

# SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Kitty Hawk, North Carolina

December 3 – 7, 2018

## SUMMARY OF APPROVED COUNCIL MOTIONS

**Note:** These summary motions show the wording of the actions/alternatives as modified by the motions. For details of what was changed, see the Final Committee Reports available from the Council's website in the folder named Committee Reports:

<http://safmc.net/briefing-books/briefing-book-2018-december-council-meeting/>

### SNAPPER GROUPE

#### **Regulatory Amendment 30 (Red Grouper)**

#### **MOTION #1: APPROVE THE IPT'S SUGGESTED EDITS UNDER ACTION 1.**

*Action 1: Revise the Rebuilding Schedule for Red Grouper*

**Alternative 2.** Revise the rebuilding schedule to equal the shortest possible time period to rebuild in the absence of fishing mortality ( $T_{\min}$ ). This would equal 6.5 years with the rebuilding time period ending in 2023. 2018 2019 would be Year 1.

**Alternative 3.** Revise the rebuilding schedule to equal 8 years with the rebuilding time period ending in 2025 2026. 2018 2019 would be Year 1.

**Preferred Alternative 4.** Revise the rebuilding schedule to equal the maximum time period allowed to rebuild ( $T_{\max}$ ). This would equal 10 years with the rebuilding time period ending in 2027 2028. 2018 2019 would be Year 1.

#### **MOTION #2: ACCEPT THE IPT'S SUGGESTED EDITS TO ACTION 2.**

*Action 2: Modify the seasonal prohibition on recreational harvest and possession of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina*

**Alternative 1 (No Action).** During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney).

**Preferred Alternative 2.** During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney). Revise the timing of these restrictions only for red grouper in the exclusive economic zone off North Carolina and South Carolina as follows:

**Preferred Sub-alternative 2a.** January – May (five months)

**Sub-alternative 2b.** February – May (four months)

**Sub-alternative 2c.** March – June (four months)

**Sub-alternative 2d.** January – June (six months)

#### **MOTION #3: ACCEPT THE IPT'S SUGGESTED EDITS UNDER ACTION 3**

*Action 3: Modify the seasonal prohibition on commercial harvest, possession, sale, and purchase of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina*

**Alternative 1 (No Action).** During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney). Additionally, during January through April, no person may sell or purchase any shallow-water grouper harvested from or possessed in the South Atlantic exclusive economic zone.

**Preferred Alternative 2.** During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney). Additionally, during January through April, no person may sell or purchase any shallow-water grouper harvested from or possessed in the South Atlantic exclusive economic zone. Revise the timing of these restrictions only for red grouper in the exclusive economic zone off North Carolina and South Carolina as follows:

**Preferred Sub-alternative 2a.** January – May (five months)

**Sub-alternative 2b.** February – May (four months)

**Sub-alternative 2c.** March – June (four months)

**Sub-alternative 2d.** January – June (six months)

#### **Vision Blueprint Regulatory Amendment 26 (Recreational Management Measures)**

#### **MOTION #4: APPROVE ITP'S SUGGESTED EDITS TO ACTION 1**

##### ***Action 1. Establish a deep-water species aggregate***

**Preferred Alternative 2.** Establish a **Deep-water Species Aggregate:** snowy grouper, misty grouper, yellowedge grouper, blueline tilefish, golden tilefish, and wreckfish.

**Other species would remain in their current aggregates.**

**Alternative 3.** Establish a **Deep-water Species Aggregate:** snowy grouper, misty grouper, yellowedge grouper, blueline tilefish, golden tilefish, wreckfish, silk snapper, queen snapper, and blackfin snapper. **Other species would remain in their current aggregates.**

#### **SUBSTITUTE MOTION #5: SELECT ALTERNATIVE 1 (NO ACTION) AS PREFERRED FOR ACTIONS 1, 2 AND 3.**

##### **Action 1. Establish a deep-water species aggregate**

**Alternative 1 (No Action).** The following recreational Snapper Grouper aggregates are in place in the South Atlantic Region:

- Snapper Aggregate: lane snapper, yellowtail snapper, gray snapper, mutton snapper, cubera snapper, queen snapper, blackfin snapper, and silk snapper.
- Grouper and Tilefish Aggregate: gag, black grouper, red grouper, scamp, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, coney, sand tilefish, snowy grouper, misty grouper, yellowedge grouper, blueline tilefish, and golden tilefish.
- 20-Fish Aggregate: whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup, gray triggerfish, bar jack, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice, and Atlantic spadefish.

##### **Action 2. Specify the recreational season for the deep-water species aggregate**

**Alternative 1 (No Action).** Recreational fishing for blueline tilefish and snowy grouper is allowed from May 1 through August 31, annually. Recreational fishing for wreckfish is allowed from July 1

through August 31, annually. Recreational fishing for other deep-water species (misty grouper, yellowedge grouper, and golden tilefish) is allowed year-round.

**Action 3. Specify the aggregate bag limit for the deep-water species aggregate**

**Alternative 1 (No Action).** The following bag limits are in place for the grouper and tilefish aggregate and for wreckfish in the South Atlantic Region:

- Grouper and Tilefish Aggregate Bag Limit: Three per person per day: gag<sup>1</sup>, black grouper<sup>1</sup>, red grouper, scamp, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, coney, sand tilefish, snowy grouper<sup>2</sup>, misty grouper, yellowedge grouper, blueline tilefish, and golden tilefish<sup>3</sup>.
  - <sup>1</sup>Maximum of one gag or black grouper (but not both) per person per day
  - <sup>2</sup>Maximum of one snowy grouper per vessel per day
  - <sup>3</sup>Maximum of one golden tilefish per person per day
- The recreational bag limit for wreckfish is one per vessel per day.

**MOTION #6:** CLARIFY THAT ACTION 2 WOULD RETAIN EXISTING RECREATIONAL SEASON FOR WRECKFISH (JULY AND AUGUST)

**Action 2. Specify the recreational season for the deep-water species aggregate**

**MOTION #7:** DE-SELECT PREFERRED SUB-ALTERNATIVE 2F AS PREFERRED AND SELECT SUB-ALTERNATIVE 2D AS PREFERRED UNDER ACTION 3

**Action 3. Specify the aggregate bag limit for the deep-water species aggregate**

**Sub-alternative 2d.** Two fish per person per day with existing restrictions on golden tilefish, snowy grouper, and wreckfish.

**MOTION #8:** MODIFY THE TITLE OF ACTION 4 TO SPECIFY THE SPECIES IT APPLIES TO (QUEEN SNAPPER, SILK SNAPPER, AND BLACKFIN SNAPPER)

**Action 4. Remove the recreational minimum size limits for certain deep-water species**

**MOTION #9:** RECOMMEND APPROVAL OF SNAPPER GROUPEER REGULATORY AMENDMENT 26 AS MODIFIED FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.

**Regulatory Amendment 42 (Sea Turtle Release Gear & Framework Modification)**

**MOTION #10:** APPROVE SNAPPER GROUPEER AMENDMENT 42 FOR PUBLIC HEARINGS

**Regulatory Amendment 32 (Yellowtail Snapper AMs)**

**MOTION #11:** POSTPONE CONSIDERATION OF REGULATORY AMENDMENT 32 UNTIL AFTER THE NEXT YELLOWTAIL SNAPPER STOCK ASSESSMENT.

**Recreational Accountability Measures Amendment**

**MOTION #12:** RECOMMEND THE COUNCIL SEND SNAPPER GROUPEER REGULATORY AMENDMENT 31 AND DOLPHIN WAHOO REGULATORY

AMENDMENT 2 OUT FOR SCOPING VIA WEBINAR PRIOR TO THE MARCH 2019 COUNCIL MEETING.

**MOTION #13 (TIMING AND TASK): DIRECT STAFF TO:**

1. FINALIZE REGULATORY AMENDMENT 26 AND SUBMIT TO THE NMFS
2. DIRECT STAFF TO BRING WHITE PAPER ON DW SPECIES REGIONAL ALLOCATIONS TO JUNE 2019 MEETING
3. CONDUCT PUBLIC HEARINGS ON AMENDMENT 42 (SEA TURTLE RELEASE GEAR REQUIREMENTS AND FRAMEWORK MODIFICATIONS) DURING THE MARCH 2019 MEETING.
4. INCLUDE SG FMP OBJECTIVES EVALUATION MATERIAL (FROM 2014 VISIONING PROJECT) IN MARCH 2019 BB
5. INCLUDE A SG COMMERCIAL PERMIT APPLICATION IN THE MARCH 2019 BB
6. DEVELOP A WEBPAGE/STORY MAP TO UPDATE STAKEHOLDERS ON PROGRESS TO DATE ON VISION BLUEPRINT ACTIVITIES DURING 2016-2018 AND BRING TO THE COMMITTEE IN MARCH OR JUNE 2019 FOR APPROVAL
7. REQUEST PRESENTATION FROM SERO PERMITS TO BE DELIVERED TO THE SG COMMITTEE DURING MARCH 2019 (SEE ATTACHED LIST OF QUESTIONS/TOPICS)
8. HOLD SCOPING FOR RECREATIONAL AMS AMENDMENT VIA WEBINAR PRIOR TO THE MARCH 2019 COUNCIL MEETING.
9. PREPARE A DRAFT ALLOCATION TRIGGER REVIEW POLICY BASED ON COUNCIL DISCUSSION FOR MARCH 2019.
10. PREPARE REGULATORY AMENDMENT 30 (RED GROUPER) FOR APPROVAL FOR FORMAL REVIEW IN MARCH 2019

**DIRECTION TO STAFF:** List of topics/questions for SERO Permits presentation at the March 2019 Council meeting:

1. Provide overview of the permit program. When was the program established, how many permits, are being managed, etc.
2. What is done to track individuals who attempt to obtain/renew a permit when there's been a violation on a previous permit?
3. If the permit were to be tied to an individual rather than the vessel, would this help in tracking violations?
4. Could a permit be issued on a multi-year basis?
5. What would happen if a permit were revoked in a limited access or an open access fisheries?
6. How do renewal schedules affect the number of active permits?
7. Clarify how is the renewal process different for for-hire and commercial permits
8. Clarify process for incorporating and, particularly, the time it takes to do it.
9. Explain the process for permit application/renewal to identify areas that need improvement.
10. Explain how changes could be made in terms of governance. How is the agency structured and where does the permits office fit in?
11. Explain how permit leasing works. How many permits are currently being leased?
12. Clarify the need for a Unique Invitation Code for online permit renewal

## **HABITAT PROTECTION AND ECOSYSTEM BASED MANAGEMENT**

### **MOTION #1: ADOPT THE FOLLOWING TIMING AND TASK(S):**

1. Prior to February CCC meeting staff will prepare the following support information to inform and support SAFMC input during the joint session during the March Council meeting:
  - a. Table of recreational and commercial species in the Snapper Grouper and Coastal Migratory Pelagic Management Units for MA/NE regions in pounds caught including identification of management jurisdiction, to include non-managed species
  - b. Table of management and coordination alternatives available to the Council to address species change in distribution and movement north
  - c. Pros and cons on permits
  - d. Tables of ACL for managed species
2. Coordinate with MAFMC and NEFMC to re-schedule the joint session on species expanding north for the March 2019 SAFMC meeting.

## **DOLPHIN WAHOO**

### **Amendment 10**

#### **DIRECTION TO STAFF TO INCLUDE THE FOLLOWING ITEMS:**

- **Action 1.** Revise the optimum yield (OY) definition for dolphin.
- **Action 2.** Modify the recreational annual catch target (ACT) for dolphin.
- **Action 3.** Establish a commercial annual catch target (ACT) for dolphin.
- **Action 4.** Allow adaptive management of sector annual catch limits (ACLs) for dolphin.
- **Action 5.** Revise the accountability measures for dolphin.
- ~~**Action 6.** Revise the acceptable biological catch (ABC) control rule for dolphin and wahoo.~~
- **Action 7.** Allow properly permitted vessels with gear onboard that are not authorized for use in the dolphin wahoo fishery to possess dolphin or wahoo.
- **Action 8.** Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery.
- **New Item:** Allow bag limit sales of dolphin for dually permitted for-hire and commercial permit holders.
- **New Item:** Modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with HMS requirements (excluding monitoring).
- **New Item:** Reduce the recreational vessel limit to 40 fish for dolphin.
- **New Item:** Revise the ACLs of dolphin and wahoo to accommodate new MRIP data.
- **New Item:** Revise sector allocations for dolphin and wahoo.

The Council provided the following guidance:

- Remove Action 6 from Amendment 10 since this action is being pursued via Dolphin Wahoo Amendment 11, which is part of the generic ABC Control Rule Amendment.
- **Action 6.** Revise the acceptable biological catch (ABC) control rule for dolphin and wahoo.
- For the potential reduction to the recreational vessel limit for dolphin, consider an additional range outside of 40 fish, focusing on vessel limits divisible by 6.

### **MOTION #1: ADD FOR-HIRE BAG LIMIT SALES OF DOLPHIN BY DUALY PERMITTED VESSELS TO DOLPHIN WAHOO AMENDMENT 10.**

**MOTION #2:** CONSIDER HMS GEAR AND TRAINING REQUIREMENTS IN THE PELAGIC LONGLINE FISHERY FOR DOLPHIN AND WAHOO.

**MOTION #3:** ADD AN ACTION TO REDUCE THE RECREATIONAL VESSEL LIMIT FOR DOLPHIN TO 40 FISH.

**MOTION #4:** ADD AN ACTION TO REVISE THE ACL TO ACCOMMODATE NEW MRIP DATA.

**MOTION #5:** ADD AN ACTION TO REVISE SECTOR ALLOCATIONS.

**MOTION #6:** APPROVE THE FOLLOWING TIMING AND TASKS:

1. SEND A RESPONSE LETTER TO THE MID-ATLANTIC COUNCIL STATING THAT THE SOUTH ATLANTIC COUNCIL IS INTERESTED IN GATHERING ADDITIONAL INFORMATION ON BULLET AND FRIGATE MACKEREL AND FURTHER INVESTIGATING THE POTENTIAL TO ADD THE TWO SPECIES TO THE DOLPHIN WAHOO FMP AS ECOSYSTEM COMPONENTS.
2. PREPARE A WHITE PAPER FOR THE MARCH 2019 MEETING ON:
  - a) THE CONCEPT OF ADDING PREY SPECIES TO A FMP AS AN ECOSYSTEM COMPONENT AS WELL AS REGULATORY PARAMETERS AND MECHANISMS FOR DOING SO.
  - b) HOW OTHER COUNCILS HAVE ADDRESSED UNMANGED PREY SPECIES THROUGH DESIGNATING THEM AS ECOSYSTEM COMPONENTS IN FISHERY MANAGEMENT PLANS AND POTENTIAL MANAGEMENT OPTIONS.
  - c) ADDITIONAL BACKGROUND INFORMATION ON FISHERIES FOR BULLET AND FRIGATE MACKEREL.
  - d) IDENTIFYING OTHER MAJOR PREY SPECIES FOR DOLPHIN AND WAHOO (FLYING FISH AND SQUID).
3. PREPARE AMENDMENT 10 FOR REVIEW AT THE MARCH 2019 MEETING.

### **SEDAR**

**MOTION #1:** MOVE TO APPOINT THOSE LISTED IN TABLE 1 TO THE SEDAR 66 TILEFISH ASSESSMENT.

**MOTION #2:** MOVE TO APPOINT THOSE LISTED IN TABLE 2 TO THE SEDAR 68 SCAMP STOCK ID PROCESS.

**MOTION #3:** MOVE TO APPOINT STEVE POLAND TO SEDAR 66 AND TIM GRINER TO THE SEDAR 68 STOCK ID PROCESS.

**MOTION #4:** MOVE TO APPOINT ALEXI SHAROV TO REPLACE MARCEL REICHERT ON THE SEDAR 58 DATA WORKSHOP FOR ATLANTIC COBIA.

**MOTION #5:** MOVE TO APPROVE THE TERMS OF REFERENCE FOR THE SEDAR SNOWY GROUPER UPDATE.

**MOTION #6:** MOVE TO APPROVE THE TERMS OF REFERENCE AND SCHEDULE FOR THE SEDAR 66 TILEFISH ASSESSMENT.

**MOTION #7:** MOVE TO APPROVE THE TERMS OF REFERENCE AND SCHEDULE FOR THE SEDAR 68 SCAMP ASSESSMENT.

**Table 1. SEDAR 66 (Tilefish) SAFMC Appointments**

PANELISTS	
SSC	Luiz Barbieri
	Genny Nesslage
	Churchill Grimes
ACCSP	Julie DeFilippi-Simpson
MARMAP	Kevin Spanik
	Kevin Kolmos
	Wally Bublely
NC DMF	Alan Bianchi
OBSERVERS & DATA PROVIDERS	
Snapper Grouper AP	Vincent Bonura
	Jim Freeman
	Rusty Hudson
	Andy Piland
SAFMC Staff	Mike Errigo
Data Providers	Steve Brown
	Julie Califf
	Amy Duke/Eric Hiltz

**Table 2. Scamp Stock ID SAFMC Appointments**

PANELISTS	
SSC	George Sedberry
SCDNR	Tanya Darden
	Joey Ballenger
	Dawn Glasgow
NC DMF	Chris Wilson
	McLean Seward
FL FWCC	Kevin Thompson
	Elizabeth Wallace
OBSERVERS	
Snapper Grouper AP	Deidra Jeffcoat
	Randy McKinley
	Jimmy Hull
SAFMC Staff	Mike Errigo

**CITIZEN SCIENCE**

**MOTION #1:** ADOPT THE CITIZEN SCIENCE PROGRAM SOPPs, WITH MODIFICATIONS AS NEEDED.

**SOPPs**

**MOTION #1:** ADOPT THE FOLLOWING TIMING AND TASK(S):

1. Work with NOAA GC to clarify identified issues in the Handbook.
2. Revise the Handbook based on the approved changes for use at the March 2019 meeting.
3. Schedule a Partially Closed SOPPs Committee at the March 2019 meeting.

**EXECUTIVE FINANCE**

**MOTION#1:** SAFMC IS NOT IN FAVOR OF SECTION 302(b)(2) BEING APPLIED TO THE SAFMC.

(Note: This refers to requiring Governors to nominate 1 commercial, 1 recreational, 1 charter/headboat, and 1 other person with fishery management expertise for each open Council seat.)

**MOTION #2:** SAFMC IS NOT IN FAVOR OF SECTION 108(b)(5).

(Note: This refers to requiring each Council to hold a roll call vote on all non-procedural matters before the Council.)



**MOTION #3: ADOPT THE FOLLOWING TIMING AND TASK(S):**

1. Directed staff to prepare draft comments on the Senate Staff Working Draft MSA Reauthorization bill. Comments from Council members are due to Gregg Waugh by 12/13/18; a draft letter to the Chair on 12/14/18; and final comments sent on 12/18/18.
2. Directed staff to prepare draft comments on the SHIFT bill. This bill may be introduced in the current session. If so, we will not have time to get our comments to them in time. Staff will monitor and prepare comments for the Chair's review if the timing works out.
3. Directed staff to prepare draft comments on the simplified S. 1520 bill. This bill may be introduced in the current session. If so, we will not have time to get our comments to them in time. Staff will monitor and prepare comments for the Chair's review if the timing works out.
4. Directed staff to prepare a draft 2019 Calendar Year (CY) January-December budget for review at the March 2019 meeting based on guidance provide at the December 2018 meeting.
5. Directed staff to work on the following items for the March 2019 Council meeting:

SG Reg 30	Red Grouper Rebuilding
SG Reg 31/DW Reg 2	Rec Accountability Measures Modifications
SG Reg 29	Best Practices & Powerheads
DW 10	ACL sharing, OY, and other actions
SG 45/GC 11/Sa 4/C 11	ABC Control Rule
	Wreckfish ITQ Review
SG 42	Sea Turtle Release Gear & Framework Modifications
	Review of Allocation Triggers Policy

**COUNCIL SESSION**

**MOTION#1:** THE SOUTH ATLANTIC COUNCIL CONCURS THAT THE REVISED USS MONITOR BOUNDARY (REDUCED FROM 1 MILE TO 500 METERS AND CENTERED DIRECTLY OVER THE USS MONITOR WRECK) REMAINS CONSISTENT AND COMPATIBLE WITH THE SANCTUARY'S GOALS AND OBJECTIVES.

**MOTION #2:** APPOINT SCOTT BUFF TO SYSTEM MANAGEMENT PLAN WORKGROUP.

**MOTION #3:** DRAFT A LETTER TO HMS CONCERNING THE IMPACT OF LARGE COSTAL SHARKS ON FISHERIES MANAGED BY THE SAFMC TO BE REVIEWED IN MARCH.

**DIRECTION TO STAFF:**

1. Invite Chris Oliver to our March 4-8, 2019 meeting in Jekyll Island, Georgia.
2. Write a letter to Chris Oliver providing the Council's concerns about how the SEFSC is under resourced; 1 Center with 3 Regional Fishery Management Councils, ICATT, and HMS which is really like 1 Center with 5 Councils in terms of workload versus the situation on the West Coast were 1 Council has 2 Centers providing support. Express our concerns about impacts on fishery independent data collection programs. Intent is to have letter sent in January 2019.
3. Have John Hadley attend the next HMS Advisory Panel meeting to respond to questions about Dolphin Wahoo Amendment 10 and Shark Concerns.