. MCCAWLEY: Thank you, Jimmy. I had a question, and I don't know if it's for Jimmy or for John, but my question is, if you purchase the first unlimited permit, do you only have a year to get the second permit that you're going to retire? Is there a time limit such that you could end up losing the first permit that you purchased and could never fish it, because you never could find a second one to buy?

MR. HULL: John, you'll have to answer that one. I kind of thought you had to purchase both of them at the same time.

MR. HADLEY: That's something that -- That's a very good question, and I'm not sure how the dynamics of that work. I'm sure I could contact someone from the Permits Office at SERO, and they could explain it, but I don't know, off the top of my head, how that would work. That's a good question.

MS. MCCAWLEY: All right. Thanks, John. I see, Andy, you put your hand up. Do you have a question, or were you ready for comments?

MR. STRELCHECK: I am ready for comments.

MS. MCCAWLEY: Hold on. Let me go to Monica first, and then we'll come back to the list.

MS. SMIT-BRUNELLO: Hi, Jessica. Yes, there is a time period in which a person -- The clock, I guess, starts ticking on that individual. If they buy one permit, and then they're trying to buy another one, there are some time constraints, and it depends on when the renewal comes up for that particular permit, and so that's a little complicated, in a way, but we can get you some more information on that, but, yes, there is a clock that ticks.

MS. MCCAWLEY: Thanks, Monica. All right. I'm going to go back to the list, so that people can start providing comments, and, if you have questions that come up as part of the discussion, I think that's fine as well. Kerry.

MS. MARHEFKA: Thank you so much, and thanks, Jimmy. As always, you are a wealth of information and so, so important to us. I think everyone knows this is a topic that is near and dear to my heart, and, despite that, I don't have answers, and I don't even know where I land on it, but I am going to bring up a few points that keep screaming in my head, and I apologize, because I might talk too long, but I will try not to.

I went back and reread Amendment 8, cover-to-cover. The very first bullet point under the purpose and need, as John discussed, was to reduce excessive fishing mortality, and, in Amendment 8, they talk about the species at the time that were considered undergoing overfishing, obviously using different metrics, but the point still stands that among those were -- They were black sea bass, gray snapper, vermilion snapper, red snapper, red porgy, gray triggerfish, gag, scamp, red grouper, speckled hind, snowy grouper, warsaw, and greater amberjack.

Of those species, and correct me if I'm wrong, we still have gag, snowy grouper, red porgy, golden tile, red snapper, and red grouper that are all still either undergoing overfishing or are overfished. It goes on to list all of the other species, which are data-poor species, and ones that we don't know the status of, but we have an idea of, our speckled hind and our nassau and our warsaw, and I say all that to say that I don't know that we have achieved solving the number-one problem in the purpose and need of Amendment 8.

Now, I don't think, at this point, it's overcapacity in the commercial fishery that is the cause of that, and I think that we have much more complicated causes to that, but the point still stands that that has not been addressed, and the council needs to figure out a way to address that.

The second thing I would like to say is this discussion of the cost of entrance to the fishery, and I am not unsympathetic to the cost at all, and I absolutely believe that we need new entrants into the fishery. My business as a seafood dealer, and someone who sells to restaurants, depends on it, but I will also say that we need to remember that the other part of Amendment 8 was -- It's unstated, but, if you look at the overall picture, it's creating sort of an economic model, a business model, for the commercial fishery, and that's what we are. We are businesses.

There are very, very few businesses that you can enter for less than \$100,000 or \$120,000 investment, and, for that matter, if you want to get a job, for the most part, you have to go to some kind of college, and you're spending close to \$100,000 on that. The source is I have a high school senior, and so I know. My point is, in order to go do what you want to do in the world, there is always some kind of investment, and I know there was a time, in the commercial fishery, where the permit wasn't part of it, but that was many, many years ago.

If you work hard, \$100,000 to enter this business of commercial fishing can be that -- That return on investment can be very, very good, and I realize that it's a little more complicated, because you can't necessarily go to the bank and get a note for two snapper grouper permits, but I think that we really need to look at this in terms of a business and look at it in terms of the fact that there is an investment required to become a commercial fisherman in the United States these days.

Then, finally, I wanted to say, if one of the issues, and I am looking to see this time constraint issue, maybe there's something we can do there. I think it is hard to find two. I think that, if you invest in one, you shouldn't be penalized if another one doesn't come on the market for a while. The market is dictating it. I mean, like Jimmy, we're not selling our permit, not because we're sitting around hoping that it increases in value, but we're using it to make the money for the business that we have invested in.

I think that's -- I don't think I really was clear about what my opinion is, and, again, as I stated, I don't know what the right thing to do is, but I think it's important to look at the overall fishery and to really figure out, have we met the need in the overall fishery of reducing capacity, and I think I've gone on long enough, and so I will stop there.

MS. MCCAWLEY: Thank you, Kerry. Dewey.

MR. HEMILRIGHT: Thank you. I agree with a lot of what Kerry has said, especially the part about reducing mortality. You know, for the commercial sector, this two-for-one and everything else, the trip limits, the reporting, has reduced the number of players, and, on the other side of it, the recreational industry, it has not done that, the way of accounting for the fish.

I think it would be good to focus on the different species, similar here for the white paper, and furthering this, because there is no doubt that new entrants into the fisheries, with folks aging out and stuff is needed, but, at the same time, suppose you put new entrants that are going to go catch a species that is already maxed out, and what happens there, and so I would be in favor of exploring, with the white paper, additional topics, but, also, you have to also realize that there is two sectors here, and it's not just the commercial sector, even though it's part of this equation. Thank you.

MS. MCCAWLEY: Thank you, Dewey. Laurilee.

MS. THOMPSON: I agree with everything that everybody has said previously. I think that, as far as reducing the overcapitalization in the commercial industry, I think that's been done. It has not been done in the recreational industry, and I think that we are certainly looking at massive overcapitalization in the recreational industry, and I think we stopped it in the commercial industry.

I echo what they say about the aging of the fleet. My sister has a commercial operation at Port Canaveral, and they can't find a captain for their boat. They can't find deckhands for their boat, and there is just not enough incentive, or whatever, for younger people to get into the fishery right now, and part of that probably has to do with just the state of the business world that we're in right now, with the pandemic, but, even before the pandemic, it was a problem, but we're looking at 2019 figures.

That was two years ago, and so you had 543 boats with the full permit in 2019, and I'm sure that number is less now, and, every day that we delay, more boats are going out of the fishery, and my concern is that it takes about two years to do an amendment, and so, if we're going to try to do an amendment to look at all of this, you're looking at two years, and so I don't know if we can do some kind of an emergency measure to at least put a moratorium on the two-for-one requirement while we investigate, but I think that we really -- I don't want to be still talking about this two years from now, and doing scoping meetings, and getting public comment, and, meanwhile, the

number of permits just keeps getting less and less and less. I think we need to do something, and do something right away, and fix this, temporarily, while we talk about it. Thank you.

MS. MCCAWLEY: Thanks, Laurilee. Andy.

MR. STRELCHECK: Thanks, Jessica. I wanted to thank John and Jimmy for their presentations and comments. This has been a really good discussion, and a lot of the points that I was going to make have already been made. I do want to go back to Kerry's comments, and, like her, I was looking at the objectives from Amendment 8 and questioning kind of how many we've achieved, or haven't achieved, but I think the question is a lot more complex than whether we achieved the objectives or not, in terms of kind of the drivers and influencing factors that, obviously, affect how we go about being able to achieve those specific objectives, and, in particular, addressing overfishing.

A lot of the things that we're talking about are not unique, obviously, to the South Atlantic. The Gulf Council just recently asked to stand up a working group for their IFQ program, to look at fairness and equity in the IFQ program, but also problems with new entrants and the cost prohibitiveness of entering that program.

I think we're still at a point, with the commercial fishery in the South Atlantic, snapper grouper, where we have a very inefficient fishery, and we still might have some overcapitalization, but, at the end of the day, I am supportive of kind of further looking into this issue of the two-for-one permitting and understanding both the benefits and drawbacks. I think there's a lot of comments today that really got me thinking, in terms of the things that we probably need to explore, and I know, in the discussion document that we have before us, there was a whole litany of questions at the end that I think are really important to be thinking about, and so I would fully support, obviously, the council moving forward with a further exploration of a white paper, or even options paper, to look into the two-for-one permitting.

MS. MCCAWLEY: Thank you, Andy. I feel the same way. I think that we need to look into it. I had some other thoughts as well, in addition to what was already brought up, and I guess I'm wondering how this plays into National Standard 4, and I'm also thinking about that congressional bill that was out there, the Young Fishermen's Act, that was about ways to get new entrants into the fishery, and then, during visioning, there was some analysis that was conducted by John Carmichael that was looking at optimum yield in the snapper grouper fishery overall and just looking at the potential yield of the fishery and such, and I'm wondering if maybe we can pull some of those things back into this analysis, and so, yes, I'm supportive of looking at this further.

John, can you remind us of what are the mechanisms with which we could look at this? In other words, are we talking about a white paper first, and then deciding what we would move forward with, an options paper, and can you remind us of kind of the procedure that we might use here?

MR. HADLEY: Sure. I think, in general, this could -- It really depends on how fast the committee wants to move. If you wanted to move in a fairly quick manner, we could probably have an options paper ready at the December meeting, and we'll probably have to discuss, in-house, on how best to package that, but that's probably the next step, assuming that the committee wants to move forward with taking action.

MS. MCCAWLEY: All right. I assume that would be added to the list that we would look at, I think in Council Session II, for all the different things that we want to come to the December, March, and future meetings, because I am concerned that we have an ever-growing list of things that we want to work on, and I know we can't do it all at once, and I saw Mel put his hand up.

MR. BELL: Thanks, Jessica. Yes, we do have an ever-growing list, but, just thinking about the timing of this and the process, and Jimmy mentioned that the AP really didn't have the report that we just looked at. At some point in this process, we need to factor in the AP looking at that, and perhaps something else, but that just becomes part of the step-wise process that we would follow, even if we wanted to kind of move rapidly with it, or as rapidly as we can, and we just need to make sure we factor that in and then have something for them, again, to look at that they haven't seen.

MS. MCCAWLEY: That's a great point, because they have a meeting coming up in October, and then I believe the next meeting of the AP is usually around April, and so we're in September now, and I'm just not sure what additional items, other than what the council saw, that would be ready for the AP to look at at their upcoming meeting. I welcome them talking about this more, and I am just wondering if they need more information and have some of the same questions that we do.

MR. BELL: That's why I was -- So they can certainly look at that, and they can certainly talk about it a little more, but, then again, if we're going to look at something else in December, then they would need to look at that again in their spring-ish meeting, I gather, and so I'm just kind of working through, mentally, the process, but you're right that the only thing that they would have available, coming up at this meeting, would just be what we just saw.

MS. MCCAWLEY: All right, and, well, I added it to the list of items for the AP to discuss at their upcoming meeting, but I agree with you that they would probably need the additional information that we may see in December, and then they would need to talk about it again in April, but I see that John Hadley put his hand up.

MR. HADLEY: Thank you, and I just wanted to mention, and just thinking forward for -- It sounds like there will be Snapper Grouper AP discussion on this, and, when they did discuss it, it was under Other Business, and they didn't have this information in front of them, and so, as Jimmy alluded to, I think the discussion may have gone a little bit differently, and so we could show them this information, and we'll do our best. I think there's some other topics that have come up during this discussion, and I've been taking notes, and we'll do our best to get it ready for their briefing book, and so perhaps show them a little bit more information, in general.

Also, as Andy noted, there are some discussion questions at the end, and I don't want to belabor this discussion too long, because we do have other agenda items, but some of these discussion questions could also be run by the AP, I think, to gather some useful input for the committee and for the council that looks at, essentially, how the provision has effectively met the objectives of Amendment 8, what are some of the desirable outcomes, and undesirable -- What are potential undesirable outcomes of changing the two-for-one provision, and those sorts of discussion questions I think could be posed to the AP, and we could come back to the committee with that input at the December meeting.

MS. MCCAWLEY: Thanks for that clarification, John, and great point about those questions. I had looked at those as well, and it seems like some folks were asking those exact same questions that you had in there, but I see that Kerry put her hand up.

MS. MARHEFKA: Thanks, Jessica. I just wanted to see if, when we take the big view of this, can we also discuss not just the two-for-one, but let's look at the entire snapper grouper commercial permitting situation, and I think I have some questions about the 225 and what's happening with those, and I have some questions about the family corporations.

Just, real briefly, if you incorporate your individual permit into a family permit, which means the members of that corporation are simply whoever you are legally allowed to transfer one-to-one to anyway, that permit, after it becomes a corporate permit, can't be passed down to the next generation, because say my grandchildren, who don't exist, are not in the corporation to begin with, and so that permit is then no longer sort of part of the one-for-one that we originally had, and so I think we look at the whole thing, and not just the two-for-one, if we're going to do this process.

MS. MCCAWLEY: Great point, Kerry. I completely agree. I think it's looking at the two-for-one and the 225 and making sure we can get some of these questions answered. John Hadley, what do you need from us right this minute? Do you think that you have enough direction to start a white paper on this?

MR. HADLEY: Yes, I think so. I think the direction is to start a white paper, and it sounds like we're going to end up adding this to the Snapper Grouper AP's agenda, and so we can certainly add that as well, and then we'll work on -- I am brainstorming here, as far as when I say the best way to package it, and we do have several snapper grouper amendments going on right now, and this discussion is to be continued, but could this potentially be wrapped into those amendments, or will it be a stand-alone item, and that's kind of what I was referring to there, as far as the best way to package it, but direction to staff I think is to come back to you with additional information, potentially a white paper, at the December meeting, as far as I understand it.

MS. MCCAWLEY: Yes, that's a great point, John, about what mechanism, and I'm hoping we can have that discussion about more specific options and where they would go after we see that white paper, but I saw that Mel put his hand up.

MR. BELL: Just real quickly, I would also say that, as you engage the AP in October, try to take them those questions, and try to pose specific questions to them that would be beneficial for us to get direct feedback, because, if we're specific with them with questions, we tend to get some good feedback focused on what we're trying to find.

MS. MCCAWLEY: Great point, Mel. All right. John Carmichael.

MR. CARMICHAEL: Hi, Jessica. You mentioned this a little bit earlier, but I will just put in another plug for the workload discussion that will come up later in the week, and adding stuff like this is going to require giving up some things that are already penciled in for December. We already probably, I would say, have too many things on the list for December as it is, and so I hope that everyone will take some time and look at that spreadsheet and think about what your real priorities and which things on there we can potentially slip back some on, and maybe just put some limits on how much we're going to spend on some topics. Something like this, we'll schedule an

hour, or schedule an hour-and-a-half, on the agenda and get as far as we can, and so we're going to have to get creative like that, in terms of managing the workload as well.

MS. MCCAWLEY: Thank you, John, and so that discussion occurs in Council Session II on Friday, right?

MR. CARMICHAEL: Yes, I think it was on Friday. I was trying to remember if it was Thursday afternoon or Friday, but I'm pretty certain it's on Friday.

MS. BROUWER: It's on Friday.

MR. CARMICHAEL: Thank you, Myra.

MS. MCCAWLEY: Thanks, Myra. All right. So I added it to the list for the Snapper Grouper AP and then my ever-growing list of new items that we would need to fit in. John Hadley, I think we're good here, and so we just heard a request to make sure that the AP has this list of questions to talk about at their October meeting, and it sounds like we're going to talk about the priority list later in the week, to see if we have time for this to come back to December. Do you need anything else here from us?

MR. HADLEY: No, and I think that's very clear on my end, and I appreciate all of the conversation and input. Thank you.

MS. MCCAWLEY: Thank you, John, and thank you, Jimmy. Since we're at kind of a natural breaking point, maybe we go ahead and take a ten-minute break before we go into amberjack, and so a ten-minute break. Council members, remember to put your hand up when you come back.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: It looks like we have most folks. I think we can go ahead and get started, and so now we're going to jump into greater amberjack, Amendment 49, and we're going to start with a decision document, and Mike is going to run us through that, and then Jimmy is going to talk about the AP comments and recommendations.

DR. SCHMIDTKE: Thank you, Jessica. We're starting back in on Amendment 49, and this is looking for catch level adjustments and allocations for greater amberjack, as well as recreational annual catch targets for the entire Snapper Grouper FMP. As a reminder, and just information, especially for our new council members, greater amberjack underwent an assessment, and the assessment found that the population is not overfished and overfishing is not occurring, and we've been developing this amendment in response to the catch levels that were recommended coming out of that assessment.

The objectives for this meeting are to review scoping comments, and scoping was held in April of this year. We held online meetings, and I will show a little summary section that is included here on that, and then also for the council to provide guidance on actions and the range of alternatives that are being considered in this amendment.

Right now, we have three actions in this amendment. The first is addressing the annual catch limit and optimum yield. The second is addressing allocations, and the third is looking at annual catch targets, and, as I pointed out before, the first two actions are specifically for greater amberjack, and that third one is for the entire Snapper Grouper FMP.

Looking here at the timing of this amendment, we're hoping to get feedback today, and, after any guidance that's given today, we would go back and modify the amendment and bring it back in December, so that you all can look through it once more and select any additional preferred alternatives that you would like to select, and we're also going to be, hopefully, putting together a draft that can be considered for public hearings and that we would move forward through further steps, but kind of the next big step of this amendment is right now planned for the December meeting of this year, and it would be reviewing that draft amendment for public hearings.

As I mentioned, scoping was held earlier this year, and there's a summary within the document that was included in the briefing materials, and I did note -- For any comments that spoke a preference on a specific alternative or action, I included those beneath the action, but there were also some more general comments that were given.

Looking at these comments below here, they're all, I guess, at the bottom of this section, and they weren't related to the actions that are included in this document, but they're all of similar nature, and that's something that is a little bit of a preview of some of the comments that came out of the AP, and the comments shown here are comments indicating some interest in looking at a reduced commercial minimum size limit. Right now, the commercial minimum size limit is thirty-six inches fork length, and the recreational is twenty-eight, and so there was some discussion of that within the comments.

The purpose and need for this document is shown here on the screen, and I kind of spoke to some of this earlier, as far as the purpose is concerned, but I'm going to pause, really quickly, and let you all read that material that is shown there, and let me know if there is anything that you see that needs to be edited with that.

MS. MCCAWLEY: I don't see any hands on this.

DR. SCHMIDTKE: All right. Then I will continue moving on through, and, as we scroll through the document, moving down, there is a section on the recommendation that came from the SSC, and you see the recommended OFL and ABC levels shown in Table 1, and I'm going to slide on into Action 1.

This is the same setup as you've seen in previous iterations of this document, and so I don't need to go too far into the details. You have all selected a preferred alternative of Alternative Number 2 that would set the annual catch limit equal to the recommended ABC values that you saw earlier in the paper.

One thing that I do want to point out, just for information, because this is something that came up kind of within the AP, and we do have, again, new council members, and so just making sure that we're on the same page here, but you will notice, with the ACL values, as you go through the time period, there is a rather large increase to the ACL that would happen in the immediate first year that's shown and then it decreases and kind of levels off at about that 2.6-million-pound level.

That is something that is indicative of where the stock is, as far as its status. Right now, the population is above the biomass that would produce maximum sustainable yield, and so, theoretically, there is this surplus, so to speak, that, in those early years, the projections would have the fishery fishing on and harvesting those extra fish, and that would move the population down towards the biomass that would produce maximum sustainable yield, and that would be kind of like that leveling-off point for that, and so that's the reason why you see that decrease there.

That is something that was a point of discussion within the AP, and Jimmy will give kind of their recommendations regarding how to handle the ACL, in light of that information, but, right now, that's the preferred, with ACL equal to ABC, and there are additional alternatives of 90 percent of the ABC and 80 percent of the ABC, but the preferred, at this time, is to have ACL equal ABC.

For today, what we're looking for, in regard to this action, is for the committee to consider this range of alternatives and approve for any analysis, and we would hope to -- In regard to approving for analysis, we would hope to do that through a motion, so that you all are -- We're kind of on the same page of this is the range of alternatives that would be considered for this action, as we move forward. I will pause here for any committee discussion on Action 1.

MS. MCCAWLEY: Thank you, Mike. Just to recap, while folks are kind of getting their bearings here, we're on Action 1, and we do need a motion to approve the range of alternatives under this action. This is the typical range that we have when we are looking to revise the annual catch limit. We have one where ACL is equal to ABC, which is our preferred alternative, and then one at 90 percent of ABC and one at 80 percent of ABC, and so I would be looking for a motion to approve the range of alternatives for Action 1 for analysis. Mel.

MR. BELL: Madam Chair, I move to accept the range of alternatives in Action 1 in the document.

MS. MARHEFKA: Second.

MS. MCCAWLEY: All right. We have a motion by Mel and a second by Kerry. It's under discussion. Carolyn and then Chester.

DR. BELCHER: I put my hand up to second it. Sorry.

MS. MCCAWLEY: Okay. 10-4. Chester.

MR. BREWER: I put my hand up to second as well.

MS. MCCAWLEY: Thank you. Andy.

MR. STRELCHECK: I did not put my hand up to second it. So, I think we're scheduled for final action in June of next year, which means we will be hard pressed to actually implement the ACL change in 2022, and so I guess a couple of questions. One would be how likely is the fishery to land the four-plus-million pounds in 2022 if we don't implement that catch limit, and then what's the implications of, or thought of, potentially needing updated projections, given the timing of when we would implement these catch limit changes?

MS. MCCAWLEY: Thank you, Andy. Great question. Mike, can you help us out here?

DR. SCHMIDTKE: I actually was coming back to more of a point of order type of thing, and I am very sorry to Jimmy, because I know the AP has comments on this, and so, I guess, before we go through with approving a motion for a range of alternatives, it would be better for me to, I guess, introduce what actions we have and then go through the AP's -- Let Jimmy present the AP's comments, and then we can go through the process of approving these things.

MS. MCCAWLEY: Okay. That sounds great, Mike, and so we already have a motion and a second here, and we can just hold on voting on that until we do all of that, but do you also have an answer to Andy's question?

DR. SCHMIDTKE: Andy, would you mind repeating it, really quick?

MR. STRELCHECK: Mike, am I correct that final action right now is slated for June of next year?

DR. SCHMIDTKE: I am scrolling back up to the timeline, to verify. Yes, final action in June.

MR. STRELCHECK: My comment relates to we have catch limits for 2022 forward, but we're unlikely to be able to implement the catch limit in 2022, if the council takes final action in June. Maybe we'll get it in place right at the tail-end of 2022, and so I guess my question then relates then to the value of usefulness of implementing a catch limit for 2022 and the likelihood of the fishery even catching that amount, versus needing, potentially, updated projections that account for more recent kind of landings trends and history, in order to determine what the catch limit should be for 2023 and beyond.

DR. SCHMIDTKE: That's a good point. I think, if that timing is kind of the case, it looks like we would maybe get it in at the tail-end of that fishing year, and so, if the council wants to, then that's something that could be added as kind of a placeholder or one extra year of the current fishing limit, and we could see about an additional projection that would start management in the 2023 to 2024 fishing year.

MS. MCCAWLEY: I saw that Myra put her hand up.

MS. BROUWER: Hi, Jessica. Just a comment on what Andy brought up. The problem with playing projection catchup is that we are going to possibly, if we do that, need to bring this back to the SSC, for them to give their blessing, I guess, for them to review the revised projections, and then we'll have to revise the analyses, and so this is a situation that comes up frequently in our amendments, and it's like do we need to, towards the tail-end of an amendment, when the data are probably getting a little bit stale, do we need to refresh things again, and, if we do, then it means a possible delay in the amendment.

MS. MCCAWLEY: Thank you, Myra. I saw Monica put her hand up, also.

MS. SMIT-BRUNELLO: Thank you. Just to note that the fishing year for South Atlantic greater amberjack starts on March 1 and goes through the end of February, and so it's not based on the calendar, January through December, year.

MS. MCCAWLEY: Thank you, Monica. Chip.

DR. COLLIER: That was going to be my point as well. Thank you, Monica.

MS. MCCAWLEY: Based on that discussion, Andy, do you think that we need to do something here about the timing?

MR. STRELCHECK: Well, I'm not trying to be difficult, and I guess my concern is that we won't have it in place for the 2022-2023 fishing year. We're in a good position, in that we're above BMSY, but that's going to decline over time, and so, if the fishery doesn't harvest that higher level of catch in 2022-2023, that rolls forward and can benefit, obviously, future catch levels, and, given the precipitous decline of the catch levels from 2022 to 2023 to 2024, it seems to me that it would be advantageous to take a look at updated projections. I have the same concerns that Myra has, obviously, about slowing this down, but I would want to understand kind of the implications, or impacts, of not getting this in place until 2023 and what that means then on future yield projections.

MS. MCCAWLEY: Thank you, Andy. Mike, do you think that you could take that direction and then bring something back to us either at Full Council or a later date, to respond to this?

DR. SCHMIDTKE: I am fairly confident that I would not be able to get additional projections with a different start year by Full Council, in which case the range of alternatives, if that's the direction that is being desired then, the range of alternatives would change between today and what it would look like moving forward, but I see that John has his hand up, and so he might have more input than I could give.

MS. MCCAWLEY: Great. John.

MR. CARMICHAEL: Thank you, Madam Chair. I guess I'm just looking at this as sort of thinking of how, while the yield projections are going down, those ABCs are all quite a bit higher than the ABC that you have now, and certainly higher than what the fishery is landing. The stock is at a pretty high level, and the projections suggest that you could fish the stock down some, is my recollection of the assessment, and so you would be fishing it back down to MSY levels, which may or may not happen, depending on things in the fishery that probably have nothing to do with the particular suite of regulations we're setting.

You know, there might be fishery interests and desirability and things of that nature that are really impacting the greater amberjack harvest that are going on. If the council were to consider some actions that might liberalize the regulations and the change the size limits, and maybe change the bag limits, I think the best thing to do would be to get some of those in place and see how they actually impact the fishery and see what the fishery actually lands, relative to what it's allowed to land, and then you do some projections at that point that actually account for observed landings that may happen once you get these regulations in place, because I think to try and do more projections now will still be just sort of a guess as to whether or not the fishery is even going to be able and have any interest in taking those higher levels that are going to be allowed.

MS. MCCAWLEY: Okay, and so great point. Let me try to interpret that, based on what you're saying. I think what you're suggesting is maybe that the amendment timing does not need to change, and is that what you're saying, John?

MR. CARMICHAEL: Yes, I guess that's what I'm saying. I think stick with the timing and don't have it potentially shifted back to try and do new projections now, but potentially look at those, and you could change things to a framework, et cetera, if you needed to, once you get this amendment in place, right, that deals with the allocation update and that sort of thing, and so you could look at more information after these regulations have been in for a while and see the response and do this timing and get it done. There is not a stock concern. I think it would be a whole different story if we were concerned about the stock and the condition of it.

MS. MCCAWLEY: Okay. Those are great points. Okay. I appreciate that discussion. Thanks for bringing that up, Andy, and now, since we had kind of jumped ahead, we're going to keep that motion that's been seconded on the table, and I'm going to go back to Mike and Jimmy to walk through the actions in the amendment and Jimmy to talk to us about the AP's comments.

DR. SCHMIDTKE: Thank you, Jessica, and, yes, I'm going to just introduce the actions themselves, and then Jimmy will provide the AP's comments, and so I introduced Action 1, and I'm going to go down to Action 2 now, and this deals with sector allocations and the sector annual catch limits for greater amberjack.

Under Alternative 1, we have the current allocations, which are 40.66 percent and 59.34 percent to the commercial and recreational sectors, respectively, and you see, in this table, we have the ACL from the preferred alternative for Action 1. We put in that total ACL, and we did the allocations according to these percentages in the Action 2 alternative, and that shows what the sector ACLs would be.

One thing to point out for the commercial fishery is that there is a split season in place, and so you see the split season quotas that would result from that allocation shown in the table as well, and Alternative 1 is based on the allocation formula from the Comprehensive Annual Catch Limit, calculated based on the mean landings from 2006 through 2008 as well as the mean landings from 1986 through 2008.

Applying that same allocation formula to the landings data, including the Fishing-Effort-Survey-calibrated recreational landings, it would result in an allocation that is shown in Alternative 2, and that is 29.84 percent to the commercial and 70.16 percent to the recreational sector, and you see the catch levels that would result from that combined with the preferred alternative from Action 1 in the table.

I do need to point out one note for these landings and percentages, and so, in the previous drafts, there was a difference of 0.01 percent in these allocation percentages, and that was because I used a different landings stream from SEDAR 59. I used the estimated landings rather than the observed landings, and so that has been corrected. The difference in the numbers is -- Again, it's 0.01 percent, and it's not a very large difference, but it is noted there, and the numbers have been corrected within the table.

Under Alternative 3, we took kind of a midpoint between those two allocations, and those two previous allocations are approximately 40/60 and 30/70, and so we split the difference between those, and we have an Alternative 3 of 35 percent allocated to the commercial sector and 65 percent allocated to the recreational sector. This also happens to about the percentage breakdown, if you look at landings over the last ten years, and so that was by coincidence, but it does give some level of data support to that alternative, and you see the resulting sector allocations there on the screen.

We do have preliminary analysis that's contained in Appendix 1, and that has to do with the season length projections under each of these options. For all of the options that are being considered, no closures are predicted for the commercial annual catch limit options. For the recreational season lengths, there were predicted closure dates spanning from as early as September 20 to no closure needed, and part of that variability came from the percent allocation to the recreational fishery, and another part of it came from that variation in the total ACL, as the total ACL, and, thus, the recreational ACL decreases through time, and then it increases the likelihood and makes an earlier closure date within that range.

We did have some public comments regarding these alternatives, and those are noted, and they're at the bottom of that section, and so, last, I will introduce the alternatives for Action 3, and this is considering removal of recreational annual catch targets from the Snapper Grouper FMP. As a reminder, annual catch targets were established through the Comprehensive ACL Amendment, using the formula for them within that discussion, but they're not actively used for any management measures, and so kind of the thought behind this action is that we wouldn't need to calculate and go through a process for making a rule for numbers that are not being used in regulation of the fishery.

There is Alternative 1 to keep recreational annual catch targets, in which case we would need to recalculate those and have those approved with each amendment as the ACL changes, or Alternative 2 would be to remove those for all species under the Snapper Grouper FMP. That's the range of alternatives that are considered for each action right now. I'm going to scroll back up to Action 1, and I'm going to pull over the advisory panel presentation, so Jimmy can talk through their feedback on this amendment.

MR. HULL: Thank you, Mike. The AP had a great discussion on this, and it was lengthy, and there's lots of bullet points in the minutes of thoughts and ideas and recommendations, but, for the main items on Amendment 49, the AP recommended, for Action 1, that the total ACL and optimum yield, consider an additional alternative of a constant total ACL of 2.8 million pounds, right in the middle level from the Preferred Alternative 2.

We discussed the implications of that, but, you know, showing that this is a fishery where we have a surplus, and, instead of trying to catch that surplus, under the current restrictions and management that we have, it would be hard to do. We thought it would be better to have it constant over the time period. There are implications, if you do have these large -- One of the reasons we chose this choice is because, if you have a decreasing ACL, newer entrants into the fishery may be unable to sustain a harvest as the ACL decreases, and then this bullet point of not widespread demand for greater amberjack, and so an increase in supply could decrease price per pound, which is currently pretty good, and so they're talking about the windfall in the beginning of the projections and the ACL, of having maybe potentially too much amberjack in the market.

That was the recommendation on Action 1 and some of the discussion about it. You know, there's a lot of consideration to be taken under the current management measures, which are things that we discussed, such as providing more efficiency in the fishery, so that we could catch this ACL, so that we would actually participate and make the effort to catch amberjack.

The size limit, commercially, is not very efficient for us. We are throwing back and discarding many, many animals and wasting the resource of larger animals that should be saved, and the quality of the larger animals for the market is not as good. The smaller animals are much better quality for our market, and, if we have a better quality product, the price will stay high, and the demand will grow, and we can catch the surplus. You know, this is a success story, not overfished and overfishing not occurring. We need to catch these fish, and we need to put efficiency in the fishery. There's a lot more comments on all of that you can see in the report.

As for Action 2, sector allocations, the advisory panel recommended Alternative 1, retain the current sector allocations as a preferred. Basically, leave it alone and keep it as-is. As for Action 3, recreational ACTs, the AP recommended Alternative 2, to remove the ACTs, as a preferred. Again, we had lots of other recommendations which would tie into making this fishery more efficient and the participation in harvesting this surplus that we have a success story.

Consider decreasing the commercial minimum size limit, as equal size limits for both sectors, and I already discussed how the larger fish are harder to land and require more gaffing, affecting survival, and the shark depredation is incredible. These fish are not surviving. In fact, it's hard to get these large -- They bite so hard, and it takes so long to get them up, that the sharks are alerted to them quickly, and it's horrible to see what's going on with this, and we really need to consider doing this.

As I said, the smaller fish are preferred in the marketplace, and there are much fewer parasites and ciguatera poisoning, and they're easier to land, efficiency, less damage, all the good things that can happen with efficiency, and, as far as the commercial sector, and for the private recreational sector, and they're lucky enough to have that smaller size limit. It's much easier to find those fish, and they're a lot easier to get to the boat, and it's efficient. Then you move on to your next thing to do as a recreational angler, or, as a commercial fisher, you go to the market with your catch, and you're done, and you're burning less fuel. It's efficiency, and it's going to be much better for the stock if we quit discarding.

Consider increasing the commercial Season 2 (September to February) trip limit to 1,200 pounds, the same as Season 1, which is March through August. Consider including the recreational sector in the April closure of greater amberjack or allow the sale of commercially-landed fish during April, or a full closure for both sectors. This was not one of the most unanimous bullet points. There's lots more comments and considerations that were brought up, but that's the main gist of the conversation. It's a very important fishery for all sectors, and I think that we can make it better. This is where management could make this more efficient and a better fishery for all sectors on the commercial side, providing a better food source and efficiency, and on the recreational side the same. I'm ready to take questions, and that's pretty much my report.

MS. MCCAWLEY: Thank you, Jimmy. I definitely have some questions. My question is about that minimum size limit, and I see that there was a suggestion by the AP to consider equal size limits for both sectors, and I know, in the Gulf, on amberjack, that they selected thirty-four inches

for both sectors, and I'm wondering why, on the recreational side, it's still suggesting an even smaller size here than the one for commercial, and can you speak to that a little bit more?

MR. HULL: Jessica, I really don't have the answer as to why -- Someone would have to go back into the decision, when these size limits were put in place, why the recreational sector size limit is smaller than the commercial size. I don't have the answer to that.

MS. MCCAWLEY: When you discussed it, Jimmy, did you all talk about possibly making the same, because the two ranges that are considered there still wouldn't make the recreational and commercial equal on the minimum size, and I was just curious.

MR. HULL: Yes, ma'am. We had a lot of discussion over size, and there was lots of other recommendations, and they were all over the board. You know, make them the same, get rid of the size limit altogether, make them a little bit higher, both of them, than what they are, and so there was no -- It was also stated that the Florida state commercial minimum size limit is thirty-six inches, which seemed to be part of the reasoning for setting the federal minimum size limit, commercially. That may be something that influenced that, but, no, it was pretty much all over the place, as to where the size limit should be.

Nobody really thought that it should go below the twenty-eight inches, and there was some comment as to getting rid of it, but that wasn't very popular, but there was a lot of unanimity on maybe making them the same, and, obviously, on the commercial side, the inefficiency of having this thirty-six-inch size limit is making it very difficult to find fish of that size in a school, because they all school according to size.

I mean, we're traveling all over the place and wasting fish. It's just a waste of the resource, and here we have a resource that is not overfished and overfishing not occurring, but I think that, somewhere, making them the same was overall what we wanted to do, and we tried to come up with some different ideas of where it should be, but I think the bottom goalpost was twenty-eight inches, and I don't know where the top was at, but does that help?

MS. MCCAWLEY: Yes. Thank you, Jimmy, and then I saw that Mike put his hand up, too.

DR. SCHMIDTKE: Thanks, Jessica. I am just recalling, from the notes and the summary and the meeting -- The reason why it's presented with these two different ranges mainly had to do with how people commented on this topic. Some people came at it from an angle of we need to decrease the commercial minimum size limit, and some people came at it from an angle of we need to make them equal at some range, and so this was just kind of like the combination of those two different-natured commentaries, but I think there does seem to be kind of that overall consensus, and Jimmy can correct me on this if I'm wrong, but it did seem to be an overall consensus of lowering the commercial, whether that's equal to the recreational or some level just above, and that was mixed opinion, but lowering the commercial seemed to be the train of thought.

MR. HULL: Yes, and thank you, Mike. I agree with that totally, and, Jessica, if you look at we have a surplus in this fishery, and, if you can make it easier for us to catch that surplus, this kind of would tie into the recommendations like for Action 1. You know, we'll have an ACL that is set for the season, and we will have the ability to actually harvest these animals and market them better with some of these recommendations that we're implementing.

MS. MCCAWLEY: Thank you, Jimmy. Kerry.

MS. MARHEFKA: With that said, Jessica, is now an appropriate time to -- I don't know, but do we need a motion to add an action regarding size limits to this amendment?

MS. MCCAWLEY: I think now is an okay time, because we don't have an existing action, and so, if you want to go ahead and make a motion.

MS. MARHEFKA: Okay. **I move that we add an action to Amendment 49 to look at the commercial size limit for greater amberjack and the recreational size limit greater amberjack, and you all let me know, staff, how you would like the --** I'm willing to also make a recommendation on the bounds of alternatives, but let me know how you want that to play out in the motion.

MS. MCCAWLEY: Let's maybe start -- Well, I'll ask Mike. Do we want to just limit this motion to adding this action, and then we'll come back with a recommendation on the range, or do you want that all in one motion?

DR. SCHMIDTKE: I think, as far as the range of alternatives within the existing actions, we can go back through and do those action-by-action, any alterations or anything of that sort, and so I think, as far as Kerry's motion to consider changing the commercial minimum size limit, we might want to take that by itself before moving to further topics.

MS. MCCAWLEY: So a couple of things. First, she said that she wanted to change the commercial size and the recreational size, and she was talking about the range of alternatives under this particular new action, or two actions, if we're going to split the commercial and recreational into two different actions, but I saw Myra put her hand up in this discussion, and let me go to Myra.

MS. BROUWER: Thank you, Jessica. I was just going to suggest that it might be easier for the committee to give us a range under just direction to staff, and, that way, it doesn't -- It's not so binding to include it in a motion, and we can play around with it, and you can also request that the IPT develop an appropriate range and just give us some ideas, and that's all good.

MS. MCCAWLEY: That sounds great. Thank you, Myra. Let's go back to this motion. Kerry, do you think that that motion is worded the way that you intended?

MS. MARHEFKA: Yes, and that's fine with me, as long as staff is okay with the commercial and recreational being lumped together. If they think it's easier to sort of break it all out, I'm okay with that too, and you get my intent, and I think everyone gets the intent.

MS. MCCAWLEY: Okay. Sounds good. Can we get a second for this motion?

MR. BELL: Second.

MS. MCCAWLEY: All right. It's seconded by Mel. Under discussion. Kerry, would you like to suggest -- Well, let me stop there, before we go into the ranges, but are there any objections to this motion to add this action that would look at the recreational and commercial size limits for

amberjack? **Any objections? I don't see any hands up on objections, and we will take that as approval.** I will go first to Kerry and then to Laurilee. Kerry, if you want to throw out the ranges for analysis and for IPT discussion, go ahead.

MS. MARHEFKA: Okay. Thanks. I don't have -- I forgot what Jimmy said, and did Jimmy say thirty-two or thirty-four? Basically, my intent is to cover what the AP discussed. I think we should look at both having consistent size limits between both fisheries, the recreational and commercial fishery, but I also think it's okay to look at different ranges between the two, and so that would mean, for me, we would look at anything from the current recreational twenty-eight-inch all the way up to the commercial thirty-six-inch, and that seems to give us a wide range of alternatives, and, if there was something else I missed that the AP recommended, it would be my intent to include that.

MS. MCCAWLEY: All right. Thank you, Kerry. I definitely agree with those ranges. We were looking up here -- The 50 percent maturity, I believe, is twenty-eight inches, and so I personally wouldn't want to go below that. I think that this captures the range that we saw in that slide that the AP had discussed. Laurilee, what have you got?

MS. THOMPSON: I was just going to comment that -- I looked it up, and the Florida state size limit is twenty-eight inches fork length, and so you wouldn't be in any kind of conflict, and I think that would make it easier for law enforcement, if everybody was looking at the same size fish and if we were matching the state size, or at least the Florida state size, and I'm sorry, and I'm not sure what it is in the other three states.

MS. MCCAWLEY: Thanks, Laurilee. Judy.

MS. HELMEY: I just want to comment that I think someone said that the problem with having a thirty-six-inch fish is that they're losing more than they're saving, and they have a lot of discards, and maybe we should consider a shorter fish. That way, it would also help the commercial people, too. Twenty-eight to thirty-six is going to hurt the charter people, if it goes to thirty-six, and, if it stays at thirty-six, it's going to hurt the commercial people too, or at least that's what I'm hearing.

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

MS. MARHEFKA: Judy, I'm sorry. My intent is not actually -- I should probably clarify. My intent wasn't necessarily to discuss increasing the recreational size limit. My intent is to make sure we have the required range of alternatives, just for the sake of ticking the boxes, and so I will amend, happily -- I guess we're not in a motion, and I don't know if we need to even include recreational in there, and I guess I would leave that to you all to discuss. For the commercial fishery, the reason the thirty-six is in there is just because that would be in there anyway, because that's no action, and so I hope that makes sense.

MS. MCCAWLEY: Yes, that makes sense. I would like to keep the recreational in there, especially if we're going to have the possibility of making them the same, but I see that Mel put his hand up.

MR. BELL: I agree, and I think all we were trying to do here was just capture the range that we're working in. We'll look at various alternatives that will be presented to us within these, but that

just sort of sets the boundaries, and so you wouldn't see anything bigger than thirty-six, and you wouldn't see anything smaller than twenty-eight in whatever we're considering.

MS. MCCAWLEY: All right. Mike, do you think that you have enough direction on this particular recreational and commercial size limit action?

DR. SCHMIDTKE: Yes, I think so. I think we can bring this information to the IPT, and the IPT can develop some options to be considered at the next meeting.

MS. MCCAWLEY: That sounds great. So then, Mike, do we have more from Jimmy, or are we ready to go back to the document?

DR. SCHMIDTKE: We are ready to go back to the document. Those two slides were the AP's feedback.

MS. MCCAWLEY: Okay. Before you do that, we have a hand from Andy and Kerry.

MR. STRELCHECK: Thanks, Jessica. I just wanted to gauge the appetite of the council to also consider trip limit changes, as suggested by the AP. I don't know if certain council members would want to weigh-in on that.

MS. MCCAWLEY: I can't remember what trip limit they suggested, if that was on that slide or not. There it is. Thank you. Thanks for bringing that up, Andy. Let's see what Kerry has to say about that.

MS. MARHEFKA: Andy and I are on the same wavelength. That's what I wanted to address, is the other comments that the AP brought before us. I am interested in going ahead and looking at adding an action to Amendment 49, and I will make a motion to add an action to Amendment 49 that addresses the trip limit, addressing changing the trip limit, for the commercial -- Sorry. I lost my place. **Add a motion to consider increasing the commercial Season 2 trip limit to 1,200 pounds.**

MS. MCCAWLEY: All right. Thank you, Kerry. **We have a motion, and it's going there in some tiny text at the bottom, but it is matching what the AP suggested, which was to add an action to consider increasing the trip limit in Season 2 to 1,200 pounds.** Is there a second for that motion?

MR. BELL: Second.

MS. MCCAWLEY: All right. It's seconded by Mel, and it's under discussion. Kerry, do you have anything else to add to this?

MS. MARHEFKA: I am just trying to make sure that we give the IPT enough range, and I think they're smarter than me and can come up with it and understand the intent, but, again, the intent is to look at the recommendations from the advisory panel and see if we can help them out in that way.

MS. MCCAWLEY: All right. That sounds good. Andy.

MR. STRELCHECK: **To that point, Kerry, would it be okay to change the motion to just drop the “to 1,200 pounds”, and, that way, the IPT considers commercial trip limits that would increase for Season 2, without giving them a bound at this point?**

MS. MARHEFKA: **Perfect. Great solution.**

MS. MCCAWLEY: All right. Mike is making that change.

DR. SCHMIDTKE: Is that the change that we’re talking about right there, taking out “to 1,200 pounds”?

MS. MCCAWLEY: I think so. Kerry and Andy?

MS. MARHEFKA: Yes.

MR. STRELCHECK: Mel was the seconder and not me, and so he needs to --

MR. BELL: I’m good with that. The idea was to just not constrain at that 1,200, so they can look at options.

MS. MCCAWLEY: Okay. Sounds good. Laurilee.

MS. THOMPSON: Actually, my question was about the third recommendation in the AP slide, and so I’m going to lower my hand until we get this done.

MS. MCCAWLEY: All right. Thank you. **All right, and so we have a modified motion that is to add an action to consider increasing the commercial season trip limit for Season 2.** Any more discussion on this action? **Any objection to this action? That motion carries.** Back to Laurilee to consider the third recommendation that the AP made.

MS. THOMPSON: Okay, and so is there an April closure for fishing for greater amberjack by commercial fishing?

DR. SCHMIDTKE: Yes, and so, essentially, the commercial fishery is closed, and commercial fishermen may harvest greater amberjack, but they may harvest them up to the recreational limit, and they may not sell the catch in April.

MS. THOMPSON: So they bring the fish to the dock and just give them to their grandmother? They can’t sell them?

DR. SCHMIDTKE: They can keep whatever -- I guess they’re essentially fishing as recreational fishermen in April.

MS. THOMPSON: Okay, and so I think that’s a good idea, to close -- **I mean, I don’t know why we would be fishing and targeting a fish during its spawning season, and so I would make a motion that we consider -- That we close the recreational section to harvesting greater amberjack in April, also.**

MS. MCCAWLEY: All right. **We have a motion that would consider an April closure for the recreational sector, so move to consider closing the recreational sector in April.** All right. We have a motion, and do we have a second for that motion?

MR. GRINER: Second.

MS. MCCAWLEY: All right. It's seconded. Under discussion. Tim.

MR. GRINER: I was merely seconding it.

MS. MCCAWLEY: All right. 10-4. Is there more discussion on this motion to consider a recreational closure during the month of April? Andy.

MR. STRELCHECK: Unfortunately, I don't know the history, and so I might need council staff to weigh-in. My team is telling me that we removed the closure in Regulatory Amendment 27, and so I would like to understand a little bit of the history behind that and, obviously, how that relates to reconsideration here, if John Carmichael or others could weigh-in on that.

MS. MCCAWLEY: Myra.

MS. BROUWER: Andy, I don't recall that that was removed for amberjack. We did remove other closures in that amendment, mainly for red porgy, and I will have to go back and check, but I'm almost sure that we didn't do anything with the greater amberjack closure.

MS. MCCAWLEY: Maybe we can get more information about this when the document comes back. Is there more discussion on this motion to consider closing the recreational sector in April? Kerry.

MS. MARHEFKA: Well, I admit that I don't remember my amberjack biology, and so I guess I would need more information, as far as why April in the first place, sort of what the spawning behavior was. I mean, normally, when we're talking spawning closures, we have this big range of months that we think spawning is happening in, and I just don't remember at all the history with amberjack and why we chose April specifically.

To Laurilee's point, as far as sort of what happens in April now, I can tell you that we do -- Not just for amberjack, but for all of the snapper grouper species, when they are closed for spawning, or when they -- Let me put it this way. When there's a commercial closure, but not a recreational closure, commercial fishermen are allowed, as long as they have the appropriate recreational permits, are allowed to harvest the bag limit and bring them home, and I can tell you it's something that we have personally done in the past, and, yes, absolutely, we stock our own fridge, and stock our own freezer, and we give it to neighbors and people that we want to give fish to, but can't afford to do it the rest of the year, as far as giving them another way, and so it is something we use.

It's not the end of the world if we don't have it, by any stretch of the imagination, but our crew takes it home and stocks their freezer with it, and so that's something that doesn't just happen with

amberjack, but I think we really need to look back at the spawning information on amberjack before we just narrow in on April for everyone.

MS. MCCAWLEY: I agree with that, and I was trying to look through some papers, quickly, about the spawning months and the peak and all that, and I couldn't find it, and so I presume that this would come back the next time we see this document, but other folks put their hands up. Let's go to Myra first, and then we'll go to Spud.

MS. BROUWER: Thank you, Jessica. Yes, we corroborated that the prohibition on sale in April is still in place for the commercial sector, and I was going to suggest that, if you give us a second, we do have a fishery overview for this species, and I'm not sure that Mike can pull it up on the fly, but we can dig up the information for you on the biology, and I'm trying to pull that up, and so just hang on for a minute, and we'll get back to you with that.

MS. MCCAWLEY: Okay. 10-4. We were looking at that earlier, and it looked like it might have been April and May, but, while you guys are searching for that, I'm going to go to Spud.

MR. WOODWARD: Thank you, Jessica. I'm not opposed to the motion, but, as has already been said by others, I want to make sure that we have a full understanding of the justification, because, if we're going to eliminate an opportunity for the recreational sector for a species that is not undergoing overfishing and is not overfished, we just need to have a very strong rationale for that.

MS. MCCAWLEY: Thank you, Spud, and I noted, in the document, and in the discussion from Mike, that, under various alternatives, there were possibilities, on the recreational side, for the fishery to close, depending on different factors, including different alternatives that we selected under the allocation, as well as the ACL and various years, and so I'm hoping that part of what comes back in the document is showing how popular that month is and if the fishery would close again if we add the month of April as a spawning season closure, et cetera, and so great questions. I see lots of hands going up. Let's first go to Chip, and then we'll go to Chester.

DR. COLLIER: Thank you. I put the Shiny app in the chat, or the question log, and so it might be coming through the chat for you guys to look at and have a link to, and I also looked at SEDAR 59, which is the stock assessment for greater amberjack, which indicated that the peak spawning for greater amberjack is around mid-April, and I'm trying to find -- They cite SEDAR 15 as the document that they pulled from, and it indicates that spawning occurs January through June, with mean values for the size of the reproductive organs peaking in April and May. If there is any other questions on the biology, I can try to look it up for you, real quick.

MS. MCCAWLEY: Thank you, Chip. Chester.

MR. BREWER: Thank you, Jessica. I want to echo, somewhat, what Spud had to say. I think that I'm going to be opposed to this motion, because the optics are just really bad. You've got a fishery that is doing well, and, all of a sudden, you're closing a month to the recreational folks, and I just don't think that's a very good idea.

MS. MCCAWLEY: Thank you, Chester. Any more discussion? Mike, I think we're going to need a vote on this particular motion that would consider adding a closure to the recreational sector in the month of April. Is there -- Before you do the vote, Judy put her hand up.

MS. HELMEY: I also wanted to say that I did feel like it shouldn't be closed either, because there is nothing wrong with the stock. The recreational stock is good, and so I don't think that I can go along with that either, for the recreational closing.

MS. MCCAWLEY: Thank you, Judy. Mike, do you have a list of committee members that you could -- I'm sorry. Before we do that, Tim put his hand up.

MR. GRINER: Thank you, Madam Chair. I don't think it's a recreational stock or a commercial stock. I think fishing on any stock during its spawn is bad, whether it's recreational or commercial, and so, if we feel like it's okay to fish on the stock during the month of April, then it really doesn't matter whether it's commercial or recreational, and, if we're saying it's okay, then it should be okay for the commercial as well. Thank you.

MS. MCCAWLEY: Thank you, Tim. Okay. Is there anyone else that wants to comment on the motion that's on the board here? All right. Mike, do you mind -- I'm sorry. Tom, go ahead.

MR. ROLLER: Thank you. This is more of just a question for the future, but I'm curious if there -- You know, when we're checking literature for spawning timing, I would be curious if there is any sort of geographical differences, because, in my area, there seems to be a lot of concentration of those fish in May, as opposed to April, at least off of the break, when the water warms. I'm a little leery about supporting the closure in April, as a recreational angler.

MS. MCCAWLEY: All right. Thank you, Tom. Anyone else that wants to speak on this? We've heard a number of folks that are against doing this, and some folks that are for doing this, and so, once again, this motion would be to add an action to consider closing the recreational sector in April to the document. Chris.

MR. CONKLIN: You know, we don't fish grouper, either sector, during the spawning closure, and I am not -- I know the stock status could be a little bit different, or is about to be determined to be different, on the grouper species, but fishing on any fish in the spawn is essentially against kind of like our charge. If we can fix that and preserve what little bit we have left, I think it's a good idea.

MS. MCCAWLEY: All right. Thank you, Chris. Anybody else that wants to speak on this? All right. Mike, can you call the names of the committee members for a vote, please?

DR. SCHMIDTKE: Yes, I can. Kerry Marhefka.

MS. MARHEFKA: Yes.

DR. SCHMIDTKE: Tom Roller.

MR. ROLLER: Yes.

DR. SCHMIDTKE: Chester Brewer.

MR. BREWER: No, and let me explain my vote. Right now, commercial is not completely closed in April. What you're saying to the commercial guys is you can only catch a recreational limit, and you can't catch commercial limits, and that is treating everybody the same, and I've got a question about this. If we pass this, are the commercial guys going to continue to be able to fish to what are the, quote, recreational limits during the season that is closed in April to the recreational folks? It just doesn't make good sense to me.

MS. MCCAWLEY: Thanks for the explanation on the vote. I think, to answer your question, the answer is no, because, essentially, it would be closed to recreational and commercial in the same month, and so, no, no one would be able to keep a bag limit. All right. I am going to pass it back to Mike to continue calling on the committee members.

DR. SCHMIDTKE: Okay. Chris Conklin.

MR. CONKLIN: Yes.

DR. SCHMIDTKE: Tim Griner.

MR. GRINER: Yes.

DR. SCHMIDTKE: Steve Poland. If you're not here, it might be Trish representing Steve.

MS. MURPHEY: Yes.

DR. SCHMIDTKE: Spud Woodward.

MR. WOODWARD: Yes.

DR. SCHMIDTKE: Carolyn Belcher.

DR. BELCHER: Yes.

DR. SCHMIDTKE: Mel Bell.

MR. BELL: Yes.

DR. SCHMIDTKE: Judy Helmey.

MS. HELMEY: Just so I can clear it up, I am voting for this action to be considered for the closing for the recreational sector?

MS. MCCAWLEY: Yes, ma'am.

MS. HELMEY: So I don't really want that, and so I should vote no?

MS. MCCAWLEY: If you don't want it, vote no.

MS. HELMEY: No.

DR. SCHMIDTKE: Laurilee Thompson.

MS. THOMPSON: Yes.

DR. SCHMIDTKE: Andy Strelcheck.

MR. STRELCHECK: Yes.

DR. SCHMIDTKE: Lieutenant Copeland.

LT. COPELAND: Abstain.

DR. SCHMIDTKE: Bob Beal. I'm not sure that Bob is on. Dewey Hemilright.

MR. HEMILRIGHT: Abstain.

DR. SCHMIDTKE: **That gives ten yes, two no, two abstain.**

MS. MCCAWLEY: Thank you, Mike. **All right, and so the motion passes.** What that means is an action will be added to the document to consider closing the recreational sector in April. Let me go to Spud.

MR. WOODWARD: Thank you, Jessica, and I just want to reiterate what you just said, just for Judy's benefit, and it just adds an action. It's not a final decision by any means, but it's just that we would consider the pros and cons, the merits of it, and, in the future, we'll have an opportunity to either vote on alternatives related to it. Thank you.

MS. MCCAWLEY: Thank you for that clarification, Spud. I appreciate that. I think that we've covered all the items that came from the AP, and, Mike, I think that we can go back to Action 1, where we had a motion to approve the range of alternatives for analysis, and so can we go back to that motion? **All right, and so the motion is, specifically, to accept the range of alternatives for Action 1 for analysis, and the motion is on the board, and it has been seconded.** Any more discussion? Once again, this is Action 1, to revise the greater amberjack total annual catch limit and annual optimum yield. Spud.

MR. WOODWARD: Thank you, Jessica. I just had a question, and Jimmy made a suggestion, on behalf of the AP, about setting it at a constant catch, and is that not within bounds for consideration as an alternative?

MS. MCCAWLEY: It's not in the document now, and I don't whether it's in the bounds or not. Who would like to speak to that?

MS. BROUWER: I think it's okay to add that as an alternative, if the committee would like to see that analyzed.

MS. MCCAWLEY: Spud, would you -- I'm sorry. Mel, and then Andy, and then back to Spud.

MR. BELL: I was just going to say that I would move that we add that as an alternative for analysis, and that was a good recommendation from the AP.

MS. MCCAWLEY: It is, and so that's a motion, and I think it's actually a substitute motion to add a constant catch alternative to Action 1. Do we have a second?

MR. WOODWARD: I will second.

MS. MCCAWLEY: I heard multiple seconds, and we'll go with Spud as the seconder. Is there more discussion on what I would consider a substitute motion here? Mel, anything else, before I go to the rest of the folks with their hands up?

MR. BELL: Well, would it actually be a substitute or an amendment, because you still want to run the analyses on the other ones as well.

MS. MCCAWLEY: I know, right? It's almost like that original motion needs to come after we add this constant catch alternative, and so --

MR. BELL: Right.

MS. MCCAWLEY: We've gone beyond my Roberts Rules knowledge here, and I feel like we need Kelly to help.

DR. SCHMIDTKE: I believe you would postpone the move to accept the range. You would address the move to add the alternative, and then you would return to the move to accept the range, but I would accept correction from somebody more learned in Roberts Rules.

MR. BELL: That seemed to make commonsense.

MR. WOODWARD: We could, theoretically, combine the two motions, but it's probably cleaner to vote up this separate motion and dispense with it and then go back, because, if it's voted up, then it becomes incorporated into the initial motion.

MS. MCCAWLEY: All right. Let's do that, and so we'll just consider it a separate motion to add this constant catch alternative to Action 1. I am going to start running through the list of hands. Andy and then Spud and then Chester.

MR. STRELCHECK: I support the motion. I guess the question I would have is if this needs to go back to the SSC, in the event that the constant catch, especially in the out years, would exceed their ABC advice that we currently have, given the downward trajectory of the catch limits, and so I don't know if Myra or others would know that offhand, but something that we need to consider is this going back to the SSC, if needed.

MS. MCCAWLEY: Great point, Andy.

MR. CARMICHAEL: To that, Jessica?

MS. MCCAWLEY: Go ahead.

MR. CARMICHAEL: Andy is right, and, from past discussions on this, it would come down to how you approach the constant catch. If you set the constant catch at the lowest of the period where you're setting it constant, you would be below their ABCs, and you would be fine. If you chose to do some other approach, and pick something that was higher than one of the years that is already recommended, there would need to be additional analyses that looked at that average over time and recalculated what it would be over that period, and so it's really a matter of how you approach it.

MS. MCCAWLEY: All right. Andy, any follow-up on that?

MR. STRELCHECK: No. John said it well. Thanks.

MS. MCCAWLEY: All right. Over to Spud.

MR. WOODWARD: Thanks, Jessica. I am trying to think through this, in terms of -- I certainly agree with what Jimmy explained on behalf of the AP, that, if you have this sudden increase, it almost creates a false expectation situation and immobilizes effort, and so, I guess, hearing what John said, could you lower the first year to 2.8, and then it declines down after that, to sort of offset this jumping to 4.3? I mean, I don't have a problem, personally, with sending it back for further analyses. I mean, we're not in a great rush. It's not an overfishing situation, and so I could go either way, but just lowering the first year may not really actually accomplish what folks want, which is a constant catch stable situation.

MR. CARMICHAEL: Jessica, to that point?

MS. MCCAWLEY: Go ahead.

MR. CARMICHAEL: Spud, I think that's a good point. You know, if you look at those projections, you could lower it to like the 2.8 from 2022 to 2025, and see how that performs, and then you do the analysis to find out where you go. Say, in the next three-year block, do you go to the 2.7, or can you go to something different, depending on how your underharvest happens in a few years and your slower pace of fishing down that SSB and stock biomass, is kind of the discussion that Andy initiated there in the very beginning, which are all legitimate points. I think, if you do that, it gives you a chance, also, to see how these alternative regulations you're considering impact the fishery and do analyses with those updated projections, without delaying the timeline of this approach and this amendment.

MS. MCCAWLEY: Thank you, John.

MR. WOODWARD: I like that idea, if it's feasible. I don't want to tangle us around the axle, Madam Chair, but I think that sort of gets at what the concern was.

MS. MCCAWLEY: All right, and Mike added some language there, I think, that gets to that, and so make sure that you're okay with that language, and I'm going to go to Chester while you're checking it out.

MR. BREWER: Fat finger. I didn't mean to push the button.

MS. MCCAWLEY: Okay. Spud, are you good with that language there?

MR. WOODWARD: Yes, I think so. I mean, if you will allow maybe perhaps Jimmy, if he's still on, to just give us a little feedback on that, because it is different than, obviously, what the AP suggested.

MR. HULL: Thanks, Spud. I think it's along the same lines of the intent of what we were talking about, is having it consistent, and your point of, all of a sudden, there is all these animals to catch, and then everybody jumps into it, private recreational and commercial and everyone, and then it's not there, and so I think it makes good sense.

MS. MCCAWLEY: Thank you, Jimmy. Spud, do you have anything else that you wanted to add here?

MR. WOODWARD: No, I'm satisfied, and do we need to change the language of the motion, since it really isn't necessarily a constant catch for the whole projection period, or are those bullets satisfactory?

MS. MCCAWLEY: That's a question for staff.

DR. SCHMIDTKE: I think I have -- I mean, I understand what you're saying, and I think I have the direction to develop the alternative, based on the notes and the direction given.

MS. MCCAWLEY: All right. Thank you, Mike. We've had good discussion here. Is there any objection? **Once again, the motion is to add a constant catch alternative to Action 1. Is there any objection to this motion? I don't see any hands. The motion carries.**

Now we're going to go back to the motion that is to accept the range of alternatives for Action 1 for analysis, and we now have an additional action, and so any more discussion on accepting this range of alternatives for Action 1 for analysis? Any objection to this motion? All right. That motion carries. Mike, I think it's back to you to take us through Action 2.

DR. SCHMIDTKE: Okay, and so we're here at Action 2, and I will kind of introduce the alternatives presented here. We have the current alternative that is roughly 40/60, Alternative 2 that is about 30/70, and then Alternative 3 that is that midpoint, and I will scroll down here, and we're, similarly, looking for approval of the range of alternatives. As a reminder of the AP's recommendation, their preference was specified as Alternative 1 for this action.

MS. MCCAWLEY: Thank you, Mike. Kerry.

MS. MARHEFKA: What would you all think about using amberjack as the test species for the decision tree allocation discussion, seeing as we may have to go back to the SSC for Action 1 anyway, and I bring it up because I am not super comfortable, when we know we're going to change the way we look at allocations, or at least how we make the decisions, having alternatives in there that change the allocation as significantly as an alternative like Alternative 2. We're not in a rush. I mean, I'm not saying we're not in a rush, and we need to get it done, but, you know, of the species we need to look at to do allocations with, quick in the next year or two, this seems

to be the safest one to start with, and, again, it would be not -- The test case would be non-binding, but it also may kill two birds with one stone.

MS. MCCAWLEY: Thank you, Kerry. Maybe this is a question for John Hadley?

MR. HADLEY: I think it's something that we could try to have ready. It seemed like the council was fairly comfortable with the kind of initial questions that were going to be used for the decision tree, and so we can take that back, and the working group can kind of gather the data and crunch the numbers. As Kerry alluded to, this would be the test run, and it would be non-binding, since we don't have a totally final product just yet, but, yes, that's something that we could do, I think.

MS. MCCAWLEY: All right. Thank you, John. Kerry, you still have your hand up. Any more discussion on this range of alternatives that we have here, or how to handle it, since we want to put it through this tool?

MS. MARHEFKA: I didn't mean to have my hand up. I am stumped on what that means for the range of alternatives, and so I might have put you all in a pickle.

MS. MCCAWLEY: This is a question for staff, either Mike or Myra, and do we go ahead and approve this range of alternatives in Action 2 for analysis, when we know that we're going to run this test run? What is your preference here?

MS. BROUWER: Jessica, I think you're okay approving it, just to give direction to the IPT to go ahead and continue analyzing things for this amendment. You can always come back, later on, and modify your range of alternatives, and so I don't think that's an issue.

MS. MCCAWLEY: Okay. Thanks, Myra. Mel.

MR. BELL: I was just going to say that this one popped up, and it's not -- It's not overfished, and overfishing is not occurring. We could always play with the elusive shadow shark, but nobody catches a lot of shadow shark, and you don't have sort of the dynamics involved in that, and so it would seem that at least staff could go back and consider running this as test run, as Kerry said, sort of non-binding, but I think you could go ahead and approve what we've got now, and move forward, and then that just goes back to staff to see if they could factor this in as a real-world example, and here's how it would play out, and so it seemed like there was value in that, because, yesterday, remember, we talked about kind of trying to move along with the allocation decision tree process, and so it seems to match up nicely.

MS. MCCAWLEY: All right. Thank you, Mel, and so it seems like we can go ahead and make this motion, and it doesn't preclude us from running this test run of the allocation decision tree. We haven't actually made this motion, and would someone like to make this motion? John Hadley, first, before we make a motion. Let's go to John Hadley.

MR. HADLEY: Thank you. I just wanted to bring this up, from a timing perspective, and this is something we can come back to, certainly, at the Full Council discussion on the workplan, but the guidance, it seemed, was that we were going to discuss the allocation decision tree at potentially a special meeting after the December meeting, and so, if this is to move forward and be reviewed at

the December meeting, there might be a misalignment of timing there, and I just wanted to point that out.

MS. MCCAWLEY: Thank you. All right. Would someone like to make this motion?

MR. WOODWARD: I will make it, Madam Chair.

MS. MCCAWLEY: Go ahead, Spud.

MR. WOODWARD: **I move we approve the range of alternatives for Action 2 for analysis.**

MS. MCCAWLEY: Thank you, Spud. Do we have a second?

MR. BELL: Second.

MS. MCCAWLEY: Second by Mel. It's under discussion. Kerry.

MS. MARHEFKA: I just want to make sure -- I forget how this works. I don't see it happening, but, Myra or John, if we happen to come out of the decision tree with something that we all agreed with that happened to be more restrictive either way, or outside of the bounds of the alternatives that we have now, does that cause an issue, timing-wise? Do we need to go back out to -- We haven't been to public hearings, and we would probably be okay, right?

MS. BROUWER: I am thinking so. You haven't -- We've only done scoping on this amendment, and so, as John Hadley said earlier, it may shift the timeline, but it wouldn't be an issue, and, if it gets too close to when you guys are approving it for public hearings, you may not want to do that, but it sounds like we would be okay in this situation.

MS. MCCAWLEY: Mike and then Spud.

DR. SCHMIDTKE: I guess, in regard to the allocation decision tree, I would also want to point out the kind of advice that would be coming out of that, and it's not really quantitative advice. Like it's not going to point out a percentage number. I think I envision kind of a test run of it being applied to this as it would aid you all in your deliberations about which of these alternatives you would prefer, because the advice that would come out of it would say something along the lines of this information, this biological information, supports allocating more to the recreational sector, or this economic information supports allocating more to the commercial sector, something of that nature, but it wouldn't necessarily be hard numbers that are coming out of this.

MS. MCCAWLEY: That's a great point. Spud.

MR. WOODWARD: That's just a leftover from before, Jessica. I had lowered my hand.

MS. MCCAWLEY: All right. Thank you, Spud. All right. **We have a motion and a second to approve the range of alternatives for Action 2 for analysis.** Is there any more discussion? **Is there any objection?** All right. **That motion carries.**

DR. SCHMIDTKE: Okay. Then our final action is Action 3, and we have a range of alternatives that is either keep the recreational ACTs or remove the recreational ACTs, and so we'll move down to the committee action.

MS. MCCAWLEY: All right. Any discussion? Once again, this would be removing ACTs for all species in the Snapper Grouper FMP. That's what this alternative would do. That is the AP's preferred alternative. Would someone like to make this motion?

MR. WOODWARD: I will do it, Madam Chair.

MS. MCCAWLEY: Go ahead, Spud.

MR. WOODWARD: All right. **I move to approve the range of alternatives for Action 3 for analysis.**

MR. BELL: Second.

MS. MCCAWLEY: All right. We have a motion by Spud, and it's seconded by Mel. Any discussion? **Any objections?** All right. **Seeing none, that motion carries.**

DR. SCHMIDTKE: Jessica, that's all we had for Amendment 49.

MS. MCCAWLEY: All right. Thank you, Mike. All right. I think, next up, we have snowy grouper. I would look to our Council Chair, Mel. Do we want to jump into snowy and just get as far as we can and break at noon, or are you suggesting breaking early, or what?

MR. BELL: Well, I'm not sure what we could get done in half-an-hour. If it feels like a pretty good point right now, we could just shift lunch half-an-hour early, which is fine with me. I mean, it's kind of -- How do you feel? I mean, it's really -- You're driving the train here right now, and does that work for you?

MS. MCCAWLEY: I am fine doing that, but I just think that we probably need to come back say at no later than 1:00, because we were supposed to break until 1:30.

MR. BELL: 1:00 would most certainly -- In fact, I would be fine with 12:30, but 1:00 is fine, I think. You can kind of gauge what it's going to take to get us through the day, but I don't know if anybody needs more than an hour at this point, but, if we've got an hour-and-a-half booked, that's okay, but no later than 1:00.

MS. MCCAWLEY: I am okay with whatever you think, Mel.

MR. CARMICHAEL: I think you should go with an hour. I think that's kind of what we were doing with a lot of the webinar meetings before, if I recall.

MR. BELL: Correct. The past couple of meetings, we've been needing to take an hour, and so let's just do an hour from now.

MS. MCCAWLEY: Okay. So then we'll come back at 12:30.

MR. BELL: Sounds good. Thank you, Jessica.

MS. MCCAWLEY: Okay. Thank you, Mel. Thank you, John.

MR. CARMICHAEL: Thank you.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: Next up, we have snowy grouper, which is Amendment 51, and we're going to start with an overview of the options paper. Allie is going to go over that, and then we're going to turn it to Jimmy Hull to get the AP comments, before coming back to the committee, and so, Allie, if you're ready.

MS. IBERLE: Yes, I am. I am actually going to switch things up a little bit and have Jimmy start off, so that you guys have the AP comments and recommendations before we go through the options paper, if that's okay.

MS. MCCAWLEY: Yes, that sounds great.

MS. IBERLE: All right, and so I will hand it off to Jimmy to review the AP's comments and recommendations. Take it away, Jimmy.

MR. HULL: Okay, Allie. Thank you very much. The AP, in consideration of recommendations for potential management measures for snowy grouper, had a good discussion, and lots of comments and ideas and thoughts, but, overall, first, there was a lot of concern over the status of the stock and the future of the fishery, with the overfished and overfishing stock status. We already have very low limits already in place, and, of course, in this fishery, the discard mortality is basically 100 percent.

Improved technology has increased fishing access and efficiency. There is limited regulatory efficiency for the offshore fishery, and so enforcement of regulations offshore is pretty nil. Enforcement is a tough situation anywhere, but especially out in the deep. Further restrictions could make data collection more difficult, leading to more uncertainty for an already data-deficient stock, and there's a lot of concern about that, as far as any data on this stock. The sampling of fisheries, independent sampling, is great lacking, and, of course, the intercepts we know are very low on the private recreational sector, and just all-around lack of data, and we're afraid that further restrictions, to where nobody is even targeting these animals, it will just make it even worse.

We thought it was very important to improve the estimates of recreational effort and landings for deepwater species, all deepwater species, but, specifically in this case, snowy grouper, and we made a recommendation that the council add an endorsement, or permit, if that ever comes along, to the recreational license to improve recreational catch and effort estimates for deepwater species, and, along those lines, we would recommend that we define the deepwater species and the depths included for this endorsement or permit and that we would require a randomly-selected portion of the endorsed permit entities to report catch and landings for the year, similar to the commercial logbook reporting program, trying to address the very limited data on the recreational side, and

there is nothing there, and we need to know how many people are actually prosecuting this fishery in the deep water.

There was a lot of other points that were made during the discussions, and the limits are so low, recreationally, that the discards -- They're 100 percent, and so that's pretty much the gist of it. Again, we think that the most important thing is the private recreational sector, and we need some type of accountability of who the participants are and some way to control the future participants, and I think that was the point from the AP, and that would conclude my AP report on snowy grouper.

MS. MCCAWLEY: Thank you, Jimmy. Are there questions for Jimmy? I don't see any hands. Allie, I am going to turn it back over to you.

MS. IBERLE: All right, and so let's go ahead and get started with this options paper. As a kind of brief review of the background of snowy -- Do you want take Dewey's question, before I launch in?

MS. MCCAWLEY: We sure can. Go ahead, Dewey.

MR. HEMILRIGHT: I was just curious, for Jimmy, if the AP ever talked about like a tag for the recreational grouper, since it's only one grouper, but that doesn't get at effort, and so I was just curious if they ever had any discussion about that. I have seen tags in the Mid-Atlantic, particularly for like bluefin tuna in Maryland or something like that, and I was just wondering if anybody has ever discussed that. Thank you.

MR. HULL: Hi, Dewey, and thanks for the question. I don't recall us bringing tags into the snowy grouper discussion, although I think that the AP would welcome any type of tool to get the results of some type of a census of the users and the take of snowy by the private recreational sector.

MS. MCCAWLEY: All right. Thank you, guys. Back over to Allie.

MS. IBERLE: All right, and so snowy grouper was most recently assessed through the SEDAR 36 update. The results of that assessment indicated that snowy is both overfished and undergoing overfishing. This species currently has a thirty-four-year rebuilding plan that was established in 2006, and that has a terminal year of 2042.

You guys saw the results of this assessment at your March meeting, and then the SSC took a look at these results, and they determined that the stock assessment was based on the best available science, and they established the OFL and ABC. I also wanted to note that NMFS notified the council, in June of this year, that management action is necessary for snowy.

Then the proposed management changes in this amendment -- Right now, this amendment aims to adjust catch levels and revise optimum yield and then revise sector allocations, and, at the end, we pose some other changes to management, commercial, recreational, and management measures and then accountability measures. For this meeting, what we need from you guys is guidance on the options for development, and then, at the end, you'll have an opportunity to approve this amendment for scoping.

Like I said, you guys received the SEDAR 36 update at your March meeting, and we're approving for scoping at this meeting, and then, in the fall, we will conduct scoping, and this will go back to the Snapper Grouper AP. In December, we'll review the scoping and AP comments, and then, in the spring and summer, we'll kind of review any modifications, and then we will conduct public hearings in the summer, and then we're slated to have a final draft amendment in December of 2022. Any questions on timing? All right. Then I'm going to keep barreling ahead.

The draft purpose and need statements, this is what the IPT has started with, and so this may change as the amendment progresses and any changes are made. The purpose of this fishery management plan amendment is to revise the acceptable biological catch, annual catch limit, and sector allocations for South Atlantic snowy grouper, based on the results of the most recent stock assessment, and the need for this fishery management plan is to end overfishing of South Atlantic snowy grouper, continue to rebuild the stock, and achieve optimum yield, while minimizing, to the extent practicable, adverse social and economic effects. Any questions on the draft purpose and need? All right. If I go too fast, stop me.

Like I said, the SSC saw the assessment results in January, and they concluded that it was the best available science, and they provided ABC and OFL recommendations. The ABC and OFL recommendations were provided in pounds whole weight, and they were converted from pounds whole weight to pounds gutted weight using that 1.18 NMFS conversion factor, and the reason we did this was so that the units matched that in which the commercial sector is expressed in. We also got, from the SSC, removals in numbers of fish, which is what the recreational sector is expressed in, and I will kind of try to keep the units straight as we go through this, since the sectors are expressed differently.

Then, according to the SEDAR 36 update, 95.4 percent of removals were landings, and 4.6 percent were dead discards, and so, from those total removals, we calculated a landings OFL and ABC, which are the blue columns, that are in both pounds gutted weight and numbers of fish, and so, again, those are the units that reflect each sector.

The current ACL is set equal to the ABC for snowy grouper, and that is current 218,848 pounds whole weight, and then there's that gutted weight conversion. Like I said, the commercial and recreational sectors are currently monitored using different metrics. The commercial sector is weight, and the recreational sector is numbers. There is very few snowy grouper observed in the recreational fishery, and that low sample size can cause annual variation in estimated average weight, and so we recommend keeping the unit of numbers for fish for the recreational sector, and so that's the recommendation for that, and so this kind of gets a little tricky as we move through this, and so that's how it's shown throughout the options paper. Any questions, before I launch into the options? All right. No hands.

The first proposed action is to revise the snowy grouper total annual catch limit and annual optimum yield, and so, because we got those assessment results, we need to update the ACL based on the new OFL and ABC values. Most of the species that the council -- Most of the snapper grouper species, the council has specified that the OY be equal to the ABC, or the ACL, which is equal to the ABC. Again, the specifications are, currently, that the commercial ACL is specified in pounds gutted weight, as well as the trip limit, and so the trip limit is reported in pounds gutted weight, and then the recreational ACL is specified in number of fish, and the bag limit is specified and reported in numbers of fish, and the assessment included both numbers and pounds of fish.

We did a preliminary analysis to look at the ACL usage per sector, and the commercial sector for South Atlantic snowy grouper averaged about 106.6 percent of the commercial ACL from 2015 to 2020, and there has been a closure each one of those years. I will note that the commercial has a split season, which has an allocation of 70 percent to Season 1, which is January through June, and 30 percent to Season 2, which is from July to December.

Here is the kind of breakdown of the percent by year, and then, looking at the recreational sector, the landings of snowy grouper averaged around 63.8 percent from 2015 to 2020. However, the landings that were used to calculate this percentage usage are the CHTS landings. Because the recreational ACL during these years was created using CHTS landings, we wanted to make sure there was an apples-to-apples comparison, and so that's why the FES landings weren't used for this chart.

Then, to give kind of an apples-to-apples comparison, we also had a figure showing the landings per sector in pounds whole weight, both sectors, and, here, we have the MRIP-FES landings, and so you can take a look at kind of a side-by-side comparison of both sectors, and I will stop here, if you want to --

MS. MCCAWLEY: Thanks. I see that, Dewey, you have your hand up.

MR. HEMILRIGHT: I was curious, and can you go back to page 6? Given that the recreational is in number of fish, what's the average weight that is used here for these fish, and, also, what's the average weight for the commercial side, and I was just curious what the difference is, if we're comparing apples-to-apples.

MS. IBERLE: That, I am not sure of off the top of my head, but I can definitely look that up for you and get back to you on that one, but I am unsure, off the top of my head. Sorry, Dewey.

MR. HEMILRIGHT: All right. Thank you.

MS. IBERLE: Any other questions? All right. I am going to keep going. The range of alternatives that the IPT put together for this action, Option 1 is no change, and so the annual catch limit and annual optimum yield for snowy grouper are equal to the current acceptable biological catch, which is that 218,848 pounds whole weight.

Option 2 is the total ACL and annual OY for snowy grouper are equal to the updated ABC, and that 2026 ACL would remain in place until modified, and so that's the same method that was used in the last amendment for snowy, and, in this chart, you have the ABC in gutted weight, the total ACL in gutted, and then the total ACL in numbers of fish. Option 3 provides a 10 percent buffer, and so the total ACL and annual OY are equal to 90 percent of the updated ABC, and then Option 4 is the total ACL and annual OY are equal to 80 percent of the updated ABC.

Then, based on Option 2, the following decreases from the current ACL would be observed, and, again, the issue with CHTS landings -- I didn't show the recreational change, because the previous ACLs included the CHTS landings, and so it wouldn't be kind of a good comparison, but there would be around a 43 percent decrease from the current ACL, and then around a 54,000-gutted-weight reduction in the current commercial ACL.

Then the action for you guys today would be to provide guidance on a range of alternatives, and then how does the council wish to specify the total ACL? Would you like to continue specifying them in pounds gutted weight for the commercial, in numbers of fish, or change that, and so I will turn it over to you.

MS. MCCAWLEY: All right. Thank you, Allie, and so I'm just going to try to get the discussion started, and I feel like people are in naptime mode here after lunch a little bit, but I looked at this action, and it seems like the range that we have here is typical for what we have for most other species, with option to have ACL equal OY equal ABC and then stepping down by 90 percent and 80 percent, and then you heard Allie talk about how it might be better to keep these in numbers of fish, and so I will just use that to start the discussion. Does anybody else want to weigh-in here? Mel.

MR. BELL: No, I think, if that's fairly typical of what we've done, and that's a sufficient -- We've got 80, 90, and equal, and I agree that it makes sense, given the differences in the fisheries, to do commercial pounds, or gutted weight, and the recreational in numbers of fish. I mean, that all seems logical to me at this point.

MS. MCCAWLEY: All right, and so, Allie, are you okay with direction to staff? You don't need this in the form of a motion, right?

MS. IBERLE: I don't believe so. I think, at this point, we can just have direction to staff, and, since we wouldn't be changing anything, I think we're good to just make a note to keep the units the same.

MS. MCCAWLEY: All right. Sounds great.

MS. IBERLE: All right, and so I'm going to go ahead and move to the second action, which is to revise the snowy grouper sector allocations and sector annual catch limits, and so the allocations need to be revised, because the assessment used the MRIP-FES method, rather than the Coastal Household Telephone Survey. Allocations were initially established for snowy grouper through Amendment 15B, and they ended up coming down to 95 percent commercial and 5 percent recreational, and they used an average of commercial and recreational landings from 1986 to 2005.

Then, in the original SEDAR assessment, these were adjusted, because they changed -- The landings stream changed from MRFSS to CHTS, and so they used the same methodology on those landings, and it shifted the allocation to 83 percent commercial and 17 percent recreational, and that was established in 2015.

The Comprehensive ACL Amendment -- I'm sorry. The current allocation formula was adopted through the Comp ACL Amendment, and that has been used on some assessed species, and we do give you that as an option, and then, as far as the options within this action -- If Option 1 is selected for this action, then the sector ACLs would be adjusted based on the total revised ACL, using those current percentage breakdowns, and so, for Options 2 through 4, the total ACL listed in the tables reflects Option 2, the ACL equal to the ABC. If you guys decide that that is not the option that you would like to go for for Action 1, then this will be revised as well. Then, again, a quick note that the commercial season is split into two, with that 70/30 allocation.

The range of alternatives that we provided for you today, Option 1 would to retain that current sector allocation of 83/17 that was determined using the average landings from 1986 to 2005, and then Option 2 would be to revise the sector allocations based on the average landings, again from 1986 to 2005, but, instead of using the previous landings stream, we would be using the FES data, and that would result in an 87.6 percent allocation to the commercial and a 12.5 percent allocation to the recreational, and then these tables have a lot of columns, and I should have started with this, and so I give you the total ACL in gutted weight and the total ACL in numbers.

I wanted you guys to be able to look at kind of the whole pie here, and then the piece of the pie that each sector gets in the same units, and so this is kind of the only reason that I gave you the recreational ACL in gutted weight, so that you can look at it side-by-side with the total commercial ACL. Then you have the breakdown for Season 1 and Season 2, and then you have the recreational ACL in numbers of fish, and so this is kind of a more realistic look at the recreational ACL.

Then Option 3 would be to, like I mentioned, applying that allocation formula, and so that would be the mean landings from 2006 to 2008 and the mean landings from 1986 to 2008, and that would result in a 73.4 percent allocation to the commercial and a 26.6 percent allocation to the recreational sector, and, again, the whole pie, in gutted weight, each piece of the pie, and then the more realistic kind of number of fish for the recreational sector. I will pause here and see if anyone has any suggestions, if anybody wants anything removed, for this action.

MS. MCCAWLEY: Thank you, Allie. Right now, we just have three options, and I'm wondering if we need more years here, to look at this, and I'm throwing this out to the committee, on do we want to look at some other years or something else here relative to allocations, or are we okay with the ones that are in there? Andy.

MR. STRELCHECK: Thanks, Jessica. I don't have a specific recommendation. I mean, it's certainly good to look at other time periods for allocation, but, as we saw yesterday, there's certainly a wealth of other considerations that we could be looking at for allocation, and I'm struggling, obviously, because the allocation tool isn't quite ready for us, but it seems like there is, once again, some utility to be thinking kind of more broadly than just what time period to choose for an allocation, in this instance, and look more broadly at what other options might be important to the council as a whole in determining different allocations.

MS. MCCAWLEY: Yes, I completely agree, and I agree that just adding years here I don't think is going to fix this. It seems like we need to consider some other factors, but we don't have the tool ready. I'm not sure what to do about that at this point. Mel.

MR. BELL: Well, I don't have a solution, but I was just agreeing that, if we're looking at data going all the way back to 1986, it's very likely that the fishery, particularly on the recreational side, that the capacity to interact with the species is better than it was, or more common than it was, back in 1986, maybe, and so I don't know, and the fishery itself could have -- Aspects of the fishery could have changed, in terms of how they operate or their capacity or their capabilities, and so which is the right period to consider for this? Perhaps more recent capabilities and more recent experience with the fisheries might give you a little bit better outcome related to what's going on now and in the near future, but going way back in time -- It's a different world than it was in 1986, maybe.

MS. MCCAWLEY: Great points. Kerry.

MS. MARHEFKA: I feel like we're going to keep coming up against this in these amendments we have to do for rebuilding, and I think I wasn't here initially when sort of the FES conversion stuff happened, and we realized that we needed to re-look at allocations, and so forgive me if this is way off-base, but can we pull allocation stuff out of these amendments, package them together in their own amendment that goes forward after we fine-tune the decision tree, but still move forward with the adjusting OYs and ABCs and such?

MS. MCCAWLEY: That's a great question. I am looking. Myra, do you want to try to answer that?

MS. BROUWER: Well, all I can do is try to provide some background, some historical context, so to speak. The council, at one point, wanted to do this, what Kerry just said, have a comprehensive allocations amendment so that they could look at it holistically and have some sort of tool at their disposal for that, and then FES revisions came along, and now we have stock assessments that include those landings, and so we have catch levels based on this new information, and part of the council's allocation trigger policy was that you guys were going to review allocations at the time that a stock assessment was made available, the results of one was made available to you, and so that's when we went back to doing it piecemeal, species by species, and that's where we are now, and so, yes, this is going to keep coming up.

There's also the discrepancy of some of these catch levels, like for greater amberjack for example, prior to the current assessment were set using data back to MRFSS, and so there's been a lot of revisions in between, and another thing I wanted to clarify is, if you go back -- You can select different years, but, as Allie pointed out, going back to 1986 doesn't mean you're using the landings of that year as they were back then. Those landings have been revised, and what's the word? Converted, calibrated, based on this newer methodology. Thanks.

MS. MCCAWLEY: Thanks. Let's go to John.

MR. CARMICHAEL: Thanks, Jessica. Just to add on to what Myra had said, and Kerry's question, the reality is we were given -- The council was given a bit of a tough situation in dealing with those changes in the MRIP numbers back in time, and, when you do the assessment with the new numbers, which are, in many cases, higher, it puts you in a bit of an apples-and-oranges situation, as far as those percentages that you have on the allocations.

As Myra said, we looked, at one point, about a comprehensive allocation amendment, and we knew these assessments were coming, and so the decision was made to, well, let's just try to deal with the outcomes of these assessments and look at allocations that use the same approach, the same formula, which means the same logic, and apply that to the new numbers, recalculate the percentages, and just get us through this initial hurdle of dealing with these assessments and dealing with the statutory deadlines, particularly on something here like snowy grouper, to get something in place, because, otherwise, as you can see in these outcomes, if you just use the same allocations under this new data, then you do have a recreational fishery which is now -- The yardstick is a little bit different, and this is the point we've talked about for several years now.

It's not that things really changed in fishery itself, but our yardstick, our meter, has changed its scale a little bit with regard to the recreational fishery, and so we're just trying to keep things apples-and-apples and compatible, and recognizing that this is probably a short-term issue, as we deal with allocations in a much bigger sense, which was the intent of the allocation decision tree, and that idea was to give you a way to perhaps look forward into the future and bring considerations other than just whatever past landings streams were into your discussions and feelings on allocations, to give another way forward.

I just feel like, in terms of these amendments and where we are in dealing with statutory deadlines and the big picture and the allocation process, which is still in place, if we can just pick one of these options for now, something that perhaps just updates the data and uses the same approach, and then know that we're going to have to look at allocations comprehensively down the road, it keeps us out of statutory trouble and makes sure that we get amendments in that deal with the overfishing and overfished situations that we're facing on a number of these stocks that we're talking about.

MS. MCCAWLEY: Let me try to say what they said another way. One of the ways that I think about is that we basically can't go with status quo, because you have these new FES numbers, and even the no action, or the status quo, has changed, and so even to do something very similar to what we already had, you're still going to have to change the percentages to try to get to something very similar to how we set the allocation in the first place, and so kind of the way I think about it is that the Option 1, no change, is not really viable, because of the FES numbers.

I think I agree that we need to do something now, but it just so happens that, unfortunately, for some of these stocks, we're under these tight statutory deadlines, but the way John is suggesting is it sounds like we would go ahead, and we could choose an option that is essentially status quo, but it's the new status quo, by bringing in the FES, and then we could come back and look at it through the decision tree approach, the allocation decision tree approach, and so that was a good question. It looks like some other folks have put their hands up, but let's go to Allie first.

MS. IBERLE: I just wanted to clarify that, for this action, Option 1 is a viable option. It just retains those previous percentages, and so it doesn't change the percentage allocations for each sector. It just applied them to the new ABC and ACL.

MS. MCCAWLEY: All right. Thank you.

MS. IBERLE: I hope I didn't confuse you further.

MS. MCCAWLEY: Let's go to Dewey.

MR. HEMILRIGHT: This question might not be for this exercise, because it might be -- It probably should have been asked before, but what's the management uncertainty, or PSEs, surrounding the new FES numbers? In the Mid, we're having to where we implemented the recreational mandatory tilefish reporting, because MRIP was not giving the rare-event, similar to what it appears here, and it is not catching the recreational catch of snowy grouper, but yet you can go on social media and count way more than MRIP is doing, and so I was just curious about what the numbers for the FES -- The PSEs surrounding that, and how does management uncertainty apply on this decision? Thank you.

MS. IBERLE: That sounds like a question that Chip might be able to answer. Sorry, Dewey, but I have to pass the buck on that one.

DR. COLLIER: Dewey, I am looking at the numbers right now, and PSEs going back to 2012, and most of them are over 50, and there were a couple of exceptions in 2017 and 2020, where they were under 50, but, for the vast majority of them, they are over 50, and 50 is now represented on the MRIP page as a very imprecise estimate.

MR. HEMILRIGHT: So would that be -- How does -- I guess, since it's on the page, of the over 50 part, the management uncertainty part, how does that clue into here, or is there? How is that accounted in here?

DR. COLLIER: It is accounted for when they are developing some of the management uncertainties when they're doing some of the projection runs, and also some of the stock status runs, and they will take a range of the estimate of landings, both recreational and commercial, and input those into the model and see the sensitivity to it, as well as try to get a distribution of uncertainty coming out of it.

I am drawing a blank right now on the overall uncertainty for this assessment, but, if you look at the commercial landings versus the recreational, it is a commercially-dominated landings stream, and, therefore, you're going to have a little bit more confidence with the commercial landings than you would with the recreational that are estimated with pretty high PSEs.

MR. HEMILRIGHT: Thank you.

MS. MCCAWLEY: Thank you. Andy.

MR. STRELCHECK: Thanks, Jessica. A couple of points. I did like Kerry's suggestion about a comprehensive allocation amendment, and, with that said, if we don't address allocation on each one of these amendments we're working on this week, and we delay, then, essentially, it's a pseudo reallocation that is happening, shifting from one sector to the other, because the recreational landings units have changed, or the methodology for computing that has changed.

With that said, and certainly General Counsel might want to weigh-in here, but I have always been told that it depends on the record that the council builds, and so, if we built a record and could justify why not taking action on allocation is appropriate now, but might be appropriate in the future with a comprehensive plan, then certainly I think that's worth exploring.

The challenge I see is that, for a species like snowy grouper, that might be a fairly easy decision, because the allocations wouldn't dramatically change, but, for other species, there could be some substantial shifts in allocation, where you wouldn't want to delay taking action, and then one other point is we talked briefly about the time series earlier, and I don't know if there's any additional thinking about including a more recent time series, but one of the problems that we have encountered elsewhere is using more recent landings brings you into a time period when the catches were constrained by catch limits, and so how do you address that, with regard to allocation, in particular if there was overages during that time period as well?

That, to me, is dealing with a problem of the old data might be out-of-date, and the fishery doesn't look like the same, but then the new data has been constrained, based on the catch limits in the Magnuson Act, for now approximately a decade.

MS. MCCAWLEY: Thanks, Andy. Before we go to Laurilee, I just -- I know we've got some new folks on here, and there was a congressional report that looked at the Gulf and South Atlantic Council allocations, and it was -- I am just going to paraphrase, but I felt like the report was cautioning us to not keep kicking the can down the road on allocations.

Allocation decisions are very challenging, and they always have been, and they're not necessarily going to get any easier. I think that that decision tree approach will certainly help us and is a straightforward way to lay out the data, and I'm excited to look at it, but I don't think that, by jamming all these allocation decisions into one amendment, that it's going to make it easier, and I will just put that out there, and I agree with Andy that some of them will likely be easier than others, but I just -- I am concerned about us not taking action, because we wrote a letter saying that we would work on these allocations, and there were triggers that we were using for when we were going to look at these allocations and then decide whether we were going to reallocate or not, and one of those triggers was a stock assessment, and it just seems a little odd, to me, now that we have this FES data, to not make a decision on allocations and push that to a later date, and so I will just put that out there. Laurilee and then back to Kerry.

MS. THOMPSON: Thank you, Jessica. That was a mistake. I didn't mean to put my hand up.

MS. MCCAWLEY: Okay. Before we go to Kerry, can I go to Monica and John?

MS. SMIT-BRUNELLO: Thanks, Jessica. My advice is that you take the advice that John and Myra laid out. I think we're in an awkward position, a little bit, right now, because you do have a new tool that is coming fairly soon, but probably sometime next year, and so my advice is, based on the requirements, the legal requirements, that you're under, you proceed with these amendments, as you are looking at them in this meeting, and then get your allocation tool, decide how you want to use it, and then, if you wanted to pursue some sort of larger comprehensive allocation amendment, then you could do it then, but my advice is to keep pushing on.

MS. MCCAWLEY: Thank you, Monica. John.

MR. CARMICHAEL: Jessica, I appreciate you bringing up the congressional report, and I wanted to note that and reiterate, as you said, that we need to take action on allocations, and I think, as we look at the decision tool, just to bring up a point that I've made plenty of times in years past, but we do have a lot of new people, is that you don't always have to base your allocations just on some historical period of data and try to pick something there that, for each individual council member, somehow seems fair or equitable, et cetera.

You keep in mind those outcomes, as you go back in the past, are a function of regulations that were in place. As Andy indicated, even many of your more recent years are really impacted by regulations and decisions you made, and they're also a function of how well the different fisheries responded to those regulations and how well they complied with those regulations, which is not something that really, you know, factors into any of the landings streams and the outcomes.

As we look ahead to the future, as others have alluded to, things may be very different in 2030 than they were in 1980, and you may need to take a whole different approach to comply with what Magnuson asks you to do with these fisheries, and so I think that's why trying to do something now that maybe changes some numbers may not really get us very far down the path of actually thinking about allocations and what the council wants out of this fishery, in a much bigger sense, and to get out, as much as you can, just this reliance upon historical time series.

We see the problem that that has created right here. We had a logic based on an equation, and we had an outcome when you applied that equation to data, and the data changed. The percentages changed. Well, did your approach, did your logic, change? No, and your equation did not, but the outcome of that equation did, and that's what is now being the driving force, is just those percentages, which were simply the outcome of an equation. We just have to get through this, so we can work through those bigger issues.

MS. MCCAWLEY: Thank you, John. You said it better than I could. Let's go to Kerry.

MS. MARHEFKA: I appreciate this, as the person who brought this all up, and I know it took a little bit of time to hash through it, but, for me personally, it was really helpful to hear sort of how we got here, since I wasn't there when this all started, and I feel comfortable with the advice given by John and Monica with letting this go for now and moving this forward and coming back to allocations more holistically after we do the job we need to do, and so I just wanted to wrap it up, since I opened it up.

MS. MCCAWLEY: All right. Thank you, Kerry. I really appreciate that, and so I am going to take that, and that discussion, as we're okay with the options that are in this document, and I'm going to turn it back to Allie about these other possible actions.

MS. IBERLE: All right. Thanks, Jessica. We posed some other possible actions for you, paired with a preliminary analysis, and so would you like to modify any commercial management measures? As a review, the current commercial trip limit for snowy grouper is 200 pounds gutted weight, and that was implemented in 2015, and it stepped up a hundred pounds from the previous 100-pound-gutted-weight trip limit.

The current commercial season, as I mentioned before, is Season 1 is January 1 through June 30, and it has the 70 percent allocation of the total commercial ACL, and then the second season has that 30 percent allocation, and it's from July to December.

Then the preliminary analysis showed that greater than 40 percent of the trips harvesting snowy, the commercial trips, were harvesting between 150 and 200 pounds gutted weight, as you can see in Figure 3, and then, if that trip limit were to change, if it were to step down to 150 pounds gutted weight, there would be about a 16 percent reduction in predicted landings, and then, if it were to step back down to 100 pounds, we would see about a 38 percent decrease in the predicted landings.

Then this is a figure that kind of shows the predicted landings in gutted weight for the season, and so the orange bars are going to be Season 1, and the blue bars are going to be Season 2, and so just a little bit of information to kind of share with you, so that you can make a decision on whether or not you want to take any action on commercial management measures, and I will turn it over to you.

MS. MCCAWLEY: All right. Thank you, Allie. All right. What is the pleasure of the committee here? You saw what the change would be if we went to 150 or 100 pounds, and you can see a little bit about the months of the year that the fish are taken, and so what are the thoughts here? Do we want to add an action to modify commercial management measures? Kerry.

MS. MARHEFKA: I apologize, but I was distracted when we got the AP recommendations from Jimmy, and so if someone can remind me where they came down on this, and then my second question would be, also, do we have any sense of what that would do to extending the season, if the trip limit was lower?

MS. IBERLE: I put the AP recommendations back up for you, Kerry. Their recommendations, and, Jimmy, if you want to -- I don't want to speak for you, but their recommendations kind of pinpointed on an endorsement and defining where the deepwater species depth range starts and being able to track landings a little bit better.

MR. HULL: A lot of the focus was on the recreational sector, but we also talked about how further restrictions in landings is going to affect the data collection that we don't have very much of now, leading to more uncertainty, and so, of course, we didn't have as much information to look at as we're seeing today, but the -- We really didn't come up, Kerry, with a recommendation, other than we really don't want to see further restrictions.

MS. MCCAWLEY: Kerry, any thoughts here? I feel like the recommendation of the AP is somewhat being talked about through that working group that the council has.

MS. MARHEFKA: You lost me a little bit there. What I was going to say was that, where we're at, since we are going to be going out to scoping, maybe it makes sense to include this as an action there, to get more input both from the AP, more specific input from the AP, and from the public, and, in response to Jimmy's comments, I wouldn't see it as so much of a reduction, and I could be wrong, and that's why I asked my second question before, and is it really a reduction, or is it a spreading out of how long we have to catch it? I really -- I don't -- I would love to know, really, what the AP specifically thought about this.

MS. MCCAWLEY: Jimmy.

MR. HULL: Yes, ma'am. I am trying to bring back -- I am looking in my notes further, to see if I can come up with an answer for you specifically, but, again, we had a lot of talk about the recreational sector and the limited data that's coming in there, and, also, as I said, we really don't want to see further restrictions. Now, you're talking that this would stretch out the fishery and not a reduction in landings, but I just can't bring anything back up on that right this minute.

MS. MCCAWLEY: Thank you, Jimmy. This is something that we could send back to the AP at their meeting in October, to try to get some more input on, and so, if we wanted to do what Kerry is suggesting, to put an action out there, my suggestion would probably be to have a no action, an option for 150 pounds, and an option for 100 pounds, based on what we just saw in the document, and so I will put that out there for discussion, but we have a lot of other folks with their hands up. Laurilee.

MS. THOMPSON: I have a bunch of questions and opinions. First of all, does the commercial season for snowy grouper close? Does it reach a point where they close the fishery down, or is it a twelve-month-out-of-the-year fishery? That's my first question.

MS. IBERLE: It has a fishery the entire calendar year, but it's just split into two seasons with different allocations of the total commercial ACL per season, and so, when you're looking at Figure 4, the orange bars, those months, they are allowed to harvest 70 percent of the total commercial ACL, and then the blue-bar months are allowed to take the remaining 30. Does that answer your question?

MS. THOMPSON: Not really, because my question was do they ever reach the limit of what they're allowed to catch and the fishery gets shut down, because they have caught as many fish as they are allowed to catch.

MS. IBERLE: We have had closures, and I see Mike and Myra, and they probably can answer this question a little bit better, but we have seen commercial closures recently, but I will let them speak to that a little more.

MS. THOMPSON: Okay, and so my observation, and I looked up what is the spawning season for snowy grouper, and it says it's May and June, and I don't know if it's the same way everywhere, but, basically, two of your highest-producing months, two out of the three highest-producing months, and I'm looking at this graph, are during snowy grouper spawning season. By May and June, the shallow-water grouper season is open for the commercial boats, and so they don't have to go out, unless they're trying to get as many fish as they can, and they don't have to go out and fish on the snowy at that point in time. I mean, in my thought process, if they are getting closed, because they've reached their allocation, then closing down the fishery during the peak spawning season wouldn't impact them that much.

My other observation is that the snowy are so far offshore that it will be -- It will be a hindrance to the fishery to lower the trip limit to 100, or 150, pounds, simply because of the amount of fuel that they've got to burn. You are going to lower the efficiency of the fishery if you lower the trip limits, if it's not necessary to lower the trip limits, and so I guess that kind of sums up my thought process, is that you could possibly close down the months of May and June to both commercial and recreational and allow these fish to be able to have a spawning season, and then they can target other species, and I am not sure that lowering the trip limit is going to be beneficial to the boats themselves, just because of the distance that they have to run to get out to catch the fish. Those are my opinions.

MS. MCCAWLEY: Thank you, Laurilee. I saw Mike and Myra put their hands up. Let's go to them.

DR. SCHMIDTKE: Thanks, Jessica. I was just going to respond to the question about the quotas and reaching the quotas. Allie brought up the split season, and that's in place now, and that hasn't been in place for very long, and this is only the second year that we've had that split season. It went first into effect in 2020, and we have not hit the Season 1 quota yet. In 2020, we hit 97 percent of that Season 1 quota, and, in 2021, we got up to 84.5 percent of that, but, theoretically, what would happen is, if they harvest the Season 1 quota before the end of June, then the fishery would close down, and it would reopen on July 1, and then they would be harvesting on the Season

2 quota. If they don't harvest all of that Season 1 quota, then it gets carried over into Season 2. Does that make sense?

MS. THOMPSON: Yes, that makes sense.

DR. SCHMIDTKE: I guess, consequently, in Season 2, if they harvest all of whatever they're allowed to harvest in Season 2, then the fishery would close down for the remainder of the year, until January 1, when it would open back up.

MS. THOMPSON: Thank you.

MS. MCCAWLEY: Thanks, Laurilee. Myra, did you have anything else to that?

MS. BROUWER: I think Mike pretty much covered what I was going to bring up, and, also, just to remind the council, and especially the newer members, that there was a lot of discussion about how to better optimize access to the fishery for the folks in North Carolina and the folks in Florida, and that was part of the council's rationale for the current split season, so that the ACL wouldn't be caught in the south ahead of when the guys in North Carolina were able to get out and fish for snowy.

MS. MCCAWLEY: Thank you, Myra. Dewey.

MR. HEMILRIGHT: I think that they need to take into account different areas and different regions and when the fish are caught at, and co-occurring fisheries that are involved, whether it's a bandit fishery and trying to put multiple species together to make a trip profitable, and so any decrease under 200 pounds that is there now would probably be economically hurtful for the participants, given that a lot of the species are put together kind of co-occurring or the ranges or the seasonality, and that also would be something to look at before -- It would be also good to hear back from the AP. Thanks.

MS. MCCAWLEY: Thanks, Dewey. Mel.

MR. BELL: Thanks, Jessica. I was trying to go back, and I was going back in the AP minutes, and I think they didn't have the advantage of seeing this that we do, and so it would be good to have -- Considering where we are in the process, to have them able to look at this, and so maybe keeping this in here as just an option to consider, and they can certainly comment on it, but I think they did spend most of their time kind of focused, like Jimmy said, on the kind of issues with the recreational fishery and trying to kind of solve some problems there, but they didn't have the advantage of being where we are right now, and so that's why they probably didn't spend a lot of time talking about it.

MS. MCCAWLEY: Thanks, Mel. Kerry.

MS. MARHEFKA: I am ready to actually kick the whole thing out and not worry about it, because I'm not hearing strong -- Not necessarily support, but strong incentive from the AP, or from many council members, but I am curious then. If this didn't come from the AP, why are we -- Where did this come from, because I am lost at how this got in here as a suggestion, if it wasn't from industry.

MS. MCCAWLEY: Myra.

MS. BROUWER: Thanks, Jessica. I was going to suggest -- See if Allie could take us down to Table A2 in the appendix, and I believe there is some preliminary analysis there that does encompass the range of trip limits that you guys are talking about, and, like I said, this is preliminary stuff that the IPT put together to inform some of this discussion, and so you can see there what the expected closure dates would be under those various trip limits.

To answer Kerry's question, this is not something that came from industry. Basically, it's up to the council whether they want to make any modifications to management measures to achieve the harvest that is necessary to maintain the fishery going under the reduced catch levels, and so it's simply an option if you guys want to consider any modifications to management measures at this point.

MS. MCCAWLEY: Thank you, Myra. Let's go to Andy.

MR. STRELCHECK: Several of my points have been made. I agree that I think it's best that we go out -- We're early in the process, and let's seek some input on this. I think what we're weighing here is the kind of economic benefits on an individual trip basis versus the benefits of spreading out a season and trying to avoid, or at least minimize, the length of fishing closures, but I think, since we're so early on, I don't think we need to draft options and alternatives at this point, and let's get some input, especially from the AP, and then we can come back to this in December.

MS. MCCAWLEY: All right. Tim.

MR. GRINER: I just had a couple of questions, too. Snowy grouper is a perfect example of the mess we've got here, and I go back to this overfishing limit, and this is a species that we're saying that overfishing is occurring, but, when you really look at it, I have a hard time believing that overfishing is occurring, but, when I look at Figure 4, is that representative of the numbers in Table A2, or what is the ACL that is represented in Figure 4?

MS. IBERLE: This analysis was done using the commercial ACL file, and this is predicted landings in gutted weight. I apologize, and I was not the one that performed this analysis. Chip is here to help.

MS. MCCAWLEY: Chip.

DR. COLLIER: Looking at Figure 4, Tim, this is just the average monthly landings that occurred over the time period that was analyzed, and so you can look at the yellow part of that figure, and that's the early season, and then the blue part is the late season, and then, the bars that are indicated there, that indicates the amount of distribution from the time period that was analyzed, and I believe, for this amendment, it's using the past five years. Is that correct, Allie?

MS. IBERLE: I believe so, yes.

DR. COLLIER: Does that help, Tim?

MR. GRINER: Yes, but it -- It helps clarify what I thought I was looking at, but it doesn't help analyze anything, because, if we're going to look at this distribution over these months, the only thing that we really need to concern yourself with going forward then is to have this be representative of these new choices in ACL, because then this chart looks much different.

DR. COLLIER: This chart is not going to change depending on the ACL. This is based on historic landings, and so, if you continue with the current trip limit that is in place, this will be the same distribution, and so, if you look at something like April, where it's about 25,000 -- It appears to be around 25,000 pounds of fish, and then May is 25,000 pounds of fish, that would get you about 50 percent of the ACLs that are potentially coming out of the allocations. Does that make any sense?

MR. GRINER: No, that doesn't. That's not the way I -- I don't understand that, because, if you applied these new -- Our new choices in ACLs, even if they equal the ABC, you can just take October, November, and December right off, because there's not going to be an October, November, and December, and so I don't think this is representative of what would happen, and, to go below a 200-pound trip limit, you might as well shut the fishery down. I mean, it's already difficult enough to get that far out to catch 200 pounds of fish, when 200 pounds of fish can literally equal five or six fish, and so I am just struggling to get my arms around this, but I don't see how we could even have a fishery in October, November, and December when we're going down to under 100,000 pounds of fish, or right at it.

DR. COLLIER: I think that's exactly what this figure is telling you, is it helps you get an idea of when the peak landings would occur, and you can also sum up, in your head -- If there is certain time periods you would like to have, this gives you an idea of what could potentially happen over a different time period, but it's definitely not looking at that full time series and saying this is what's going to be going forward. This just gives you an idea of what has happened in the past.

MS. MCCAWLEY: Okay. Thank you, Chip. Chris.

MR. CONKLIN: My thinking is that the snowy grouper management measures on the commercial side were thought through very well, and we had these talks, and I don't think, despite whatever the quota might be -- I think that the threshold of 200 pounds is the make or break for a commercial trip. We spent a lot of time on this a few years ago, and, if the quota goes down, I certainly don't see any reason why we need to explore any other management options for snowy grouper. Thank you.

MS. MCCAWLEY: Thank you, and so I'm going to bring us -- Before I go back to Tim, I'm going to bring us back to Tim, I am going to bring us back to -- I don't know that we need to include this action, but we could still let the AP see this information, including that table that we looked at in the appendix, and let them have this same discussion that we're having about keep it at 200 or drop it to 150 or drop it to 100 pounds. I think that we would love to hear their opinion, moving forward, and we seem to kind of be circling around one opinion to keep it at 200, but why not let them have the discussion on this? I think we think that they're going to come to the same conclusion that we have, but let me go to Tim, and then Laurilee, and then Mel.

MR. GRINER: I am sorry. I'm good.

MS. MCCAWLEY: All right. Thank you. Laurilee.

MS. THOMPSON: I don't want to sound like a broken record, but, if we want to preserve the months of October, November, and December, with this lower amount of fish we can keep, if you close during the spawning season, then you could conceivably end up with fish during the fall and winter, and there is other stuff they can catch during May and June.

MS. MCCAWLEY: Well, maybe part of that is adding to the bullet that we have here about the AP discussion, and they need to weigh the benefits of dropping the trip limit to keeping the season open, and which one is more important to them. Mel.

MR. BELL: I think, keeping in mind where we are in the process here, we would be naturally looking at all of your management measures that we might need to touch, and we have never allowed the AP to really -- Handed them anything and let them discuss potential measures, and they can discuss it and get back with us, and, like you said, they may agree with what we've been saying here, and the same for recreational.

To Laurilee's point, that would be something, naturally, that the AP could discuss, as well as could be considered as we move through this, but we're early enough in the process where you wouldn't want to just shut off discussion of any of that at this point and just allow us to build this a little bit more and look at options, but it may very well be that the AP doesn't have interest in commercial measures, and they focus on recreational, and that's fine, but we don't know that, because we -- They haven't had the advantage of seeing this and being at the point we are right now.

MS. MCCAWLEY: Yes. Thank you, Mel. Laurilee.

MS. THOMPSON: I think I forgot to lower my hand from before. Sorry.

MS. MCCAWLEY: All right, and so then I'm going to wrap up this discussion on these commercial management measures, that we are sending this over to the AP, to let them have a discussion, and I suspect that we're going to be in the same place on recreational, but I will turn it back to Allie, to see if there's anything that she wants to review here on this particular item, but I'm guessing that we're ultimately going to put this over to the AP as well.

MS. IBERLE: All right, and the direction to staff, what I have here, is sufficient, correct?

MS. MCCAWLEY: I think so. Just as long as it's clear that we were looking at the spawning season closure, and the reduced trip limit, in order to have more months to fish in certain times of the year, and different months of the year appear to be of differing importance to different states, and so, as long as that's clear, then I think we're good here.

MS. IBERLE: All right. Then we can wrap it up with -- Well, we're not quite to the end, but we'll go into modifying recreational management measures, and so the current recreational season for snowy is May 1 through August 31, and so they do have that spawning closure, and the annual recreational landings of snowy are pretty small. We had a spike in 2012, and then there was a deepwater closure in 2011 for part of the year, and that was removed.

The rec landings tend to be highest during May through June and July through August, and that's shown in Figure 5, and then this figure also includes landings from Monroe County. I'm sorry.

Figure 6 includes landings from Monroe County, and that is the average number of snowy grouper landed in the recreational sector by wave from 2015 to 2019, and that's -- The date range in Figure 5 is from 2010 to 2019. The recreational bag limit is one snowy per vessel per day, and then, in Table 6, we have the average number of snowy grouper landed by wave from 2015 to 2019, and so just a little bit of background information on the rec sector. I'm going to toss it back to you.

MS. MCCAWLEY: All right, and so, right now, we're at one per person, and I would say that snowy is not often intercepted on the recreational side, and we get big spikes when it is, and I'm not sure what measures we would change here for the recreational sector, which I believe is why the AP had suggested that we have some sort of permit or stamp or something else here, but I will throw it out for discussion. Once again, the AP can look at this and see if they would like to suggest some other measure, like, I don't know, one per vessel or something of that nature. Chester, any thoughts on this?

MR. BREWER: Thank you, Jessica. I don't know that what I am going to suggest, or talk about, is properly within the snowy grouper realm, and it's certainly not all, but something that would really apply across-the-board for bottom fishing, and that is something that we've talked about, from time to time, and that is that we have a recreational stamp. Not a tag, and a tag is a big no-no, but stamps -- We've seen the State of Florida go with its program, and we're just getting started good on the Atlantic side, but I have fished the Gulf side, where you have had this additional permit, I think it's actually called, and it's required if you're bottom fishing.

It's the easiest thing in the world to get one, and all you do is go online and push about three buttons, and, boom, you've got your stamp, or permit, and what the AP recognized is that I think just what we're talking about. There are certain rarely-encountered species that, when you have one boat that is limited out, and it comes in, boom, you've blown out the quota for that year, and so we really, really, really need to get a better idea of what the universe is, and we've used that term before.

Again, I don't know that this is proper here with snowy, because it would be something that would apply across-the-board for bottom fishing, and I very strongly recommend that we can do it here, I guess, but I would think that it would be a separate deal and something that we should be able to put it together with almost no cost, and so that's my two-cents on the recommendations of the AP.

MS. MCCAWLEY: Thank you. So, I would come back to this is something that's being discussed by that separate South Atlantic workgroup, to figure out about a federal permit or a permit specific to each state, et cetera. Chester is right that Florida has a State Reef Fish Survey, a State Reef Fish Survey designation that you can sign up for, and then we survey that universe of anglers, but I am wondering if this is already being covered under this separate workgroup.

MR. BREWER: When is the last time that workgroup met?

MS. MCCAWLEY: It was recently, and maybe May or June I think was the last time it met, but I will go to Andy and then Chris.

MR. STRELCHECK: I mean, I don't disagree with a lot of the thoughts of the AP and Chester's comments just now, but I guess my concern is any sort of program to develop a stamp, a tag, whatever, is going to take, I think, a considerable amount of time and resources, and we need to

think strategically, not just about snowy grouper, but about rare-event species and how this might work and what's the underlying data collection program that would also go along with this.

We don't have, obviously, a federal license, or permit, at this point for recreational anglers, and so that's an added complexity to all of this, and so I guess my suggestion would be to continue the course with this working group, Jessica, and work that could be then funneled into a future action, but, in the meantime, look at alternatives within this amendment that would need to be adjusted, obviously, to help constrain catches for the time being, given the new catch limits.

MS. MCCAWLEY: Yes, I completely agree with that. Chris.

MR. CONKLIN: I just wanted to agree and thank Chester for bringing that up. I've been a huge proponent of getting a handle on how many recreational anglers are actually going out and targeting snapper grouper species for many years. I don't understand why, between the state and federal agencies, people just can't seem to get it together, and it's been quite a conundrum. I want to thank Florida for taking the lead on stepping up to the plate and beginning this, and I hope other states certainly follow suit and we can all reap the benefits from overestimating how many people are actually going out and targeting these fish, because I don't believe it, and I think this is something that should have been done thirty years ago. Thank you.

MS. MCCAWLEY: Thank you. Next up is Spud, and I believe Spud is the chair of our workgroup.

MR. WOODWARD: Yes, ma'am, I am. I was just going to report that our last meeting was May 26, and we met for three hours, and we have been receiving lots of input about the state and federal-level private recreational fishing reporting programs, and all of that is being digested, and we do need to have another meeting here pretty soon.

Our self-imposed mandate was to come back to the council in December with some recommendations, and so I think, at our next meeting, we're going to focus on what would be the impediments to other states implementing a program similar, or probably, optimally, identical to what Florida has done, and those impediments are not insignificant, when dealing with different governance structures, and so we're moving ahead, but I think the real challenge though is the scope of it. I mean, obviously, the deepwater species are a focal point of this conversation, but we have much greater needs than just those deepwater species, and so we're still on task, but it's a challenge, and hopefully the goal is to come back with something to report to the council and move forward.

MS. MCCAWLEY: Thank you, and so I would love it if staff could capture there that we have this council workgroup that is working on this, and we expect a report-out later in the year, just so that the AP knows that we are taking this seriously, and we have been working on this, and we know it's long overdue. It will take time. As Spud mentioned, there are some impediments here, but we're working on it, I guess, and it's just not going to happen quickly. Mel.

MR. BELL: I think, given Spud's summary of where we are on that -- I would agree with where you and Andy were going, and I think that's fine, and that's a separate thing that we're dealing with, and I certainly share Chester and Chris's frustrations, but I think, in terms of trying to weave it into this particular amendment right now, it's not ready, but we're trying to get there through

this other mechanism that we've identified, and it may end up being the solution eventually, but, for right now, I don't think the timing of that meshes well with where we are and trying to move on this amendment and our need to do that, but certainly I appreciate everything that Chester and Chris and others have said, and, honestly, this is something we've been talking about, on and off - I mean, going all the way back to my first meeting in 2012, and it's not a new idea, but it's something we are getting closer, I think, as Spud pointed out, using this working group, to at least having some recommendations and moving in that direction.

MS. MCCAWLEY: Thank you, Mel. We are capturing that on the screen there, so we can report that back to the workgroup. It doesn't seem like there is anything else that we want to suggest to the AP in the short term, other than we're working on this, and so, if there aren't any more comments that we want the AP to consider, then let's go on to do we want to modify the accountability measures.

MS. IBERLE: Okay, and so this is the last option for you guys, and below are the current accountability measures for both the commercial and the recreational sector, and so, if the commercial sector is projected to reach or reaches the commercial ACL, then the season will close for the remainder of the fishing year, and Mike explained really well the situation with the split season, and so thank you, Mike. Then, if the recreational landings of snowy grouper reach, or are projected to reach, the recreational ACL, then the sector will close, regardless of if the stock is overfished, unless NMFS determines that no closure is necessary, and then, on the date of the closure, the bag limit is, obviously, zero, and so that is the current accountability measures for snowy, and then I will turn it back to you, if you guys want to modify that at all.

MS. MCCAWLEY: All right. Any pleasure to modify the accountability measures, or any guidance here? Once again, we can let the AP look at this, and, if they want to recommend something on modifying the accountability measures, we can react to that, but let's go to Andy.

MR. STRELCHECK: Thanks, Jessica. This is a situation where I feel like we have very little options, and so, going back to the recreational fishery management measures, given the catch limit is going to be decreased, I think we're going to have to look at some alternative seasons to the three-month season that's currently in place, and then, in terms of the accountability measure, I think it's worth also reviewing the recreational accountability measure, and, at this point, in all practicality, we can't implement this accountability measure as written.

The landings data comes in kind of too late in the fishing season for us to be able to react to the landings data in-season and make any in-season adjustments, and so I think it would be worth looking at whether the council would want to pursue any sort of post-season accountability measures, rather than in-season measures, given the short duration of the season.

MS. MCCAWLEY: Thank you, Andy. I am good with reviewing post-season accountability measures, but let me -- There was something that you said. Are you also wanting to go back to the recreational measures and suggest that the AP consider some other type of season or consider a vessel limit for recreational, because that three-month season isn't going to work?

MR. STRELCHECK: I think we would have to demonstrate, if we're going to maintain the three-month season, that that's sufficient, with other management measures, to constrain catch. If it

isn't, then we need to look at modifications to the season length and vessel limits or other management measures that might be appropriate.

MS. MCCAWLEY: Okay. It looks like Allie is going to capture some of that.

MS. IBERLE: That was to consider a reduction in the recreational season?

MS. MCCAWLEY: Myra has her hand up, but I think it would be or a vessel limit, something that is going to help constrain the recreational catch, but I will go to Myra while you're typing that.

MS. BROUWER: Thank you, Jessica. Currently, the snowy grouper recreational season is four months. It's from May 1 through August 31, and there already is a one snowy grouper per vessel in place, and so that's pretty restrictive, and so I just wanted to make sure that was clear.

MS. MCCAWLEY: All right. Thank you, Myra, because I thought it was one per person, but apparently we're down to one per vessel. Andy, I want to come back to you, to see what we might want to do here with the recreational piece, but let's go to Mel first.

MR. BELL: Well, I had the same thought that Andy did. If you just said, ask them to consider a modification of recreational management measures, for example, seasonal adjustment, vessel limit. I mean, they kind of came up with things on their own before, and so I just kind of figured that they would be brainstorming this, and they would tell us what they felt was appropriate or if they had anything -- Any other idea other than the stamp kind of thing, and so sort of leave it up to them.

MS. MCCAWLEY: Yes, I like that, and so, Allie, do you mind changing that to consider modifications to recreational management measures?

MS. IBERLE: Does that work? Do you want me to remove the first bullet or keep that one?

MS. MCCAWLEY: No, I think that both are okay.

MR. BELL: If you want to give them examples, it's fine, or you can just leave it general like that.

MS. IBERLE: Okay. All right. Anything else on accountability measures?

MS. MCCAWLEY: I don't have anything else. I don't see any other hands here. I don't know that we want to approve this for scoping. I know we want it to go the AP, but are there thoughts from the committee members on what we want to do here? Do we want to approve this for scoping or not? Kerry.

MS. MARHEFKA: I mean, I think, if we can afford the time, I would rather that it go back to the AP before it goes out to scoping, so we're really clear about what we're seriously looking at.

MS. MCCAWLEY: I feel the same way. Tim.

MR. GRINER: I was going to echo what Kerry said. I think this really needs to go back to the AP prior to scoping.

MS. MCCAWLEY: Okay. Excellent. Mel.

MR. BELL: I agree. I think it's not really in a form that we're ready to go to scoping, and let's see what the AP has, and we'll be in a much better position at that point.

MS. MCCAWLEY: Okay. Sounds good. Tom.

MR. ROLLER: I agree, and I think this should go back to the AP. This is a growing issue in North Carolina. We're starting to hear from fishermen about it on the state management level, and so it's a smaller group, and I think that, hopefully, people will participate in the AP, and hopefully we'll get a little bit more direction

MS. MCCAWLEY: Thank you, and so then, Allie, are you good that our game plan is that we want this to go back to the AP first and then come back to us before going to scoping?

MS. IBERLE: Yes, and that works for me. I don't think I need anything else then.

MS. MCCAWLEY: All right. Thank you so much. Let's go ahead and take a ten-minute break, and, when we come back, we will be working on yellowtail snapper. Don't forget to raise your hand, folks, when you come back.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: Okay. We're going to get rolling again on yellowtail before we jump into everybody's favorite topic, red snapper. I am going to turn it over to Myra to start walking us through yellowtail, and we'll see if we can pick up some speed here on this item.

MS. BROUWER: Thank you, Jessica. I will certainly do my best. I know red snapper is next on the agenda, and this is something that you guys saw at the last meeting, and so this is Attachment 4 in your briefing book, and it's the options paper for Snapper Grouper Amendment 44, and so this is looking at adjusting catch levels for yellowtail snapper.

A little bit of background for the public and new council members, yellowtail are considered a single stock in the South Atlantic and the Gulf, and the assessment was completed in 2019, and that was SEDAR 64, and it had data through 2017, and so, at the time of completion, the assessment showed that yellowtail snapper are not overfished or undergoing overfishing.

The SSCs reviewed the assessment, both the South Atlantic and the Gulf, in the fall of 2020. In December of 2020, you directed us to initiate work on the amendment, and that it was to be done jointly with the Gulf. In the spring, the Snapper Grouper Advisory Panel discussed yellowtail snapper. The Reef Fish AP in the Gulf also had some input, and this was brought to you in June of this year, at which time we went over actions that had previously been included in Amendment 44, as well as Regulatory Amendment 32, which the council worked on in 2018.

At the time -- On your screen is the guidance that we received this year, and so we're bringing back preliminary analysis for you, as you requested, along with a timeline, and this is to look at modifications for potentially commercial trip limits, and you also asked us to look at possible

closures, or how long the season would last under the proposed new catch levels, and so that's what we're doing here.

The timing is on your screen, and so, at this point, we would be looking for you all to potentially approve this for scoping. The Gulf Council did not get a chance to look at this amendment at their recent meeting, and so they're going to be potentially approving it for scoping at their October meeting, and so it is moving kind of a little bit disjointed, but we're going to try to reassemble everything together, if that's what you all would like us to do, and so, right now though, I'm only going to show you actions that pertain to the South Atlantic.

First of all, the acceptable biological catch, I just wanted to clarify that, when I talk about the current ABC, I am talking about the ABC that was implemented in 2013, and that was based on the previous stock assessment, and so SEDAR 27A, which was completed in 2012. When I mention the recommended ABC, that's the one that is based on SEDAR 64 and has been recommended by both the South Atlantic and the Gulf SSCs.

The revised landings is another terminology that I'll be using, and, when I talk about revised landings, that means those that include the MRIP-FES estimates, and so, currently, because yellowtail is a single stock, and we kind of need to split the pie between the two councils, that ABC is split 75 percent to the South Atlantic and 24 percent to the Gulf, and that was done in 2011, and implemented in 2012, with the Comprehensive ACL Amendment, and it was based on half of average landings from 1993 through 2008 and another half of the average landings from 2006 through 2008.

This was done, at the time, using landings estimates that included those from the Marine Recreational Fisheries Statistics Survey. Right now, the South Atlantic ABC is just a little over three million pounds, and the Gulf ABC is one million pounds, and so, as I said, in October, the SSCs got together to review the results of the assessment, and they recommended annual ABCs from 2021 through 2025, which you see on your screen, and those are based on a P^* of 37.5 percent, and so P^* is the probability of overfishing, and these values, I should say, are based on a calendar year and not a fishing year. The yellowtail snapper fishing year goes from August through July.

This brings us to the potential actions for the South Atlantic Council to consider, and so the first action would be to modify the allocation for yellowtail snapper between the two councils, and so you see the two options that are currently available for you all to consider, and so you could choose to retain the current jurisdictional allocation of 75 percent to the South Atlantic and 25 percent to the Gulf and apply those percentages to the recommended ABC. As I mentioned, this is based on an adaptive formula that was applied to landings as of 2011, and so those are in Table 2, and I will scroll down there in just a second.

The second option is to use the same formula, but apply it to the revised landings, and so the ones that are inclusive of MRIP-FES. When you do that, the allocation would shift to 81 percent of the ABC to the South Atlantic and 19 percent to the Gulf, and so those values are -- I am going to show you Table 2, and so this is retaining the same percentages, and you can see what those ABCs would be, and this is in millions of pounds, and here is when you apply the same formula to the revised ABC. I am going to pause here for a second, to see if there's any questions.

MS. MCCAWLEY: No questions, and I think I'm good with both of these options. For each one of these, Myra, are you just looking for the committee to tell you if the range is okay and if we need to add anything before going to scoping? Is that what we're looking to do here?

MS. BROUWER: Yes, that is what we are looking to do. As I said, since the Gulf Council is going to be looking at this in October, there's a little bit of time for the IPTs to, when we do get together, to flesh out additional options, and so, if you have requests, or ideas, for how you would like to see other options fleshed out for scoping, then this would be the time to bring them up.

MS. MCCAWLEY: Okay. That sounds great. Thanks for clarifying that. Also, I put this on the list of things that maybe the AP could look at at their upcoming meeting as well, and so I am good with the two options that are in there for Number 1, and I don't see -- Wait. Laurilee.

MS. THOMPSON: Again, I'm sorry, and I'm new at this, and so I want to understand why we are starting out with a big amount and then receding every year, and is there like a windfall of fish that came from somewhere, and, if there is, why are we not spreading it out over the years? Why do we start out with this big increase and then decrease it every year? In my ignorant attempt to try to grasp what's going on, it seems like it would make more sense to stabilize these numbers and try to have the same amount every year, instead of starting out big and then taking fish away every year. Isn't our goal to try to increase the amount of fish that people can catch every year?

MS. BROUWER: Thanks for that question, Laurilee, and so this is kind of the same situation that we were discussing this morning with greater amberjack, where you have a stock that is above the biomass that produces MSY, and so, over time, the assessment predicts how much can be taken out of that population, and, as you're fishing things down towards that kind of equilibrium level, that's where you're seeing those numbers go down, and so the conversation that we had this morning I think is very relevant to your question, where the council could choose to go with a constant level, as opposed to adopting the projections from the stock assessment.

MS. THOMPSON: To me, that makes more sense. I mean, it would give more predictability to somebody that is trying to create a business model and try to figure out what their future might be like, and I would think that a stable or increasing set of numbers would be more opportunistic for the industry, rather than seeing it go down, and that's just my opinion.

MS. BROUWER: I guess I'm wondering if I'm hearing a desire to add potentially an option for a constant catch alternative. However, here, we're talking about the ABC, and we're talking -- This first action, Laurilee, is about just splitting the ABC between the two councils, and so I think, when we get down to where we are talking about the total ACL, that might be a better time to bring this up, and so don't let me forget, if you would like to do that.

MS. THOMPSON: That's fine. Thank you.

MS. MCCAWLEY: I was thinking that it goes under Number 2, and so I think we might be good with Number 1, and then, here, Number 2, is this where we would also ask for something with constant catch here, Myra?

MS. BROUWER: Yes, and so the first step is to decide on the jurisdictional allocation, and then this action is looking at the total ACL and annual OY, and, similar to other snapper grouper species

we have already discussed, the options are similar. Total ACL and OY equal to the current ABC is your no action, and then you have Options 2 through 5 that look at different step-downs. This is a little -- We had to include Option 2 in here to continue to reflect the council's flexibility in selecting potentially staying with the 75 percent jurisdictional allocation. Of course, this range of options would change, based on what the councils agree upon, as far as splitting that original pie.

I will just move down, to show you the tables, and so this table summarizes those catch levels based on either a 75 percent allocation to the South Atlantic or an 81 percent allocation, and then, for the 81 percent allocation, we have total ACL and OY equal to ABC, and then we have options for a 10 percent buffer and a 20 percent buffer, and these catch levels are expressed for the fishing years, as you see on the left-hand column.

I think is where, if the committee was interested in requesting that the IPT look at options for a constant catch, and, as we discussed this morning, it would have to be a level where it would be below the recommended ABCs. Otherwise, we would have to go back to request the SSC's advice on setting that ABC at a constant level.

MS. MCCAWLEY: Thank you, Myra. I think that the options that we have now are great, but then I think, yes, based on the discussion this morning, and based on the discussion we're having right now, yes, I think we would want to add an option for constant catch that keeps us under that ABC level.

MS. THOMPSON: Thank you.

MS. BROUWER: I am going to go back and put under the lowest. Okay. Is everybody good with that?

MS. MCCAWLEY: It looks good to me.

MS. BROUWER: Okay, and so the next action then is where we get into sector allocations, and I know we've talked a lot about allocations, and, unfortunately, we have to keep doing that. Again, the first option is to retain the existing percentages for the commercial and recreational sectors, and you see that's 52.56 percent commercial and 47.44 percent recreational, and then you would apply those percentages to the updated South Atlantic total ACL. This option, as I said earlier, was originally based on that allocation formula that the council adopted for a lot of their unassessed, and some assessed, species in the Comp ACL Amendment.

The second option would revise those allocations with the new landings stream, and so they would -- You would use that same formula and apply it to the new landings, and then your allocations shift, and the commercial then receives 40.73 percent, whereas the recreational sector would be bumped up to 59.27 percent.

Here is where we get into what those catch levels would look like, and so Table 5 is based on assuming the South Atlantic Council would get an 85 percent allocation of the ABC, and so then we took that as a start and applied it through, and then we have this column here in the middle that is showing you the change in the commercial ACL from current, and so, if you kept the same percentages and applied it to the new ACL, then there would be an increase in the commercial ACL from current, and you can see what those numbers are there.

If you move down to the following table and allow the sector allocations to shift based on the revised landings, the commercial ACL would be -- It would experience a decrease from current levels, and you can see what those levels are, and, as Allie mentioned earlier for snowy grouper, we can't do the same comparison with the recreational sector, due to the change in currencies, and so I am going to pause here, Jessica, for any questions, and then I'm going to get into some of this preliminary analysis.

MS. MCCAWLEY: Okay. Any questions on this? I don't see any hands.

MS. BROUWER: Okay. This analysis basically looks at possible commercial and recreational closures for the various allocation scenarios, and so for Options 1 and 2, and it's using observed data from 2014 through 2020, and so those landings are here in this Table 7, just so you can get an idea of where yellowtail snapper has been in recent years. Over here, you see where the fishing year changed, and so, moving down -- I also wanted to note that there's all these little notes in here that explain how the information was handled when there were in-season closures and when those were, and so that's all detailed in all of these little footnotes here, and I'm not going to spend much time explaining that.

If we go down here to Figure 1, this shows monthly landings by year, and the projected landings are in the red-dashed line, and so I'm going to show the table of predicted closures in a little bit, but note that, for the 2021-2022 fishing year, the no action alternative is actually the only one that does not result in an in-season closure, and so I will just throw that out here before I scroll down.

Then, to give you a little bit more information on maybe selecting a range of potential trip limits, we have a couple of figures here showing the distribution, and so here is sort of just a spread of the commercial trips, and I think this is data from 2014 through 2019, and this is information that you saw, recently, when we did the fishery overview for yellowtail snapper, and so this is included in there, and so it's just a screenshot of that, and it shows that there is this little bump over here of some trips that landed at least 1,500 pounds of yellowtail snapper.

Then you take another look at that, and you see that these trips contributed the most to the overall landings of yellowtail during the time period that is presented here, and they accounted for about 30 percent of the total pounds, on average, and that range was between 21 and 38 percent, and then, for the recreational sector, and I will just quickly go over this, the data that were analyzed included the headboat data, as well as MRIP, and here's the figure that shows monthly recreational landings, and this is for 2017 through 2020, and the projected landings, again, are in the red line.

For the recreational sector, none of the proposed recreational allocations are expected to result in an in-season closure, and so this is where I scroll down here, and so, as I was saying up here, this panel is for the commercial sector, and so the no action is the only one that is predicted to result in no closure, and you can see what the closures would be for the other years, and then, under the updated, I should say, allocation scenario, you can see what those predicted closures would be for the commercial sector, and, again, no closure is predicted for the recreational.

Then, just to conclude, I guess, as I said, the Gulf Council did talk about this, very briefly, at their recent meeting, and they are going to put this on their agenda for their October meeting, and, at that point, if it's appropriate, potentially approve for scoping, understanding that the Gulf Council

does conduct scoping at their meetings, and so it would be up to you guys if you want to approve this for scoping now, and then we would work with the Gulf Council and the IPT to sort of reconstitute all this into one document.

You see what the questions are there for the committee. Do you want to continue to develop a joint amendment, under the proposed timeline, and then do you want us to continue working on this range of trip limits for the next go-round, and that's what I have for you on yellowtail.

MS. MCCAWLEY: Thanks, Myra. I have some things to add here on the trip limit, and so I went back through what we had heard in the past, relative to the commercial trip limit, and so I want to remind folks that, in yellowtail, on the commercial side, you really have two different type of fishermen that are out there. You have people that are full-time yellowtail fishermen, and then you have folks that participate in other fisheries during part of the year, and so things like spiny lobster, and then fish in yellowtail during the time of the year when that fishery is closed or when they decide to pull their traps out of the water.

Also, during years when you have a hurricane, and if people have pulled their traps out of the water, and say they participate in the lobster or stone crab fisheries, or if the traps were destroyed during the hurricane, then those fishermen usually go out and start fishing for yellowtail snapper, and so there is changes in the fishery depending on is it a hurricane year, is it not, is it a good year for lobster, or is it a bad year for lobster, and then you have some people, these folks that have these higher landings, that are full-time yellowtail snapper fishermen, and so it's difficult to kind of tease apart what to do here on these trip limits.

We have had some suggestions in the past that I would like to hear feedback from the AP on and to hear feedback from the Gulf Council on, and so, in the past, we have heard possibly implementing a trip limit during the spawning season, the spawning season being May 15 to July 31. Another option that we heard was a trip limit step-down after 75 percent of the quota was met, and that was another option that was brought to us.

There was also an option that tried to get at these two different types of fishermen, and so a limit for people that aren't necessarily full-time fishermen that, in the past, was suggested as either 400 or 500 pounds, and then what they're calling multiday fishermen, which would require a VMS, and it looks like that was suggested as 3,500 pounds per week, and so I didn't dream up these options, but they came from the AP in the past or from Bill Kelly and some of the letters that he had sent to the council in the past, and so I'm just throwing those out there for discussion, and I hope that the AP can react to these. I don't know if you need more specifics on some of these options, Myra.

MS. BROUWER: I appreciate that, Jessica. This is very helpful, and I think it gives us a good bit to go on. If I do need clarification, or any additional information, I will just reach out to you, if that's okay.

MS. MCCAWLEY: That sounds great. I saw Laurilee put her hand up.

MS. THOMPSON: Are these the only options, the only two options, that we have, either no action or this percentage that's here, because it looks like -- It looks like the recreational -- They're not going to experience any -- Under Option 2, they're not going to experience any closures, and

they're not going to come close to getting all of their fish either, yet the commercial is going to be closed every year. Why would we give the commercial less fish and take those fish away from the public and the recreational aren't projected to catch all of their fish? I don't understand.

MS. MCCAWLEY: One thing that we could do is you could go back to -- Let me see which action it is. I think it's 3, and you could add more options for the changes to sector allocation and change up those percentages, and that would allocate more to commercial versus recreational, and so what I would suggest is adding another option there that allocates, and it looks like Myra is getting it on the board there, exploring additional options that would allocate more to the commercial side, and this is a good point, Laurilee, because this was something that Bill Kelly and others had been asking about for years, because they were experiencing those closures.

I will also remind folks that we also changed the start of the fishing year, so that, if there was a closure, it would happen during the spawning season, et cetera, and so just reminding us kind of where we're been here, but it looks like we have some direction to staff that would get to what you're saying there, Laurilee, to explore an additional option that would allocate more to the commercial sector. Does that capture it?

MS. THOMPSON: Yes, and especially trying to reduce some of the fishing pressure on these fish when they're spawning, and so thank you very much.

MS. MCCAWLEY: All right. Go ahead, Myra.

MS. BROUWER: Just a clarification. I mean, I understand the intent, but it would be really helpful for the IPT to have some idea of what "more" means. I mean, are you intending perhaps to look at options that would allow for no in-season closures for the recreational sector, I mean commercial sector, or some kind of a bookend, I guess.

MS. MCCAWLEY: Yes, and I think that would be more options that would not result in early closures on the commercial sector. Okay. While you're typing that, I'm going to go to Mel.

MR. BELL: I was just going to respond to the list you had going there of things that you brought up that we've heard in the past, and I am just backing you up, in that what I have noticed, over the years, is it's kind of a complex fishery, and you're right that you have the part-timers, sort of, versus the full-timers, and that comes up over and over and over again, and we hear that, and so I think that would be good to take that list you had to the AP and get them to weigh-in on that, and I'm fine with adding this additional option here that we discussed, if we want to explore that as well.

MS. MCCAWLEY: Okay. That sounds great. Then, Myra, I have a question. Then, if we want the AP to provide input at their October meeting, then do we not want to approve this for scoping, because we would want the council to hear the AP's feedback, and maybe narrow down or consider other alternatives, and then go to scoping?

MS. BROUWER: That is entirely up to you, Jessica. I think that's fine. I would just remind you that the assessment is getting pretty old, and so there is a certain -- I don't want to say urgency, but the terminal year was 2017, and so that's the only thing that I would just want to make sure

that I bring up for your consideration, but there is, obviously, no deadline, and we can shift the timeline as you see fit.

MS. MCCAWLEY: The other thing I was going to say is it's also got to go over to the Gulf, and let's go to Monica.

MS. SMIT-BRUNELLO: Just, if you keep this as a joint document too, you will see that -- I guess this goes back to the allocation, and sorry I was a little bit late, but you will see that the Gulf Council does not allocate between the two sectors, the commercial and recreational. They just keep one total annual catch limit.

MS. MCCAWLEY: Thank you for that. Another thing I just saw, Myra, and so the Snapper Grouper AP meeting is the week before the Gulf Council meeting, and so I'm wondering if maybe we can maybe have some of that feedback from our AP that the Gulf Council could react to, and maybe not approve this for scoping by the South Atlantic yet, until we hear back from both the AP and the Gulf?

MS. BROUWER: That sounds perfectly reasonable, and, as Monica said, and, if it's okay with you, while I've got the mic, thank you, Monica, for pointing out that the Gulf Council does not have sector allocations, and they also have a different process, it seems, for setting ABCs, and so continuing to move this along as a joint amendment may pose some challenges, and so I will just throw out that you also have the option to separate the amendments and kind of have them going in different timelines, with the understanding that there is going to be still a lot of collaboration with the Gulf.

MS. MCCAWLEY: I didn't know we had the possibility of separating it out and moving the South Atlantic pieces separately. Let's go to Andy.

MR. STRELCHECK: Two comments. One, I guess I'm confused, with regard to delaying scoping versus proceeding with it. I guess I view that the AP and Gulf Council could meet during the scoping phase, and then all of that would be returned to us at the December meeting, rather than having to hold off until December and then moving forward with scoping thereafter. I guess that would be something maybe that Myra or John could weigh-in on and the nuances there of proceeding now versus proceeding later.

Then, in terms of what you're requesting feedback on from the APs and others, Jessica, I'm okay with that at this stage. I do have some kind of general concerns about step-downs, and I think limiting participation, or trip limits, for part-time fishermen -- The devil is in the details there, with regard to how we then define the universe of participants and make those distinctions through endorsements or everything else, and so I'm not sure if we want to provide a little more specificity to the AP to weigh-in on this, or provide the general bullets that you requested feedback on now, and then wait to see, obviously, what they bring back to us.

MS. MCCAWLEY: Thanks, Andy. John.

MR. CARMICHAEL: Thanks, and to sort of follow-up on what Andy said, I, philosophically, tend to favor scoping sooner rather than later. It gives you a chance to maybe hear about ideas the public has and how they feel about things before the council goes too far and starts putting ideas

in everyone's head and starts potentially putting things out there that just get reacted to, as opposed to getting some feedback on potential solutions.

MS. MCCAWLEY: Okay. I like that, and so, if we're good with it being in somewhat of this rough shape and still going to scoping, I'm good with that, and so I'm good to move this amendment on to scoping, as long as it's still going to go to the AP and still going to go to the Gulf. Myra, would you -- Do you want guidance, or do you want a motion?

MS. BROUWER: I started typing guidance, but a motion is fine, too.

MS. MCCAWLEY: I am fine with guidance if you guys are.

MR. CARMICHAEL: Yes, we're fine with guidance. It can definitely, Jessica, as you said, still go out to the AP and the Gulf Council and everything. As Andy had kind of alluded, these paths can run parallel, which maybe you think about that in snowy, when we come back around to looking at our workload.

MS. MCCAWLEY: Got it. Okay. We have guidance to take this out for scoping and obtain feedback from the AP, our AP, and then the Gulf's Reef Fish AP and the Gulf Council. Mel.

MR. BELL: I was just agreeing, and we're going to have a lot of input then in December, and just kind of working this thing at the same time. It will be fine, and I am sensitive to John's comments on all of this, the keeper of the spreadsheet of activities.

MS. BROUWER: I have one more question, if you don't mind. This bit about VMS requirement, I think that may require a little bit more clarification, and would this be for vessels that are permitted for both the South Atlantic and the Gulf?

MS. MCCAWLEY: Yes, that's my understanding about where that requirement came from, because it appears that most of the folks that are taking these multiday trips and are focusing their efforts just on yellowtail are dually-permitted vessels, and so I think it's okay to mention that, but I think that adding that in, and then we can still get feedback from the APs and the Gulf Council about all of that, but I believe that that original idea came from people that were dually permitted.

MS. BROUWER: Okay. Thank you for that. I know that VMS causes some consternation.

MS. MCCAWLEY: Myra, do you need anything else here, or does the committee want to have any more discussion on yellowtail? All right. I don't see any more hands. Myra, do you need anything else?

DR. SCHMIDTKE: Jessica, Myra lost internet, and so I think that we are -- I think we're done with yellowtail though.

MS. MCCAWLEY: I think so too, and, as long as you're ready, I think we're ready to move into red snapper.

DR. SCHMIDTKE: Yes, and I can get setup, really quick. Give me a couple of minutes.

MR. CARMICHAEL: Jessica, do you want to take five? This might be a long discussion.

MS. MCCAWLEY: Yes, please. Let's take five minutes.

MR. CARMICHAEL: That will give Myra a chance to get back up.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: All right. I think we're going to start on red snapper, with Genny, and she's going to talk to us about what the SSC did since we met the last time.

DR. NESSLAGE: Thank you. I have two things to update you on. The first are kind of the assumptions and the decisions that the SSC made regarding projections used to make the recommendation for ABCs, and then the second thing that you asked us to do was to review the red snapper percent spawning potential ratio assumptions that are used in the rebuilding plan, and so I can report on that as well, but I will start with the projections, if that's okay with everyone.

This is all the results of our discussion from our July meeting that was pretty much dedicated to reviewing red snapper issues, and so the red snapper projection assumptions that are used to set the ABC and make our recommendations regarding catch levels are pretty complicated, and there were a large number of issues that we had to sort through.

I'm going to talk about four biggies that we tried to tackle at that meeting, and the four issues that we tried to sort through had to do, first, with discard mortality and the way that that's calculated and the assumptions that are made in the projections. Then we talked a bit about the timeframe assumed for future recruitment in the projections, which I believe we all talked about at the last council meeting as well, and then the third issue has to do with how discard mortality is incorporated into the projections, and it's kind of a technical detail, but it ends up being important, and then, also, we talked about whether or not the discards that are achieved through additional descender device usage should be shifted to landings.

I will go through each of these issues one at a time, and so I guess let's start with the next slide and the issue of discard mortality calculations. This is a bit of a complicated slide, but I will basically summarize by saying that the SSC had been pretty confused, in our spring meeting, about exactly how the discard mortality and the assumptions about how future descender device usage was being incorporated into the calculations, but the good news is that we got a great presentation from Julie Vecchio, and we ended up being very supportive of the assumptions in the modeling that was used to come up with those estimates of discard mortality and how that changes over time in our future projections.

In summary, the confusion that had been there was clarified, which is great, and, ultimately, the SSC agreed with the assessment panel's assumption, and that had to do with what percent change in the model used to estimate discard mortality occurs when you move fish from kind of the impaired state, or the vented state, to assuming that they're being descended instead, and so the SSC was supportive of the information that's provided in that working paper, and, ultimately, the discard mortality calculations that were performed, and so that was good, and we appreciated everyone's participation in that, making sure that folks were all onboard with what was done.

A couple of things that the SSC wanted me to communicate to you, and, despite all the discussion and the uncertainty around discard mortality, one of the interesting sensitivity runs that the lead analyst, Kyle Shertzer, had done indicated that the discard mortality assumptions, within the range of what they explored in the assessment, didn't really seem to have a huge impact on the outcomes, and so the range of uncertainty that is being incorporated in those projections indicates that, ultimately, the results shouldn't change too much, and so we were pretty comfortable with what the assessment panel had settled on.

Then the group -- We talked a lot about how to estimate discard mortality, the studies that are out there, new information that's going to become available in the next few months and years, and we highly recommend that the discard mortality calculations and the assumptions, and particularly any new information that's being gathered and that we know is going to be coming out regarding descender device usage, should definitely be updated and reviewed and used in future assessments, and so that's the summary of our discussion regarding discard mortality calculations used in the projections.

The timeframe that was assumed regarding what years of the assessment model estimates of recruitment -- Basically, let me take a step back. When you're doing your projections, you have to make an assumption about what recruitment is going to look like, moving forward, and that's always one of the really difficult things we have to do when we do these projections and try to make a recommendation about catch levels.

Initially, when we were presented the assessment and we started to discuss what the ABC might look like, we were presented with kind of a short-term recent recruitment option for the projections, where we assumed the most recent years of high recruitment were to continue into the future, and then we were presented with a long-term average, using all the years, the really low ones and the really high ones and everything in between.

Initially, we had suggested that the long-term average be used, given those two options, but then the council, at your last meeting, had recommended that perhaps we consider something in between, perhaps a ten-year recent average, and, after much discussion in general, the SSC was supportive of using this alternative recruitment assumption that the council requested that we take a look at, and so this is assuming that, moving forward, there would be a recent mean observed recruitment from our estimates from the assessment from 2010 to 2019.

The SSC, in general, felt this was a nice compromise, and this scenario takes into account a lot of the variability that we think has occurred in red snapper recruitment. It includes some of the highest values on record, and some low values, as well as some values in between, and so this seemed to be representative of the range of recruitment that's been occurring in the last ten years, and so we felt that that was a good option, moving forward.

However, the SSC did caution that there is -- This assumption, like all of the assumptions that we use in these projections, has benefits, pros, and it has cons. We talked about this quite extensively, and not everyone was completely comfortable, I should say, or not everyone felt that this completely captured all of the uncertainty in what recruitment might look like for red snapper moving forward, and so there's a number of cautions that I will share with you that they wanted me to express, the first being that there's really no theoretical support for assuming that there would be continued high recruitment, even over the next five years.

There is no apparent stock-recruitment relationship for red snapper, and there is -- We really lack the ability to predict future recruitment, and we didn't really see this new recent high recruitment coming, and we're not sure why it's happening, although the SSC did mention that the recent management restrictions have likely contributed to the increased recruitment that we've seen in recent years, but there is a high degree of uncertainty in what's going to come next, in the near future, and any of our recruitment assumptions come with that caveat.

The high recent recruitment may not be expected to continue, even in the near future. There's still a lot of discussion about the possibility that this could be a response to the previous low stock size, and it might not be continued in the future. It could also be recent positive changes in the environmental conditions that have allowed for good recruitment, but that might not continue in the future, and so, all of that being said, we just wanted you to know that there's a lot of uncertainty in what red snapper recruitment is going to look like, but we did agree with the council that the ten-year average recent recruitment was a reasonable assumption, moving forward.

The third issue that we discussed was the method for incorporating discard mortality in the projections, and this is a super kind of technical detail, and I won't go into the gory details, unless folks are really interested, but, basically, the Center had proposed what they call a mixed approach to incorporating the more recent changes in what we anticipate discard mortality is going to look like with the new regulations regarding descender device usage.

We talked a lot about this and how it might impact the projections and what might be the most appropriate approach, and, ultimately, the SSC supported the Center's suggestion to use this mixed approach, because it uses the prevailing conditions, and so, in other words, it incorporates the new requirement to have descender devices onboard, and it prevents kind of the goalpost from changing, as I think John Walter pointed out, and so it's nice in that it doesn't penalize the fishery for attempting to reduce bycatch mortality, which is something we want to encourage, and so that's kind of the summary of our discussion regarding discard mortality methodology. In general, we supported the Center's proposal to use this mixed approach.

Then the final issue that we discussed had to do with whether or not -- The Center's suggestion that we should consider shifting the gains in survival, in other words the gains that you might achieve by increasing the descender device usage, the number of animals that would now be surviving, as opposed to dying from either venting or impairment, once they've been landed, or handled, I guess I should say, on the boat, that maybe those animals that are now surviving, because folks are complying with the descender device usage requirements, maybe those should be moved to landings and allow the catch levels to increase.

The SSC had a lot of discussion about this as well. However, ultimately, we decided that the recommendation to shift the discards to landings was not recommended, because spawning stock biomass is still not at the level that the rebuilding plan would recommend, and it seemed counterintuitive to the SSC that we would increase landings, and so, in other words, dead animals that were harvested, while simultaneously attempting to reduce fishing mortality, which I'm sure you will be discussing extensively this afternoon, by -- Ultimately, it will be by about approximately half of its current level.

We suggested that shifting discards to landings is probably not a great idea, because it would offset the benefits of increasing the descending device usage, and, in that case, you would be delaying the -- I guess the benefits that you would gain from the increased descender device usage might not be achieved, and so you wouldn't be achieving your goals, given that new requirement.

Ultimately though, the SSC, and I think it mentions this in the assessment as well, that the -- We just wanted to highlight the fact that descending devices alone, while the use of descending devices, based on the literature and the recent studies that have been done indicate that this will help, that that regulation alone probably will not be sufficient to reduce fishing mortality to a sustainable level.

After all those discussions and our decisions regarding how the projections should be configured, ultimately, we settled on Projection Scenario 13, if you're examining Attachment 5. Again, just to reiterate, that's assuming the recent mean recruitment period would include the last ten years of the estimated recruitment, and we are suggesting going with the mixed approach to incorporating discard mortality, and then this would use F 30 percent and no reallocation of discarded animals to landings.

This option, this projection scenario, assumes a lower fishing mortality rate than the catch based on F rebuild, and, because of that, or, actually, I should say the other way around. The F rebuild assumption, or scenario, that matches all of those assumptions listed in the first bullet point, that actually ended up with a higher fishing mortality rate, and so we went with the F 30 percent. That left us though with a situation where we didn't feel that there was a need to add an additional buffer between the OFL and the ABC, and so that's not recommended, and so we're recommending the OFL be set equal to the ABC, or I guess I should say the ABC set equal to the OFL.

The SSC had a couple of other things that they wanted me to note. The first was that projections assuming mean recruitment over the last ten years, and so this new kind of recent period, indicate that the stock should rebuild more quickly than 2044, which is great. However, there were some concerns that uncertainty in recruitment, which I described before, may be underestimated, and so that may be a bit rosier projection than it may seem.

A couple of cautions about this recommendation. We are, as I mentioned, recommending that the ABC be set equal to the OFL. That means that there's not an additional buffer, if you will. Additional uncertainty, scientific uncertainty, is not being accounted for when we do that, and, if the council ends up setting the ACL equal to the ABC, then we would be basically setting the OFL equal to the ABC equal to the ACL for a species with a probability of rebuilding of 50 percent, and that is just so you are -- I'm sure you're already well aware, but the SSC asked me to remind you that this would be the riskiest action that the council could legally take, and so I will leave it at that.

I think the next slide is just a reference to our report, and I believe you have other documents that show the ultimate numbers for the ABC and OFL recommendations, but, if you're looking for the details, you find them in Table 1 on page 9 of our July SSC report, and I think that's it for our review of the projections. Do you want to go straight into the review of the percent SPR analysis as well, and just do that?

MS. MCCAWLEY: Sure. Go ahead, Genny.

DR. NESSLAGE: While I'm on a roll? Okay. The other task that we had for this meeting was to take a look at an analysis that the Center had done that was updated, and it had been done previously, for a previous SEDAR, but they updated it for this assessment, and it's basically looking at a range of different percent SPRs for red snapper and what that might mean, and we were asked to kind of determine or give our opinion on whether these different levels of SPR are properly accounting for the scientific uncertainty and the life history of the animal.

A couple of notes about the analysis that was run, and Kyle did a great job, and the SSC was appreciative of the work that he had done, and done very quickly, and kind of some assumptions here, and the analysis was based on the base run of the current assessment model, and so all of the assumptions that go into that apply here as well. Also, in order to do this type of analysis, you have to assume a stock-recruitment function, and he assumed a Beverton-Holt stock-recruitment model, which, as I mentioned before, is there's kind of weak evidence for that in this stock.

The results are also dependent on the assumptions that go into them, and, in particular, when you're talking about SPR analyses, you're talking about things like natural mortality and selectivity and fecundity, and so we're assuming that we know that well, and, in the past, I know we've warned folks and reminded folks that our understanding, in particular, about natural mortality for red snapper is kind of -- It's not as great as we would like, and so those are all the caveats for this analysis, but, in general, what we -- What the analysis concluded is that there's really no support for SPR levels lower than 30 percent. In fact, the analysis that they ran suggested that the SPR of 38 percent is probably a closer proxy to FMSY than our current assumption of F 30 percent.

Basically, what the analysis says is that the implied steepness -- In other words, how productive we assume this stock is, it was just unrealistically high at those really low SPR levels, and so this 28 percent, the 30 percent, the lower levels that were explored, it just says that the stock is unrealistically highly productive, despite even the recent high recruitment that we've all seen, and so the SSC also wanted me to point out a couple of things about this analysis.

The rebuilding under the SPR assumption of 30 percent indicates that F 30 percent may not be too low for this stock, but there was also an accompanying yield per recruit analysis, and I'm sorry that this is all super technical, but it does indicate that the yield doesn't decrease when you change from an SPR -- For instance, our current SPR 30 percent to a higher one, which means that, basically, if you went with a more conservative SPR level, like F 40 percent, you shouldn't see too substantial of a reduction in yield, and so that was good, but the SSC wanted me to point out that, in general, even though we are assuming, or using, an SPR of 30 percent, 40 percent is more widely used as an FMSY proxy, at several of the other councils.

That being said, they also have long-lived species that they are trying to manage, and not all of them have early maturity, like we do here, of their long-lived species like red snapper, and so it's a bit of a conundrum, but, overall, the analysis seemed to indicate that an SPR of 30 percent is probably not the ideal proxy for FMSY, and that it assumes the stock is very productive, perhaps even more so than we've seen recently, which doesn't seem very realistic, and so either there is a disconnect or there are assumptions going into this that aren't quite correct or we possibly may be using too low of a percent SPR for this stock.

The SSC recommended that this analysis though be repeated with future stock assessments, because, as new information comes in, and our understanding of the life history of this animal improves, and we get more and more years of information about the stock-recruitment relationship, this analysis should start to shed even more and more light on what the appropriate percent SPR should be for this stock moving forward, and I think that's all I had for my report, but I am happy to answer questions.

MS. MCCAWLEY: Thank you, Genny. Let's take any questions that we have for Genny. All right. I don't see any hands. Thank you so much for that report, Genny. Sorry. Dewey.

MR. HEMILRIGHT: Thank you, and thank you for the report. I was wondering how is the estimation being used to develop on the amount of gain by using descending devices. Is it like fish get tagged, and use a descending device, and then they're caught again, and you get an idea of just how much savings you get from it? I'm just curious how to judge by what you gain from using a descending device. Thank you.

DR. NESSLAGE: Sure, and so I'm not sure I'm the best person to give all the details, but I will say, at a very high level, that that was what we spent quite a bit of our meeting talking about, because the SSC was unclear on exactly how it was done for this assessment as well, but there is a very detailed working paper on this.

Basically, they created a model that goes through and tries to use the existing information that we know from tagging information about survival of vented or impaired animals at different depths and whatnot, and what percentage actually aren't experiencing, for instance, for barotrauma. Then they basically go through and say, well, what if you increase the percent of animals for which you use descending devices, and I think they went from like 25 up to 75 percent, and it might be higher, and I'm trying to remember exactly the range. They went up to 100.

Basically, they go through and they iterate and they say, well, okay, what if 25 percent of the vented animals end up descended, what if 50 percent of the impaired animals, and you start moving them into those different categories, and, based on assumptions about their survival, given whether they are vented or just impaired in some way and sent back overboard, or descended, then they basically go through and calculate what the expected mortality rate would be. That's a very high-level, generic answer to your question, but, basically, it's a nice model that they put together based on the existing information that we have out there about survival rates. Did that answer your question?

MR. HEMILRIGHT: Well, yes. It does, but it just seems like there's a lot of assumptions in the model, but thank you, and it helps. Thanks.

MS. MCCAWLEY: I have a question for you, Genny. How confident can you be that overfishing is really occurring? In other words, what's the degree of confidence in the F estimates for the assessment?

DR. NESSLAGE: Let me go back and look at -- That's a great question. I am trying to remember, off the top of my head, and now I'm trying to find the assessment, what the distribution -- Give me one second, if you don't mind. In the assessment, he has figures of the probability of being

overfished, basically, and does anyone on staff have the assessment up? It might help. I am trying to find the right -- Sorry, Jessica. You caught me off-guard on that one.

DR. SCHMIDTKE: I have the assessment up, for a visual, if you can give me a page number, when you find it.

MR. CARMICHAEL: Page 163 has the F relative to the benchmark.

DR. NESSLAGE: Does it include the MCB?

MR. CARMICHAEL: Yes, that's from the MCB.

DR. NESSLAGE: There we go. So that's -- Thank you very much. What this is showing is the F relative to F 30 percent, and so that straight line there is you don't want to be above it, right, and so the gray bars indicate, from the uncertainty analysis, kind of what the upper level and the lower level might be. What I look for is how close is that lower level to the line, and where is the base run, the dark dots and lines, relative to the line, and so it's actually -- It's not crossing over the line, which indicates we're fairly certain. Does that give you a visual and an answer, Jessica?

MS. MCCAWLEY: Yes, that helps. Chip, I don't know if you wanted to go, before we went to Andy.

DR. COLLIER: No, and I think that was a better illustration of the uncertainty associated with it. I was going to say that the Shiny app also has some information in there, but it doesn't have, necessarily, the uncertainty associated with it, and I have posted a link to the Shiny app for red snapper in the question log, and I think it might be going out to the public in a second.

MS. MCCAWLEY: Great. Thank you, Chip. Andy.

MR. STRELCHECK: My question might not be best directed to Genny, but I will go ahead and ask if it of her first, and then others can weigh-in. Similar to Jessica, and not so much in terms of maybe your confidence, or certainty, with regard to whether overfishing is occurring or not, but what we do know is that discards are largely driving the overfishing, and so you had mentioned, in your presentation, that discard mortality was not an influencing factor with regard to kind of projections outcomes with different discard mortality levels, but, kind of the same vein as what Jessica was asking, what about the actual absolute magnitude of discards, especially given that we have now included the MRIP-FES estimates, which are two to threefold larger than previous discard estimates we have seen in this fishery?

DR. NESSLAGE: That's a great question. I think that bullet point was in reference to one of the sensitivity runs that Kyle ran, and I think it was -- Let me double-check here. Basically, they ran an alternative version of the assessment model where they assumed the recent discards were low.

MR. CARMICHAEL: Look at Figure 52.

DR. NESSLAGE: Yes, and it was Number 13. Discards starting in 2010 and adjusted downward to 10 percent of their observed values, and so let's say we're off by a lot, right, and thank you, John, again, for finding the right figure quickly. If they were as low as 10 percent of what we think

they are, then this red line is indicating then that we wouldn't be overfishing, but, if you scroll down a little bit more, we would still be overfished, and so 10 percent of our current estimate -- If we think we're off that much, that's kind of what it would take to say we're really that much off in our estimate of stock status. Does that give you the answer you're looking for, Andy?

MR. STRELCHECK: Yes, and this is great. I hadn't seen this in the report, and so I appreciate you pointing it out.

MS. MCCAWLEY: All right. Laurilee.

MS. THOMPSON: All right. I am going to show my ignorance at just coming into this ballgame here, but I have to say, when I looked at Table 1, I was horrified. Horrified. How can this be? We get to land 25,000 fish and throw away 195 fish, and what a waste of the resource. It's insanity, and so why can't we -- I mean, you're counting the dead fish anyway, and why can't we let the people keep them and let the recreational fishermen keep one or two fish and let the commercial fishing industry keep some fish and start trying to use our heads and figure out how to make this work, and so what if you did something like close -- The recreational fishermen are mostly out there on the weekends anyway, and so just close snapper, red snapper, fishing during the weekdays and let the recreational people keep a few fish on the weekends.

You're counting them anyway, and let them keep them, and maybe they would be happy if they could keep one or two fish, and they would quit trying to catch a grouper. They may say, oh my gosh, I got one or two snapper, and I'm going home, instead of keeping on trying to fish on top of a rock pile to catch a grouper and throwing snapper back into the sharks.

We're supposed to be managing the fishery, and, in my opinion, this Table 1 that I'm looking at is a horrible example of managing a fishery. There has got to be a way that we can let people keep -- If we're counting the fish anyway, why not let people keep them, instead of throwing them back in for the sharks, and maybe -- Then figure out ways to reduce the effort on these fish and come up with some creative ways to do that, and I would say leave the for-hire charter -- Let them fish during the week, and don't bother them, but just try to figure out how we can do a better job of managing the recreational fishermen, so that people can start keeping some of these fish. Thank you.

MS. MCCAWLEY: I appreciate that, Laurilee. I think we're going to get into those discussions in a minute. I'm trying to figure out if there was a very specific question for Genny in there, and I'm not sure. It seemed like it was more on where to go in the long term. Another question I have, Genny, is that the estimates of red snapper landings that are coming from the mini-season surveys that are conducted by the states, we're using that state information, but the year-round estimate of discards is coming from MRIP, and so can you explain how the assessment model is resolving that discrepancy of using these two different data sources, and have these state surveys been calibrated?

DR. NESSLAGE: That is far more technical of a question than I remember all the details from the stock assessment. Is there any chance that Kyle is on? Probably not. I would hate to say the wrong thing. Perhaps someone else who was involved in the assessment panel. Sorry. I'm phoning a friend here, because that is very detailed.

MS. MCCAWLEY: That's okay. It looks like John is going to weigh-in.

DR. WALTER: The words “calibration” and “state surveys” came up, and could you ask the question again, as to what specifically it was, and we’ll try to get the answer?

MS. MCCAWLEY: Sounds great. Thinking about, when we do these mini-seasons, the state folks go out and do this really targeted survey effort, and they collect the data during those mini-seasons, yet, outside of the mini-seasons, I think that you guys are using the MRIP estimates for discards, and so how, in the assessment model, do you resolve the discrepancy of those two different data sources, and have you guys talked about calibrating between those two different data sources?

DR. WALTER: I am going to have to dig deep, and perhaps phone a friend as well, since I wasn’t at the data prep when that was done, and see if Kyle is there, and I appreciate the clarity of the question. Kyle, do you want to chime in? I see he’s texting me here. I believe, in the mini-seasons, we do use the Florida state survey data, and then, in the closed seasons, that’s modeled as a different fishery, and so that comes from MRIP, which means that there is no real calibration necessary, because they are separate fisheries in the model.

MS. MCCAWLEY: Okay. I am going to go back to Laurilee, to see if she has a question for you guys.

MS. THOMPSON: I have one for Genny now. Why does the SSC not recommend turning the discards into landings?

DR. NESSLAGE: Great question. There are a couple of things that we were concerned about, the first being uncertainty in how the fishery, the anglers, would respond, and so the practical -- It sounds easy on paper. When Kyle just magically turns the discards into landings, that seems really nice, but the devil is in the details of how that management would be implemented and how the fishermen, or the anglers, would respond, and so there’s just so much uncertainty in whether or not those animals that are surviving now, because of descending devices, whether those same ages and sizes at certain depths and whatnot, the whole composition of the selectivity of that fishery, how that would translate into the animals that are actually landed, and we just have no idea how that would work and how that would pan out.

We felt that what Kyle had done, while a noble attempt to try and simulate that, is just too big of an unknown. Perhaps, in the future, if there was more specificity in what the council was interested in exploring, that’s something that we could work on with the Center, but I think, at this point, given what we were presented, there’s just too much uncertainty in whether or not and which of those animals would actually end up alive. Does that answer your question?

MS. THOMPSON: I guess so, kind of. In my mind, this looks like, instead of fisheries management, it’s we’re being bullied by politics. I mean, your response is how would the fishermen respond. Well, that shouldn’t be -- That shouldn’t be a big thing of what we should be worried about. We’re supposed to be managing the fisheries, and allowing 200,000 fish to be wasted, in my opinion, is not managing the fishery. I think we’re being driven by politics.

DR. NESSLAGE: If I could follow-up as well, Jessica?

MS. MCCAWLEY: Go ahead.

DR. NESSLAGE: Just a couple of other things that I should have mentioned. One is that the -- I think there was general -- I am just communicating the general feeling, or I guess, the opinion, of the SSC, that we are still in a rebuilding phase, that there's going to be -- If this recommended ABC moves forward, there is going to be a huge cut, and it just didn't seem to make sense to increase the landings when we're trying to decrease the landings, given all the uncertainty in what animals would actually up landed.

I think that some folks had mentioned, from a socioeconomic point of view, that this might actually incentivize increased landings, and, given all of our uncertainty still in how much descender device usage is actually going to happen, there was that concern as well. We hope that everyone is compliant and that the success rate of those descender devices is as good as the initial studies are indicating, but there is still a lot of uncertainty around that, and so we might not achieve what we think we're setting out to achieve with that assumption, but I would say the SSC would agree with you completely that changing the way the effort is applied and reducing these discards in some fashion would be a huge boon to the stock, and so I think they would completely agree with you on that front. Thanks.

MS. THOMPSON: Thank you.

MS. MCCAWLEY: Let's go to John, and then we'll go to Spud and Andy.

MR. CARMICHAEL: Thank you, Jessica, and, Laurilee, that's a very good question, and I'm glad that you're asking that, because it does highlight one of the challenges that we face in this stock, and it was -- For the council members that were here in June, recall, when we discussed the assessment, the point came out that you're dealing with really a snapper grouper fishery here, and that's part of the issue, and it's not just a stand-alone red snapper fishery, and so a little defense of the SSC.

The reason the SSC really can't just say, well, you know, council, don't have those fish killed by discards and just move them all into landings, is that the SSC needs to provide the council information on the management program that the council has chosen, and, in this case, the council has made choices relative to the greater snapper grouper fishery that result in the situation that we're now discussing on red snapper, with the preponderance of the available production of the stock going to the discard losses, and it's because of allowing the snapper grouper fishery, encouraging the snapper grouper fishery, 365 days a year, but only a few days of harvesting red snapper, as we discussed last time.

The council, in the past, has had very, very heated -- That became political situations when it has discussed things like seasons and area closures, et cetera, and so, yes, that's why the council is where it is now, but it doesn't mean that it can't change, and it's just a matter of the council finding some other way forward to deal with this much bigger situation that you face with a multispecies fishery and a resource that's growing and abundant and accessible and available and quite aggressive when it comes to being caught.

MS. MCCAWLEY: Thanks, John. Spud.

MR. WOODWARD: Thank you, Jessica. Genny, I ask this question as much to help maybe some of our new members kind of understand this, but, if you look at the graph that's on the screen right now, you have got an inferred level of abundance that existed from 1950 up to 1980, and am I correct then that that is sort of a theorized and inferred level of abundance, and it wasn't actually a measured level of abundance, based on empirical data, and so, when we are looking at the stock size now, relative to that, we're looking at more empirical-based estimates of stock size post-1980, but we're looking at sort of inferred stock size previous to that, and is that a correct statement?

DR. NESSLAGE: It's close, given that I'm always going to be super -- Try to be as super technical as possible, and so we do have landings going back to the 1950s, and so that's where some of that information is coming from, regarding total removals. The age comps and the indices that we use in the model, the surveys and the CPUE, go back only to the late 1970s and early 1980s, if I remember correctly, and so, yes, there is some inference, in the sense that the model is back-calculating that, well, if you remove that many animals, and given the age composition that we observed in the late 1970s and early 1980s, then it had to have been this high back then.

Inferring maybe isn't the right word, but it is essentially back-calculating, if you will, what the abundance had to have been, and none of this is direct observation, and so I would say we don't really have any estimate of what I would call an empirical estimate of abundance, like from a tagging study or an acoustic study, where you're estimating total abundance from a study, and this is all using data, catch-at-age data, and indices of abundance that kind of track the trends in the stock over time, to try and figure out what the total biomass was and what the fishing mortality was. Is that an answer to your question?

MR. WOODWARD: Yes, I think so, and, if you don't mind, Madam Chair, a couple of follow-ups. Going forward, the management goal is to rebuild the stock to a level of abundance and an age structure, and I assume I'm correct that we are using an age-structured model in the assessment process, and I am just curious -- You know, you obviously -- I am far from an expert on red snapper, and I will be the first one to admit that, but, what little bit of reading I have done on it, obviously, there's a strong fecundity-size relationship, and there is some age-fecundity relationship, as it manifests itself in age as it relates to size. I'm just curious. If we were doing a length-based approach to rebuilding the stock, would things be different than what we're seeing now?

DR. NESSLAGE: A length-based. So, given my experience with lobsters and length-based assessments, it doesn't necessarily solve all your problems. In fact, it creates new ones. In particular, probably, given how much the stock has been exploited in the past, and is in the process of rebuilding, I think you've probably got time-varying growth in there, and so that's just a technical caveat, that I'm not sure that would be a panacea for you, but I think what you're really getting at is, is the fecundity-at-age relationship that we're assuming -- That we're assuming in the assessment and that is leading to our goals for how much we need to rebuild the spawning stock, is that solid, right, and is that really what you're asking, is how confident are we in that fecundity-at-age relationship?

MR. WOODWARD: That's part of it, and I think the other thing that's perplexing to the fishing community is that we keep telling them that we've got to rebuild the population back to a level of abundance that is comprised of a variety of age classes up to, presumably, the known maximum age for the species, and so there's a lot of reproduction going on right now, and it's coming from

somewhere, and so I think, when we try to reconcile this and explain it back to the fishing community, it's hard for them to understand that this high level of abundance that they see now does not equate to a satisfactory amount of spawning output, and so, I mean, obviously, you can catch twenty-five-pound red snapper right now that are not thirty-four years old. They may be ten or twelve, and so it's a little bit of a conundrum, when we try to bring this back down to the level of why are we doing what we do to try to rebuild this stock.

DR. NESSLAGE: I think the SSC, when we reviewed the assessment -- I think it might have been my last report to you, but I think we recognized that this is very difficult to explain. We've got very high abundance, but it's mostly younger fish, smaller fish, than the -- I guess I should say the age composition is not as filled out as, theoretically, you would want for a rebuilt stock, where you feel like you're in the clear, and you're safe, and now you can start opening up fishing widely again and not have another collapse or another situation where you end up in another rebuilding plan, which is what no one wants.

I think the SSC is banking, or I guess using the previous knowledge we've had from other stocks around the world, where, when you have a stock that's been highly exploited, they often respond by maturing sooner and growing faster, and then you end up with a lot more younger fish in the population initially, but that doesn't always last, and so, as the stock starts to expand in the age structure, you get more bigger spawners out there, and you don't -- You start to see the composition of the stock change, and so the point being that that's a dangerous position to be in, because you might not get that sustained recruitment that we're seeing now, and that's where we're highly uncertain as to what would happen going forward if we keep the stock with this current high abundance, but the stock is primarily composed of younger fish.

MR. WOODWARD: Okay. Thanks. Madam Chair, just one more, and this really isn't so much for Genny, as it's kind of a follow-up on the MRIP question, and that is that I'm just curious. Is there any validation process used to evaluate the estimates of discards? Obviously, that MRIP-based estimate of discards has a tremendous effect on our management, and I am just curious. I mean, this recall dockside and that sort of thing, and I'm just curious, and is there anything used as any sort of validation? I am guessing the answer is no, but I have to ask the question.

MS. MCCAWLEY: Genny, are you going to take that one?

DR. NESSLAGE: Sorry. You're asking me if there's a validation of -- My apologies.

MR WOODWARD: That's okay. I don't know that it's necessarily in your wheelhouse, and I was maybe hoping there would be someone on the webinar from NMFS that might could shed some light on that, and, if there's not, that's fine, but it's just a question that I've had for a while, and I'm just curious.

MS. MCCAWLEY: Thank you, Spud. Andy, you had your hand up a minute ago. Did you have something?

MR. STRELCHECK: A lot of the things that I was going to mention have already been stated. I guess just a couple of comments, based on the conversation now. Spud, you made some really good points, and I think the crux of the challenge for us, in terms of explaining this -- Be careful intermixing the use of abundance and biomass, and so graphics like we have on the screen are

biomass. Abundance is near-record levels, as best I've seen, in terms of the assessment, but, as Genny was pointing out that, age structure has yet to fill in, and so the biomass is still well below, obviously, our rebuilding target.

Kind of more broadly, kind of stating that, I think that's one of the challenges we're faced with in the Southeast right now, is this kind of disconnect between the Magnuson Act and what we're required to do in terms of rebuilding to maximum sustainable yield levels and kind of the goals and objectives of fisheries, and, in particular, kind of the differences in objectives and goals between the commercial and the recreational sector, and so you see this disconnect between trying to rebuild to maximum sustainable yield, but this huge desire for access, and, obviously, the challenges with discards that have been pointed out.

In terms of Laurilee's comments, what has gotten me thinking here, and she's dead-on, and I'm glad to have a new council perspective, and we need to turn this pile of discards into more landed catch and reduce the discards, and so how do we do that? How do we go about doing that? We talked, at the last meeting, about kind of short-term versus long-term management approaches and kind of looking at that, with the short-term being addressing the catch limits and allocations and the long-term looking at a broader solution. I am almost thinking now that we need to meld those together into a mid-term solution, and so that's something we can talk about later today.

Then just the last general comment, and I wanted to thank Genny and the SSC. I feel like you did a great job of managing the conversation during the last meeting and trying to achieve consensus throughout the meeting and addressing a lot of the comments and questions and input that the council provided, and so I just wanted to thank you for your leadership of the SSC. Thanks.

MS. MCCAWLEY: Thank you, Andy. Laurilee, did you have another question?

MS. THOMPSON: Yes, and I want to thank Genny, too. I look forward to meeting you someday. I'm not mean, I promise. If you talk to people that have been fishing here for a real long, long time, they're going to tell you that we've always had an abundance of smaller, younger fish. We've got, right now, a bigger biomass than we've had in many, many years, and I've been doing this for a long, long time.

Is there a chance that the abundance is more important than age, because you can look at what success abundance has produced now, and is there a chance that some wrong assumptions were made out of the past age structure, and we're going down the wrong rabbit hole, because we've mischaracterized the age structure of the stock? Thank you.

DR. NESSLAGE: I look forward to meeting all of you as well, those who I haven't met yet, and thank you all for your kind words. Yes, it's definitely possible that our assumptions could be wrong, and it's definitely possible that we might be in a new era of red snapper life history, where they are able to maintain high abundance with a more productive younger population. They might be producing the same number of eggs even that they did before at-age, but the environmental conditions might be better now, and we just don't know, to be honest, but, given -- I will just give you the caveat, and this is why the SSC responds the way we do.

Given previous experience worldwide with other fisheries, especially long-lived fish like red snapper, this sort of thing doesn't always last, and so the one thing you know you can bank on is

having a good, wide age structure with a good proportion of older fish that you know are going to be good spawners when the conditions are right, and things will just synergize, and you will get those recruitment pulses that will feed you and support the fishery in the years when they're not in such great condition.

It's kind of, for us -- Fisheries science is kind of like Fisheries 101, and that's kind of the basis of our understanding of how to sustainably manage fisheries, and does that mean this is a brave new world that we're entering, where things are just changing and different? It's possible, sure, but our responsibility to the council is to give you our best understanding of the science as it currently stands, and that is that these assumptions that are made in the assessment are the best we could make, given the information and the data we have available, and this is our understanding of how fisheries respond, and so I wish I had a better, more satisfactory answer for you, but that's kind of where we stand.

MS. MCCAWLEY: Thank you. Judy.

MS. HELMEY: Thank you very much, and I love the way you talk about red snapper. I've been fishing for them for a long, long time. Off the coast of Georgia, in the Savannah area, we do have a lot of red snapper, and whether they're not -- Maybe they're bigger than -- Maybe they're young, and they're not producing, like you say, but, for the first time, I do believe that we really do have a very, very good stock right now, and that's just my opinion, based on the different-sized fish that we're catching now. I wrote something about it, and I showed pictures, of the different-sized fish that we caught on just several trips, from the smallest to the largest, and some of the fish that we catch do go to thirty pounds, and I know that has to be an old fish. They even look old, to me.

I think the bottom line of what I'm trying to get at is, number one, I like what Laurilee says about possibly doing something with the discards, because we're losing them anyway, and I have a hard time explaining to my customers why we catch forty fish, or twenty fish, or fifteen fish, and I try to move off of them, when I do catch them, and it's kind of hard to do, but I understand that you all are using the tools that you all have to try to figure all of this out, but I do want you to know that this area, off of Georgia, we just have a lot of red snapper, and I just wanted to go on the record saying that, and I wish that -- If someone would like to go fishing, I believe I could show them to you, but, anyway, thank you very much.

MS. MCCAWLEY: Thank you, Judy. I don't see any more hands, and so I'm going to assume that means -- Wait. Chris has his hand up.

MR. CONKLIN: Thanks. I mean, at some point -- Just because red snapper is closed, it doesn't mean that -- Because you can't harvest them, it doesn't mean that you can't catch them, and, unfortunately, we don't have a handle on how many people are actually going out there, like I was referring to earlier, in the private recreational sector, and, at some point, we're going to have to come across and -- I mean, we've beat our head against this, and asked for every which way, for years now, to be able to catch a damn red snapper, and it's not happening.

Now we're seeing reductions in poor stock status that's coming through all the rest of our bottom fish, because of the uncontrollable effort. At some point, we're going to have to explore other options on how to manage the fishery, if we can't get a handle on how many people are out there,

and perhaps institute some sort of a fishing season, much like a hunting season, for snapper grouper species.

I mean, if people want to be able to fish and have satisfactory catches and stuff, they might have to sacrifice some time, and that's the only way I see forward in solving this problem, with all the bottom fishing with the recreational sector. I just wanted to open up people's eyes and let them know this is probably what's going to have to come.

MS. MCCAWLEY: Thank you, Chris. I feel like we're kind of moving away from questions for Genny. I want to thank Genny for this presentation. Tim, is this a question, or are we going to get into what we're going to do to solve, because that's where we're going next, and so, Tim, do you have a question?

MR. GRINER: Yes, I do, and it's -- I don't know if she can answer it or not, but, right now, when our season is open, we have this hundred-pound limit, and so 100 pounds of fish, and we caught our limit every trip since it's been open, and, in our catch, on my boat, we have seen that, every trip, we have the entire range of sizes, and so, out of 100 pounds of fish, how many fish would you think should be a twenty-pound-plus fish, and how many should be a ten-pound fish, and how many should be a five-pound fish, because what we have observed, on my boat, is that it's almost a perfect mix, every single trip. We have twenty-plus-pound fish, and we have ten-pound fish, and we have five-pound fish, and four-pound fish, and so I'm just kind of -- Off the cuff, out of a hundred-pound box of fish, what should it look like?

DR. NESSLAGE: I don't know that I can answer that. First of all, when you're fishing, that's -- They are likely grouped together by size and age, and so I don't think that that's probably the -- That wouldn't be representative of the whole population structure, and so I don't think that I can really answer that adequately, but, if you're asking more like what should the population age structure be, I think we might even have -- I am trying to think if there's any visual that I can give you. Would that help, if we were to give you more of a population age structure visual, or you're just asking like what should you be catching?

MR. GRINER: No, and that visual would be great, because, for me, when you say that they're grouped together by size, they may be grouped together by size in the water column, to some extent, but, when you're catching all these sizes without moving the boat, then they're all there together.

DR. NESSLAGE: I appreciate the feedback of what you're seeing on the water. Our task is to look at the whole stock, from top to bottom, from shore to offshore, and so it's really hard to equate what you're seeing on any given trip to what we're trying to figure out is going on across the whole range, but I don't know -- Judd, you had sent me -- I don't know if this helps at all, but Figure 17 shows the biomass at age, and that's not the size, and I don't know what we have a size-at-age graph, but maybe this will help.

If size is related to age, which in theory it is, up to a certain point, this kind of gives you an idea of, historically, what the proportions might look like, and so if you imagine age up to -- I'm trying to remember where they level off, what age at they level off at growth, and so this is hard to equate, but it gives you more of an idea. You expect a lot more of the kind of younger to midsized fish, and the catches of big, older ones are going to be relatively rare, but, when you look across the

whole population, you would want them to look more like they did back in the 1970s and 1980s, more of the pinks and purples than greens and blues. I don't know if this -- I don't really have, as I'm scrolling through, a great graphic for you with size, because we don't do this assessment on a size basis. I'm sorry. Does this help at all?

MR. GRINER: It does. It does, but, still, I think it doesn't exactly relate back to size, like you said, and I think that's what you're looking for, is an age, but, in reality, at some point, they have matured, and so does that really matter whether it's an eighteen-year-old fish or a twenty-year-old fish?

DR. NESSLAGE: Those are two good points and good questions. In theory, if we understand their egg-bearing-at-age, the older they get, the more fecund they are, and so, even though you might have this one twenty-year-old, supposedly, she's worth a lot more, as far as contributions to the stock, than a whole bunch of age-fives, even if they are mature and producing, and that's kind of the theory, right, but I think the SSC pointed out, in our last presentation, that I don't know that we have this characterized really well for red snapper.

It's an area that would benefit from more research, and it's possible we're putting too much weight on those old fish, but, that being said, based on a wide variety of other fish with similar life histories, it's probably not too far off. Even though it may seem kind of silly that you're catching a bunch of mid and smaller-sized fish, that one big female could be a huge contribution to the population, especially when times are tough. It looks like the length-at-age starts to -- I am looking at a different graph, but it looks like the length-at-age starts to level off around age-ten-ish, and maybe Judd can help me out. I'm not a red snapper expert. Sorry, Jessica.

MS. MCCAWLEY: That's okay, and Judd has had his hand up.

DR. CURTIS: Thanks, Jessica. I just wanted to direct the council to the figure that Genny just brought up that showed the age compositions across the full time series, and so that was covered there. Then Mike has just pulled up now your mean total length-at-age for the population, and so that's all I wanted to do. Thanks.

MS. MCCAWLEY: Thank you. I think this has been a great discussion, and I appreciate all of Genny's help, and everybody else that chimed in to answer these questions, and there were great questions from the council members. Let's take a five-minute break. When we come back, before we get into this options paper, I am going to try to summarize, from the committee report in June, kind of where we are. I'm going to talk about what short-term actions have already been completed, talk a little bit about the assessment, and then I have some ideas of where to go next on actions, and so a five-minute break here, and, when we come back, we're going to transition away from this section, and then we'll go into what's our response going to be.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: It looks like most folks are back. Mike, can you pull up that document that I sent in?

DR. SCHMIDTKE: Give me one second, Jessica.

MS. MCCAWLEY: Thanks, Mike. All right. What this is is I took the June committee report and was just trying to summarize what short-term actions we've already completed and then, instead of that options paper, I put some actions in here for the committee to consider, including initiating a framework action that will deal with discards, but let me first just kind of talk about what we've already done that we talked about in June.

We just talked about what the assessment said, and then the short-term actions that we already completed is the SSC met in July and revisited the results of SEDAR 73 and addressed the list of items provided there, and we just talked about that, and Genny gave us a great presentation, and staff also developed an options paper for consideration, and so that was another item that we asked about, and that includes options to revise the ACL and the ABC based on the SSC recommendations and revise sector allocations to address revised MRIP estimates.

I was going to read a statement here about kind of how I see things, based on everything that's been in the stock assessment and the discussions that we've had and the results from the July SSC meeting, but I see some folks have their hands up. Is it okay for me to get through this, and then we can have a discussion about this points and then a discussion about next steps, Chris and Laurilee, or do we need to have a conversation right this second?

MS. THOMPSON: No. I leaned on my computer, and it raised my hand. I've got to put like a plastic cover over it or something, to make it stop doing that.

MS. MCCAWLEY: All right. Chris.

MR. CONKLIN: I got kicked off, I guess, on my phone, and I came back to my office and raised my hand, and I think the meeting was already underway, and so I apologize.

MS. MCCAWLEY: Okay. Thank you, Chris. All right, and so there's some bullets there on the screen, and I'm going to read from that as well. The council appreciates the efforts by SEDAR and the Southeast Fisheries Science Center to prepare the SEDAR 73 operational assessment and by the SSC to review the assessment results and develop fishing level recommendations. However, given the difficulties experienced by the SSC in evaluating the assessment projections and developing fishing level recommendations, the uncertainties in this and the prior assessments identified by the SSC and ongoing controversies with assessment results, the council questions whether a typical operational age-structured assessment is the proper tool for evaluating the red snapper stock and fishery, as it exists at present.

In addition to the uncertainties noted by the SSC in its report of May 2021, the council highlights the following specific items to support this position. The vast majority of fish removed from the stock by fishing activities are those discarded dead. Therefore, no age or length information is available to characterize these removals, as is required for supporting accurate stock assessments. Estimates of discarded fish are generally accepted as having higher uncertainty than landed fish, due to errors in identification and recall, as well as potentially intentionally misleading reports.

The private recreational sector is the largest component of the red snapper fishery, yet the short seasons over the past ten years prevent use of the primary survey, MRIP, to estimate landed catch. Consequently, data inputs for the landings and discards portions of the private recreational sector come from different surveys that use different methods, generating estimates that have not been

properly calibrated. Additionally, the data used to monitor landings and evaluate ACLs are not the same data used in the stock assessment.

Despite multiple benchmark assessments conducted since 2007, the assessment remains unable to estimate steepness, a critical parameter for informing management benchmarks and projecting future recruitment. As a result, management benchmarks cannot be estimated directly and must be assumed from proxies, and future recruitment is assumed based on past conditions.

While the stock is declared to be experiencing overfishing, based on a proxy overfishing definition, other observable indicators of stock performance, such as record high recruitment, biomass, and abundance, expanding age structure, and expanding stock range, are hardly indicative of overfishing. The lack of a steepness estimate and associated stock-recruitment relationship results in rebuilding projections that provide no increase in recruitment for the remainder of the rebuilding period, despite predicted gains in spawning stock abundance and stock age structure over the next twenty years of the rebuilding period. It is challenging for the council to manage the stock for increased abundance of older fish when the projections show no benefits to abundance and recruitment from increased abundance of older fish.

The lack of a steepness estimate and associated stock-recruitment relationship led the SSC to state that they lack the ability to predict future recruitment and to caution that there is a high level of uncertainty in any recruitment assumptions. This has led to considerable difficulty in providing fishing level recommendations and great uncertainty in the recommendations that are provided.

Each subsequent assessment of red snapper has resulted in lower estimates of stock productivity, as indicated by MSY, and it's listed there on the screen. The SEDAR 15 MSY was 2,319,000 pounds, and then the most recent SEDAR stock assessment, SEDAR 73, was down to the MSY proxy of 404,000 pounds.

Productivity dropped between SEDAR 41 and SEDAR 73, despite SEDAR 73 including the revised MRIP catch estimates that indicate historically higher catches. The council finds it difficult to interpret such low and declining productivity, given the obvious evidence of stock expansion and improvement, and is concerned that it may be the culmination of the data deficiencies, input uncertainties, and model misspecification issues that were noted by the SSC.

I have some additional actions there for the committee to consider, which includes to initiate a framework action to reduce discard removals, and I can get into the specifics when we start that discussion, increase outreach and data collection, to create a council workgroup to lead an MSE approach to develop management strategies and reduce discards and increase landed yield across the entire snapper grouper fishery, as you heard discussions about today, while balancing the needs for fishery access and resource, while preventing overfishing and rebuilding overfished stocks.

I would also like to see us prioritize a research track assessment for red snapper at the next available opportunity, and I have some bullets there about how we might do that, including replacing the white grunt stock assessment, and then, eventually, initiating an FMP amendment that has the items that are listed by those bullets, but let me just stop there and maybe go back to the discussion and these issues that I brought up today that were really just kind of a summary of what we've heard, what we've discussed, what the SSC reported to us, and see if folks want to comment on that before we jump into those actions.

This immediate action that I would be suggesting for the committee's consideration would be an immediate framework action, and I have listed out some options to include there, including gear modifications to single-hook rigs, as suggested by the Snapper Grouper AP, larger hooks, leader modifications, natural bait prohibitions, and slot limits. I am going to stop there, and this is a lot of information that is on the screen that I have thrown out there for consideration, and I want to see if folks want to start the discussion kind of based on that current condition that I mentioned or just jumping right into this framework action, and so let me stop there and look for hands. Mel.

MR. BELL: Thanks, Jessica. I appreciate you leading the effort on this, and, as we all know, there is short-term, perhaps medium-term, and long-term things that we're going to need to do. We do have obligations that we have to meet, but I do like your summation of just things that have all gone into this, and I think that's good to capture, and some of our issues.

I mean, I personally like the approach of trying to get a framework under way to perhaps start dealing with what we know the problem is, which is, again, we have this little red snapper fishery hidden within our snapper grouper fishery, but, no, I really like this, and I appreciate you getting us started, and I think we've got something here to work with, in terms of a starting place, and so I'm looking forward to the discussion here.

MS. MCCAWLEY: Thanks, Mel. Maybe we want to -- I don't see any other hands. Andy.

MR. STRELCHECK: Thanks, Jessica. I guess two comments. In terms of your statement, I mean, there are certainly, to me, some things that I would argue aren't technically accurate, and there are certainly other points that you raise that I think are very valid and reasons to, obviously, question the data, assessment, outcomes, areas to explore in terms of improvement.

In terms of actions for council consideration, I certainly support this, and I think we actually need to go bigger than this, and I think you're thinking kind of short-term and long-term, and I like the working group idea. I think we are going to have to look at this fishery globally, and not just red-snapper-centric, but snapper grouper as a whole.

We are dealing with, I think, six stocks that are overfished in the South Atlantic, many of which are driven by discards and discard mortality, and so we need to, obviously, shift the tide, so to speak, and try to figure out how we can get these stocks not only to rebuild, but get more productivity out of these stocks and really have anglers reap the benefits of, obviously, higher yield levels by reducing those discards, and so I will be supportive of pursuing that.

MS. MCCAWLEY: Thanks, Andy. Laurilee.

MS. THOMPSON: This is perfect. I just want to thank you. This is awesome. This is exactly what we need to be doing, and so thank you for taking the initiative to do this. I'm impressed, and I support it. I think this is great. Now if we can figure out how to somehow let people keep their discards too, and count them, that would be really great, but thank you for doing this.

MS. MCCAWLEY: Thanks, Laurilee. I don't think that any of these things are going to be easy, especially this discussion to try to figure out the snapper grouper fishery as a whole and kind of how to look at this on a more holistic approach. I guess I would like to dive into the framework

action, and so I looked back to the letter, Andy, that you had sent dated July 23 about the stock undergoing overfishing, and it looks like, in that letter, it was suggesting that the rebuilding plan was still on track, and so part of that was trying to get -- This framework action is trying to get to this discard problem that I think is really at kind of the heart of the situation, and that's why I put it on the short term and kind of inserted it there, from what we talked about in June, but let me go to Spud, to see if he has some thoughts here.

MR. WOODWARD: Thank you, Jessica, and, like Mel said, I appreciate you taking the initiative to sort of give us a here's where we are and how we got here and what our concerns are. I guess my first reaction to the framework approach, and particularly the gear, is I know we have implemented required gears in the recreational fishery, to some degree, but I hesitate to make it any more complicated than it already is.

From my law enforcement hat, the more complicated we make the allowable recreational gears, the more difficult it is for a fisherman to know if they're legal or not, and it makes it more difficult for an officer on the water to know whether or not somebody is compliant, and so I don't think they should be automatically disqualified, but I think that a very cautious and thoughtful approach is going to be necessary to evaluate whether the complexity of changing recreational gear requirements is going to really produce a commensurate benefit, and so that's just sort of my initial thoughts.

MS. MCCAWLEY: I agree, and that's why I think that a lot of this has to be paired with increased outreach and education, and I have in here -- One of the bullets is promoting the council's Release app to improve information available on discarded fish, so that they can be considered in the next assessment, and I don't think any of these things listed in this framework action -- I don't think they're going to be simple, but just trying to think outside the box here for a way to go and to try to go back and look at some of the things that the AP has been suggesting over time for us to look at to really try to get at this.

I feel like they had some out-of-the-box thinking in the past, and we had kind of discounted these things, and so trying to bring them to the forefront and really look and see if these things can really help us get a handle on this discard problem, because we've already done the best fishing practices and done a lot of outreach on that, and I still don't think we're where we need to be. Laurilee and then Spud.

MS. THOMPSON: One thing that we might consider would be just create a snapper grouper fishery season, and so, when you look at when most of the activity takes place by the recreational fishermen, it's on the weekends during the summer months, and so maybe we could just make it where they can bottom fish, and this is for grouper too, that you can only bottom fish on Saturday and Sunday, or maybe Friday, Saturday, and Sunday, during the summer months, and try that out and see if that helps with the dead discards, and they may be happier, because they might be able to actually take a few fish home with them, instead of catching them and throwing them back in, and I think that would be easier for law enforcement too, rather than trying to look at people's gear and see what size hooks they have and everything. They can open up their cooler and see whether they've got bottom fish or not.

Again, this wouldn't impact the for-hire fishery, and they could continue to work during the week, and, if a commercial season opened up, they could continue to fish during the week, and it doesn't

matter if they're fishing on the same days as the recreational fishermen, but I think that the customer satisfaction of being told, well, you can only fish on these certain days, but you get to keep a few fish, and you get to fish more than two weekends a year, might -- You know, they might like that. Thank you.

MS. MCCAWLEY: Thanks, Laurilee. Spud and then Dewey.

MR. WOODWARD: Just sort of a follow-up to what I said earlier, and, if I put on my Outreach and Communications Chair hat, and we've already talked about some of the challenges ahead of us, but I'm afraid that we're fixing to give the fishing community a big negative feedback loop on descending devices, because I think there was perhaps a naively optimistic belief that descending devices were going to allow us to at least maintain the ACL at current levels, and maybe even get a modest increase, and we're actually going in the opposition direction, and so I think we're going to have a heavy lift when it comes to outreach and education, and I think I'm saying what a lot of folks are already thinking.

MS. MCCAWLEY: Thanks, Spud. Dewey.

MR. HEMILRIGHT: Having been looking at this stuff probably since 2010, when the council deliberated, or thought, about closing large swaths of ocean areas for the protection of red snapper, and I believe that's what it was at the time, in 2010, and, instead, they chose the 17B closure, and there is no easy choices here. Even though, hearing Laurilee's comments about Friday, Saturday, and Sunday during the summer, there is a lot of people fishing all during the week, and we're almost like looking at some of these things here and putting like a small band-aid on an axe wound.

I really don't see how we're going to get at where this council intends or needs to be done with these small mitigating measures. You know, the red snapper -- We're hearing stories of them north of Cape Hatteras now, and so I just don't -- As somebody who has watched this and listened and deliberated, I just don't see how we're going to get to where it needs to be, where you need to be at, with these small mitigating things. There is a lot of people fishing, and it ain't just weekends. Thank you.

MS. MCCAWLEY: I agree that that needs to be done, Dewey, but I just think it's going to take some time, and the council is required, and has a timeline, to end overfishing, and so trying to think of some things that we can do right now to get right at the heart of the biggest problem, being discards, and so, yes, I totally agree, and I think that that working group is going to really dig into that, but it's just going to take a little bit longer, and the council needs to take some action now. Chester.

MR. BREWER: Thank you, Jessica. I remember, some years ago, and it's been more than a decade ago, when it was realized that the assessment on red snapper was going to be an atomic bomb, and the thought, at that time, was that you're going to have close all bottom fishing for -- Not forever, but pretty much year-round, and a big hue and cry went up about that.

I am wondering, and it's been sort of talked around a little bit, and I hesitate to even bring it up, but I would like, very much, to know what the public's thoughts are on having, as Chris suggested, and, thankfully, he brought it up for me, but of having a season for bottom fishing, and the season would apply across-the-board, and not just to guides and private recs, but the commercial as well,

and I am hoping, or I'm thinking, that that may end up being our solution, and I realize that's probably long-term, as opposed to short-term, which we're really supposed to be talking about here, but it's something that has really been on my mind, and I'm a little scared of it, but I am beginning to believe that may be what we have to do, because, from the standpoint of the populations, we all know what the demographics are.

Everybody is moving to the coast, and everybody wants to go fishing. Then there's folks that just want to get out and drift. Well, they're going to be bottom fishing, and so I think that any anticipation that the pressure is going to be less in the future is -- It's just not realistic. The pressure is going to increase and increase, and so that's just my thoughts, and I'm not even going to suggest that it be made part of any kind of short-term thing here, but, long-term, I think we probably need to look at it, and I hate to say that.

MS. MCCAWLEY: Okay. What do we want to do, I guess, for the short-term? I have the suggestion here to start this framework action, and I guess I would also like to hear -- Andy, you mentioned, earlier, that you had some mid-term thoughts, and maybe you would be willing to share what some of those mid-term thoughts were?

MR. STRELCHECK: Jessica, I think my mid-term thoughts are kind of merging what we were going to do in the short-term with the long-term, right, and that's kind of the direction that you've already taken us, which is great, and I want to say that Chester's comments really resonated with me, and Laurilee's comments have really resonated with me, and we're going to have to make some very difficult decisions going forward, and things potentially are going to be very unpopular, but I think the recognition is there that we need to address the larger symptoms of a bigger problem and not a band-aid on this, and so I just think that, over the short-term and mid-term, some of the things that you're proposing are good, Jessica.

I'm just not sure they're going to be good enough and get us far enough, and we really need to think more broadly about how we operate a snapper grouper fishery, and do we have a bottom fishing season, and are we able to allow for greater access, in terms of landed catch, while also doing spatial area management, and all of these things, to me, should be on the table, and let's consider them and see if they're going to be a better way of operating this fishery, relative to where we're at now, because we know, obviously, that people are frustrated, in particular with red snapper, right now. Thanks.

MS. MCCAWLEY: I agree with all that. I think it's just going to take a little bit of time, and I guess I would pose a question, maybe back to you, or maybe it's a question for Monica, but maybe you could answer, but doesn't the council need to initiate some action to try to deal with these discards as fast as possible, even though it might take some time to put this workgroup together and come up with this bigger-picture item? I saw Mel put his hand up, but I guess that's one of my questions, is I don't know that we have the ability to wait, or I guess maybe I don't know how long we have to wait, is maybe a better way to say it, in order to put the workgroup together and have those bigger-picture discussions. Mel.

MR. BELL: I was going where you were going with that, and it really would be, perhaps, an Andy/Monica question, is that, okay, given the outcome of the assessment, we have an obligation, under Magnuson, to end overfishing as soon as possible, or whatever the wording is, and so we've been dealing with this for a while, and there's no magic wand that we can pass over this that's

immediately going to do that, and so how do we deal with that requirement, and I'm assuming that is the requirement, and then we have the sort of the two-year time clock that starts, but we're already on a rebuilding plan, and it seems to be working, and so I guess I'm just trying to make sure that meet our legal obligation, right upfront, and then sort of what then fits -- What other things fit into more medium-term or long-term, but what's our immediate obligation under Magnuson? I just want to make sure that we understand that.

MS. MCCAWLEY: Thanks, Mel. That was my question as well. I saw that Monica put her hand up.

MS. SMIT-BRUNELLO: You are not on a two-year time clock, because you already have a rebuilding plan in place, and you've been told, from the stock assessment, that you're making adequate progress, and so that's all great, right, but you do have an overfishing problem, and so the Act says that you're supposed to end overfishing immediately. Now, what does "immediately" mean? It means that you're working on a plan to end overfishing. I mean, I don't think it means an emergency rule. It doesn't mean anything like that, but it means that you're supposed to work on actions and then try to implement actions that end overfishing. That's the rub, right? How do we get to ending overfishing?

Jessica has talked about the discard problems, and I will say that the items that are up on the screen right now, in terms of actions for gear modifications for single-hook rigs, slot limits, all those sort of things, those are all frameworkable, in the sense that you've said, in your FMP, that, yes, you can do these things via framework. Whether these kinds of things get you to ending overfishing though, I don't know, and I guess we would need to see what those actions are and then have the Science Center and Andy's folks weigh-in.

You do though have, also, a lower ABC recommendation from your SSC, and so that will also need to be implemented, and so you're not on a two-year clock. The Act says end overfishing immediately, and what does "immediately" mean? It means you're working on it and trying to get something in place as soon as you can to end overfishing. I know that's a little vague, but I think that's my legal advice, the best I can give you, from what the Act says anyway.

MS. MCCAWLEY: Thanks, Monica. Andy.

MR. STRELCHECK: Monica has largely conveyed, obviously, the mandates that we're operating under. I guess I wanted to get back to my earlier comment about short-term versus mid-term and what I think we need to challenge ourselves is not just to slip into the we're resigned to changing the catch limit, reducing it, and possibly changing the allocation, and that's all we're going to do in the short term.

I think, if there is things that we can look at more immediately in this kind of short-term initiative that could address reductions in discards, and potentially go back to the SSC with some additional management options and recommendations as to how we think we could end overfishing, then, to me, that is a viable path forward that still helps us meet the requirements in the Act to end overfishing immediately. There has to be, obviously, long-term action that is going to deal with more complex management measures and actions in the snapper grouper fishery, but I think there are things we can do in the short-term besides just changes to catch limits and allocation.

MS. MCCAWLEY: Thanks, Andy. John Carmichael.

MR. CARMICHAEL: Thanks, Jessica, and I think -- I appreciate what Monica was pointing out about the challenges we face, and I think you have the lower ABC, which is sort of the small problem, in one sense, because the bigger problem, as we've talked about here for quite a while today, is those many discards and the impact of that on the overall fishery productivity and where it goes.

If you think about these gear changes that are proposed, in the sense of can these types of changes done immediately save enough fish out of discards to achieve some, first step, of shifting fish from dead discards into harvested catch, could something like the single-hook rig suggested by the AP result in enough of a shift of fish to allow you to have an ABC that's on par with what you have now, and so you wouldn't have to cut that ABC, and maybe it does enough to give you a little more ABC.

As Monica said, we don't know. We don't know the impacts of these. We know it will be some enforcement issues, as Spud pointed out, and we're going to have to deal with that, and we know it will be an education challenge, and we're well prepared to deal with that, and we know it may take some out-of-the-box thinking to actually evaluate this stuff, but, you know, when I think of the short-term, I think of can we do enough to avoid a further cut in the ABC, because I think it's going to make that tough decisions -- As Andy pointed out, we've got to make some difficult, and they're going to be greatly opposed in the public, decisions that are very unpopular.

If we try to do that on top of cutting the ABC in half, based on what everybody sees on the water, then we're starting with one leg and one arm tied behind our back, and so, if we can do something short-term to get us moving in the right direction, while we work on this bigger picture of how do we manage the snapper grouper fishery as a fishery, and not as a bunch of single species problems that we continue to struggle with, then that may be what we just -- That may be the best that we can hope in the short-term, while we work on the longer-term, and while we do address some of the overfishing and we start to see how some of these regulations can work, and so it's a bit of a pilot involved in that as well.

MS. MCCAWLEY: Thanks, John. Andy, I think you put your hand back up.

MR. STRELCHECK: No, I don't have my hand up. I know John Walter wanted to say something.

MS. MCCAWLEY: Okay. Let's go to John Walter and then to Spud.

DR. WALTER: Thank you, Chair. I know I'm not a member of your committee, and so I appreciate the opportunity to talk, and so a number of things. One, I am not -- Is this document posted anywhere, and was it part of the materials?

MS. MCCAWLEY: No.

DR. WALTER: Okay. There's a number of things that I think probably we need a chance to review here, because there is, I think, a number of science issues that may be viewpoints of the council and may not be the viewpoints of the SSC, who carefully reviewed the stock assessment

over a -- As well as the stock assessment review panel, and so I would like a chance for us to review this document before it goes in the public record of this meeting.

Then a couple of things that I do note in the document that I really like, and I see you have put in an MSE approach, and, given that that's one of the major initiatives of our Center, is to start to initiate management strategy evaluations, I think this really might hold promise here for finding creative management solutions. I will note that the issues we're facing here are not unique to red snapper.

We will probably deal with the same issue for gag grouper and a number of other species where we've got discard mortality being one of our big issues that we have to deal with, and so the idea that some people put forward of some sort of bottom fish closures or something like that might be a creative solution to being able to avoid unwanted discards and optimize the net happiness for a fishing trip. We as a Center look forward to trying to muster the resources we've got to being able to try to find creative solutions to this problem across a number of the species, and so thanks for the opportunity to chime in here.

MS. MCCAWLEY: Thanks, John. Spud.

MR. WOODWARD: Thanks, Jessica. Just sort of following-up on what John Carmichael was saying -- I'm curious, and, I mean, do we actually have the kind of data we would need to evaluate the efficacy of some of these gear modifications? I am all for whatever we can do to move things in a positive direction. If we start a framework action, and if we identify gear modifications of a component of it, are we going to find ourselves frustrated because we have more speculative and conjecture-based input than we actually have real information?

MS. MCCAWLEY: Good questions. Tim.

MR. GRINER: Thank you, Madam Chair. I just kind of wanted to follow-up on where Spud was going with this, and I completely agree with him. I mean, you saw the difficulty the SSC and SEDAR had with the descending device, which we thought was going to give us some bang for the buck. I can almost, without a doubt, tell you that the SSC, nor SEDAR, is going to be able to use a single-hook rig, some leader modification, or a single-hook rig, to actually do anything that's going to help data in this model. As much as I would like to think that they would, but what I think you'll actually end up doing is just -- Like Spud alluded to, we're going to force fishermen into doing something that is not really going to be of any benefit to anybody. Thank you.

MS. MCCAWLEY: I appreciate those comments. I think what we're trying to do is what John is suggesting, to see if we can convert some of these discards and not necessarily have to drop the ABC again, and so I think that that's what the goal is of this framework action, but let me go to Monica.

MS. SMIT-BRUNELLO: Just a couple of things. One, for John Walter's point about this document that's on the screen right now, it's already part of the public record, John, and so I guess you could get it from council staff, but then the other part is, in terms of looking at adjusting your ABCs, that is necessarily going to take into account a change in allocation, just like it has with the other FMP amendments that you looked at, because of the change in the estimation of recreational

catch and how it's gone to the FES, and so that cannot be done, or I would advise it not to be done, via a framework. It's got to be done via a plan amendment.

I guess that doesn't exactly get to your -- Do these issues, or these ideas, up here get you to ending overfishing, and that doesn't -- You can kind of look at the kind of gear restrictions via a framework amendment, but anything in terms of changing the ABC and all that should be done during an FMP amendment.

MS. MCCAWLEY: Thanks, Monica. Mel.

MR. BELL: Just to kind of follow-up with Monica maybe a little bit, and legally a stickler, and so we don't have the two-year time clock, because we're on a rebuilding plan, on a rebuild, and it seems to be rebuilding, and we do have an obligation to end overfishing immediately, but we're working on it, and we could be working on it demonstrably through a framework or a plan amendment or other means working towards it, a workgroup and all that, and we're working on it, but is there a mandated timeframe for implementation of that new ABC we've given that we would have to -- As you just explained, we would have to do through a plan amendment, because we would also have to deal with reallocation as well, and so I'm just looking at timeclocks here, or what are we actually dealing with, in terms of obligation. Again, if that falls under the immediately, and we're working on it, we're working on it, and so we're still under the old ABC until we adopt the new ABC.

MS. SMIT-BRUNELLO: If I could just jump in. Well, right, and I can look at some cases, some legal opinions, on what does "immediately" mean. I think, if we're here two years from now, and you haven't taken action, I think that's not immediately. Is one year immediately? Well, it takes a while to develop a plan amendment, as you all know, and get things in place. There are a number of things that I know you'll want to consider in the plan amendment. Whatever it is, eventually, you cannot exceed the fishing level recommendation of your SSC, and so the SSC has given you a new ABC, and so that's what you've got to get to as well, that new catch level recommendation, and so I can't give you a time certain, but I think that you need to start making progress on it.

MS. MCCAWLEY: Thank you. Chris.

MR. CONKLIN: Sorry. I pushed the button again. My bad.

MS. MCCAWLEY: Thank you. Andy.

MR. STRELCHECK: I guess a comment and a question. In terms of the document before us as being a matter of public record, Jessica, in the kind of upper portion of it, you invoke the Full Council, with regard to kind of our perspective and opinion on the red snapper assessment, and so I want to make it clear that this is not my perspective or statement, and that this is a statement directly coming from you, as the Chair of the Snapper Grouper Committee.

The second thing I guess I would want to talk about is, procedurally, I think we're all in agreement that we need to do something and move forward, and you had suggested an MSE working group of the council or council members or others, and I am curious if we should think about kind of a short-term working group that is working on identifying actions that we could take to address the

immediate overfishing challenge and bring those ideas back, obviously, to the council for a December council discussion and move forward from there.

MS. MCCAWLEY: I like that idea. I just wanted to point out that Mike scrolled up in this document, and this is a Chair's statement summarizing the issues, and so I just wanted to see if that helps you feel a little bit better about it. Before that was some information that was -- Some of it was pasted directly from what happened in June, from that June committee report, and so I just want to point that out. Spud.

MR. WOODWARD: Thank you, Jessica. I just want to make sure that I understand what Monica said, and that is that, regardless of what we may do with a framework amendment to address discards and all, we are going to eventually have to adjust the ACL based on the catch level recommendations that we have received from the SSC, and is that correct?

MS. SMIT-BRUNELLO: Yes.

MR. WOODWARD: Thank you.

MS. SMIT-BRUNELLO: What I didn't give you is the amount of time you have to do that, and not to repeat what I said, but it takes a while to get a plan amendment going and do all the things that the Magnuson Act requires you to do to actually get it to where you can take final action, and so I think starting to make progress toward there is a great idea.

MR. STRELCHECK: Jessica, can I comment before Kerry?

MS. MCCAWLEY: Sure. Go ahead, Andy.

MR. STRELCHECK: I guess I will disagree with the attorney, in part. In my view, yes, we have catch limit advice, or ABC advice, from the SSC, and that's based on a certain level of discards that are estimated to occur and will continue to occur in this fishery. If the council is able to establish a way of reducing discards, to a certain extent, then that, to me, would factor into future calculations of the ABC and future SSC advice to us, and so I don't think it's as simple as whatever the advice is before us that we would have to implement that, but the clock is ticking, and we have to have viable solutions in order to reduce discards and reasonably be able to determine that those are achievable, in factor those into any sort of calculations of future ABC.

MS. MCCAWLEY: Thanks, Andy. Before we go to Kerry, let's go back to Monica.

MS. SMIT-BRUNELLO: I don't disagree with what Andy just said, and I didn't say that you had to do this by the next council meeting, but you've got a fishing level recommendation, an ABC, from your SSC, and that's what you need to start developing the plan amendment -- One of the items in your plan amendment that you need to develop is to get to that new ABC/ACL recommendation. If you get a different ABC recommendation from your SSC that is higher than that, then of course you can deal with that, but you have the recommendation before you that you have, and so, until that changes, I am hard-pressed to say, no, you don't have to implement that.

MS. MCCAWLEY: Thank you. Kerry.

MS. MARHEFKA: I am just taking in what Monica just said. Before that, sort of what I was hearing, and I want to make sure I'm hearing this right, I believe from John and Andy, is that we could potentially move forward with these measures in the framework action that you recommended, Jessica, and be on good legal ground and then begin development of a plan amendment, and my comment is to what I would consider the plan amendment as the medium-term, and we've talked about the medium-term and then the long-term.

I wonder if it's possible -- I am not super comfortable with the idea of -- I think I have heard now two workgroups, and that just sounds like something that slows everything down. I am learning more about the MSE, and I want to get to study that more, but I want to jump in. Why can't we do the short-term framework and jump right in and do the hard work that we need to do right away and look at this fishery holistically and get working on that now, without workgroups? Like let's just get in there. I personally think that we all need to be at the table and be present to have this conversation, and I just think it's too controversial, otherwise.

MS. MCCAWLEY: Also good points. I am trying to figure out how to wrap up this discussion today, in the last six minutes for the day, since we're supposed to end at 5:30. It seems like we're not going to be able to all agree on the same thing about what exactly to do, and do we just bypass the framework action and go straight to the -- We'll call in the longer-term, or some folks are calling it mid-term, and some folks are calling it longer-term, actions by looking at the MSE, and Kerry had a suggestion of us all being there, all the council members there, to try to work on this. There was a suggestion to do that in a full plan amendment, but let's go to our Chairman, to see if he has some ideas about how to wrap this up today.

MR. BELL: Well, I think we know we're going to have to initiate an amendment. I was starting to lean more towards -- Some of the things you were describing under framework, which we could do under framework, I just don't think they're going to be as simple as perhaps we would like, and they do encompass really the snapper grouper fishery, and so maybe we should be thinking in terms of, when ready, initiating a full plan amendment, which would include the pieces that we're legally bound to include, like the adoption of the new ABC and reallocations, but then, also, in there, you have some of these more, perhaps, prickly issues of dealing with dead discards in our snapper grouper fishery, because it's a snapper grouper fishery problem that we have. It's not just a red snapper problem, and we've said that over and over.

I think I was leaning more towards we're working on it, and we're moving in the right direction, but I am just wondering about the value in -- I got where you were going with this, is trying to get to immediate, through a framework, and do some things to show that we're working towards reducing the overfishing, but it seems like, to really have any -- We're going to have to deal with some pretty sticky things that probably fit better in the full plan amendment process, and so maybe that's where we still consider things like the MSE and appropriate workgroup use or whatever, but we just work towards an actual plan amendment that's going to try to fix this and do the things that we need it to do.

I mean, that's just where I kind of ended up, and I appreciate the idea of the framework. It just seems like the framework, with the things we're talking about, things that Spud mentioned and other stuff, it just may not be as easy as we were kind of hoping, or as quick, and so that's just my thoughts right now. We can see how people feel about that, but, I mean, that could kind of be where we end, in general, is, okay, how are we moving forward? Are we moving forward towards

a full amendment that will kind of deal with all of this, or, if folks are wanting to go the framework route, we can start with that, but that's sort of where I was right now.

MS. MCCAWLEY: Okay. I had an idea for how to resolve this, but let's go to John first.

MR. CARMICHAEL: I am interested in what you have to say, but it seems like the snarl here is whether to do the framework or not to do the framework, and it sounds like all the rest of it is largely agreed to, to increase the outreach and data collection, and the council can do that right away. For 3, the next first step is to get staff to look at a project plan for the MSE, and then, when thinking about a workgroup, that's the way I sort of envisioned this, I guess, is that this is really a technical thing to help guide this MSE approach, and then the next step is our staff, and both Chip and Judd have been to some MSE training recently, and they would come up with a plan that you can look at in December of 2021 to lay out what looks like, the timeline and cost and potential participants in the overall project.

Then we go to the Steering Committee, the SEDAR Steering Committee, in October and talk about replacing white grunt with red snapper, and then we initiate the amendment, which we've kind of talked about some, and we have a couple of red snapper amendments on the workplan, and we just formalize it on this, and this is what we'll be looking at, and it will incorporate this MSE and the other issues there, as well as whatever we have about ABC, et cetera, in red snapper at that time.

MS. MCCAWLEY: I like that plan, John. I guess my only question is just are we doing a framework, yes or no, I guess is where I am left, because it seems like we've got some opinions on either side, and so the only one that seems to be kind of in question is are we doing that framework, yes or no, which is Number 1, the immediate framework. Otherwise, it does seem like we agree with everything else that's in that list, or there is consensus around 2 through 5. It is 5:30, and I am wondering if we -- Well, let me go to Chester. My suggestion was going to be that we try to maybe pick this back up in the morning and just try to decide if we're doing a framework, yes or no, because we have consensus around the other five items, and maybe that's where we pick up in the morning, but let's go to Chester.

MR. BREWER: My thoughts on this are we've got to do something, whether it's right or wrong, but we've got to do something, and the framework seems, to me at least, to be the better way to go, but I will wait until tomorrow to discuss it some more, but, I mean, we've got to do something. I mean, we really do. Anyway, thank you.

MS. MCCAWLEY: Thank you, Chester. Mel.

MR. BELL: I am fine with waiting until tomorrow. I was just going to ask -- The intent, if you do a framework, and then you still have to do a full, you've got two amendments to deal with, but, if you do the framework, is the framework intended to get us some perhaps immediate relief that would help us to be in a better position when we get to the full amendment or just a better position?

MS. MCCAWLEY: Yes.

MR. BELL: Okay, and so that's --

MS. MCCAWLEY: Yes, and so we heard lots of people kind of speculating, and you heard Andy talking about it a little bit, but, before we wrap up today, yes, the intention with the framework is, and John mentioned it as well, would be to try to modify that ABC a little bit before we adopt it in a plan amendment.

MR. BELL: Okay. All right. I follow you, and so, if that's the advantage then, that's the value in going through kind of a two-step process here -- I mean, if we can give that a go, and that makes sense to folks, I would support that, because you could start it pretty quick, but it's just that you're going to be juggling two different amendments, obviously, at some point.

MS. MCCAWLEY: Back to John.

MR. CARMICHAEL: It's about not just dealing with this situation, but what we've talked about all day about the discards in the red snapper, and snapper grouper overall, and this big challenge. If the council thinks that single-hook rigs are a good idea in the snapper grouper bottom fishing fishery and will reduce discarded fish, then that's something we should do, because it's good, and it helps the populations across-the-board.

If the analysis comes out and says it won't do anything, then at least you looked into it, but keep in mind the AP suggested these as ways to solve that much bigger-picture problem, and that's where this is going. It may not check all the boxes for Magnuson, but is it the right thing for the fishery?

MS. MCCAWLEY: All right. Mel, I don't know if you're still on and if you have any final words, but my suggestion would be that we make a decision on the framework piece in the morning, pick this back up at 8:30, and just try to hone-in on that framework piece, and then we will look at the timing and tasks when we do the committee report later in the week, and we'll also talk about the priorities and the juggling of all the different items later in the week, and then we can go into wreckfish, because we are just a tad bit behind, and so that's just my suggestion.

MR. BELL: I think you're right, Jessica. I appreciate you getting us to this point, and I think we're actually in a good spot, and so tomorrow morning -- Everybody sleep on it, but I think you've explained everything, and we understand kind of how the framework works in conjunction with actual plan amendment and all, and we can make a decision on which way to attack that, and do it fairly quickly.

MS. MCCAWLEY: All right. Thank you, Mel. That was helpful, and so I guess we will reconvene at 8:30 in the morning, and we will pick this discussion of the framework back up and try to put that to bed.

MR. BELL: All right. If anybody has any good dreams tonight, or epiphanies or something, feel free to, within reason, bring them tomorrow.

MS. MCCAWLEY: Thanks, everybody.

(Whereupon, the meeting recessed on September 14, 2021.)

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SEPTEMBER 14, 2021

WEDNESDAY MORNING SESSION

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The Snapper Grouper Committee of the South Atlantic Fishery Management Council reconvened via webinar on Wednesday, September 15, 2021, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: I am going to try to wrap up the red snapper discussion this morning, and so, when we left yesterday, we were looking at the document that staff had put up, and there it is on the screen, and, right before we left, we said that it seemed that there was a consensus on Items 2 through 5, which is basically outreach, creating this workgroup to look at this MSE approach to develop management strategies for the entire snapper grouper fishery, prioritizing a research track assessment, and then initiating an FMP that would follow this MSE evaluation, incorporating some of those points.

Before we left, we also said that there was no consensus on what to do -- I am going to call it the super-short-term actions, or the right now, because the MSE approach, while I think staff can work expeditiously on that, whatever comes out of that is likely going to take some time, and it's going to be a full plan amendment, and I feel like we're at least a couple of years out from that, and so trying to think of a short-term, right-now action that can be taken.

The suggestion that I had here was to start a framework action that would look at these gear-specifics, and that could also get those things in place, so that, while the MSE approach is being worked on, the options are being worked on, for the whole fishery, that you would have these pieces in place, and they would be outreached, and hopefully we would get some -- I'm going to call it credit for that.

I guess, this morning, we need to figure out what is the right-now action? What is the short-term action that we need to take, and there is a suggestion for a framework, and I think we're open to having a discussion for other short-term suggestions, and so let's first go to Monica, and then we'll go over to Steve.

MS. SMIT-BRUNELLO: Thank you. I've been thinking about the dilemma that the council is in. You have the Magnuson Act, which says ending overfishing immediately, and that's difficult to do in this situation, right, and so I looked at the National Standard Guidelines, and they say that, if a stock or stock complex is undergoing overfishing, upon notification, the council should immediately begin working with its SSC to ensure that the ABC is set appropriately to end overfishing. Councils should evaluate the cause of overfishing, address the issue that caused overfishing, and reevaluate ACLs and AMs to make sure they're adequate.

In this case, you don't have the standard situation where it's a matter of reducing the amount of allowable harvest, because you've heard that the discards are really the driver, I think, in overfishing, and so it seems, to me, that the guidelines suggest -- Obviously, you have to work on setting a new ABC and ACL, right, and you know that, and you have a much lower figure from

the SSC, but the guidelines talk about ensuring that the councils evaluate the cause of overfishing and address the issue that caused overfishing.

I think that you have a little bit of time to deal with this. I'm not really talking about the short-term idea that Jessica has, but also more on maybe the longer-term, the plan amendment, in which you're going to have to reset the ABC and ACL, but, in that amendment, you should be, obviously, working on the cause of overfishing and trying to address it, and so I think where that gets you is that you have a little bit more time than immediately ending overfishing, as the Act said, because immediately, in this case, is going to take some work to figure out how to address the issue of the discards.

I think that buys you a little more time, and I know that, yesterday, I was pretty adamant on, yes, you have to address this and start working on it immediately, and that's still my approach, and, yes, you have to start working on this, and immediately you should working on it, but you've got some time to develop a solution, and so I just wanted to put that out there, in case it was helpful.

MS. MCCAWLEY: Thank you, Monica. That is helpful, and I appreciate you going back and looking into that, so that you could give us some more information this morning. Mike.

DR. SCHMIDTKE: Thanks, Jessica. I just wanted to point out that we had a couple of inquiries yesterday about having the document that's on the screen posted, and it is online, in the briefing book folder, in late materials, and it's called "SG Chair Statement Red Snapper". If folks want to pull that up on their own computers, just so that they have that as a reference, it is up there.

MS. MCCAWLEY: Thank you, Mike. Steve.

MR. POLAND: Thank you, Madam Chair. I am still trying to digest Monica's comments a little bit. I guess, given her comments -- I mean, I was initially onboard with starting this framework, especially since a lot of the issues in the list were already considered in Regulatory Amendment 29, and so a lot of the effects analysis has already been done, and so I feel like that would help staff and the IPT to work on this quickly, but, based off of Monica's input, it sounds like, if we go ahead and start the plan amendment to consider these things, as well as MSE, then we're fine, because we're meeting those mandates to begin ending overfishing immediately.

MS. MCCAWLEY: Thanks, Steve. I kind of thought the same thing, after hearing Monica. Let's go to Andy.

MR. STRELCHECK: Thanks, Jessica. In terms of framework versus amendment versus one action that kind of encompasses all of these items, I guess my thought is that, with the gear modifications, we would want to lead with a framework, if we want those in place by the time any sort of ABC and ACL changes go into effect, right, because you need to allow anglers time to adapt to those new regulations and requirements.

The question then becomes kind of how quickly can that be done and, more important, what's the efficacy of those tools, if we went about doing that. I'm, unfortunately, just a little skeptical that we're going to get a lot of gains from those gear modifications, and so I guess one of the other suggestions, or comments, would be, you know, with the MSE approach, I heard yesterday a bottom fishing season, and possibly spatial or area management, and are those things that the

council would at least want to look at in the short-term, potentially, to help reduce bycatch and discards, not only for red snapper, but for all of our snapper grouper fisheries, and, if so, should that be wrapped into this effort as well? If it gets bogged down, in terms of timing, then we would pull those actions out and put them into a longer-term effort.

MS. MCCAWLEY: That's a great question. I might look to someone like John Carmichael to respond to timing and other things, but, while John is thinking about that, let's go to Mel.

MR. BELL: I had the same sort of thoughts that Andy did, I think, last night, and that is that, while we have the list there of things that we could work towards, dealing with gear and some things, at the same time, do we want to float the concept of time and spatial restrictions and that sort of thing? Then, like Andy said, if it does get bogged down, then you pull it, or it eventually ends up in the actual plan amendment that you're working towards, and so I kind of had that same question, and then as to whether it could be done in a framework.

Then I'm also sensitive, and I want to hear from John and Myra about this, kind of the two-step process and what that does, and it may be something that flows okay through staff, and we can juggle kind of both of those things, and one hands off to the other, but that's kind of a staff question, and I also, after hearing Monica, feel a little -- I took a little breath, in realizing that, as long as we're moving towards this full amendment that we're going to need to do, we're making progress, but I guess I could go either way with this, but I want to make sure that, if we do the framework, we're investing time in something we think we can get some benefit out of.

MS. MCCAWLEY: Nicely stated, Mel. I agree with those comments as well. Let's go to John, and then we'll come back to Spud.

MR. CARMICHAEL: Thanks and good morning. To some extent, I feel like the time issues require a bit of a crystal ball, because you just don't know how these things are going to go when you go out and implement them. As we know from past experience, things can become very controversial, and, suddenly, they take a whole lot more time of you in the council, for making decisions and addressing concerns, than what may have been initially planned.

I think, as Steve mentioned, some of this stuff has been looked at before, and I think we all know that you -- It's not necessarily as straightforward to analyze something like some of these gear restrictions that have not really been explored, and you don't know how they're going to impact the population overall, and it's not quite the same as doing a projection of alternative fishing mortalities, where you sort of have a method, or where you do cuts, say, in a fishery and you can look at, if you reduce a bag limit, trips happen, and how many would they have caught under that scenario.

With that in mind, I think, as Andy mentioned, getting some of these things out there does give us a way to potentially better understand how they are benefitting the fishery as we go into the bigger amendment. I mean, ideally, you would hope that, if gear restrictions can reduce encounters, then that lessens the areas, time, et cetera, that have be closed to essentially do the same thing, reduce encounters of fish that are subsequently discarded. That's the end game for all of this, and so that's where I said yesterday about these things being a bit of a pilot would benefit.

In that regard, it may be worth, as Mel said, trying to do this. If it blows up, and there's just no way that the public is going to accept any of these types of things, then I would say these get folded into the amendment and you potentially more clearly see the costs and benefits of these two potential season closures, but, yes, that will cost some time. It will cost some staff time, but I think anything that's this big and is addressing a problem that we know has been going on for decades is going to take some staff time, and maybe some starts and stops, before we actually get through it and get such changes in place, and so it may be a good investment, in my mind, either way.

MS. MCCAWLEY: Thanks, John, and so let me try to -- I don't want to put words in your mouth, but let me try to sum up what you said. Basically, you're saying it's okay, and it will take staff time to do both of these things at once, these things being, one, the framework action with the gear restrictions and the other thing being starting the MSE that would come up with options that eventually go into this full plan amendment.

I think you're suggesting that, if we started the framework now, there might be some way to reduce encounters, with these gear restrictions, but, if we hit a snag, or maybe the analyses indicate it's difficult to tell how much it would get us, then, if we needed to, then we could fold the gear restrictions that would be in the framework -- We could go ahead and fold that into the full plan amendment and then just have one document, but it seems like you were suggesting that it's okay to start with two, and then, depending on how that played out, we could fold it into one.

MR. CARMICHAEL: Yes, that pretty well sums it up.

MS. MCCAWLEY: Okay. Let me go to Spud, and then we'll go to Clay.

MR. WOODWARD: Thank you, Jessica, and good morning, everybody. I pondered on this quite a bit last night, and I can support the approach that's been described. I am skeptical that we're going to get a lot for gear modifications, in terms of credit in reducing discards, but I am certainly willing to go through the exercise to explore the efficacy of such measures. Andy brought up the seasonal component, and, especially for the new members, back, I guess it was 2019, we had some workshops, where we asked folks to give us their ideas about how better to manage the snapper grouper fishery.

I just wanted to read a little excerpt from the summary report that was published in the newsletter as it regards seasons. It said: Another common theme heard during the five meetings was the need for managers to better consider regional differences when developing and setting management policies. Participants noted that trips targeting snapper grouper occur all year, with variation in the peak times across the region, depending on weather and access to popular species. Short, identical seasons set for the South Atlantic region, encompassing areas as diverse as south Florida and the Outer Banks, can create inequities in access and opportunity. The reason I read that is that, when you start talking about seasons, while I believe we've got to have that discussion, it is going to get very complicated, and so that's just something we need to keep in mind. Thank you.

MS. MCCAWLEY: Thank you, Spud. Clay.

DR. PORCH: Thank you, Chair. First, I would say that it would have been nice to have this document a little earlier, just so that we could think about it, especially have it in the briefing materials, but, having said that, and looking at it now, I would want to comment on Items 3 and 4,

and, in particular, with regard to the MSE approach, just to be clear that, if we're talking about MSE in the classic sense, which involves developing an operating model and doing a lot of simulations and finding the strategy that best works in the simulation context, that's not just a couple of year project.

In my experience, that typically has ended up taking five years, especially when you wrap up bringing in stakeholders and understanding all the concerns and considerations that go into it, and so I would think of that as a longer-term project, but, in the short term, we certainly could look at the data we have on when and where the fishery operates and come up with probably a pretty good guess on how much discards would be reduced by any particular combination of seasonal and area closures. I think that's doable, and that might be doable in even less than that two-year timeframe, and maybe we could knock that out in a year, and it's just a matter of having the right resources and collecting the data.

The second point is, in regard to prioritizing a research track assessment and bumping white grunt, poor white grunt just keeps getting bumped down the line, but, more importantly, we have the South Atlantic Great Red Snapper Count going on, and my understanding is that estimates from that, in terms of absolute abundance, won't be ready until probably the end of 2024, and so that's after the white grunt research track assessment slot, and so I can't imagine doing a research track without incorporating that huge study that's going on.

Just looking at how influential the Great Red Snapper Count was in the Gulf of Mexico, I can imagine we may have a similar situation when the South Atlantic study is complete, and so I would strongly recommend not beginning the red snapper research track assessment until, at the earliest, the end of 2024, or probably, even better, just because there is inevitable delays, starting it in 2025. Thank you.

MS. MCCAWLEY: Thank you, Clay. Great points. Dewey and then Chris.

MR. HEMILRIGHT: Thank you. Having thought about this also last night, I really don't see how you're going to get much bang for the buck out of a gear modification, and, also, I wanted to go on the record as -- Yesterday, I talked about seeing red snapper north of Cape Hatteras, and that is inshore. That is not in the forty to sixty-fathom range. Also, to date, to my knowledge, since 2009, I have never seen a red snapper where I fish for blueline tilefish, and so, any time anybody is going any type of analysis, or spatial analyzation, please exclude north of Cape Hatteras from any of that spatial stuff. There is going to be no short-term fix for this, and so it's going to be interesting to see what the council chooses and how to address the discards, the continual discards, that have taken place. Thank you.

MS. MCCAWLEY: Thank you, Dewey. Chris.

MR. CONKLIN: I was just -- I mean, I don't know if this is right place to talk about what Spud was saying, about looking at time and area and who catches what when or whatever, for that, and about some of the earlier comments. You know, it resonates with me that the charter boats are going to have to continue to work, and there's certain level of accountability that would allow them to do that, and I just wanted to put that on the record, that there will be some bigger talks coming down the pike, especially from the commercial sector, and I would hope that the charter guys can get together and align on that, so that they can continue to work as well. Thank you.

MS. MCCAWLEY: Thank you, Chris. All right. Let me try to sum up with where we might be right this minute, and then folks can react to that, and we'll try to wrap up this discussion. It seems like at least a couple of folks have mentioned that they would be okay with starting a framework action, and I think it got fuzzier this morning about what would be in the framework action. Listed here, we have the gear items in the framework action, and I think you heard a couple of people mention that there might be a way to look at some quick estimates of season or where snapper grouper species are, like maybe hotspots, and so maybe can consider that.

I would leave that up to staff to try to figure that out, but it seems like we're kind of honing-in on some type of framework action to include gear modifications plus, and we're not sure what else we can do quickly, and Clay indicated there might be some things that we would have the data for to do quickly, and so kind of a question-mark on that, and that's what Mike put on the screen there, and then continue with these longer-term actions, MSE going into the longer-term category, and the research track assessment for red snapper going in the longer-term category.

I looked, and white grunt was supposed to start in 2024, and so maybe it starts in late -- Maybe red snapper could start in late 2024, after the Atlantic Great Red Snapper Count is over, and those were good points that Clay brought up, but that still needs a discussion by the SEDAR Steering Committee, and it's not just a South Atlantic decision, and so it sounds like we have kind of an idea here of some short-term actions, some long-term actions, and, assuming that we move forward with all of that, which is framework in the short-term and all these other pieces in the long-term, including, ultimately a fishery management plan amendment -- It will be up to staff to kind of figure out how to sequence it and where to put it on the schedule, and we also heard, this morning, some suggestions that, if the framework gets bogged down, or we're not going to get a lot of bang for our buck from the gear modifications, then those items, or some pieces of the framework, could go over to the full plan amendment.

I have tried to summarize kind of what we heard this morning, and staff has added some things to the screen here about kind of the short-term and long-term items, and so, if someone either doesn't agree with that, or wants a different plan, or heard something different, then please put your hand up, and we'll address it. Mel.

MR. BELL: Well, it wasn't anything different, but I was just kind of, I think, conferring. I like the idea that we go ahead and start the framework and include the analysis of the gear, the things you've mentioned, but, also, I do like the idea of going ahead and bringing up the topic and looking at it and doing some analysis of the time/area stuff, based on the concentrations, or however we want to do that, but that we at least begin that discussion, and we begin the analysis of it.

Then, like you said, if the whole things blows up, then you've already kind of started moving in the right direction, and then you pass off to the full plan amendment, and you move on from there, but I think going ahead and bringing up things that are beneficial to the whole snapper grouper fishery -- Go ahead and bring it up and start working it, because we know there's a limited number of things we can do, and we all kind of instinctively know what those are. I think the sooner we maybe begin some of the discussion and dialogue and engage the public, and then you pass off to the amendment. If you can't get anywhere with the framework, then we pass it off, and we move to the full amendment.

The other thing is I appreciate the fact that Spud pointed out the visioning effort that we engaged in for quite a while, and I think we should attempt to mine that, as much as possible, to look for any nuggets in there that are beneficial to moving forward with this process, and so that would be one thing to just make sure we do, because we did invest a lot of time and effort and engage the public quite a bit on that, and so it would be good to make sure we mine it for everything we can at this point, but I'm fine with the start with the framework, as you've kind of described it, and then the other things.

I agree with Clay that, given the effort and all that's going into this red snapper count, it would be better to do an assessment after you have that, and it would just set up a lot nicer. I mean, you can imagine, if that comes in after the assessment, it would be confusing, and so I like that idea, and I do have sympathy for white grunt as well, and that's what I thinking for white grunt, but I like the approach you just described, Jessica, and, if it needs to be fleshed out, obviously, we would look to staff to kind of help us with that and the timing.

MS. MCCAWLEY: Thank you, Mel. It looks like Mike added to the screen there to look at those previous visioning efforts, and that's a great point. There's a lot of information in there that we could go through. It looks like we have this, right now, set up as this is direction to staff, and I feel like this is definitely going to come back later in the week, when we look at the timing and we go over the priorities, because we're going to have to look at all the new pieces of things that we added, and hopefully staff can work on a strawman of when these various items can come back to start that discussion, because I feel like we keep adding things and not taking anything off the list here.

I think that we've had a good discussion on this. Anything else that people want to say here on kind of the short-term and long-term red snapper items before we leave this discussion and transition over to wreckfish? Kerry.

MS. MARHEFKA: Thanks. I just wonder about the intent of the longer-term plan amendment and MSE process. In my mind, we are talking about a holistic look at the snapper grouper fishery, when we get there, and not just red snapper, because we're not going to get anywhere just dealing with red snapper, and I want to make sure that's everyone else's intent as well.

MS. MCCAWLEY: That's definitely my intent, and that's definitely the way it's listed there on the screen, under Number 3, and it says to look across the entire snapper grouper fishery, and Mike can add that in here, just so it's very clear that we mean the whole snapper grouper fishery, and so great point.

MS. MARHEFKA: Sorry. I missed that.

MS. MCCAWLEY: That's okay. We're just clarifying things and making sure we're all on the same page, and so it's perfectly fine. Anybody else here? All right. I don't see any more hands. I appreciate this discussion. Atlantic red snapper is always a challenging discussion, and I appreciate folks looking at this strawman and reacting to it, to think about a path forward, and I appreciate Monica, Clay, and Andy thinking about this and coming back with some ideas about this well. We will revisit this again in Full Council, as well as look at this relative to our other priorities. Mike, as long as you're good, then I think we're good to transition to wreckfish, but I want to make sure you have what you need.

DR. SCHMIDTKE: I think I'm all set. I do see, before we move off, that Chris's hand is up, but I think I'm clear on what's being asked for here.

MS. MCCAWLEY: Okay. Got it. Chris.

MR. CONKLIN: I wanted to make sure that the intent is for the gear modifications for the private recreational sector only. I also wanted to mention that a slot limit is not a gear modification and that I think that a maximum size limit for the recreational sector would slow the harvest and stop the high-grading, and it would definitely slow the rate of the discards, for sure, and I think that would be a way more efficient way to do it, other than a slot limit, but perhaps that could get included in the document as well. Thank you.

MS. MCCAWLEY: Thanks, Chris, and so I don't know that this would only be for private rec. I feel like we need an analysis of all this, but I think we can definitely add slot limits/maximum size limit to what can be analyzed there in that framework action, but I don't know that it's clear that this is only for private recreational. I think we would need to analyze all that. Anything else here? Chris.

MR. CONKLIN: I just wanted to speak to the National Standards and stuff and efficiency and how to stick to them, and one hook for a commercial fishery is not going to work on our side, and so I just wanted to put that out there, and that's it. Thank you.

MS. MCCAWLEY: Thanks, Chris. I am hoping that those types of things are going to come out in this analysis. Tim.

MR. GRINER: I hope they will as well, and I just kind of wanted to echo a little bit of what Chris was alluding to there. Things like a natural bait prohibition will not work in the commercial sector, but I hope these will flesh out during the analysis.

MS. MCCAWLEY: Great points. Thank you, Tim. Anything else before we leave red snapper? All right. I think we've had a great discussion here, and let's transition over to wreckfish. Christina, is that you?

MS. WIEGAND: It is me. Give me just one quick second to make myself the presenter, and hopefully you guys are seeing the wreckfish amendment.

MS. MCCAWLEY: Yes. The decision document.

MS. WIEGAND: Perfect. Well, if you guys are ready to switch over to the wonderful world of wreckfish, then so am I. First, since we haven't talked about this amendment since March, and we do have some new people on the council, I want to just very briefly cover how we got here, and so, if you remember, back in 2019, the council completed their first subsequent review of the wreckfish ITQ program, and, based on the analysis in that amendment, which looked at how the fishery had changed relative to social, economic, and biological factors, there were a series of recommendations that came out of it, as to how to improve the system, namely moving away from paper-based coupons, implementing cost recovery, looking at whether or not the wreckfish permit

requirement was redundant, addressing some allocation issues, looking at offloading site and time requirements, and economic data collection.

The goal with this amendment is really to take those recommendations and work to modernize the wreckfish IFQ program. Also, in this amendment, are the Snapper Grouper FMP goals and objectives. These are the goals and objectives that were developed during the visioning process and included in the vision blueprint, which was approved by the council back in 2015, and these goals and objectives have been reviewed by the council, and they have also been reviewed by the Snapper Grouper Advisory Panel, and the intent is that, by including them in this amendment, they will be formally adopted as the goals and objectives of the Snapper Grouper FMP.

It doesn't require a formal action, but they will be included in this amendment, so that they can be formally adopted, and Table 1 lists them all out in detail. I am not going to read over them, but I just wanted to note that they are there, especially for the newer members who may want to review them.

Also of note of the wreckfish ITQ goals and objectives. Those were originally established in Snapper Grouper Amendment 5, and, while there have been a number of changes since the beginning of the program, the council did review these six objectives at their December 2020 meeting and ultimately determined that no changes were needed, because there haven't really been substantial modifications to the program, and all this current amendment is proposing to do is modernize the existing system, and so there aren't any proposed changes to the wreckfish ITQ goals and objectives at this time.

There are eight actions in this amendment, twelve if you count the sub-actions under Action 8, and, at this meeting, we're actually not going to dive into each of these actions in detail. Instead, the objective of this meeting is going to be to discuss options for how to move forward with developing this amendment. It's become increasingly clear that this amendment is going to take substantial staff time and substantial council time, and, as we've sort of been talking about all week, the council has a pretty heavy workload coming up.

There are a number of different ways to move forward and a number of different things that the council really should consider when deciding how you all want to move forward with this amendment, and so we wanted to have this discussion now, so that, by the time you get to Full Council and you're looking at that Excel spreadsheet workplan, you know how you might want to be incorporating this wreckfish amendment. As you can see, there's a lot of "TBD" listed for the next steps for this amendment.

When the IPT met, we talked about sort of three different timeline options for Amendment 48, and the first would be continue with Amendment 48 as-is and move forward with this amendment, coming back to the council at every meeting, or every other meeting, depending on workload, and this was the majority of the IPT's preferred option. An alternative would be to split this amendment into two separate amendments. You could work on actions that are not related to electronic reporting, or VMS, in a separate amendment that might be able to move more rapidly, and you could work on electronic reporting and VMS at a later date, possibly with, or sort of side-by-side, with the commercial electronic logbook amendment, and I will get into a little bit more detail on that in a second.

Then you could also consider taking the allocation action that's in this amendment and moving it into a separate amendment, if you wanted to make sure allocations were addressed, and that might fit in well with the unassessed species amendment or maybe the golden tilefish amendment that you'll have coming to you down the line. Option C would be to postpone work on this amendment entirely.

Those are the three options, and there are a couple of things the IPT felt the council should really be considering when discussing which way they would want to move forward. The first is to consider the current actions in the amendment and how they're grouped, and so there is really only one action that's not related to electronic reporting or VMS in any way, and that's revising the sector allocations.

Then you've got your two actions that are explicitly implementing electronic reporting and VMS, and then you've got a series of actions that are related to electronic reporting and VMS, but could theoretically be addressed separately, and that includes things like the wreckfish permit requirement, the commercial fishing year, the spawning season, offloading site and time requirements, and implementing a cost recovery plan. That's sort of the breakdown of the actions that are currently in the amendment.

The next thing to consider is the commercial electronic logbook amendment status, and so you will be getting more information on this on Friday, I believe, but there has been talk about doing a joint amendment with the Gulf Council, and it is important to note that there's been a lot of pushback from the Gulf Council and several of their APs on the proposed path forward for the logbook, and, if we were to move forward with a joint amendment, that might significantly delay amendment development.

It is possible that wreckfish might be used as a trial for the electronic logbook, given that it's a relatively small fishery. We would need more information from the Science Center on whether or not that's a possibility, and so, if that's something that the council is interested in, I would recommend that you all consider providing direction to staff to get more information from the Science Center on the feasibility of using wreckfish as a trial.

Now, to be clear, and I keep talking about these two electronic systems, and one is the electronic ITQ system and one is the electronic logbook. These are separate systems, related but separate, and so there is no requirement for them to go electronic at the same time. It's the electronic ITQ system that will replace the paper coupons, and the electronic logbooks replaces the paper logbook reports, and so separate but related systems.

The next thing you all may want to consider are the wreckfish shareholder priorities. We've had meetings with the wreckfish shareholders, and they were a part of developing the ITQ review, and they're aware that this amendment is moving forward, and delaying all or part of the amendment may result in some frustration.

If the desire of the council is to split it, it might be helpful to get input from the wreckfish shareholders on what their top priorities are. At past meetings, they have mentioned moving away from the paper-based system, allocations, an updated stock assessment, and addressing offloading times as their top priorities.

Next to consider is the upcoming wreckfish ITQ review. The next review is scheduled to start in 2025, and so, when looking at timing of this amendment, we need to be cognizant of the fact that that review will start in 2025, and it's not really ideal to be starting a review while still implementing changes from the previous review, because it can be very challenging to analyze a program that is undergoing significant change.

We're almost to the end of the list here, and cost recovery will need to be considered. It is mandated by the Magnuson-Stevens Act, and so it does need to be implemented sooner as opposed to later, and reporting through the electronic ITQ system is really helpful for estimating and implementing the cost recovery process, and, last, but not least, staff workload and time to implementation, and I think the big thing here is to remember that, once the council takes final action on an amendment, we're really only halfway home.

Once the council has taken final action, the program still needs to be developed and implemented by NMFS, which, from past experience, we all know can take a significant amount of time, a year or longer, to complete, and, ultimately, the timeline will depend on what is in the final amendment, and so the IPT thought, tentatively, if we were talking about this every other meeting, we might be able to get something approved sometime in 2023 and implement a new system by 2024 or 2025.

I will say that some IPT members thought that was pessimistic, and some thought it was incredibly optimistic, and I think that really illustrates that it's hard to tell how long it's going to take to develop and implement the program until the council gets close to final action and we know exactly what's going to be in the final amendment, and so that's sort of a broad picture of everything the IPT felt the council should be considering, and, again, all we're really looking for here is some discussion and direction from the council on how they would like to move forward with developing this amendment.

MS. MCCAWLEY: Thank you, Christina. That's certainly a lot of good information. I guess I will throw out some thoughts that I have here, and then I would be looking to the committee to add their thoughts, and so this is the oldest ITQ program in the nation, and that's why it doesn't have a cost recovery program.

I had been at the meetings with the wreckfish shareholders, and they are very engaged and very willing to make changes and also -- Frustrated might be too strong of a word, but not happy with this paper-based system, which I agree, and it seems a little laughable that we're still at this paper coupon system and it's 2021. We have had this review, and we're now separated in time from the review that we had and from the meetings with the shareholders. I really would like to see this move forward.

I really like Option A, and I would even suggest -- Right now, it's listed -- This was the IPT's preferred option, and right now it's listed as every other meeting, and I would even maybe suggest every third council meeting, just to keep this moving, and I do know that this would be a big lift, and I would like to see this electronic ITQ system in place here and to kind of move away from this paper system, as well as looking at some other things that came out of the review, and, as Christina mentioned, before we get to the next review, and that will be in 2025, and so I hope to hear from Kerry on this, but I saw that Clay put his hand up.

DR. PORCH: Thank you. I just wanted to strongly support using wreckfish as a pilot for the electronic logbook program. It really is an ideal fishery for that. There's a small number of participants, and it's really asking for the same type of information we do for the coastal log, and so I think this is a great test case, and I think we can have the applications available as early as November.

MS. MCCAWLEY: Great. Thank you, Clay. Kerry, I don't see your hand up, but I would really like to hear from you on this, about what you think about this timeline, about what you think about Option A. I'm going to you.

MS. MARHEFKA: Thanks, Jessica. I don't know if it's because I don't have the 00 today, but I've been raising my hand, and it's not getting noticed, just so you all can find me at the bottom of the list, but, yes, Jessica, I'm supportive of Option A. I think my big points are, in my mind, this fishery is a success story, and it's sort of under the lines of its not really broken, let's not fix it, but let's do what we need to do to -- For what the industry asks for, and I am one of those people who hates filling out those stupid coupons, and I can't even tell you how angry it makes me.

If doing the electronic logbook, the wreckfish fishery as an electronic logbook pilot, works, and I want to make sure I'm thinking this through, as Christina said, it's not an ITQ electronic system, but that would really only affect -- Christina, am I right, but like coupons, or not coupons, but the actual shares being transferred back and forth. The electronic logbook program would be sufficient for reporting the catch of the people that have shares, and is that correct, Christina?

MS. WIEGAND: If I am understanding your question, then yes. When we're talking about like the ITQ system, that's the system that -- Where share transfers could happen and what would get rid of the paper-based coupons, and all that would be the ITQ system. The electronic logbook system is just the paper logbooks.

MS. MARHEFKA: Jessica, is it okay if I --

MS. MCCAWLEY: Of course. Go ahead.

MS. MARHEFKA: I think that's great, because I don't think there's a whole lot of trading going back and forth. I see that Tim and Chris are going to speak, and so they might have more insight into that information than I do, but I think we all know there's a small number of players in the fishery, and so I don't think it's as complicated as the Gulf, and so just getting the actual catch information in electronically would be a huge help.

I don't want to let these guys down. I don't want to drop it completely. I want to do what they want to do. Like I said, it's just -- We've built marketing, and, by we, the industry has worked very hard to market this fish successfully, and I just think it's a success story, and so let's get done what they need to get done. I'm sorry, but we have COVID up in our house, and I think I have COVID brain right now, and so my speaking this morning is not going to be very articulate. I like your plan, Jessica. That's what I am trying to say.

MS. MCCAWLEY: All right. Thank you, Kerry. I agree with you that this is a success story, and one of the words that I think about when we talk about this fishery is the word "modernize". I mean, yes, those paper coupons just -- I just think it's ridiculous, and I also wanted to point out

that I am not really in favor of a joint amendment with the Gulf, because I think that's going to slow this down even more, but I agree with everything Kerry said. I see some hands raised. Mel and then Tim and then Chris.

MR. BELL: I would agree, and I have listened to various meetings and all, and I definitely think -- You know, you've got a small group of folks, and they're motivated. They are begging us to help them modernize the fishery, if you would, and I like the idea of -- If we can really move them into sort of a pilot for the e-logbook program, that's progress, and I think we need to make some progress for them, and I am very sympathetic to their requests, and I would love to do that.

I would also agree that I don't really like the joint with the Gulf concept, because those do get -- Then it really gets complicated and bogged down, and so that would really perhaps slow us. The other idea, in terms of just being -- Again, looking at our overall load, if we could go to the every third meeting and still move forward at a sufficient pace, I would be for that, but we do need to make some progress here, and I think maybe involving them in the electronic logbook, or looking at that, would be maybe a low-hanging fruit thing right there, and then, the whole ticket system and all, that's another fun thing to deal with, but, yes, let's keep moving on this and try to come through for these folks.

MS. MCCAWLEY: Thank you, Mel. I agree with all of that as well. Tim.

MR. GRINER: Thank you, Madam Chair. A couple of things. I agree that it is a success story, and to say we're way behind on modernizing our reporting methods is -- It's a little oversight there, but I think that, if we're going to look at this electronic logbook, it needs to be for all of us. Now, moving to the electronic share reporting, or trading, yes, I think that needs to be done right away, but I was a little confused when Clay said he could have something by November.

Was he talking about -- Did that mean just the coupons, or was he talking about the actual electronic logbook for our coastal logbook? We've been working on this thing for a long time, and, the last I remember, we were down to just a few datasets that were being converted over, but I would just like to know how close are we, really, with getting this electronic logbook done, because that's a problem for all of us. Thank you.

MS. MCCAWLEY: Thanks, Tim. I think that what Clay was referring to was just the electronic logbook piece, and I think that Clay was suggesting maybe prioritizing the wreckfish folks, since it's a small number of people, and letting them be kind of the pilot before it's rolled out to everybody else, and I'm not saying that it wouldn't be rolled out soon after everybody else, but what I heard was maybe they would kind of work the kinks out with wreckfish, was one option there, but maybe, if Clay wants to add more, he can put his hand back up. In the meantime, I'm going to Chris and then Laurilee.

MR. GRINER: Can I follow-up, real quick?

MS. MCCAWLEY: Yes. Go ahead, Tim.

MR. GRINER: Well, I thought we already had a pilot and a test run with the electronic logbook. Didn't we have a volunteer pilot program? I thought we were way past that.

MS. MCCAWLEY: I am going to let Clay answer those things, because I don't know if I could speak to that, exactly, or the timing of that, and so, Clay, do you want to jump in?

DR. PORCH: I mean, Jessica, you basically had it right. The logbooks will be available for anyone who wants to use it in November.

MS. MCCAWLEY: All right. Thank you, Clay. I am going to go to Chris.

MR. CONKLIN: Thanks. I just wanted to throw out that the shareholders paid for their own stock assessment, and, also, I want everybody to take note that bottom-up fisheries management seems to work a lot better, especially for a smaller group of people. It's pretty remarkable, and there's no reason why, I don't think, that the share trading can't go right on the SERO website, the same as the guys in the Gulf, and it would probably be pretty easy, and so I'm looking forward to it. Thank you.

MS. MCCAWLEY: Thanks, Chris. That's a great point. In the last shareholder meeting that I sat in on, they were also excitedly talking about them paying for another stock assessment, maybe with some of their cost recovery money, and so those were some discussions that were started, I think, either at the last shareholder meeting or two shareholder meetings ago. Laurilee.

MS. THOMPSON: I support Option A. I think you should keep on going on it, and I think we should go to every other meeting, if we can, and try to help these people. I mean, we're keeping them in limbo, and we're wasting their time, and I would certainly be opposed to splitting the amendment into two separate amendments, because look what happened with the rock shrimp in Coral Amendments 8 and 10. You said you would address something soon, and it's been eight or nine years, and so let's not keep these people hanging on. Let's just get this done and let them go about their business. Thank you.

MS. MCCAWLEY: Thank you, Laurilee. Chester.

MR. BREWER: Thank you. I may be redundant, but we've got the folks that are prosecuting this fishery saying that they want to modernize it and go to an electronic logbook, and I applaud that. I think we should -- If Clay can really do that, or his folks can really do that, that would be great, and it would make for a tremendous pilot program, and that's my thoughts.

You know, we're not -- I don't think we're required to do anything other than review this program, and so maybe that's enough, and I don't know that we need to look at any kind of quota sharing or any kind of different stuff like that, and I think that we -- If we modernize the fishery, we've done a pretty good job, and, with that, I will close.

MS. MCCAWLEY: Thanks, Chester. Just to be clear, this modernization, such as moving from the paper to the electronic system, is part of what came out of the review, and so we pulled some items from that review and worked with the shareholders to figure out which pieces to move forward and kind of what that might look like. We would definitely have to continue working with the shareholders as we move through specifics. Tim, I don't know if your hand is up again or this was just left over from the Clay questions.

MR. GRINER: I just wanted to thank Clay for that, and that's great news, and I know that's been a lot of work and a long time coming, but, wow, and that's great news. Thank you, Clay.

MS. MCCAWLEY: Thank you, Tim. Chris.

MR. CONKLIN: I am just still kind of questioning why it would be up to the council to decide how the heck whether they use a paper ticket or go online and do the friggin' reports and the trading and all that. I mean, shouldn't that just come straight from the Office of Fisheries Management, Jack's crowd there? I mean, they do a great job with this fishery, and it seems like they could flip the switch and do it.

MS. MCCAWLEY: We have hands up from Monica and Christina to try to speak to that. Let's start with Monica.

MS. SMIT-BRUNELLO: Oh, Chris, that we could just flip the switch. The problem is, if it's a problem, the FMP language, the regulation language, all those sorts of things, discussed the trading of coupons and all of the kind of mechanisms to get the IFQ going, and it's all based on paper, and so the council, when they established this back in 1992, or 1991, never envisioned this whole electronic process that takes place now.

A plan amendment is needed to make these changes that Christina went over and bring the wreckfish ITQ program up-to-date, in terms of making it available electronically, so that shareholders can trade coupons and report electronically and all those sorts of things, and so you definitely need a plan amendment to get that done.

I also want to make clear that what Clay is talking about, and just for the record, and I'm sure you all understand, is the commercial electronic reporting that all commercial federal permit holders are required to report, and, right now, they have I guess it's called the Coastal Logbook Program, and it's all done via paper, and those are sent into the Science Center and that sort of thing, and Clay is talking about having, I believe, an electronic program for that available by November.

That, however, will be a voluntary program, because the council also needs to do a plan amendment to make -- Across the FMPs, it's standard that fishermen will now be reporting electronically, because that too is a paper-based system, just like the IFQ program, or ITQ program, for wreckfish is paper-based. You will have two different amendments, and one is Amendment 48, and that will deal with the wreckfish ITQ program, and then you'll also have an amendment that will kind of span across your various FMPs to make the commercial logbook program an electronic program. Thank you.

MS. MCCAWLEY: Thank you, Monica. That was helpful. Let's go to Christina, and then we'll go back to Chris, because I bet he has more questions.

MS. WIEGAND: Monica basically covered what I was going to cover, that the paper-based system is really tied closely to the regulations, and so there has to be modifications to get us to electronic reporting. Another thing to keep in mind is that there are other actions that will affect how the electronic reporting system is designed.

In particular, I am thinking the wreckfish permit requirement we're discussing as part of this amendment, and the council can choose to keep that permit, or they can choose to get rid of it. If they choose to get rid of it, there are likely going to be some eligibility requirements that we would want to work into the electronic system to ensure that it's shareholders that have access to that system, and so it is all sort of intertwined, and that's why we need to do a full amendment to get electronic reporting onboard for the ITQ system.

MS. MCCAWLEY: Thank you, Christina. Chris.

MR. CONKLIN: Okay, and so, in my mind -- I mean, I understand we have to fix all this wording or whatever for the new reporting requirements in this fishery, and in the whole Snapper Grouper FMP, but, in my mind, in my eyes, it's the job of the Fisheries Service to count the fish and tell us how we're supposed to count it, and so, in any new FMPs going forward, or if we need to have another amendment, to where the council doesn't have to waste a bunch of time on how we're supposed to -- How the fisheries are supported to report, I think we should give it to the liberty of the Fisheries Service to do that, and I don't foresee it being any different, from here on out, all electronic, but I don't think we should be wasting our time, when we're supposed to be managing fish, rewriting the damn plans to how we're supposed to count them. I think that's a full arm of the Fisheries Service, and I think, moving forward here, that's how it should be from now on.

MS. MCCAWLEY: Thank you, Chris. I am going to try to bring us back to wreckfish specifically, so we can give staff some direction here, and then move into red porgy. Let me try to summarize what I heard, and then, if this isn't what you heard, or you want something different, then speak up.

Of the folks that spoke thus far, what I heard is Option A, and I threw out looking at this at every third meeting, but I was the only one that threw that out, and it seemed like folks were -- Everyone else is leaning towards every other meeting, so that we maintain momentum on this item, and we get this done as expeditiously as possible. That's what I heard, and I heard no joint amendment with the Gulf.

I think that we will want to bring the shareholders in, and maybe we can develop a plan with staff about when and how many times to do that, because I think they're going to be key to the implementation. I think we have enough information from them to get started, and there's a number of actions in the document that they have already weighed in on, with very specific information, and so, yes, I think that's where we've been so far, although Mel put his hand up, and so we'll go to Mel in a second, and then, once again, this will come back on the priority list, so that staff can show us what this might look like if we try to tackle this at every other meeting. Mel.

MR. BELL: That was only point, and I agreed with you on the every third, perhaps, but we'll see. I agree that other people didn't seem to agree with that, but, when we get to the point where we're trying to actually schedule everything, we may revisit that.

MS. MCCAWLEY: All right. Thank you, Mel. It sounds like we're leaving some flexibility here for is it every other meeting, or is it every third meeting, and we'll have to look at all that when we see the priority list, and maybe it's actually some of both. Maybe sometimes it's every other meeting, and maybe, other times, it's every third meeting. All right, and so we have some direction

to staff here on the board, and this is, once again, the wreckfish ITQ program. Anything else on this? Christina, do you need anything else on this?

MS. WIEGAND: This is all I needed today. My one question would be, and I'm not sure if this is really toward the council or to Clay, is sort of what staff needs to do to sort of get these wreckfish guys involved in what I guess would be voluntary electronic logbook reporting by November, and I just want to make sure I'm clear on what needs to be done on our end.

MS. MCCAWLEY: I am not sure that we need to -- I appreciate that that is definitely needed, but I don't know that we need to have this discussion right now. Maybe Clay and his folks can get with you guys, and we can take that offline, as well as figure out a plan to contact the wreckfish shareholders to make sure they voluntarily want to help with this process, since we did learn, in this discussion, that it would be voluntary. Anything else that folks want to say on the wreckfish ITQ? All right. I appreciate, Christina, all the staff time on this, as well as the time that the IPT spent looking into this and how to split it up, how to break it up. I appreciate all the work on this, and I look forward to seeing it move forward.

MS. WIEGAND: Thank you, guys, for the clear direction. This is helpful.

MS. MCCAWLEY: All right. Next up, it looks like red porgy, and, Myra, I think that's back to you.

MS. BROUWER: Thank you, Jessica. Red porgy, this is Amendment 50, and you guys have been seeing this amendment for several meetings now, and we are at the public hearing stage, and so I will be walking you through this document, which is Attachment 7a in your Snapper Grouper Committee briefing book.

Before I get started, I wanted to make sure that everyone understands, especially members of the public who are listening in, that this overview constitutes the public hearing presentation for this amendment, and so it's been a while since we've had public hearings during a council meeting, and so I'm just making sure that's clear. The comment period began, for this amendment, when the briefing material was posted on August 27, and it will continue until the end of this week. Members of the public, of course, are encouraged to submit their comments either through the online public comment form, and the link was sent out this morning, and it's also on the website, or verbally this afternoon during the webinar that starts at 4:00 p.m.

First off, a little bit of background. The red porgy stock was assessed with data through 2017, through SEDAR 60, and the assessment incorporated the revised recreational landings estimates from MRIP's Fishing Effort Survey, and the results indicated that the stock is overfished and undergoing overfishing, and so the council initiated work on this amendment in June of 2020 to put in place a rebuilding plan to end overfishing by adjusting catch levels and management measures, and so that's what this is all about.

It needs to be implemented by June of 2022, to meet the two-year statutory deadline that is tied to the overfished determination, and so I just wanted to make sure that I covered a little bit of the background there, so everybody knows why we're doing this, and here is a recap of what the council did this past June.

You guys looked at the purpose and need statement, and you modified the purpose statement of that, and you selected several preferreds for Actions 1, 3, 4, 5a, and 5b, and that's the recreational management measures, and so the bag limit and the season. You removed the consideration of a total ACL of zero, and, also, you removed potentially managing under no sector allocations. You removed consideration of recreational vessel limits and separate limits by mode, and so those actions were analyzed, and we talked about them in June, and they were removed.

You also added an alternative for a June through August recreational season for analysis, and so we'll be talking about that, and you added an alternative for a recreational accountability measure for analysis, and then, of course, you approved it for public hearings, and that's what we're doing today.

Moving down, this is just the list of actions in the amendment. The first one establishes the rebuilding plan for the stock. Action 2 revises the total ACL and the annual OY. Action 3 revises the sector allocations and the sector annual catch limits. Action 4 modifies commercial trip limits, and it's plural, because there is currently two commercial seasons, and so there are options to adjust the limit for each of the seasons. Action 5, which is split into the two actions, or sub-actions rather, that you see on your screen, and one is for bag limit modification, and the other one is for potentially establishing a recreational fishing season, and then, finally, Action 6 modifies the recreational accountability measures.

Here is the timing for this amendment. As I said, we do need to have this submitted to the Service in the spring, and the deadline is in June, and so rulemaking would likely take several months, and so we're looking at regulations potentially being effective in mid to late 2022.

Here is your purpose and need. I think I have covered, pretty much, why we're doing this, and so I'm not going to re-read this, but I will pause there, if there are any other questions or comments or any desire to modify anything. Okay. I am not seeing any hands, and so I'm going to move on.

The acceptable biological catch and overfishing limit is something that is being modified as a result, as I said, of the SEDAR 60 assessment. The council received the SSC's recommendations in June of last year, and the SSC recommended setting the OFL based on landings projections at F equals FMSY and average recruitment from the last three assessment years. The council, as you know, cannot set the ABC above the level recommended by their SSC, and so this table here shows you the OFL and the ABCs for 2022 through 2026, and they are shown in pounds whole weight and in numbers of fish.

The catch levels would be specified in pounds, and the 2026 level would remain in place, beyond that, until modified, and so you can see that the ABC for 2022 would be 75,000 pounds whole weight, which is 72,115 pounds gutted weight, and it increases, moving forward, as the stock rebuilds.

Here is where we get into the proposed actions, and so, first, I will note that the preferred alternatives are going to be highlighted in this blue-turquoise color, and changes in language from what you saw in June are going to be highlighted in yellow throughout the remainder of this document. Also, at the top, under each action, and before the various alternatives that I will be going over, is a short paragraph for why the action is needed, and so, since we're on the final

stretch of this amendment, I will be asking that the committee provide additional rationale after each action, and particularly for their choice of the preferred alternative.

This is Action 1, as I said, and it's for the rebuilding plan, and so the suite of alternatives that we have here includes the upper and lower bounds of the rebuilding timeframe, as specified in National Standard 1, and, a little further down in the document, you will see a little table with a link to the NS 1 Guidance that explains that range.

Alternative 1 is not a viable alternative, because a rebuilding plan needs to be put in place because the stock is overfished. The previous rebuilding plan failed to rebuild the stock during the specified timeframe, and you see there that the highlighted language is something that was edited from June, and so we just put that in there to specify that the stock did not rebuild by the end of 2017, which was the end of the previous plan.

Alternative 2 is the minimum time to rebuild, and this is in the absence of fishing, and so, under this alternative, rebuilding would take eleven years, with 2021 being Year 1 and then, of course, for the council to have selected this rebuilding timeframe, the red porgy ACL would have had to be zero. Alternatives 3 and 4 build on that T min, and Alternative 3 is adding one generation, and Alternative 2 is just T min times two, and you can see how long it would take to rebuild under those. The preferred the council has selected is Alternative 5, which is the maximum time allowed to rebuild, and that is with the probability of success of 50 percent, and it would allow fishing at 75 percent of FMSY. It would rebuild the stock in twenty-six years, with 2022 being Year 1.

Under each alternative, there's a little bit of discussion in the document, which is what I just went over, and so it kind of explains what the alternatives do, and so I'm going to skip over that. Here's the table that I was mentioning that gives you the background and a link to that guidance in National Standard 1, and then we have a very quick summary of the effects analysis, and so the biological, the economic, and the social effects, and so, for this action, the biological effects would be greatest under the minimum allowed time to rebuild.

Of course, there would be no direct economic effects, as this action does not constrain harvest or fishing effort, and, as far as social effects, those would be tied to the severity of management measures that would be necessary to rebuild in the selected timeframe. Here is where I would like to pause and invite the committee members to provide additional rationale and consider if you would like to continue with this as your preferred.

MS. MCCAWLEY: Thanks, Myra. I will start, while people are getting their hands up. First, I wanted to point out, when you were going through the alternatives, I heard you say that 2021 would be Year 1, and then, later on, 2022 would Year 1, and it looks like, in all the alternatives, that 2022 would be Year 1, and I just wanted to make sure that that's the case.

MS. BROUWER: That is correct, and I'm sorry that I misspoke. It is 2022.

MS. MCCAWLEY: Okay. I just wanted to clarify that, and so, to our preferred there, I think we know that something is going on with this fishery, but I don't know that we know exactly what that is, and I think that the preferred that has the longest time period, which is a little bit greater than 50 percent probability of rebuilding success, is kind of what's needed here. Since it's providing that longer time period, it can also possibly reduce the severity of the management

measures, with fewer short-term negative impacts on the fishing community, and so I will just throw that out there. Does anybody else want to speak to this action? Andy.

MR. STRELCHECK: Thanks, Jessica, and I don't disagree, at least with your rationale for the preferred at this point, and I guess my concern is we just wrapped up an eighteen-year rebuilding plan that ended up being unsuccessful, and we're now looking at a maximum timeframe to rebuild the stock going forward, with kind of the minimum probability of success that's required under Magnuson, and, given the long duration of trying to rebuild this fishery, it seems prudent that the council should consider a shorter rebuilding timeframe that has a higher probability of success. Thanks.

MS. MCCAWLEY: Thank you, Andy. I will look to others, to see if there is other hands, if people want to change our preferred alternative, which would shorten the rebuilding timeframe, and so any desire to change our preferred alternative? Kerry.

MS. MARHEFKA: No, Jessica. I'm on the same page as you. I would also like to add that I think that, as we've discussed ad nauseum, we're going to be taking an overview of the entire fishery, and I suspect that some of the actions that hopefully we'll be taking in the future will also provide benefit to red porgy, and so I feel very confident with sticking with our preferred in that case.

MS. MCCAWLEY: Great point. Thank you, Kerry. Anybody else on Action 1, before we move on to the next action? I don't see any other hands, and I'm going to turn it back to Myra.

MS. BROUWER: Thank you, Jessica. Moving on to Action 2, this action revises --

MS. MCCAWLEY: Hold on. I'm sorry. I saw Laurilee put her hand up a little late there. Sorry, Myra. Let's go to Laurilee. It looks like she might have something else on Action 1.

MS. THOMPSON: Sorry. I pushed my microphone button, thinking I was raising my hand, and I'm late out of the gate. Sorry. I don't want to see us lower the timeframe, because, I mean, if you look at what happened with red snapper, when we went into the ten-year requirement for a rebuild, look what happened to the industry, and so I support a longer timeframe, like Kerry, and I think that we're going to talk about some different thing that we might be able to do to help the red porgy in later discussion. Thank you.

MS. MCCAWLEY: Thank you, Laurilee. Back to you, Myra.

MS. BROUWER: Thank you, Jessica, and I should probably mention, to that point, the projected catch levels under the preferred rebuilding timeframe are actually higher than the recommended SSC's ABC, which means that it is likely that the stock could rebuild in less time, and so that's a good thing, and so I just wanted to make sure that was clear.

Then, moving on, therefore, to Action 2, Alternative 1 here would maintain the current total ACL, which is 328,000 pounds whole weight. However, this would not be based on the latest stock assessment and the latest scientific advice, and so it isn't a viable alternative. It includes the old recreational landings estimates that are based on the Coastal Household Telephone Survey.

Preferred Alternative 2 is based on the SSC's ABC recommendation and would implement the ABC equal to the ACL equal to the annual OY. Alternatives 3 and 4 add a 10 percent and 20 percent buffer, respectively, between the ABCs and the total ACLs, and you can see that, in yellow, we have added what the catch levels would be in gutted weight, and that was a request from the committee from June, and we've also made some other little clarifying edits to the language of the alternatives that you see on your screen.

Under the council's preferred alternative, the red porgy total ACL in 2022 would be 75,000 pounds whole weight, or 72,115 pounds gutted weight, and that ACL would increase annually to 95,000 pounds whole weight in 2026, and you can see what the equivalent is there in gutted weights, and that would remain in place until modified.

I will just move to the effects analysis. The biological effects would be greatest under Alternative 4, as it would provide the largest buffer between the ABC and the total ACL. Economic effects, there would be an overall net change that would be similar among all the alternatives in the first year of implementation, and that would be on the order of \$1.6 million, mainly from the recreational sector.

In the commercial fishery, there's an average of 161 vessels in the South Atlantic that harvested red porgy from 2015 through 2019, and the average gross revenue per vessel for that time period was about \$68,000 in 2019 dollars. The preferred alternative would result in the largest annual gross revenue reduction, which is \$1,086.

On the recreational side, there is a direct -- The direct comparison to Alternative 1 is not appropriate, and we've talked about this already, because the current catch levels include the CHTS-based recreational estimates. However, in the first year of implementation, the consumer surplus would be reduced by about \$1.5 million under Preferred Alternative 2.

The social effects would depend on whether accountability measures are triggered because of landings meeting or exceeding the ACLs, and so Preferred Alternative 2 would be the most beneficial to fishermen in communities, and, again, here I will pause, to see if there are questions or if you would like to provide additional rationale for the preferred.

MS. MCCAWLEY: All right. Thank you, Myra. Right now, it looks like our preferred is Alternative 2, as you mentioned, which has ABC equal to ACL. This is based on the new numbers that the SSC gave us. I am hoping, with this ACL, that maybe this would lower the chance of triggering the accountability measure and result in the least negative impacts to the fishing community, and I'm just going to put that out there. I don't have any desire to change the preferred alternative, but I will look to see if there is any other hands, if anybody else wants to have any discussion about the preferred that we've already selected. Tim.

MR. GRINER: Thank you, Madam Chair. I would also be in support of our preferred. I mean, this is another bitter pill to swallow here. It's another thousand-dollar hit and another thousand-dollar hit there, but, you know, I understand that we haven't been too successful in rebuilding this, but I don't know that that's going to change a lot either, and so I think, from my standpoint, I think the best we can do is try to limit the economic impacts as best we can, and I think that's what our preferred alternative does. Thank you.

MS. MCCAWLEY: Thank you, Tim. I don't see any more hands. Myra, before we jump into Action 3, can we take a ten-minute bathroom break and then come back to Action 3?

MS. BROUWER: Absolutely. Thank you.

MS. MCCAWLEY: All right. Ten minutes. When people come back, committee members, don't forget to put your hands back up.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: I think we might be okay to jump back into the item, the red porgy item, on Action 3. We're getting more people here. Myra, I'm going to turn it back to you and let you go back to Action 3.

MS. BROUWER: Sounds good. Thank you, Jessica. Action 3 revises the sector allocations and the sector ACLs, and so sector allocations have to be revised, because there was a new stock assessment, and the council has stated that a stock assessment is one of the triggers to review allocations.

The current sector allocations are based on landings as they were when the original allocation was implemented back in 2008. Now that recreational landings have been revised under the new FES methodology, the council has to take that into account when allocating the full ACL between the two sectors, and so, right now, red porgy -- The commercial sector is allocated 50 percent of the total ACL, and 50 percent goes to the recreational sector, and so an equal allocation was selected, because, at the time that this was put into place, as I said, it was closest to how the fishery was distributed, and the council, at that time, looked at landings between 2001 and 2003, and, at that time, 51 percent of the landings were going to the recreational sector and 49 percent to the commercial sector.

Note that the Alternative 1 has been substantially revised since the June meeting, and that is to reflect sort of an agreed-upon structure for how we're going to present alternatives that have to do with sector allocations and how to take into account the inability, I guess, to really compare between the current, or the CHTS, recreational landings units, or currencies, so to speak, versus the FES revised recreational landings currency.

Alternative 1 applies the current allocation percentages to the total ACL from the previous action, and so the table there reflects that, and, also, it shows the seasonal quotas that would -- What those would look like for the commercial sector. Currently, the council's preferred is Alternative 2, which uses revised landings from 1986 through 2008, and it puts those into the same allocation formula that the council has used for other assessed and unassessed snapper grouper species, and you can see what that formula is on your screen, and it's now part of the language of Alternative 2.

When you do this, that shifts the percent allocations to 51.43 to the commercial sector and 48.57 to the recreational sector, and you can see what those catch levels look like on the table below it, and so, currently, these are your only two alternatives. As I said earlier, there was an alternative to potentially remove sector allocations, and you provided rationale for why that was not

something you wanted to consider, and so the discussion basically goes over everything that I have just told you.

In terms of the effects analysis, the biological effects, there could potentially be negative effects from a higher allocation to the commercial sector, and this is because that fishery is -- Those fish are caught in deeper water, and so there is a higher discard mortality than in the recreational sector. As far as economic effects, the difference would be pretty small, and it would shift about a thousand pounds from the recreational sector to the commercial sector, so that, in the first year that the total ACL is implemented, the recreational sector would experience a reduction in net benefits of around \$7,000, while the commercial sector would experience an increase in net benefits of around \$1,000.

Then social effects, under the proposed catch levels, both sectors are projected to experience closures, and those are expected to lead to short-term negative social effects to communities, but, of course, long-term benefits, eventually, due to a healthier stock. Again, I would like to pause here and invite the committee to provide rationale for their current preferred.

MS. MCCAWLEY: Thank you, Myra. I'm going to go to Tim.

MR. GRINER: Thank you, Madam Chair. I was curious. On the recreational sector, they have not had any closures, as of late, on red porgy, and do they even get to an annual catch that's equal to 30,000 pounds a year? It looks like, to me, that they, at least in the past few years, that they haven't really come close to 25 percent of their quota, or 20 percent, and so does that 20 percent equal these numbers that we're seeing here, the 35,000 pounds, or would they be leaving fish on the table at that? Thank you.

MS. BROUWER: Thanks, Tim. That's a good question. I am going to eventually show you the decision tool that's been put together for this amendment that shows you the predicted landings under the various ACLs, and so I don't have those numbers in front of me right now, but you're correct in that neither sector has been meeting their ACL, but, under the proposed reduced catch levels, they are expected to fully harvest their ACL.

MS. MCCAWLEY: All right. Laurilee.

MS. THOMPSON: Well, that was my question, too. I was trying to find, in all this mountain of information, whether the recreational -- How close they come to reaching their limit every year and would the new numbers -- Would they be looking at season closures, with the new numbers, and so would the recreational industry reach these new numbers?

MS. BROUWER: Well, Jessica, if it's okay with you, I could bring up the decision tool. I was going to bring it up under the next action, but, if the committee would like for me to bring that up right now, I can.

MS. MCCAWLEY: Let's do it, Myra.

MS. BROUWER: Okay. Give it a second to reload itself, and hopefully it will work. Okay. Here is the decision tool that's been put together to make sort of the analysis in visualizing all these various options a little bit interactive and easier for you all, and so, currently, the bag limit is three

per person for the recreational. Here is the proposed ACLs, and so you've got the two levels, depending on the allocations, and then you have the option of closing or opening various MRIP waves.

Here is where we have put together predicted closure dates under the various alternatives, and so, right now, if the fishery remains open year-round, the predicted closure date, under the adjusted catch level, would be May 3, and then the confidence intervals are noted in this gray cone of uncertainty, right, and so it could be anywhere from March 23 to June 22 under the current ACL, and so this is a tool that we've used to analyze and allow you to choose when the most appropriate time to consider a recreational season would be. Then, down below, you have the predicted landings in pounds. I hope this -- It doesn't directly get at the question you're asking, Tim, and I would have to pull up the historical landings, so that we could look at the percent of the ACLs that have been harvested over the years, and I can certainly do that, if you would like.

MS. MCCAWLEY: Thanks, Myra. Tim.

MR. GRINER: Thank you, Madam Chair. Myra, I think that would be very helpful, because, as I look at the last few years, and this year, going into this year, I don't see the recreational sector closing, but maybe that's just an outlier for these past few years, but, right now, they're at 7 percent of their quota for this year already.

I think, last year, they ended up at 18 percent, less than 30,000 pounds, or maybe that was the year before, and then I think there was one year they got to about 40,000 or 45,000 pounds, but I would like to look at that, because the thought of -- First of all, the thought of leaving fish out there, when we're taking such a hit on the overall ACL, is not what we're charged with doing, and, at the same time, it's a bitter pill that the recreational sector would not be able to keep a red porgy after May. That's pretty tough right there, and so, yes, I would like to look at what their catch has been the last maybe three or four years, because I think that's kind of where we need to be honing-in on. Thank you.

MS. MCCAWLEY: Thanks, Tim. Laurilee.

MS. THOMPSON: I agree with Tim. I think we need to look at what they've caught the last few years and compare that, because, again, if we -- If there is going to be fish left on the table, and commercial gets shut down, and recreational is not going to achieve their limit, that's not good management. Thank you.

MS. MCCAWLEY: Chip.

DR. COLLIER: Thank you for recognizing me, and I appreciate what the council members are talking about, but, when we're looking at these numbers that are being displayed right now, and the numbers that are being looked at for the historical landings relative to the ACL, those are based on the CHTS numbers, and those are not based on the new FES numbers, and so it's not an apples-to-apples comparison, and that needs to be taken into account.

The new FES numbers, there's been a -- I think there was a pretty substantial change in red porgy, and, therefore, the landings went up, and so, even though the old ACL, and monitoring to those,

indicate that they were not catching greater than it looks like 20 percent for the past -- From like 2020, 2019, those numbers are definitely a bit more questionable. Thank you.

MS. MCCAWLEY: Thank you. Tim.

MR. GRINER: Thank you, Madam Chair. To that point, why are we still monitoring in the old currency then? I mean, this is what is kind of making it hard to make decisions, is you look at the monitoring, and we're back to old currency, when everything we need to make a decision on is based on new currency, and why are we still tracking this in old currency?

MS. BROUWER: We are not, and those -- The new tracking is going to be in, as Chip said, FES currency, and I am currently trying to pull up the figures and the landings tables that are in the draft amendment document, which is in your briefing book, and so, if you give me just a second, I am going to try to get that information up on the screen for you all.

MS. MCCAWLEY: Thank you, Myra. I'm going to go to Andy, while you're doing that.

MR. STRELCHECK: To build on what Chip said, and to answer Tim's question, the council is responsible for setting catch levels, and so the agency monitors those catch levels based on the units that they were specified, and then, periodically, as updates, improvements, to data happen, we incorporate that into stock assessments or incorporate that into management decisions, and, ultimately, it leads to decisions like we have before us today. Now we'll, obviously, make modifications to the management and the catch limits that we're monitoring.

Chip mentioned about the previous catch limits for recreational not being caught, and he noted the difference in units. I will point though to the fact that, based on the catch levels that we're looking at for this amendment, all of the landings in prior years, the best I can tell, would have exceeded those catch limits being considered for the recreational sector, and that's based on the old units of measurement, and so there is a very high likelihood that they will meet, if not exceed, the catch limits very quickly under this action, based on what Myra was showing us earlier.

The other comment I will make, Myra, is that you had mentioned, in your summary of the action, that the biological effects for the commercial could lead to higher discard mortality, because they fish in deeper water, and that's certainly a fair statement. I guess I would add to that though. By allocating slightly more to the commercial sector, that reduces, potentially, fish that have to be discarded, especially when commercial closures are reached, because they're able to retain those fish as part of the quota, because of the higher quota. Thanks.

MS. MCCAWLEY: Thank you, Andy. Laurilee.

MS. THOMPSON: When we're trying to figure out where -- In a future action that we're going to talk about in a little while that's talking about reducing the bag limits from three per person per day, or three per person per trip, down to one, and so, if you apply the proposed bag limit to the numbers that they caught in previous years, would that be a way to tell whether they would actually reach their limits, because you can't compare what happened in the past, where they didn't reach their allocation when they were allowed to keep three, and you would have to apply the one-fish per day, or per trip.

MS. MCCAWLEY: Laurilee, it looks like Myra just did that in the decision tool, and it looks like the predicted closure date is May 15.

MS. THOMPSON: Okay. Thank you, Myra.

MS. MCCAWLEY: Tim.

MR. GRINER: That's helpful, but still, I guess, I'm a little bit confused. If I go and look at the SERO ACL monitoring site, why is that showing me back to the Coastal Household Telephone Survey? I mean, why are the current waves, the waves that just showed up this week, why is that showing in the old currency? Why is that not in the new currency? I guess maybe I'm missing something.

MR. STRELCHECK: Jessica, to that point?

MS. MCCAWLEY: Sure. Go ahead.

MR. STRELCHECK: Tim, the council, at whatever previous point in time, took an action to set the catch limits based on a prior stock assessment that used the CHTS, Coastal Household Telephone Survey, currency. That has remained unchanged, until, obviously, this amendment before us, and so we are working to change that, using the newest estimate and the new effort survey, the mail-based survey, and so, in the meantime, we monitor the landings in the same units that they were specified for the catch limit.

MR. GRINER: So, to that point, does that mean that, until an amendment on each species has gone through that we make some decision on, that everything is always going to be reported in the Coastal Household Telephone Survey, and then it won't be changed over, but it will be changed over species-by-species as we go through amendments, and is that fair to say?

MR. STRELCHECK: Correct. Yes, we would need to make changes, in terms of how the catch limits are set, in order to monitor them in different units, and so I guess look at it in a different way. If you don't monitor in the same units, and your data collection estimates change, whether they go higher or lower, that could mean then that we are tracking the quota and determining that the quota is met faster or slower than the original predicted landings would have indicated, right, and so you want to make sure that there's an apples-to-apples comparison between quota and how it's set and what you're using to monitor that quota, in terms of units.

MR. GRINER: Thank you, Andy.

MS. MCCAWLEY: All right. Let's see if we can transition back to Action 3. We have a preferred alternative in Action 3, Preferred Alternative 2, and it does give a little bump to the commercial sector. Any more discussion on the preferred alternative that we have -- I'm sorry. This is Action 3, and I might have said Action 2, but, in Action 3, we have Preferred Alternative 2. Is there any more discussion about that preferred? All right. I don't see any hands. I am going to turn it back to you, Myra.

MS. BROUWER: Thanks, Jessica. I am still, Tim, trying to locate the back-calculated landings. They were in a very early version of this amendment, and so I've got several versions open, and I

will get that information up when I locate it. In the meantime, I'm going to continue going through the actions, and so we're up to Action 4. This one addresses commercial trip limits.

The sub-alternatives under Alternative 2 would reduce the trip limits during the first commercial season, which is from January 1 through April 30, and you can see what those sub-alternatives are on your screen. Under Alternative 3, that addresses the trip limits during the second commercial season, which is from May 1 through December 31. Currently, the council's preferred is to reduce the trip limit to fifteen fish per trip, for both seasons, and I should mention the current is sixty fish from January through April and 120 fish from May through December.

This Alternative 1, the no action, is fairly recent, and this went into place, as far as the sixty-fish trip limit early in the year, went into place just last year, and recall that the council took action, through Regulatory Amendment 27, to make several changes to commercial management measures as a result of your vision blueprint for the snapper grouper fishery, and so, for red porgy, just to recap, what the council was trying to do, by allowing, or taking away, I guess, the prohibition on a commercial sale early in the year, was to address regulatory discards. There is a good many discards in the fishery, early in the year, and the council's rationale, at the time, was let's take away the sale prohibition, to allow some of those discards to be turned into landings.

That's where we are there, and it's pretty self-explanatory, as far as the alternatives are concerned, and so I will go down to Figure 1, which basically shows you that the majority of trips between 2015 and 2019 caught less than thirty red porgy per trip, and, here, you've got the number of fish per trip on the X-axis and the percent of trips on the Y.

Moving further down to Table 2, this shows you the expected reduction in landings and what that would be relative to the current trip limits for each season under the new catch levels and the preferred allocation, and so I've highlighted the ones that are the combinations of the preferred, and you can see the predicted change in landings per trip is pretty substantial. It's 62 percent for Season 1 and 71 percent for Season 2.

Then, further down, we have this table that shows you the predicted closures, and so here's where I am going to switch back to the decision tool and show you what that looks like over here for the commercial sector. This is split for each of the seasons, and so you've got Season 1 here on the left and Season 2 on the right, and what those ACLs would be. You can toggle between the preferreds, and this was changed from whole weight to gutted weight, and so that's in gutted weight, and then you've got the different alternatives for the trip limits, and so, if we just select the preferreds, it shows you, across the top, what the predicted closure dates would be, again with the confidence intervals noted in gray. Then, at the bottom, what the predicted landings would be, again in pounds gutted weight, for each of the seasons.

Going back, I guess I will just go over the effects, without going back to the document, so you can kind of absorb this here. For the biological effects, red porgy are harvested incidentally with other snapper grouper species, like vermilion and gray triggerfish, and so there is some indication that matching the trip limit to the average catch per trip could reduce discarding in the long term, and so, under that, I guess, suggested connection there, a thirty-fish trip limit may be more biologically beneficial.

As far as economic effects, total net effects are expected to be similar among the alternatives, since the commercial ACL will be fully harvested under any of the alternatives. Higher trip limits, of course, are better than lower ones, but can also trigger a closure sooner in the year, and so there is tradeoffs, and the social effects are going to depend on how communities are affected by a lower trip limit and longer season, or vice versa, and so I will be happy to answer any questions or, again, get the committee to potentially give me some more rationale.

MS. MCCAWLEY: All right. Thank you, Myra. As Myra switches back to the document, maybe, we have two preferreds under Action 4. We have Preferred Alternative 2a and Preferred Alternative 3a, and these are matching up with the two different seasons. Any more discussion from council members on these two preferred alternatives? We saw the effects of those with the decision tool. Laurilee.

MS. THOMPSON: I don't know that much about red porgy, and I'm embarrassed to say that, and so I was wondering, and is it a targeted species, or is red porgy an incidental catch that is caught when other things are being targeted? Would it make sense, or would it help, if you did a red porgy closure at the same time that you've got the January through March grouper season closed? Would that help?

MS. BROUWER: If it's okay, Jessica, I will try to answer Laurilee's question. Laurilee, red porgy used to have a closure early in the year that coincided with the shallow-water grouper closure, and they are caught incidentally, and that is one of the problems the council was trying to solve by removing that sale prohibition, and so it could potentially reduce the discarding that was happening when fishermen are targeting other species like vermilion and gray triggerfish, and that was, as I said, recently changed, and it's only been in place about a year.

MS. THOMPSON: Okay. Thank you.

MS. MCCAWLEY: Thanks, Myra. Steve.

MR. POLAND: Thank you, Madam Chair. Myra, I just want to make sure that I'm understanding the biological effects summary here for the thirty-fish trip limit, and so that's basically saying that, if the trip limit is set to thirty fish, the average trips in the region land about thirty fish, and going below thirty fish would just increase the likelihood of regulatory discards, and is that the rationale? I just want to make sure that I understand this.

MS. BROUWER: Steve, I think the idea is just to try to match up the trip limit with what is typically being caught to affect discards, and so it's just trying to keep things from changing too much, so that discarding would increase, as I understand it, and I can certainly go back and refer to the study. I think it was a 2019 study that suggested this, and I can go back and dig that up.

MS. MCCAWLEY: Thank you, Myra. Kerry.

MS. MARHEFKA: That's an interesting number, because that's what is caught under constraint, and I don't necessarily think that's really what is getting pulled up to the boat, and so I think that you're not necessarily -- I mean, you're getting some reduction in regulatory discards, but it's not like that's all they're capable of catching. There were regulatory discards at the other number, too.

I don't have a strong feeling about this, and I just wanted to give some background, especially to new council members, because Laurilee asked, and, with what we've struggled with with red porgy and some of these species in the snapper grouper management complex, in my time on the AP and the council, is weighing the -- Having a species available to market all year. In other words, having a long segment go where we don't have red porgy and we have to reintroduce it back to a market, to chefs or to whoever is purchasing, and it losing its place in the market when it's unavailable and also trying to always have a little bit of something we can catch all year long, so that we can put a trip together.

No one has ever -- I mean, maybe way before my time, in the 1990s, but, to my knowledge, no one has ever gone out and made a trip on red porgy. Red porgy just happens to be one of the species you're catching when you're targeting vermilion snapper, and other species, and so that's sort of what we've always been weighing, and, if I recall correctly, and anyone can correct me if I'm wrong, we went with the fifteen because of trying to keep it open as long as possible and to keep the market there as long as possible. That doesn't mean that it's necessarily the right way to do it, and I am willing to die on that hill, but that's just some background for why, in the past, we have chosen lower trip limits, commercial trip limits.

MS. MCCAWLEY: Those are great points, Kerry, and I agree. I think that that lower number is to try to keep it open as long as possible. I will just remind folks that we'll be taking public comment on this tonight, and we can revisit this. We can also send this back to the AP, to get some more input, and so, right now, under this action, are we okay with the two preferreds that we have, or is there a desire to change it? I don't see any hands, and so -- Mel.

MR. BELL: I was just going to say that I'm fine with holding what we've got right now, and let's take it to public hearing and see if we see any difference, but I think we're okay right now.

MS. MCCAWLEY: All right. Just a reminder that the council meeting is the hearing. Okay. On to Action 5. Back to you, Myra.

MS. BROUWER: Thank you. Action 5 is split into two sub-actions. The first one addresses the bag limit, and so a reduction in the bag limit, of course, is being considered to constrain recreational harvest to the proposed recreational ACL, and, as I mentioned earlier, as a reminder, the council also considered vessel limits for the private and charter modes and the headboat mode independently of each other and in combination, but they removed consideration of this in June of this year. The current bag limit for red porgy is three per person per day, or three per trip, and so there are alternatives for one fish, which is Preferred Alternative 2, and two fish, which is Alternative 3.

I will note that the structuring -- Just for the record, I will note that that changed, and we had this split into -- We had sub-alternatives, and the IPT has since changed it to the current structure, which is just easier to analyze. Scrolling down to Figure 2, this shows the percent of trips that harvest red porgy by mode, or that harvested red porgy by mode, from 2015 through 2019. I will point out that the sample size for the private mode is pretty low relative to the other two.

Then this table down here, Table 4, shows the predicted percent reduction in landings for each bag limit alternative by mode, and so you can see, at the bottom, the overall, for all three modes, is a 29 percent reduction, and I guess we can go back to the decision tool, and I have already showed

you how you can combine the two sub-actions here for bag limit and the recreational season, which is the following action, and so let me go back there.

In terms of effects, for the biological, the greatest reduction in harvest from the preferred alternative would be beneficial, but could result in the most discards, of course, which would have negative effects. A one-fish limit would have noticeably larger negative economic effects on a per-trip level, but, since the ACL is expected to be fully harvested, regardless of which alternative is chosen, the net economic effects would be similar, and higher bag limits would improve benefits to the recreational sector and associated businesses, but would also potentially substantially shorten the fishing season under the proposed recreational ACL, which is why the council is considering a season in the next sub-action, and so I can pause here, if you would like to talk about it or talk about additional rationale for your preferred bag limit alternative.

MS. MCCAWLEY: Thank you, Myra. I had a question on the way the actions are worded under the bag limit. It's just super confusing to me, and can we not just say one per person per day? I mean, I get that some people are going out multi-tripping, and so then it's -- Why is it still not one per person per day, because it says whichever is more restrictive, and it just seems like there's a better way to say this. I feel like we've confused this more.

MS. BROUWER: That is the way that it is stated in the regulations, and so it is per day or per trip, and I agree that it is confusing, and I am not sure what it would take to change that, and it could potentially have an effect on the analysis, but I would have to talk to the folks who conducted the analysis to see if that would change anything.

MS. MCCAWLEY: I guess I would like to know, eventually, and I don't need an answer right now, if it would change anything, and it just seems overly confusing, but I'm okay with our preferred, and I get where we're going, but just we always question it. We have to stop and think, every time we come to these alternatives that are worded this way, and then we have to have a powwow with law enforcement about the wording, and it's just a little confusing for us. Anyone else on the committee want to talk about our preferred alternative, which is essentially one, or would we like to go ahead and talk about the season option? I don't see any hands, and so I'm going to turn it back to you, Myra, to go to the season.

MS. BROUWER: Sounds good. I will scroll down to the fishing season action, and so, as I said, this is being considered to constrain the harvest, and there are four alternatives. Of course, no action is to allow harvest year-round, and there is no season currently in place for red porgy. Then you have Alternatives 2 through 5, and 5 is highlighted in yellow, and it's the one that was added at the June meeting, and your preferreds, of course, are 3 and 4.

Those were chosen in combination, and so that would essentially establish a recreational season from May through August. I should point out that these alternatives, Alternatives 2, 3, and 4, do correspond to MRIP waves, and the MRIP survey -- The landings are estimated in two-month waves. Alternative 5, however, straddles Waves 3 and 4, and so a few things to note here.

Alternative 2 is on top of the red porgy spawning season, and I will mention here, in just a minute, what your AP had to say about that, but let me first show you some of the figures here, and this one summarizes the landings by two-month wave, from 2015 through 2019, and you can see the predicted landings there are shown in the red-dashed line, and note that 2018 is missing, and that

was done on purpose, because the PSEs, the percent standard error, for that year was high, and so those were not considered in the analysis.

Red porgy landings are actually only predicted to remain below the new ACL under Alternative 2, which is a little problematic, because, as I said, that's when red porgy are spawning, and so back to our decision tool here. This is where you could open and close the various waves, and I should note that, because this was structured to be in waves, so that you could just have this ability, we don't have a wave to visually show you what Alternative 5 would do, because we don't have this structured under individual months.

Here, you can close the various waves, and so I will just do that to illustrate, and so, at the top, again, it shows the predicted closure if Wave 2 is the only one that is open, and let me make sure -- I believe that is the correct ACL. I'm sorry, but my decision tool doesn't seem to be updating. Give me just a second.

While this tries to update, the biological effects of Alternatives 1 and 2 could be negative, because fishing would be allowed, as I said, during the spawning season, and other alternatives would be better, biologically, in that fishing would be shifted away from that. Under the economic effects, only Alternative 2 is predicted to not fully harvest the ACL, and so there would be a reduction in consumer surplus, and, as far as social effects, the predictability of the season would have a positive socioeconomic effects, I guess, particularly from preferred alternatives as they are currently, since this when red porgy recreational harvest has been the greatest, and that's the figure that I showed you earlier.

I will note that the AP's recommendation, when they talked about this -- They've talked about this a couple of times this past year, and they did recommend that the council consider closing harvest to coincide with the shallow-water grouper closure, as was mentioned a little bit ago, and so one thing that you might want to consider is removing Alternative 2 and, again, provide rationale for the current preferreds. I see that my Shiny app is still not updating, and so I'm going to take us back to the document.

MS. MCCAWLEY: All right. Thanks, Myra. I am going to start the discussion here. We have this new Alternative 5 that's been added. Alternative 5 is not a sum of Alternatives 3 and 4, and Alternative 5 shaves off a month from the month series from Alternatives 3 and 4. Alternative 5 starts with the month of June being the first month of harvest, which is outside the spawning season, and so the spawning season is January through May, but peaking January through March, and Preferred Alternative 3 includes the month of May, and so I'm just going to -- I'm just trying to tell you what the differences are between Alternatives 3, 4, and 5, but let me go to hands. Laurilee.

MS. THOMPSON: I like Preferred Alternative 5. It gets you through the whole summer season, but I like May through June also, Preferred Alternative 3, and I think, if you look at what's going on, as far as hurricanes and tropical storms right now, as you get later into the summer -- If we have to pick preferred Preferred Alternative 3 and Preferred Alternative 4, I would go with Preferred Alternative 3, based on the weather conditions. Thank you.

MS. MCCAWLEY: Thanks, and so, just to clarify, Alternative 5 is not a preferred yet. It's a new alternative. I don't think that we need to not have 3 and 4, and we can have both of those. They're

not overlapping, and we have selected both of them right now, and so, just to reiterate what the difference is, the new Alternative 5 that we had talked about at the last meeting gets us fully outside the spawning season, by starting in the month of June, and so, once again, Alternative 5 is not the additive effects of 3 and 4, and it is different. I think, Andy, that you had had some discussion about these seasons the last time that we talked about this particular sub-action. Anything that you want to add here?

MR. STRELCHECK: Thanks, Jessica. I agree with the rationale with regard to why we wouldn't select Alternative 2 as a preferred. I think the problem with our record, with Alternatives 3 and 4 being selected as preferred together, is more if the council even opted to select Alternative 5 instead, and that is that you haven't demonstrated how that's going to constrain landings to the catch limit.

Based on the projections, which, unfortunately, it looks like aren't working today, through Myra's tool, it looks like we would exceed the catch limit under the various scenarios that are being considered, and so, to me, the council needs to build a record and determine, obviously, how you're going to constrain catch to the catch limit, and my recommendation at the last meeting was to consider a shorter fishing season in order to do that.

MS. MCCAWLEY: Thank you, Andy. It sounds like you're suggesting that we take Alternative 2 and move it to Considered but Rejected. I am also not sure how to interpret selecting the shorter fishing seasons, and is there an alternative there that you could select possibly by itself as your preferred, or are you just leaving it open to discussion by the committee?

MR. STRELCHECK: Myra, is the tool working again? I saw you bring it up.

MS. BROUWER: I cannot get it to load back up. I'm not quite sure what's going on, and I'm hoping Chip is in the background trying to --

DR. COLLIER: That is correct. I am working on it right now, and so I just clicked it, and so hopefully it is refreshing and should be ready for you to go shortly.

MS. BROUWER: Thank you.

MR. STRELCHECK: Just to comment, while it's coming up, and so Myra showed the distribution of landings over a series of years, and you can see that they are highly variable. When we do these projections, they're based on historical landings data and trying to predict, obviously, trends in future landings. Because of that variability, I guess I wanted to understand, if we selected just the two-month period, what's the likelihood of exceeding the catch limit or not and do the error bounds fall within or outside of that two-month time period, and so, Myra, could you select, for example, Wave 3 only as open?

DR. COLLIER: You might want to change the bag limit, too. It's currently at three.

MS. BROUWER: I'm assuming that folks are kind of just chewing over this. If there is any other scenarios you would like me to select for you, let me know.

MS. MCCAWLEY: Let me go to Chester. Sorry. I was just staring at the decision tool and looking at the table below it. Chester. Chester, if you're talking, we can't hear you.

DR. COLLIER: It looks like he went offline.

MR. BREWER: No, I'm back. Chip actually asked what I was going to ask, is I wanted to see what this looked like with the one-fish bag limit, and, strangely enough, it doesn't -- I may be wrong, but it doesn't look like it changed that much, and so I was also wanting to see if we could put in this decision tool, which is really cool, the Alternative 5 and see what that would look like and where we would be closing, et cetera. It looks like, right now, under this scenario, with one fish, we're closed about the middle of June, I would guess, something like that, or maybe the beginning of July. Anyway, could you do it with the Alternative 5, please?

MS. MCCAWLEY: I thought the answer was no, because it's in the middle of a wave, and I thought we already discussed that. Unfortunately, we can't, and isn't that right, Chip or Myra?

MS. BROUWER: We could restructure the app, but it's just not something we can do on the fly. I understand that it's -- We could restructure it so that it shows closures by month, and here is Chip, and he can probably tell you.

MR. BREWER: Thank you.

DR. COLLIER: Just getting to Chester's point, if you have Wave 3 open for just two months, it closes within that wave, and so adding an additional month in another wave is not going to prevent a closure, and the closure would have occurred the month before.

MS. MCCAWLEY: That's a great point, and so I know that people are still kind of chewing on this. If there is a desire to change up these preferreds, we can. Otherwise, maybe council members need to look at this a little bit more, and then we can come back to it in Full Council, but, Andy, do you have some suggestions for something to do right now?

MR. STRELCHECK: **I'm going to go ahead and offer, I guess, de-selection of a preferred, and let's put it that way. I'm going to recommend that we do not include Alternative 4 as a preferred, and so our preferred alternative would remain May through June.**

MS. MCCAWLEY: All right. **That sounds good, and so, once again, the motion is to de-select Preferred Alternative 4 as a preferred.** Ultimately, in a separate motion, we probably want to move Alternative 2 to Considered but Rejected, but let's handle that separately. Do we have a second for this motion?

MR. BELL: Second.

MS. MCCAWLEY: All right. I heard a second by Mel. It's under discussion.

MR. STRELCHECK: My recommendation is -- We've already talked about why not to select Alternative 2. In terms of Alternatives 3, 4, and 5, all of them have at least some probability that the catch limit could be met, or potentially caught, within the timeframe that the fishery is open. We do have some uncertainty surrounding the landings data. The projections that we just were

shown indicated that the catch limit could be caught in May and June, but, also, there is uncertainty around it, in case the season might be able to remain open during that entire two-month time period and not be met.

I think adding an additional two months risks the catch limit being exceeded by a considerably higher amount, and the same rationale would apply to Alternative 5, and having three months open, rather than two months, would risk the catch limit being exceeded by a higher amount, and so that is why I'm recommending Preferred Alternative 3 as the only preferred.

MS. MCCAWLEY: All right. Thank you, Andy. Any more discussion on this motion? **Is there any objection to this motion? I don't see any hands.** I'm sorry. Mel put his hand up.

MR. BELL: It wasn't to object. It was just about the motion, and I was also going to say that it kind of deals with Laurilee's point about staying away from perhaps the late summer, where the weather might not be so great.

MS. MCCAWLEY: Okay. Great point. **Other than your hand, Mel, which was not an objection, I didn't see any objections on this motion, and the motion carries.** Would someone also like to make a motion to move Alternative 2 to Considered but Rejected?

MR. BELL: **I would so move, Madam Chair.**

MS. MCCAWLEY: All right. Thank you, Mel. Do we have a second for that?

MR. BREWER: Second.

MS. MCCAWLEY: All right. Second by I think that was Chester. **Once again, this is to move Alternative 2 to the Considered but Rejected Appendix.** It's a similar rationale to what Andy discussed. The season is just too long, and it's also in the middle of the spawning season. Any more discussion on this motion? **Any objection? Seeing none, that motion carries.** All right. Myra, back to you.

MS. BROUWER: Thank you. I am bringing us down to the last action, Action 6, and this modifies the recreational accountability measures. There are currently three alternatives to the no action, and I will note that what I am projecting here on the screen is a simplified version of the language of the alternatives for presentation purposes, and the detailed language is further down in this document in the appendix, and so, if you want to refer to the actual language, it's all in there, but it's just very detailed and kind of cumbersome to get through.

There is also a table that I will just quickly show here, down below, where we attempted to just make it a little bit more digestible for you, and so the no-action alternative has an in-season closure, and then you move down here, and it tells you when that kicks in, and that's when the ACL is reached, or is projected to be reached. Another part of that same alternative, which is what's currently in place, is there a payback of if the total ACL is exceeded and red porgy are overfished, and so this is kind of how you interpret -- How you use this little table that I hope is a little bit useful. AMs are a little bit cumbersome.

I will bring us back up to show you the actual language here, and so I have just explained the no action, and so there's an in-season and a post-season currently in place. Alternative 2 would look at a scenario where NMFS would announce the start and end dates each year, and so the fishing season would start on whatever date you all select, based on what we just talked about, the recreational season, and so let's say May 1, and then it would end when NMFS projects the season, the recreational ACL, to be met.

Alternative 3 is kind of a combination, where it looks at scenarios when ACLs are changing year-to-year or when ACLs have stayed constant, right, and so it's got different triggers in here. One uses the arithmetic mean, and the other one uses the geometric mean to compare the landings. This one has the least likelihood of being triggered and could actually cause a delay in implementing the AM. I believe the council talked a lot about something similar when you were developing Dolphin Wahoo Amendment 10. There is also no safeguard in place under this alternative to prevent the total ACL from being exceeded for more than a year.

Then we have Alternative 4, which does not currently have an in-season closure, and I should say this is one that was kind of fleshed out in the middle of the June council meeting, and so this is the first time you're seeing it, and so this one would remove this double penalty, where there is a reduction in the season length and a payback, but, since the catch levels are being reduced so much in this amendment, AMs are likely to be triggered.

This AM is also tied to the total ACL, and so it's triggered when the total commercial and recreational ACL is met, or exceeded, and so you have a situation where the total ACL might change, due to a potential payback triggered through this AM, and so it's a little convoluted, and I have just gone over the various clarifying points here.

Then, for the biological effects, Alternative 2 is actually what we consider could be the most beneficial, and it seems like it would work best to prevent overages, and it would be addressing -- What's the word I'm looking for? Preventing overfishing, whereas Alternative 3 could actually allow overfishing to occur for some time before it is corrected.

For economic and social effects, there could be some short-term negative effects under no action, followed by Alternatives 2, 4, and 3, and that is the same thing for economic environment as well as the social environment, and so I don't want to spend too much time. I know this action is one that the committee hasn't spent a whole lot of time talking about.

We do have some recommendations, or points, that I wanted to bring up from the IPT, and so we would like to request that you clarify your intent to remove the in-season AM, whether that is something you do in fact want to do, and provide rationale for why we're just modifying the recreational AMs. There used to be an action that was initially included in this amendment to potentially modify commercial AMs, and that was removed. This remained, and so we just need to sort of flesh out your rationale for that.

We would recommend removing Alternative 3 from further consideration, and I think I've explained why, and it is very complicated to explain to the public and seems weak for a species that is overfished. Then, for Alternative 4, we noticed that one of the things that's missing is the tie-back to the status, and so is it the council's intent to remove the overfished criteria under that

alternative, and, if that is the case, then we would suggest that you put “regardless of stock status”, that you add that to the language.

Then, finally, as I said, under Alternative 4, maybe consider removing the trigger of the total ACL being exceeded for a payback, so that you’re not in this kind of moving target scenario, where your commercial ACL may be affected by the recreational AM being triggered, and so I will pause there and answer any questions, if you have any.

MS. MCCAWLEY: Thank you, Myra. I am going to try to cut to the chase on a couple of these. It seems like, based on everything that Myra has said, and the IPT recommendation, it seems like maybe we don’t want to consider Alternative 3 anymore, and maybe we want to remove that. It also sounds like, based on this discussion, or what Myra pointed out, that maybe Alternative 2 is maybe the best, and we don’t have a preferred here of these alternatives yet, and I don’t know if Myra wants to scroll back up to the alternatives, so that folks can see them. Then there has also been a suggestion to figure out if we need to reword or add the language about “regardless of stock status”, and so I will throw those pieces out there and see what type of discussion we want to have here. One thing we could start with is a motion to move Alternative 3 to Considered but Rejected, but I see that Andy put his hand up.

MR. STRELCHECK: Well, I will second your motion, if you’re making it.

MS. MCCAWLEY: I wish I could. Would you like to?

MR. STRELCHECK: Sure. **I will make a motion to move Alternative 3 to Considered but Rejected.**

MS. THOMPSON: I will second that.

MS. MCCAWLEY: All right. It’s seconded by Laurilee. We’re getting that on the board there. This would move Alternative 3 to the Considered but Rejected. Once again, this is the one with the three-year average, and we’ve talked about how confusing this is. This was also recommended by the IPT to remove it. All right. Any discussion on this particular motion? Steve, is it on this motion?

MR. POLAND: No, it’s not on this motion, but I’m in support of it.

MS. MCCAWLEY: Okay. **Is there any objection to this motion? I don’t see any other hands, and the motion carries.** Now I am going to go to Steve for more discussion on this action.

MR. POLAND: Thank you, Madam Chair. For Alternative 2, since we just selected a preferred for a two-month season for red pogy, and just so I’m clear on it, would this also require a payback if the previous year is exceeded and then the season adjusted? I guess my question is, are we going to wind up in a scenario where the season is shorter than the two-month wave, if we select Alternative 2?

MS. MCCAWLEY: Good question.

MS. BROUWER: If I may, Jessica, I think this alternative actually has sort of an implied payback, so to speak, because, theoretically, what we're doing is allowing the agency to predict the length of the season, much like we have for red snapper, and so, if those predictions are correct, and the season closes when it should, to prevent overages, then there would be no need for a payback, and so it's sort of implied in this scenario, and does that make sense?

MR. POLAND: That makes sense to me, and that's how I was interpreting the language for Alternative 2.

MS. BROUWER: If I may just add to that, what the -- Whatever wave, or months, you select for the season, it would kind of be the bookends for this alternative, and so that would give the agency, okay, this is the time period during which the season, the allowable fishing days, so to speak, would need to be allowed, within these two bookends.

MS. MCCAWLEY: All right. Based on that additional information, do we have more questions? Do we want to select a preferred here? Andy.

MR. STRELCHECK: If you can scroll down to Alternative 4, I think Alternative 4, in my viewpoint, makes the most sense, and so we have too short of a season to do any sort of in-season management, and so eliminating the in-season accountability measure would make the most sense, to me, and then, the post-season accountability measure, there was a recommendation to remove the reference to the total ACL, which I'm fine with doing, and the agency would be responsible for assessing landings and information and determining what the season length would be in the following year, if there is an exceedance of the catch limit.

MS. MCCAWLEY: So is that a motion to select Alternative 4 as the preferred?

MR. STRELCHECK: That is my preference, but I would like to hear council discussion.

MS. MCCAWLEY: Okay. 10-4. Laurilee.

MS. THOMPSON: **I would make that motion to select, as our preferred alternative, Alternative 4.**

MS. MCCAWLEY: All right. There is a motion to select Alternative 4 as the preferred. Steve, is that a second?

MR. POLAND: Yes, I will second for discussion.

MS. MCCAWLEY: Okay. Would you also like to weigh-in on this?

MR. POLAND: Yes, and so two things. Just in clarification, I thought Andy was suggesting removal of the language referring to total ACL. Then, as far as rationale, I mean, to me, this seems really like the only path forward. I mean, I agree that in-season accountability measures for this fish, and really most of our recreational fisheries, just aren't possible, and this seems to still capture the intent of Alternative 2 to adjust the season the following year.

I know, in the past, we've included language about the Service announcing the recreational seasons, and that's just a question that I guess I'm going to pose to the council, is do we want to reflect that here, because, I mean, once they do the projections and have the seasons for the following year, I mean, they're announced via a Fishery Bulletin, and so I'm not clear on what the rationale was in the past, just specifically to include that language in there about announcing the season.

MS. MCCAWLEY: Good question, and I'm going to go to Myra.

MS. BROUWER: Thank you, Jessica. I was going to suggest that, if the committee wants to modify Alternative 4, as I have here on the screen, as was suggested, that then you maybe want to alter the motion to select it as preferred as modified, and, also, while I'm talking, I was going to remind you about potentially adding language about stock status, if you so choose, and, to Steve's point, I guess the one fishery where the agency --

One species where the agency announces the season every year, besides red snapper, is black sea bass, and so that is currently structured the same way and where this Alternative 2 kind of was borne from. If the council is already selecting a recreational season with the previous action, in my mind, I guess that would sort of be established, that the annual season for red porgy would be May-June, and there would be no need to announce it, unless projections were involved. Thanks.

MS. MCCAWLEY: All right. Thank you, and so the motion maker was Laurilee. **Are you okay with modifying the motion to be select Alternative 4 as the preferred, as modified?**

MS. THOMPSON: **Sure.**

MS. MCCAWLEY: All right. Steve, as the seconder, I assume you're okay with that as well, since you brought it up?

MR. POLAND: Yes.

MS. MCCAWLEY: All right. Let's go to Tim.

MR. GRINER: Steve actually covered what I was going to say. Thank you.

MS. MCCAWLEY: Okay. Any more discussion on this motion? **Any objection to this motion? That motion carries.** All right. I'm not sure if we need to do more here. I'm getting a little confused on this one, Myra, or if it's okay for us to move on or what.

MS. BROUWER: I think we're good. I think this is, in fact, the last action, and I don't think I have anything else. I am just scrolling down to make sure. Yes, that's it. Thank you.

MS. MCCAWLEY: All right. Thank you so much, Myra. Just on a time check here, we're going to go into gag next, and we might be shortening lunch a little bit. We definitely need to get the exempted fishing permit brief in before we take public comment this afternoon, and so that needs to happen as well, but, whatever we don't get through, we might take up some of these items in Full Council, but I think Mel is still noodling on that. Let's go to Monica.

MS. SMIT-BRUNELLO: Thank you. Before you get to gag, I just kind of wanted to alert you to the fact that our office is reviewing how status determination criteria are adopted into FMPs across the region, and we're working with the councils and NMFS staffs on whether additional actions might be needed in these amendments that are based on stock assessments.

For example, Snapper Grouper Amendment 41 for mutton snapper included an action for maximum sustainable yield and minimum stock size threshold. I don't believe that -- I don't anticipate that, if this is needed, this would slow things down, since what would be in any new kind of status determination criteria actions are what's coming out of the stock assessment.

The other thing that we've been working on is kind of revising this template for amendments involving allocations, just to add additional explanation about the change in the estimation of recreational harvest from the MRIP-FES survey, and I think that might even get to some of Tim's questions about what are you monitoring in, what kind of currency, and why isn't it being monitored in something else, so that we can have some good explanation for council members and the public, and I know you've heard this before, but we put it in the document, a little bit more than what we're doing now. All this means that any changes or additions to actions or the description of them would be brought to you at the next meeting when you saw that particular amendment. Thank you.

MS. MCCAWLEY: Thank you, Monica. Let's go over to Mel.

MR. BELL: Thanks. Just what I would like to do is maybe push through to 12:30 and get into gag here, and we'll plan to go to 12:30, and we'll just see where we are at that point, and I would like to -- We probably are going to need to move some other stuff to Full Council, or later, and, also, yes, we're going to need to make sure we cover the EFP before we're out of today, and, Jessica, I would just pose it to you. If we need like a five-minute bio break to get all the way to 12:30, like right now, I mean literally five minutes, fine. If not, push on.

MS. MCCAWLEY: That's a great point. Thanks for that direction, Mel. Let's take a five-minute break and come back, and we'll resume in the gag grouper discussion. Five minutes.

MR. BELL: A real five.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: We've got a bunch of folks that are back, and it's been five minutes. Let's go ahead and dive into gag. I don't believe that there's any documents on this, and I'm not sure who is going to give us this guidance on the rebuilding timeframe.

MR. STRELCHECK: I will jump in, and then certainly Monica or Clay can also provide input, and so, just for the new council members, in particular, that weren't involved in our last conversation, there was some confusion surrounding the rebuilding timeframe for gag and some of the projections that we were reviewing at the last meeting, and the question arose with regard to flexibility if we're bound by the ten-year timeframe, as laid out in the Magnuson Act, or could extend the rebuilding plan beyond that ten-year timeframe.

Internally, within the agency, we had several conversations with the Office of Sustainable Fisheries and with the Office of General Counsel. The Office of General Counsel reviewed case law, and Sustainable Fisheries came back and had looked at, obviously, other relevant examples of situations like this, and, essentially, the question at-hand was, given the multispecies nature of the snapper grouper fishery, are there considerations that can be taken into account when determining the rebuilding timeframe, knowing that it is really infeasible and impractical to actually eliminate all fishing mortality from the snapper grouper fishery.

At the end of the day, unfortunately, the bad news is that ten years is ten years, and, based on case law and other matters, we could not determine any kind of additional flexibility that would allow for the rebuilding plan to be extended beyond that ten-year timeframe, and so that's the bottom line. Monica, or Clay, feel free to weigh-in, if you have additional thoughts or input.

MS. MCCAWLEY: Monica. What's the start year of the rebuilding timeframe? I thought that was one of the points that were trying to figure out last time? Monica.

MS. SMIT-BRUNELLO: To just kind of back up to what Andy said, he's right, and we did give this a very robust, I will say, review, and I guess we're in the difficult situation with gag that, because your maximum time to rebuild does not exceed ten years, you're going to have to rebuild within that time period, and that's within ten years, and so, in terms of when the first year to start the rebuilding plan, it's when you actually put it into place, and so I don't know if that would require you to have new projections or whatever, and I will leave that to Clay and Andy to discuss, but, at least under the Act and the guidelines, year-one would be when we get the rebuilding plan in place.

MS. MCCAWLEY: All right. Thank you, Monica, and thank you, Andy. Any questions on gag? Clay.

DR. PORCH: Thank you, Chair. Andy and Monica already said a lot of what I was going to say, and they have it exactly right. I think the good thing about this is that the discards on gag aren't nearly as high as the landings, and the council has taken some actions to reduce discards, and so I think we could probably get by with essentially a moratorium on landings for the next several years, or, if we relooked at the projections, we can rebuild within about seven years, conceivably, and a small amount of landings might be allowed if we fished over a ten-year period, spread it out over that ten-year period, for a ten-year rebuilding, but we would have to look at some revised projections to see what that would be, but, if any landings could be allowed in that ten years, it would be very, very small.

MS. MCCAWLEY: Thank you, Clay. Andy.

MR. STRELCHECK: To build on that, we got recommended advice from the SSC, or at least the Science Center, and there is projections that we've been provided, and, under I guess the mean recruitment scenario, it rebuilds, I think in seven years, to a 70 percent probability of rebuilding. Under the last ten-year recruitment scenario, it rebuilds in ten years under that ten-year mean recruitment and a fishing mortality equal to zero, and so Clay is exactly right.

I think we can show that, by closing the fishery, that we would be able to rebuild. The question then remains can we rebuild in the ten-year timeframe and allow some minimal level of harvest,

and, if so, what is that, and so one of the questions that I was hoping to talk to John Carmichael about, but would like to have a brief discussion on, is the ABC Control Rule has determined the 70 percent probability, and what limitations does that have for the council's deliberations and considerations of risk tolerance with regard to rebuilding, and could we request additional projections of the Center that look at probabilities of rebuilding at a 50 or 60 percent level, to see what level of yield that may or may not produce for us?

MR. CARMICHAEL: Jessica, did you want me to respond to that?

MS. MCCAWLEY: Yes, please.

MR. CARMICHAEL: The control rule that we have now, it says that the council picks the rebuilding plan and then the ABC during rebuilding is based on that rebuilding plan. We have always asked the SSC for guidance on the rebuilding probabilities, for the reasons that have been discussed, that, you know, you're bound in the Magnuson Act to do at least 50 percent, but there may be reasons the council chooses to set higher levels, and, in some fisheries, as has been discussed earlier today, you have done that.

Just because you have that recommendation on the rebuilding probability, it doesn't bind the council to choosing that rebuilding probability. You still have, as the Magnuson Act gives you, the authority to set the rebuilding plan, and that's essentially what you would be doing here, if you chose an alternative.

MS. MCCAWLEY: Andy.

MR. STRELCHECK: In light of that, and that's what I thought you would say, to me, I think, to help us with the next step, in terms of management measures, it seems prudent that we would want to have rebuilding projections that would be based on probabilities between 50 and 70 percent, under the two different recruitment scenarios and within the ten-year timeframe. My recommendation is that the council request some additional rebuilding projections, if we don't have the scenarios, and then we could then see those at the December meeting and use those as the basis for the rebuilding plan for gag.

MS. MCCAWLEY: Thanks, Andy, and so it looks like we're capturing some of this on the screen here. It looks like additional projections at both recruitment scenarios, and it looks like the 70 percent and 50 percent. Maybe we need a verb there, and maybe needed before the December 2021 meeting? Okay. We've got that. Chris.

MR. CONKLIN: This is terrible, especially for what's left of our commercial industry. We're not going to have barely any grouper to catch, gag, scamp, snowy, and we're screwed on red porgy, and I foresee the collapse of our commercial fishery in the South Atlantic, as it stands right now, and I'm trying to figure out what we're supposed to do, and I kind of plan my whole life around this stuff, and feed my children, et cetera, et cetera, and so do a lot of other people, and, I mean, is there some kind of way -- I mean, there's been a crapload of COVID money that's been pumped out, and I haven't seen a friggin' dollar of it, and I don't know many fishermen that really got any, but farmers get paid not to grow crops, et cetera, and is there some kind of help we can get? Otherwise, I'm going to be selling insurance.

MS. MCCAWLEY: Thank you, Chris. Kerry.

MS. MARHEFKA: I hate to talk for the sake of talking, and just to spout frustrations, and I usually like to only comment when I have something constructive to say, but we can't keep doing this. This is crazy. This is ridiculous. We have an overcapitalization problem in this industry, and the commercial guys have done everything they could possibly do, everything. I know it's not as simple as that, and I know there's environmental factors and other factors, but, like Chris said, we have no red porgy, and we have no red snapper, which we all agree, for us, isn't important, and everyone else can have it. Gag grouper, snowy grouper, what are we doing?

I mean, we have got to see how much effort is out in that water, in the part of the industry that is not constrained, and we have to do something about it, like now, and we can't keep doing this piecemeal stuff, and I'm sorry, and I hate to just get emotional, but you all need to know that this is bad for us. This is bad for our commercial industry. We can't survive this any longer, and I'm sorry. I apologize, and I hate getting emotional, but I don't know what else to do.

MS. MCCAWLEY: Thank you, Kerry. Thank you, Chris. I certainly don't have an answer. I don't know what to do either. I mean, I think we need a broader discussion on this. Yes, I totally -- A broader discussion is needed, and I don't even know what the solutions on the table would be, and I will just put that out there, but I agree with everything you guys are saying, that we need some viable alternatives, and so I will put that out there, and then I guess I'll go back to council staff, to see if there's anything else that we need here on these bullets that you're putting on the screen for gag grouper, if you feel like you have what you need, the direction, the information, and so do we have what we need, Mike, before I go to Chris?

DR. SCHMIDTKE: We have direction from the last meeting to develop an options paper, and we were -- What we have on the screen, I think, gives us the information, and we'll need to request those projections, and there will need to be more discussion in December about a rebuilding timeframe, but we can at least put that information together. We can put that request in and put that information together for December.

MS. MCCAWLEY: Thank you, Mike. I'm going to go back to the hands. Chris and then Chester.

MR. CONKLIN: I mean, ultimately, we're having to pay the price for shitty commercial -- Or shitty management on behalf of the council and friggin' NOAA, and, I mean, I am so upset about this, and you don't even understand. I want to be compensated, somehow, some way, for not being able to continue to have a viable fishery. I've put my entire life into this, and many other people have, and it's not fair. Somebody please help.

MS. MCCAWLEY: Thank you, Chris. Chester.

MR. BREWER: I want to echo Chris's frustration, and from the -- I don't want to call it the other side, but from the recreational people, and I had a meeting late last week, and it was Friday, and the frustration level is just off the charts, because these fisheries that are being closed for commercial are also being closed for recreational, and the question that kept getting posed to me is what are we going to do? We cannot go on like we are, because, if we do, it's going to be the death of -- Here, they were talking about the charter industry.

There is a real cost involved here, and, on the recreational side, it has to do with people just being interested in going out fishing, and, lord knows, if they can't keep anything that they catch, they're not going to do it, and so that's a big, big financial, or economic, hit, and I -- Earlier, I spoke to something that I -- I suggested that we look into something that I would not -- Two years ago, I would have kicked myself for saying it, but I think we're at a point where we need to fast-track some sort of solution that's an overall solution, and I keep coming back to, unfortunately, and I'm sure I'm going to catch hell for this, but some sort of an across-the-board season for bottom fish.

I think, unfortunately, it's not going to just be to bring back red snapper, or to have a meaningful snapper season, but it's going to be because we've got to bring back some of these fisheries that we're closing right now, and it's just -- My heart goes out to Chris. My life does not depend upon fishing. His does, and I just -- We really need to fast-track something here, and I'm sorry to kind of get emotional, but I'm pretty upset about it, too.

MS. MCCAWLEY: Thank you, Chester. Dewey.

MR. HEMILRIGHT: I share in Chris's frustration, because I have experienced closures and not being able to go fishing and having to go other places, but, until we know how many folks are fishing in the ocean, that's the place to start, and we clearly don't know, and so, just like the shark problem, this problem here is going to get worse. There ain't but a few ways to fix stuff, and, unfortunately, some of the fixes, folks might not like, when it comes across to looking at everybody that fishes and uses the ocean and catches fish and all that stuff, but we're not on an equal, level playing field at all, and that needs to be the first thing that's got to be achieved. Thank you.

MS. MCCAWLEY: Thank you, Dewey. These are all great points. I share this frustration. Let's go to Mel.

MR. BELL: Thanks, Jessica. I appreciate everything everybody has said, and I certainly share the frustration as well, but I don't feel it exactly at the level that a lot of people are feeling it at, but I totally get it, and so part of the issue is we have some systemic issues, particularly with the snapper grouper fishery. Of course, we are bound by the law, and you've heard that, per the law, there's a certain way we have to operate, and so Magnuson directs our path.

There have been efforts to modify Magnuson over the years, and so the law is kind of a fixed thing that we have to deal with. It sets the boundaries, and it sets what we have to do and what we're mandated to do. I think it is very obvious that we do -- As Dewey and Chester said, we've got issues related to understanding what really is going on, in terms of effort, in terms of the recreational side of the house. There is a tremendous amount of effort out there, and that's a systemic issue that we've had to deal with, and it comes up every time we get involved in discussing things like allocations, reallocation, and other concepts available.

If you have a species, like gag, that is considered sort of a -- We'll call it a keystone fishery for the commercial sector, perhaps considering those sorts of things in a reallocation, of a higher proportion there, and these aren't the solutions, but I'm just throwing things out, but there are certain things we have within our control right now, and there are certain things that we don't, but, also, I think realizing that we can't just keep doing what we're doing and expect something different to come out, and I think, related to the amount of effort that is out there, that's a critical piece, and how do we get our hands on that, and we've talked about other groups that we're looking

at better ways of improving how we identify that, but there's just some really serious underlying issues.

Again, I would say this, and I've said it before in discussions with people, that the concept of seasonality to recreational fishing, and just fisheries in general, and we don't -- In resource management, particularly related to hunting and things like for terrestrial management, we embrace seasons, and have embraced seasons for decades, and restrictions and so I think trying to keep everything open at the levels we're trying to maintain now, 365 days a year, it's just -- That's not going to work. It's just not, and so I certainly feel everybody's frustration, and I would just urge us to focus on the things we can do right now with the authorities we have within the law, to try to do our best, and, again, we spent a lot of time in visioning for snapper grouper.

We've had these discussions for a long time, and we've had ideas pop up, and we're just going to have to become more creative and think outside the box a little bit more with the given authorities that we have available to us, and that's going to have to do until -- If there are changes that need to be made at the Magnuson level or just within things we can do from a regulatory standpoint, and it's just going to take a little time, and none of this is quick, and none of it is easy, and real people are having real consequences, and I totally get that, and I am sorry.

I guess I feel the frustration too, and that's not a solution, but that's just an observation that we just can't keep doing things the same way we've been doing them for the past several decades and expect to get an improved result, and so that's it.

MS. MCCAWLEY: I hear you, Mel. I just feel like we just can't seem to get ahead of this, and we can't seem to work fast enough, and it just seems like there are some constraints from Magnuson that are hindering things, but let me keep going to the hands. Andy and then Kerry.

MR. STRELCHECK: Thanks, Jessica, and thanks to everyone who has spoke, who has expressed frustration, and I think that's important for us, as council members, to hear, and there's no need, in my view, for you to apologize. This is personal to folks, and this has real implications for both commercial and recreational fishermen, and we have a tough job, sitting at this table.

I have only sat at this table with you since the first of the year, and I have participated in probably a dozen meetings over the years prior to then, but, by far, this is the most discussion, and, in my view, the best discussion this council has ever had about where things stand in the snapper grouper fishery and the dissatisfaction that people have surrounding the status and health of so many of our species.

To me, the onus is on all of us, as council members, to change this, and so we don't have a lot of easy solutions here, and we have a lot of complex challenges ahead of us in order to shift how we're managing these fisheries, but I think the realization, in particular with this meeting, is we continue to put more and more restrictions on fisheries, lower and lower catch limits, and that's not working, and we're not successfully recovering many of our species, and we've just got to do something different and change how we're doing business.

With that said, I did not expect the gag conversation about rebuilding to trigger all of this, but I will say that this is one of the frustrations that even I have with NOAA Fisheries. There is a law, mandate, that says we have to rebuild within ten years if the calculations indicate that we can do

so. To me, it doesn't make any sense, right, but that's the law, as it stands right now, for the United States, and I have to abide by that. If that changes, then the council can pursue another avenue, in terms of how we set a rebuilding plan for gag, but that still doesn't negate the problem that we have, which is the stock is depleted below levels that we need it to be, and we need to recover it, in some form or fashion.

I just want to be clear that there is frustration, I think, on all sides, and it's not necessarily directed at anyone, but we're not in a place where we want to be in, and we certainly know where we want to head to, but it's just a matter of how we get there, and so I will look forward to rolling up our sleeves and figuring this out.

MS. MCCAWLEY: Thank you, Andy. Kerry.

MS. MARHEFKA: Thanks, Jessica. I have collected myself, and, before I start, I just want to make it really clear that I responded immediately after, and I forget if it was Andy or Monica or Clay, but my frustration was not with you all and the agency. I do appreciate the fact that the guidance you're giving us is what you're given too, and please -- My outrage, in no way, shape, or form, was an attack on you all. I'm a realist, and I have been doing this since 1998. I know that we're going to have to do what we're going to have to do with gag, and so I'm ready to also roll up my sleeves.

Let's do what we need to do, but I just want everyone to know that, when we talk about council - - When we get to the council priorities list, at every opportunity, my mission right now is going to be to say that the number-one thing this council needs to do right now is to get an accurate accounting of effort in the water, specifically recreational effort, where we do not have an accurate accounting, and to constrain that harvest.

When we talk about council priorities, I am going to bring that up every time, and I'm going to be a broken record, and I made it a year without being that way, but that's where I am going to handle my frustrations in this, because I realize that I can't do anything about gag grouper, and so, based on what Mel's advice was, I am going to do something that I can control, and, when we talk about council priorities in Full Council, just be prepared that that's the song that I am going to continue to sing.

MS. MCCAWLEY: Thank you, Kerry. Once again, I didn't think that your frustration was directed at any one person, and I appreciate your heartfelt sentiments about how this is affecting you, and so I actually appreciated you bringing it up. Laurilee and then Tim.

MS. THOMPSON: I need -- I guess I need to understand what is the difference between red pogy, where we get twenty-six years to rebuild red pogy, versus we're told we have to rebuild gag in ten years, and can -- I'm new to this process, and maybe this will help the other new members too, but why do we get twenty-six years to rebuild red pogy and only ten years to rebuild gag? Thank you.

MS. MCCAWLEY: I think it has to do with generation time. I'm going to go to Tim while folks think about who wants to respond to Laurilee's comment. Tim.

MR. GRINER: Thank you, Madam Chair. I mean, I have a tough time even responding to this, but, at the end of the day, we don't manage fish. We can't manage the biology of these fish, but the only thing we can manage is effort, and that's what we've got to do, and Kerry is exactly right. The only thing that we can do to manage fish in the South Atlantic is to manage effort. That's all we can do. We can't make fish spawn, and we can't even count them correctly, and the data we have is -- To say it's suspect is giving it more than it's due. Really and truly, we have got to focus on effort, and we've got to figure this effort out, and that has got to be our focus, but this is really, really a tough pill to swallow right here. Thank you.

MS. MCCAWLEY: Thank you, Tim. I don't know if someone wants to respond to Laurilee's question about gag being ten and red pogy being twenty-six. Monica.

MS. SMIT-BRUNELLO: Well, I can speak to what the law requires, and, if Andy or Clay wants to talk about the biology of the stock, please jump in. The Magnuson Act says that, essentially, if you have an overfished fishery, your time period to rebuild it will not exceed ten years, except in cases where the biology of the stock or fish, or other environmental conditions, or other kind of international things, dictate otherwise.

In this case, red pogy is a long-lived species, and we're able to get over that ten-year time period, in terms of rebuilding. For gag, it's not as long lived, I guess, and I guess John Carmichael always has a great way of explaining things, but at least the law requires that, if your rebuilding projections show that you can rebuild a species under ten years, then that ten years is what you're bound by. Congress put that time period in there, and they have had a lot of opportunity to change it, and there have been a lot of suggestions that they should change it, and, so far, they have not changed it, and that's what we're stuck with. I will let John weigh-in, as he usually more eloquently can explain these things.

MR. CARMICHAEL: Thank you. As Monica said, the law says you have to rebuild in ten years if you can rebuild in ten years, and the can is defined on having a fishing mortality of zero, and so there's no fishing whatsoever. They just put zero into the model, and the population losses are only based on natural mortality, and, if the stock can get to the rebuild point in ten years under those circumstances, then ten years is ten years, as Andy said in the beginning, and the council is obligated to rebuild the stock in ten years or less.

Now, if that analysis of what we often call, here in the South Atlantic, this hypothetical F equals zero, because it's virtually impossible in a mixed-species fishery, but, if that analysis says that it took ten years and one month, then the council would get that time at F equals zero, and so ten years and one month, plus the generation time of the species. A lot of our stocks are slow-maturing and longer-lived, and so their generation time tends to be fairly long, and so we can have stocks that, if this stock could rebuild in ten years and one month, and maybe it has a twelve-year generation time, you might get twenty-two years.

If that same stock had rebuilt in nine years and nine months, you would have been stuck with nine years and nine months, and that's the very point of this discrepancy and this artificial inflection, and it's a point that we have raised for ten years, as Monica sort of suggested, in comments to the agency in how the Magnuson Act affects us and comments back to senators when they have considered Magnuson Act revisions, and this ten-year thing has just proven really, really hard to break.

Our concern is that, in a fish that lives to be fifty, ten years means a lot different than a fish that lives to be six, and so Spanish mackerel, for us, is a very different situation than a red porgy or a gag, but they're still bound under these same laws. There is some hope. The Huffman bill, I think, is one that proposes getting rid of the ten years and just doing the F equals zero plus the generation time and apply that to every stock, and we think that would be a great move, but, in the case of gag, the reality is the stock is at a point where, under no fishing, it says it will rebuild in seven or eight years, as Andy indicated in the beginning, and so that puts us in this ten years is ten years box. Laurilee, does that answer it? I hope it does. If not, I will be glad to talk about this as long as it takes, after the meeting or something, to get you up-to-speed on all this stuff, because it is super complicated.

MS. THOMPSON: That's helpful. We've been going to Washington, D.C. for years now, trying to break that ten-year requirement, and so I appreciate that, John. Thank you.

MS. MCCAWLEY: All right, folks. I am going to try to move us along right here, before lunch. I know we're all getting hungry, but one thing that we need to do today, before we take public comment later, is we need to jump into another fun topic that we've all been frustrated about that has to do with sharks, and I think that Rick DeVictor is going to talk to us about this exempted fishing permit relative to shark interactions, and so I want to try to remind folks about the process.

We'll talk about the EFP before we get to public comment, and we'll take public comment on it this afternoon and this evening, and then the council will discuss it again later in the week, to make decisions, and we will have information to inform that, based on whatever the public comment is this week, and so, Rick, I'm going to turn it over to you.

MR. DEVICTOR: Okay. Thank you very much. Just for the new council members, Jessica just went over some of the process, but I will point out that, of course, EFP means exempted fishing permit, and this is always a standing thing on the council's agenda, in case it comes up, and National Marine Fisheries Service may authorize, for limited testing and public display, such as in aquariums or data collection, temporary exemptions from the regulations, and that process is outlined in the CFRs, or the regulations, where an application is forwarded to National Marine Fisheries Service, and the regulations state what all the components should be in that application, and so we determine whether the application contains all the required information and then whether the activity is appropriate for further consideration.

Then, following this, there is -- If we do think it meets those criteria, we will publish a notice in the Federal Register, and there will be a comment period, and then we'll go before the council, like we are today, and we'll take all of that into consideration before we decide whether we should exempt this particular person or people or researchers, fishermen, what have you, from the regulations.

I just wanted to start off with that, just kind of -- We get these periodically, and there may be some council meetings where we don't go over some, but then there are other council meetings, like this, that we do, and so you have this in your briefing material.

Sometimes we have the applicant come give a PowerPoint, if it's particularly detailed. This one is relatively straightforward, and I can just kind of walk you through this. We received an

application that's on your screen there on August 19, and this was an official request for an EFP. You can see who the applicant was, and it was an assistant research professor from Florida Atlantic University, Harbor Branch, in Fort Pierce, and it was for two years, and so they want to be exempted from the regulations until the end of August, 2023.

They got funded, and the title of the program, or the funding, was through CRP, the Cooperative Research Program, and the project was called "Using a Citizen Science Approach to Characterize Shark Depredation in the Recreational Fisheries of the Southeast United States". Then, on the bottom of page 1, you can see sort of the project summary there and the EFP justification. The bottom line to this is they want to take fish that have been damaged from sharks -- It may have missing fins, and it may have teeth marks to it, active bleeding, exposed organs or missing tissue or what have you, and they want for charter vessels to be able to bring those in and provide those to the researchers, and then the researchers will swab that for DNA, to determine what shark species that was that damaged the fish.

They collect all this sort of information, such as the date, the time of day, location, water depth, gear type, et cetera, and so they will obtain all this information that could be useful. I would just like to point out that this is part of a larger study, and they are doing more than what's listed in this exempted fishing permit. They want to go out, the researchers, and ride on vessels. Also, they want to take video, and they want to talk to fishermen, and they want to teach the captains and crew how to do this themselves and swab for DNA.

What they're requested here, the exempted fishing permit, is when they can't go on those vessels themselves, right, and so they want to be able to -- For, again, for those charter fishermen to bring back those fish.

Again, one of the main things that they submit in their application is what do they want to be exempted from, and that's on page 2. They want to -- Again, these are going to be for snapper grouper, dolphin wahoo, and CMP species, and so, obviously, some of these fish will be below the minimum size limits and above the bag limits and then out of season, and so they're looking at, if they get a black grouper on January 1, and they want to be able to bring that in, even though there is that prohibition, and you can see black, gag, red grouper, and red snapper are the exemptions that they're looking at for the seasonal closures.

Then, on the next page, we have them tell us what species they want and how many during the time period, and so you can see that's listed there, and, again, this is a two-year period, and so these are the maximum amounts, and they're going to take 120 maximum snapper grouper, sixty dolphin wahoo, and sixty of CMP species.

Then, going on, and so, again, this kind of the who, what, when, where, and why in their application, and you can see, on the next page, Number 7 is the where, and this is going to be off of Fort Pierce, and this region will span from Sebastian to Jupiter Inland, between three and thirty nautical miles offshore, and they expect to have an average of 100 days per vessel, 400 days total, but, again, they will be limited by those maximum fish amounts in that. Then you can see the four charter boats that they want to include in this project.

That's it, and so, again, we'll take any public comments, and then, yes, as Jessica said, you'll talk about it on Friday, and we'll have an FR notice that publishes soon here, and we'll have a comment period, and then we'll decide on whether to give this exempted fishing permit.

MS. MCCAWLEY: Thank you, Rick. Just to remind people, as part of the process, we don't need to share our comments on this right now, and that will come later in the week. What we're trying to do right now is making sure that we understand the EFP and that we don't have any additional questions for Rick relative to the EFP. I can tell you that some folks from FWC met with Matt about it, and also to let you know that one of the captains that listed on the exempted fishing permit has recently died, unfortunately, and I assume that Matt is aware of that and might be making a substitution, so that they still have four vessels, and so I just wanted to put that little bit of information out there as well.

Any questions on this EFP? I don't see any hands up. Mel, I am thinking that you're wanting to come back, maybe at 1:15, and we'll talk about the vermilion snapper trip limit then, but I'm going to turn it to you now.

MR. BELL: I was thinking that we could -- Since we don't have to drive to restaurants, if we could basically be back at 1:15, and I think we can do vermilion in about fifteen or so, which would then put us back on time at 1:30 to move into Dolphin Wahoo, and so we could break now and come back at 1:15, finish by 1:30, and then we should get ourselves back on track. I see Dewey has his hand up, Jessica.

MS. MCCAWLEY: Go ahead, Dewey. Is this about blueline under Other Business?

MR. HEMILRIGHT: Absolutely. I was just curious of when that would be addressed.

MR. BELL: That's the other thing, and sorry I didn't mention that. We've got two other agenda items, plus blueline. What we'll probably do is go ahead and move all three of those to Full Council, since we're just running out of time, but we can still deal with blueline at Full Council, Dewey, and then the other two update kind of things.

MR. HEMILRIGHT: Sounds good. I just didn't want it to fall through the cracks. Thank you.

MR. BELL: We didn't forget you. Everybody get a good lunch, and thanks for your input and involvement.

MS. MCCAWLEY: All right. Thank you. We'll come back at 1:15.

(Whereupon, a recess was taken.)

MR. BELL: I guess we can get started here, pretty quick. I was just going to give everybody a -- Since it's after 1:15, everybody a heads-up that keep in mind we've moved a few things to Full Council too, which would be Thursday and Friday, and we'll do our absolute best to adjourn the council meeting as scheduled at noon on Friday, but just be prepared to maybe stay a little late, if we need to, since we're sliding things, and hopefully nobody has a flight to catch. That was it, and you may start when you're ready.

MS. MCCAWLEY: Thank you, Mel, and so I think we're going to try to cover one more item from Snapper Grouper right now, and it's the vermilion snapper trip limit discussion, and then the other items, including the Other Business blueline tilefish item, will go to Full Council, and so I believe that Mike is going to lead us in this discussion of this vermilion snapper commercial trip limit discussion document, and so over to you, Mike.

DR. SCHMIDTKE: Thanks, Jessica. I pulled up the document from the briefing materials, and we're talking about vermilion snapper, and this whole conversation really stems from late in 2020, and NOAA Fisheries enacted a temporary rule for emergency action that increased the commercial trip limit for vermilion snapper from 1,000 pounds gutted weight to 1,500 pounds gutted weight, and that was in place from September of last year through March 16 of this year, and then it reverted back to the 1,000-pound limit that is in place through the FMP, and the discussion came about from the council, and the council requested that the AP have a discussion about this, about whether the trip limit should be increased on a more permanent basis.

As you look through the document, and it's not incredibly long, the last portion of it is an appendix, and I'm going to scroll down there, but it's an appendix that was kind of the justification for the change in the trip limit, and it had to do with a response to the fisheries reaction to the COVID-19 pandemic. Vermilion snapper, and I can show this in the landings, in Table 1, you will see, in 2020, for the first half, vermilion snapper landings for the commercial fishery were only about 66 percent after their first season of that Season 1 quota.

As a reminder, vermilion snapper is a split season for the commercial fishery, and half of the quota goes to January through June, and the other half of the quota goes to July through December, and so, even within that half-quota, there was only about 66 percent of it harvested in the first half of the year, and that motivated the increased trip limit.

Just to give some reference about where we are right now, concerning vermilion trip landings, looking at the NOAA website, in the first half of 2021, 56 percent of the commercial ACL for Season 1 was harvested, and now we're about a third of the way through Season 2, and 23.3 percent of the Season 2 quota has been harvested, and so that gives some perspective about where the landings have been the last couple of years, and, obviously, we are still experiencing some of the effects of the pandemic. The question was posed to the AP about whether they would have interest in a further extension or some long-term consideration of this increased trip limit, and I am going to pause and hand it over to Jimmy Hull to give the AP's recommendations.

MR. HULL: Thank you, Mike. The AP has these recommendations on vermilion snapper and what was posed to them by the council. First of all, the overall view from the AP, of course, is the vermilion snapper fishery is a success story, and the distance to the fishing grounds can be forty to sixty miles, in some areas. In addition to the Carolinas, it's that way off of northeast Florida, also, and so all the way up to the Carolinas. I mean, you have to travel offshore to get into the meat.

A larger trip limit could make trips more efficient. Closures to red grouper and potential closures to red porgy and snowy grouper, and now what we're hearing today of other closures, are going to make vermilion snapper more important, obviously, and it's most critical to have the season open in May and June, and, if the council considers increasing the trip limit to 1,500 pounds, they should consider reestablishing the step-down, and possibly consider 1,000 pounds at 50 percent and 500

pounds at 75 percent. Then information indicating how many boats benefit from the increased trip limit could be useful.

I would also like to state that, with the new information that we're hearing today of these drastic measures to close down other fisheries here, vermilion is going -- If these other fisheries get closed down, the effort is going to shift to vermilion to survive, because we're talking about a million-pound fishery here, and so not only from the commercial side, but the recreational side is going to start attacking it more, and so all of these recommendations could change, I think, with the new information, but that's what I have. Thank you.

DR. SCHMIDTKE: Thanks, Jimmy. So that's really the information that we have to present. We have the advisory panel's feedback, and what we're looking for, from the staff end, is whether the council wants to take any type of management action with this information. Back to you, Jessica.

MS. MCCAWLEY: All right. Thank you, Mike. A couple of questions. First, do you mind putting that AP slide back up? It was pretty helpful. Second of all, while you're getting that slide, this would be done through a framework action, and is that right?

DR. SCHMIDTKE: I believe that trip limit is frameworkable. Monica can correct me if I'm wrong on that.

MS. SMIT-BRUNELLO: Yes, it can be done through a framework.

MS. MCCAWLEY: Okay, and so I think it's interesting that the AP had this idea of increasing the trip limit, but reestablishing the step-down by stepping down at 50 and 75 percent, and I'm not sure how easy it is to track the quota that exactly, but we do have step-down in other fisheries, but I'm looking to the committee, and I know we're in that after-lunch-lull time period, where it feels like naptime, but I'm looking to the committee to figure out what folks would like to do here. Laurilee and then Kerry.

MS. THOMPSON: Obviously, this is going to become your most important fishery in the South Atlantic, and it's going to be critical that we can have these fish twelve months out of the year, and so I'm not sure that increasing it to the 1,500-pound -- I think that it needs to go back to the Snapper Committee meeting and let them hash this out, and figure it out, because the closures of gag and the clamp-down on the red porgy is definitely going to put a lot more effort onto this fishery, and so I don't think we're in a position today to make a decision like this, without it going back to the Snapper Grouper Committee.

MS. MCCAWLEY: Okay. Good points. Thanks for bringing that up, Laurilee. Kerry.

MS. MARHEFKA: I agree with Laurilee, and I assume she meant the advisory panel. I came here today ready to -- After talking to AP members, ready to say, you know, we have more important things to do with our time, but the discussions we had this morning definitely make this less clear to me, and so I am not ready to commit one way or the other. I am definitely not ready to kick it out, and so I think that this needs to stay in consideration. We go back to the AP, and we look at more analyses, and, again, we'll be back to that eternal struggle for how the boats can go out and make money on a trip, and so therefore needing a higher trip limit, to needing the fishery to stay

open year-round. For that, to weigh that out, I think we're going to need not just those of us sitting at this table, and we're going to need more input from the AP and the public.

MS. MCCAWLEY: I agree with all of the comments from you and Laurilee. I think we need more AP input, and I think that maybe part of the ask, or the direction, back to the AP would be what do they want to do with this. If you consider this holistic view of the fishery and have the information that we now know about gag, et cetera, does that make them change their thinking on vermilion? I see more hands up. Let's go to Tim and then Chris.

MR. GRINER: Thank you, Madam Chair. I feel the same way, and I think we need some more analysis on this. It's going to become a very, very important fishery, and it's going to get targeted more by others, and I think the nature of our boutique fishery is that we try to cobble a trip together with a little bit of this and a little bit of that, but that's going to kind of go away, and so we're going to really have to look at the numbers and see what 1,500 pounds, versus 1,000 pounds, really does and take in mind an increase in effort. I just think we've got to do some more work before we can make any decisions here.

MS. MCCAWLEY: All right. Thanks, Tim. Chris.

MR. CONKLIN: I just wanted to put on the record that this is one of our cleanest fish that we catch in the fishery, as far as us being able to fish up in the water column, and we're not encountering -- We're fishing with smaller hooks, and we're not encountering the larger, long-lived species that are ultimately going to destroy our fishery, and so anything that we can have left would be a good, the vermilion, triggerfish, and the amberjack fishery, at least up here in the Carolinas. I don't care if you send it back or not, but I'm fed up.

MS. MCCAWLEY: All right. Thank you, Chris. Tom.

MR. ROLLER: I just wanted to reiterate the comments said before me in regard to this needing to be reconsidered, in light of all the information that we have seen today, particularly since I also agree, from a recreational and for-hire standpoint, that we target these fish a little bit differently, independent of some of the other species.

MS. MCCAWLEY: All right. Thank you, Tom. Mike has typed some stuff there on the screen, and what we seem to be hearing is that this information should go back to the advisory panel, and they should consider this relative to everything else that is coming out of the September council meeting, thinking about cuts to other species and how effort could shift to vermilion, and so that's kind of what I think we're hearing, is kick this over to the list for the AP. Does anybody have anything else to add here on vermilion? Mel.

MR. BELL: Just, like I've said before, when we give it back to the AP, let's try to be -- Let's try to help them, by specific questions, or pointing out, as you just described, some of the background and things, but let's try to pull specific things out for them that they can definitely make sure they hit for us, and we can get the feedback we need.

MS. MCCAWLEY: Thanks, Mel. Mike, what have you got?

DR. SCHMIDTKE: I guess I kind of echo Mel, in the sense that definitely, if you all have questions, specific questions, of the AP, other than -- I guess, right now, the context that I'm getting is, given what you hear coming out of the September meeting, are you still interested in this, but, if there's anything else, then specific questions would be good.

Also, from I think it was Tim's comment, about potentially more analysis on what changes in trip limit would do, is that something that you all want in the now or as a potential like, if this goes further, then the AP -- Is that something that would be in the future, because trying to do it right now may be different than it goes to the AP and comes back to you all, and then you initiate an amendment, and then it may look different, if we do it the middle of next year, than what it looks like right now.

MS. MCCAWLEY: Just to respond to that, and I also saw some hands going up, I am going to respond to the first part of your questions first and then come back to the timing, and so the next-to-last bullet here on the slide about the trip limit that includes the information about increasing the trip limit to 1,500 pounds and consider reestablishing the step-down, and then that sub-bullet is possibly consider the 1,000-pound limit at 50 percent and 500 at 75 percent, and I guess I would take that entire bullet and sub-bullet and put that back to the AP, to say, knowing all this other information, is this specific recommendation still your recommendation?

I would also ask the AP about the timing. Like, now, is it more important to get this in place sooner rather than later, or is the AP thinking just getting this in place in the next say six months or eight months or ten months is okay, and so I would ask them about the timing as well, but let's go to Kerry and then Chris, to hear what they have to say here.

MS. MARHEFKA: I would like to specifically ask them to discuss the weighing the pros and cons of a longer season versus higher trip limits, and I would love to hear them do that by -- Sector isn't the right word, but I guess demographic. We have dealers on our advisory panel, and we have fishermen on our advisory panel, and I think we still have a chef or two on there, and so I would like to really have them address that in the context of the roles they do.

MS. MCCAWLEY: Okay. Thanks, Kerry. Mike is getting something typed up there, and so make sure that captures the type of information that you're looking for. While he's typing that, I'm going to go to Chris.

MR. CONKLIN: Obviously, we want them to see the projected closure dates of the fishery. Thank you.

MS. MCCAWLEY: Okay. That's going up there as well. Kerry, do you think that next-to-last bullet captures what you were hoping for from the AP?

MS. MARHEFKA: I just wanted to make sure that it's really specific. The benefits and risks to a longer season versus a higher trip limit to each different demographic, because I think that's what we're going to be weighing.

MS. MCCAWLEY: Okay. I think that's a lot clearer now. Thanks for fixing that. All right. Anybody else want to add any specifics here, specific questions or direction for the AP, on the

vermilion snapper item? All right. I don't see any more hands, and I think we're done with this vermilion snapper item for right now, and so just to -- I'm sorry. Maybe not. Mike.

DR. SCHMIDTKE: Sorry, but I just want to clarify the closure dates. Is that something that you want going to the AP, or is that something that you want brought back with the AP's feedback to the council, and closure dates under what scenarios?

MS. MCCAWLEY: Great questions. I took what Chris said that we wanted feedback from the AP if they saw closure dates, maybe based on different trip limits, and that's how I took it, but, Chris, do you want to add anything, add any specificity, here?

MR. CONKLIN: I mean, I feel like I've already seen the information before, but, obviously, it would be the projected closures dates for the 1,000-pound trip limit, without any step-downs, currently where we are right now, and then the rate of exploitation and where it might close under if we did a 1,500-pound limit, and I think that the AP might have recommended a 1,250 or something, but I can't really remember, but just so we can make sense of this. That's all.

MS. MCCAWLEY: That sounds good. I like that, and so it looks like we're getting that typed up on the board. Mike, do you mind adding the 1,250 and a question-mark, because it does seem like we saw something like that in the past. Laurilee.

MS. THOMPSON: I think that's all critical information that we're going to need to make a decision, but I think that the AP needs that information too, and so I want to make sure that that information is available for the AP meeting. Thank you.

MS. MCCAWLEY: Okay. Mike, is this clear now, clear as mud, or do we need some more clarification?

DR. SCHMIDTKE: Just, with that 1,250 pounds, that's with no step-down, correct, or forming some step-down?

MS. MCCAWLEY: I think that's would the fishery close early if the trip limit was 1,250. I guess, looking at the landings from the last few years, would it close early if it was 1,250 pounds, but, if that's not what you intended, Chris, then jump in here. Chris.

MR. CONKLIN: I mean, between the agency and the council and discussions over the years, and seeing that these step-downs don't really work, and they don't extend the season very much, it's not even worth looking at, and I would imagine that's probably still -- Especially with nothing else to catch here, looking into the future, I couldn't make a business decision to go out and try and catch not even enough fish to cover my fuel bill, and so I don't see the validity of even including anything for a step-down, but maybe the AP wants to talk about it, but I think we've already nixed that idea, maybe like a year or two ago.

MS. MCCAWLEY: I hear you. I was the one that suggested the step-down, because it was the item that was brought forward by the AP, but, now that the AP has this new information, they might not want the step-down at all, and so that's why I included it.

DR. SCHMIDTKE: Jessica, if I may, I would need to verify -- As far as getting these projections, I would need to get some verification from the Regional Office that we would actually be able to get these done, given that the advisory panel meeting is the middle of October, and the briefing book will be the beginning of October, and so we'll need to have those done in very quick fashion.

If we don't get those done for this advisory panel meeting, they could still potentially have the discussion of do they still want to recommend this, given what's coming out of the September meeting, and items like projections can happen in April of next year, and that would be before any type of action is finalized with anything on this, but I did want to bring up that timing concern.

MS. MCCAWLEY: Thanks for that. Let's see what Myra has to say.

MS. BROUWER: Thank you, Jessica, and I think Mike covered a lot of what I was going to say. You know, just bearing in mind the timing of it all, but I think we could approach this analysis in-house, without perhaps reaching out to the Regional Office, and so we'll do what we can, I guess is what I'm saying. I also wanted to mention, for the benefit of the new council members, that there were changes that were made to the vermilion snapper trip limit fairly recently, again in Regulatory Amendment 27, and that went into place, I believe, early last year, and so just putting that out there as well. Thank you.

MS. MCCAWLEY: Thanks, Myra. Mike, I think we're good here with vermilion, and let me just talk about what's going to happen to the rest of the items that are on the agenda for the Snapper Grouper Committee. The items that we have left are the list of the topics for the Snapper Grouper Advisory Panel, Updates on the South Atlantic Red Snapper Count and the Greater Amberjack Count, as well as we had an item under Other Business for blueline tilefish. Unless we gain some time in another spot this week, I believe that this will all go to Full Council, and, Mel, I'm going to turn it back to you.

MR. BELL: Thanks, Jessica. That's the intent, and that's why I said for everybody to kind of brace for a little bit longer Friday, but maybe not, because something might free up. What I would like to do now is stick to the schedule and go ahead and shift to Dolphin Wahoo, and so appropriate staff and folks brace yourselves for that, and we've got a little bit of time, and we'll try to just go through that between now and the public hearing. At 3:45, we have a hard break, and so we've got a couple of hours to deal with it, and so we'll see how it goes. Thank you, and thank you, Jessica, for getting us to this point.

(Whereupon, a recess was taken.)

MS. MCCAWLEY: I think we're mostly back, and, to jump back into the snapper grouper topics, it looks like, first up, we will talk about the list of items from the Snapper Grouper AP. I have a running list here, and then we have giant list on the board there, and it looks like we added the vermilion snapper commercial trip limit, but, Mike, do you want to run us through this list?

DR. SCHMIDTKE: Sure. Just running through some of the anticipated items, and we can certainly -- The committee can certainly change these up and add to it, take away, make sure that we make the best use of the AP's time, and so, first of all, we have fishery overviews for the three recent assessments that finished up. Since the AP last met in April, the council has received results

of assessments for golden tilefish, red snapper, and gag grouper, and so we would have fishery overviews on each of those species.

Then we would also have information on ongoing amendments, and so Amendment 51, and we should be able to have some of the proposed actions and alternatives that were presented in the options paper today and get some AP feedback on those specific items, and they gave kind of more general feedback last time, but they didn't have those items in front of them. For greater amberjack, we had some additional actions and some more recent analyses since the AP last met, and so they can review that information and provide their comments on that.

Also, yellowtail snapper, and we'll have the proposed actions to-date concerning that amendment as well. Gray triggerfish is in the docket upcoming for an assessment in -- I think we're starting that up late night year, I believe, and so they're due for a fishery performance report ahead of their next assessment, and we'll get that one done, and black sea bass is another one that's coming up, but we're going to wait on black sea bass until the April meeting.

Then we have an update, and there's been some ongoing work on climate change scenarios, and so we have the opportunity for an update on that, as well as updates on some of the other amendments that we have ongoing, like red porgy and wreckfish, and they've already given feedback on red porgy, and so more or less updating them on the progress of that, and then wreckfish, with just giving them an update on kind of where that is, as far as the scheduling and the slowing down, but just making sure that they know that it's still ongoing.

We have an update from Citizen Science, concerning SAFMC Release, and then we have the additional item that was discussed today for vermilion snapper, getting kind of that second look at the potential revisions of the commercial trip limit, with some additional context from this meeting, and then we have a couple of other kind of question-mark items that -- Initially, they were question-mark items, and I believe, if I recall correctly, there was some desire for additional feedback on the two-for-one, and so that one wouldn't be a question-mark anymore.

With that information that we have there, we may not have time to do a SERFS update and discuss further on commercial electronic logbooks, and that's starting to be a pretty full schedule, and so that's what we have kind of to start with, and I will look to -- The plan is for this to be a half-day, full-day, half-day meeting, and so two days' worth of going through things, but kind of split up in that fashion, and then we can discuss, from there, the topics that they will cover.

MS. MCCAWLEY: All right. That sounds great. Thanks, Mike. One of my thoughts -- I agree that this is jam packed, but one of my thoughts is on wreckfish, and maybe we need to think about, based on where wreckfish goes on the priority list later in the week, and so let's pretend that it comes back in March, and then maybe we need to talk to the wreckfish shareholders in April of 2022, or something of that nature, and so it looks like it's just giving the Snapper Grouper AP an update, but I think that we need to bring the wreckfish shareholders together separately, but I don't know that that needs to happen between now and the December meeting, since we've already gotten a lot of input from them, and so I will just throw that out there. Let's go to Christina and then Kerry.

MS. WIEGAND: Thanks for bringing that up, Jessica. Staff has actually already been emailing back and forth with Science Center staff, and our sort of tentative thought, given the

recommendations from the council, was to keep the shareholders as involved in the development process as possible, and so maybe hold a meeting sometime in January, when the wreckfish fishery is closed, to talk to them about the direction that Amendment 48 is going, as well as do some outreach related to the electronic logbook discussion that we had earlier, and so, if that's something that the council is interested in, that's what staff was thinking of doing, in terms of keeping the shareholders up-to-date with this amendment.

MS. MCCAWLEY: That sounds excellent. Let's go to Kerry.

MS. MARHEFKA: Yes, I like the wreckfish plan. This is in no way disparaging, Mike, to you or staff, and I know this list sort of accumulated coming into this meeting, and before the week, but I would like to point out that, if you keep doing the same thing over and over again, you keep getting the same result, and we sort of ended our last part of the Snapper Grouper Committee talking about how we need to do something different, and then we're sending the Snapper Grouper AP a list of discrete individual topics, piecemeal amendments to talk about, and I know they're busy, and I know we have to get their input on these things, because these things are going to move forward, but I feel very strongly that I want to give them the time to have a discussion about the holistic snapper grouper fishery, and that would include looking at the two-for-one, and that would include measuring and accounting for recreational effort, and looking at the overcapitalization on the recreational fishery. I am open to whatever, but I am talking big-picture issues. If we just keep sending them back these amendments to make comments on, we're not doing anything differently.

MS. MCCAWLEY: That's a great point, Kerry. I love that idea, and I also don't see, on this list -- Other than the fishery overview, I don't see the red snapper items and kind of how we jumped into that discussion, but, yes, I agree that we probably need time for this broader discussion, and I'm not sure what to call it, but, yes, that's a great point. Andy.

MR. STRELCHECK: Kerry, thanks for raising that, and I was having kind of similar thoughts as I looked at the laundry list before us. I don't think we're quite at the point where we've fully wrapped our heads around this and kind of how we're going to proceed, and so I think it's hard to give the AP some direction at this point with regard to what we would want out of them, looking kind of holistically at the snapper grouper fishery, but maybe there's at least a setup, like is being put on the screen, that we can let them know that this is something the council is going to be pursuing, and we'll be seeking their feedback going forward.

I am struck by kind of the comparison with the IFQ program in the Gulf, and I know Bob Gill is on, and, when we were at the August Gulf Council meeting, one of the conversations we had was with the IFQ amendments, and they just kept kind of coming up over and over again, but we weren't making much progress on modifying the IFQ program, and the same statements remain that we need to take a different approach, and we need to look at this differently, and be more strategic and thoughtful with regard to kind of the issues that we're tackling. I see this as very much a visioning exercise, going forward, and the AP will play an important component in that. Thanks.

MS. MCCAWLEY: Dewey.

MR. HEMILRIGHT: To Andy and Kerry's points, in the Mid, there was a group of recreational industry folks, I think about six different groups, that brought something before the council for the

recreational reform initiative about looking at doing something different on accounting for catch or based on the status of the stock.

Here, it's incumbent upon both sectors to tell, or give comments, on how to fix the issues that the councils are having, and it's just not incumbent upon the council members, and so it would be really good to hear from the recreational industry, both organizations and media folks and different things, on how to account for the recreational effort, and so it would be really good to hear from industry folks, and that would help the council, and, also, it would help probably SERO and the managers come up with a way to grasp their heads around it. They know that, if it was something of a part broken on a boat, or something like that, and folks would be figuring out how to fix it, and so we need to hear that from the recreational industry, on how to address the effort and to account for it. Thank you.

MS. MCCAWLEY: Thank you. Chris.

MR. CONKLIN: I mean, really, what I would like to see the AP tackle is, or take a stab at, I guess, is, much like Dewey was saying, I would like to see some sort of staff-generated document, a white paper or whatever it may be, or a draft amendment, and I don't know, to go through the steps and see what it would look like to have a recreational, or whatever, snapper grouper fishing season, and show the --

To reduce discards in all of the top snapper grouper species, and go through the motions on how to find a way forward for the charter fishermen and the commercial folks, so that they could continue to work past the recreational season, and that's really something we need to do sooner than later, and it's not pretty, but it's something, like we said, we're going to have to tackle, and I don't see any other way out of this crisis that we're in. Both sectors are backed in a corner, and, unfortunately, we're both -- But, I mean, maybe, if we have a recreational season, it would end up being better, at least for satisfaction, trip satisfaction-wise, but I really think that's something they need to tackle, sooner rather than later.

MS. MCCAWLEY: Thank you, Chris. Myra, you had your hand up, and I think you put it down. Did you have something?

MS. BROUWER: Thanks, Jessica. Just hearing you all discuss this, I was simply going to suggest that, given the reprioritizing exercise that we need to go through later this week, that we could, as staff, and perhaps with you, Jessica, and Kerry, maybe clean up this list and bring that back to you at Full Council, rather than spend a bunch of time, but I'm glad that these ideas are getting captured, so that we can definitely incorporate what you all are talking about into a potential list.

MS. MCCAWLEY: I like that. That's a great idea. Mike, did you have something, before I go to Kerry and Laurilee?

DR. SCHMIDTKE: Yes, and I am certainly not disagreeing with the idea of the discussion that's being brought up, but I just do want to point out that, at the last advisory panel meeting, there was a whole section that was dedicated to approaching reductions to discards, and so a lot of the topics that are being brought up here, again, the AP has commented on them earlier this year, and that feedback is included in the April 2021 report and was presented to the council in June, as well as during this meeting.

It has covered things such as their recommendations on accounting for recreational effort through some form of license, permit, stamp, whatever, but doing that specifically in the context of -- They recommended it overall, but they also recommended it in the context of the deepwater fishery for snowy grouper, and they have also provided recommendations concerning discards that have been incorporated into the game plan for red snapper. Some of these topics, they have provided fairly recent feedback on, and you can certainly task them to explore it again, but I just wanted to bring up that those were commented on fairly recently.

MS. MCCAWLEY: Thanks, Mike. Kerry.

MS. MARHEFKA: Mike, you're absolutely right. As someone who was on the AP for many years, and has been following it for even longer, the Snapper Grouper AP has been discussing and bringing these issues to the council ad nauseum, and I think, quite frankly, is frustrated with us that we keep asking them these questions.

What I want to make clear, and I think -- I agree with Myra's point that we don't need to hash out the nitty-gritty here, and we can do it and then bring it back, but I think what's really clear to capture, while we're all here together as a committee, is -- The message I want to send to the advisory panel is that there seems to be support from the members of this committee, right now, to seriously look at accounting for and deciding whether or not we need to deal with the overcapitalization in the recreational fishery industry, and, if that's how we feel, and I've heard it from a lot of people, then I want to make sure that the AP understands that. We can get into the nitty-gritty later, about what we're asking them to talk about and send back to us, but that's what I have heard here today from many, many people, and it's important that the advisory panel sees us finally make some movement on this.

MS. MCCAWLEY: Thank you, Kerry. I agree with all of that. Laurilee.

MS. THOMPSON: I want to add to the broader discussion another topic, and a couple of fishermen have texted me and asked if we could consider looking at our offshore as a three-complex system and possibly looking at shutting down the mid-range of that three-complex system, from say potentially 100 feet to 200 feet of water, just shut it down, and maybe for a length of time, or look at what might potentially happen if we just close that mid-range area for a while and let the fish recover.

MS. MCCAWLEY: Thanks, Laurilee. Chris.

MR. CONKLIN: I mean, I appreciate Mike bringing up -- I do understand that, over the course of time, probably everything that would be entailed in this strategic plan here on how we're going to get to where we need to get has probably been talked about, but I would like to see something drawn out of Tier 1, this is what we've got to do, and then Tier 2, Step 3, Step 4, and this is what we're going to do, and this is how it has to be done, and these are the measures we have to take, and I'm talking unpopular ideas. Like, if the charter fishermen want to be able to work and take people out fishing for snapper grouper, outside of the recreational season, then we would need to close the permits off, so they're not open access anymore, and that's the first thing that comes into my head.

If commercial fishermen have to be more accountable, to demonstrate that they're not fishing in the closed areas, we might need to put some sort of VMS on the boat, which has been unpopular in the past, but, right now, we're so backed into a corner, and we're so -- You know what I want to say, but I won't, but it's dire times, and we have ultimately been abusing the resource, and I'm not saying that I believe all these stock assessments, and now we're having to pay the price. We have totally failed on behalf of the people who are supposed to take care of these issues and make sure we don't get here, because we've been beating around the friggin' bush, and it's time to make a stand and figure out a way forward. Thank you.

MS. MCCAWLEY: Thank you, Chris. Tim.

MR. GRINER: I just wanted to kind of add to that and what Kerry said about this overcapitalization, and that it applies now, in my mind, to the commercial sector too, and so that two-for-one follow-up needs to be under this broader discussion, because the way I see the fishery going now, with the way the groupers are going, and now the porgies, and we're quickly getting down to a three-species commercial fishery in the South Atlantic, and we're going to be out there fishing on amberjack, triggerfish, and vermilion snapper, and that is -- In my mind, once that happens, then 500 permits is too much.

These are small, small quotas. I mean, a measly million pounds of vermilion doesn't go very far with 500 boats and a 1,000-pound trip limit. That's a couple of trips a year, and so I think that I really want to see -- Like Chris said, we've got to buckle down here and do the hard stuff now, and that means talking about this overcapitalization problem we have in all of our sectors. Thank you.

MS. MCCAWLEY: Thank you, Tim. We are at the end of our time, and we need to get ready for the public hearing. I hope that folks would allow Kerry and myself and Myra and Mike to get together and kind of try to stage this list of items that we have here and figure out what all we can fit in within the timeframe and how to do this, but I appreciate this discussion. It's very helpful, and I am going to pass it back to you, Mel, to get ready for public comment.

MR. BELL: Thank you, Jessica, and thanks, everybody, for your input and your sincere heartfelt points of view. This captures some things here, and I think this will help us as we move forward, and we had the -- We're all here today, and we have the advantage of having kind of talked through all of this, and the AP members are not necessarily all attending the meeting, and so we do need to bring them into this concept of -- I use the term "visioning" again, but it is what needs to look different as we move forward, and so I think this is a good point to start that discussion and dialogue with them and bring them in on it and engage them in thinking in that same way.

Again, I would also refer us back to the visioning process that we went through for snapper grouper, to make sure that we have totally extracted everything out of that to help us kind of kick off this new effort, and so thanks, everybody for your input on this. I think that will wrap it up for Snapper Grouper right now. We had a couple of things left that we can pick up when we get to Full Council.

(Whereupon, the meeting adjourned on September 15, 2021.)

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Transcribed By
Amanda Thomas
November 1, 2021

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SAFMC September Council Meeting

Attendee Report: (9/13/21 - 9/17/21)

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09/20/2021 08:47 AM EDT

Webinar ID

262-125-515

Actual Start Date/Time

09/14/2021 07:59 AM EDT

Duration

9 hours 36 minutes

Attendee Details

Attended	Last Name	First Name
Yes	Adams	Roberta
Yes	Allen	Shanae
Yes	Aukeman	Trip
Yes	BROUWER	MYRA
Yes	BYRD	01JULIA
Yes	Bailey	Adam
Yes	Barbieri	Luiz
Yes	Belcher	Carolyn
Yes	Bell	00-Mel
Yes	Berry	James
Yes	Bianchi	Alan
Yes	Blough	Heather
Yes	Brame	Richen
Yes	Brennan	Ken
Yes	Bruce	James
Yes	Calay	Shannon
Yes	Carmichael	01 John
Yes	Carnes	Justin
Yes	Caycedo	Mario
Yes	Chaya	01Cindy
Yes	Cheshire	Rob
Yes	Clarke	Lora
Yes	Collier	01Chip
Yes	Conklin	00 THE REAL Chris
Yes	Copeland	01 Robert
Yes	Craig	Kevin
Yes	Cross	Tiffanie
Yes	Curtis	Judd
Yes	Dalton Harrison	BeBe
Yes	DeFilippi Simpson	Julie
Yes	DeVictor	Rick

Yes	Dixon	Michael
Yes	Doten	Madeline
Yes	Dover	Miles
Yes	Dunn	Russell
Yes	Flora	Corrin
Yes	Flowers	Jared
Yes	Foor	Brandon
Yes	Foss	Kristin
Yes	Gentry	Lauren
Yes	Gill	Bob
Yes	Glasgow	Dawn
Yes	Glazier	Ed
Yes	Godwin	Joelle
Yes	Gore	Karla
Yes	Gray	Alisha
Yes	Griffin	Charles
Yes	Griner	00 Tim
Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Harrison	Alana
Yes	Hart	Hannah
Yes	Hawes	Rachel
Yes	Haymans	Doug
Yes	Heffernan	Katie
Yes	Helies	Frank
Yes	Helmey	Judy
Yes	Hemilright	Dewey
Yes	Herrera	John
Yes	Howington	Kathleen
Yes	Hudson	Rusty
Yes	Hull	James
Yes	Iberle	01Allie
Yes	Ingram	Jamal
Yes	Iverson	01Kim
Yes	Johnson	Denise
Yes	KELLY	BILL
Yes	Karnauskas	Mandy
Yes	Keener	Paula
Yes	LARKIN	Michael
Yes	Laks	Ira
Yes	Lawler	Sean
Yes	Lopez	Maria
Yes	Lowther	Alan
Yes	Marhefka	Kerry
Yes	Martinez	Adrian
Yes	McCawley	00 - Jessica
Yes	McCoy	Sherylanne

Yes	McGovern	Jack
Yes	Mehta	Nikhil
Yes	Merrifield	Jeanna
Yes	Meyer	Robert
Yes	Murphey	Trish
Yes	Neer	Julie
Yes	Nelson	Paul
Yes	Nesslage	Genny
Yes	Newman	Thomas
Yes	Nieland	David
Yes	O'Donnell	Kelli
Yes	O'Shaughnessy	Patrick
Yes	PHELPS	MARK
Yes	Patten	Willow
Yes	Poland	00Stephen
Yes	Porch	Clay01
Yes	Pugliese	01Roger
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Rapp	Amber
Yes	Records	David
Yes	Reichert	Marcel
Yes	Rhodes	01Cameron
Yes	Riley	Richard
Yes	Roller	Tom
Yes	Runde	Brendan
Yes	Sancho	Gorka
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Shertzer	Kyle
Yes	Smillie	Nicholas
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Spurgin	Kali
Yes	Sramek	Mark
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Stephenson	Sarah
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Takade-Heumacher	Helen
Yes	Thompson	00Laurilee
Yes	Travis	Michael
Yes	Vara	Mary
Yes	Walia	Matt

Yes	Wamer	David
Yes	Whitten	Meredith
Yes	Wiegand	01Christina
Yes	Willis	Michelle
Yes	Wiseman	adam
Yes	Wolfe	Wes
Yes	Woodward	00 Spud
Yes	brewer	00chester
Yes	burton	michael
Yes	colby	barrett
Yes	cox	Jack
Yes	crosson	scott
Yes	locke	charles
Yes	moss	david
Yes	sandorf	scott
Yes	thomas	01suz
Yes	walter	John
Yes	welch	robert

SAFMC September Council Meeting

Attendee Report: (9/13/21 - 9/17/21)

Report Generated:

09/16/2021 07:36 AM EDT

Webinar ID	Actual Start Date/Time	Duration
262-125-515	09/15/2021 08:00 AM EDT	8 hours 50 minutes

Attendee Details

Attended	Last Name	First Name
Yes	Aukeman	Trip
Yes	BROUWER	MYRA
Yes	BYRD	01JULIA
Yes	Bailey	Adam
Yes	Barbieri	Luiz
Yes	Batley	Zachary
Yes	Beal	Bob
Yes	Belcher	Carolyn
Yes	Bell	00-Mel
Yes	Bellavance	10-Rick
Yes	Berry	James
Yes	Bianchi	Alan
Yes	Brame	Richen
Yes	Brantley	William
Yes	Brennan	Ken
Yes	Bruce	James
Yes	Calay	Shannon
Yes	Carmichael	01 John
Yes	Chaya	01Cindy
Yes	Clarke	Lora
Yes	Collier	01Chip
Yes	Conklin	00 THE REAL Chris
Yes	Coogan	Colleen
Yes	Copeland	01 Robert
Yes	Corey	Morgan
Yes	Cox	Derek
Yes	Cross	Tiffanie
Yes	Cummings	Nancie
Yes	Curtis	Judd

Yes	DeVictor	Rick
Yes	Dixon	Michael
Yes	Doten	Madeline
Yes	Dover	Miles
Yes	Eimers	Colin
Yes	FRANCO	DAWN
Yes	Flora	Corrin
Yes	Flowers	Jared
Yes	Foor	Brandon
Yes	Foss	Kristin
Yes	Franco	Crystal
Yes	Gentry	Lauren
Yes	Gill	Bob
Yes	Glasgow	Dawn
Yes	Gloeckner	David
Yes	Godwin	Joelle
Yes	Goebel	Jennifer
Yes	Gore	Karla
Yes	Griffin	Charles
Yes	Griner	00 Tim
Yes	Guyas	Martha
Yes	Hadley	01John
Yes	Hart	Hannah
Yes	Hawas	Rachel
Yes	Haymans	Doug
Yes	Helies	Frank
Yes	Helmey	Judy
Yes	Hemilright	Dewey
Yes	Herrera	John
Yes	Horton	Chris
Yes	Howington	Kathleen
Yes	Hudson	Rusty
Yes	Hull	James
Yes	Iberle	01Allie
Yes	Ingram	Jamal
Yes	Iverson	01Kim
Yes	Karnauskas	Mandy
Yes	Keener	Paula
Yes	Killer	Ed
Yes	Kolmos	Kevin
Yes	Kramer	Rob
Yes	Laks	Ira
Yes	Latanich	KATie
Yes	Lawler	Sean
Yes	Lee	Jennifer
Yes	Lind	Michael
Yes	Marhefka	Kerry

Yes	Martinez	Adrian
Yes	McCawley	00 - Jessica
Yes	McCoy	Sherylanne
Yes	McGovern	Jack
Yes	McPherson	Matthew
Yes	Meehan	Sean
Yes	Mehta	Nikhil
Yes	Merrifield	Mike
Yes	Merrifield	Jeanna
Yes	Meyer	Robert
Yes	Neer	Julie
Yes	Nesslage	Genny
Yes	Newman	Thomas
Yes	Nieland	David
Yes	O'Shaughnessy	Patrick
Yes	Patten	Willow
Yes	Poland	00Stephen
Yes	Porch	Clay01
Yes	Powell	Jessica
Yes	Pugliese	01Roger
Yes	Ralston	Kellie
Yes	Ramsay	Chloe
Yes	Rapp	Amber
Yes	Records	David
Yes	Reichert	Marcel
Yes	Reynolds	Jon
Yes	Rhodes	01Cameron
Yes	Riley	Richard
Yes	Roller	Tom
Yes	Runde	Brendan
Yes	Schmidt	Eric
Yes	Schmidtke	01Michael
Yes	Scott	Tara
Yes	Sedberry	George
Yes	Seward	McLean
Yes	Sharov	Alexei
Yes	Shertzer	Kyle
Yes	Shervanick	Kara
Yes	Smillie	Nicholas
Yes	Smit-Brunello	00Monica
Yes	Smith	Duane
Yes	Solorzano	Marilyn
Yes	Spurgin	Kali
Yes	Sramek	Mark
Yes	Stam	Geoff
Yes	Stemle	Adam
Yes	Stephenson	Sarah

Yes	Stiles	Margot
Yes	Strelcheck	00-Andy
Yes	Sweetman	CJ
Yes	Takade-Heumacher	Helen
Yes	Thompson	00Laurilee
Yes	Thompson	Michael
Yes	Travis	Michael
Yes	Trego	Marisa
Yes	Vara	Mary
Yes	Vogelsong	Lee
Yes	Walia	Matt
Yes	Wamer	David
Yes	Whitaker	David
Yes	Whitten	Meredith
Yes	Wickstrom	Blair
Yes	Wiegand	01Christina
Yes	Willis	Michelle
Yes	Wolfe	Wes
Yes	Woodward	00 Spud
Yes	Zoodsma	Barb
Yes	Zou	Chao
Yes	brewer	00chester
Yes	colby	barrett
Yes	crosson	scott
Yes	emery	jeff
Yes	locke	charles
Yes	moss	david
Yes	sandorf	scott
Yes	thomas	01suz
Yes	thompson	mary jean
Yes	walter	John