

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Fort Lauderdale, Florida

June 10-15, 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-june-council-meeting/>

SNAPPER GROUPE

Golden Tilefish

MOTION #1: MOVE TO REQUEST EXTENSION OF THE GOLDEN TILEFISH INTERIM RULE FOR AN ADDITIONAL 186 DAYS

SSC Report

MOTION #2: MOVE FORWARD WITH ADJUSTING CATCH LEVELS FOR VERMILION SNAPPER AND BLACK SEA BASS BASED ON LATEST ASSESSMENTS THROUGH AN ABBREVIATED FRAMEWORK AMENDMENT.

MOTION #3: REQUEST THAT THE SSC EVALUATE THE FWRI SELECTIVITY STUDY TO DETERMINE ITS UTILITY IN STOCK ASSESSMENTS AND THE RED SNAPPER INTERIM ANALYSIS

Snapper Grouper Amendment 46 (Permitting & Reporting: Private Recreational Anglers)

MOTION #4: APPROVE OPTION 2 FOR THE PURPOSE OF ACTIONS IN AMENDMENT 46. The purpose is to improve information on effort and catch (landed and released) of fish in the private recreational component of the recreational sector of the snapper grouper fishery.

MOTION #5: APPROVE AMENDMENT 46 FOR SCOPING.

Regulatory Amendment 29 – (Best Fishing Practices and Powerheads)

MOTION #6: APPROVE SNAPPER GROUPE REGULATORY AMENDMENT 29 FOR SCOPING.

Vision Blueprint Regulatory Amendment 26 (Recreational Management Measures)

The Committee made the following revisions to the Purpose statement:

Address recreational stakeholder input to increase ~~access and~~ predictability for the DEEPWATER COMPONENT OF THE recreational SNAPPER GROUPE FISHERY ~~of the snapper grouper fishery~~, minimize regulatory discards, and improve regulatory compliance and consistency.

*****CLARIFICATION THAT ACTIONS WOULD AFFECT ALL COMPONENTS OF THE RECREATIONAL FISHERY, NOT JUST FOR-HIRE***.**

Retain the following items in Vision Blueprint Regulatory Amendment 26:

- Deep-water species aggregate and modification of species composition to include snowy grouper, misty grouper, golden tilefish, blueline tilefish, wreckfish, and yellowedge grouper.
- Removal of minimum size limits for three deep-water snappers.
- Season & aggregate bag limit for deep-water species.
- Recreational bag limits for the Other Shallow Water species (sub alternatives for no more than 10 gray triggerfish, no more than 10 Atlantic spadefish, and no more than 10 of any one species).
*** CLARIFICATION THAT THIS ACTION WOULD APPLY TO THE 20-FISH AGGREGATE FOR SPECIES WITHOUT BAG LIMITS***
- Gray triggerfish minimum size limit change
- Revise timing of amendment development to approve for formal review at the December 2018 meeting.
- Obtain additional public input in August 2018 during scoping hearings for Amendment 46 (recreational permit and reporting) and Regulatory Amendment 29 (best fishing practices).

MOTION #7: MOVE ACTION ADDRESSING MODIFICATION OF RED GROUPER SEASONAL CLOSURE OFF THE CAROLINAS FROM REG 26 & REG 27 AND DEVELOP IN REGULATORY AMENDMENT 30 (RED GROUPER REBUILDING)

MOTION #8: APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 3.

Action 3. Establish a commercial split season and modify the commercial trip limit for greater amberjack

Preferred Alternative 2. Specify two commercial fishing seasons for greater amberjack. Allocate the commercial annual catch limit for greater amberjack into two quotas: 50% to the period March 1 through August 31 and 50% to the period September 1 through the end of February. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. During April each year, no person may sell or purchase a greater amberjack harvested from the South Atlantic exclusive economic zone and the harvest and possession limit is one per person per day or one per person per trip, whichever is more restrictive.

Alternative 3. Specify two commercial fishing seasons for greater amberjack. Allocate the commercial annual catch limit for greater amberjack into two quotas: 60% to the period March 1 through August 31 and 40% to the period September 1 through the end of February. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. During April each year, no person may sell or purchase a greater amberjack harvested from the South Atlantic exclusive economic zone and the harvest and possession limit is one per person per day or one per person per trip, whichever is more restrictive.

Alternative 4. Retain the March through February fishing year Reduce the greater amberjack commercial trip limit. During April each year, no person may sell or purchase a greater amberjack harvested from the South Atlantic exclusive economic zone and the harvest and possession limit is one per person per day or one per person per trip, whichever is more restrictive. Reduce the greater amberjack commercial trip limit to:

MOTION #9: APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 4

Action 4. Establish a commercial split season and modify the commercial trip limit for red porgy

Alternative 1 (No Action). The commercial fishing year for red porgy in the South Atlantic exclusive economic zone is from January 1 to December 31. During January 1 through April 30 each year, no person may sell or purchase red porgy harvested from the South Atlantic exclusive economic zone, and the harvest and possession limit is three per person per day or three per person per trip, whichever is more restrictive. From May 1 through December 31 each year, the commercial trip limit for red porgy is 120 fish.

Preferred Alternative 2. Specify two commercial fishing seasons for red porgy. Allocate the commercial red porgy annual catch limit into two quotas: 30% to the period January 1 through April 30 and 70% to the period May 1 through December 31. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. Remove the sale and purchase prohibition and the possession limit of three per person per day or three per person per trip, whichever is more restrictive, during January 1 to April 30 each year. Retain the commercial trip limit of 120 fish from May 1 through December 31 and specify a commercial trip limit from January 1 through April 30 of:

Sub-alternative 2a. 30 fish.

Sub-alternative 2b. 45 fish.

Preferred Sub-alternative 2c. 60 fish.

Alternative 3. Specify two commercial fishing seasons for red porgy. Allocate the commercial red porgy ACL into two quotas: 50% to the period January 1 through April 30 and 50% to the period May 1 through December 31. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. Remove the sale and purchase prohibition during January 1 to April 30 each year and the possession limit of three per person per day or three per person per trip, whichever is more restrictive. Retain the commercial trip limit of 120 fish from May 1 through December 31 and specify a commercial trip limit from January 1 through April 30 of:

Sub-alternative 3a. 30 fish.

Sub-alternative 3b. 45 fish.

Sub-alternative 3c. 60 fish.

Alternative 4. Remove the sale and purchase prohibition and the possession limit of three per person per day or three per person per trip, whichever is more restrictive, and harvest and possession restrictions for red porgy from the South Atlantic exclusive economic zone during January 1 to April 30 each year. Specify a commercial trip limit of 120 fish from January 1 through December 31.

MOTION #10: SELECT ALTERNATIVE 2 AS PREFERRED

Action 5. Modify the commercial trip limit for vermilion snapper

Alternative 2. Retain the commercial trip limit and trip limit reduction in Season 1 (January 1 through June 30). For Season 2 (July 1 through December 31), modify the commercial trip limit to 750 pounds gutted weight and remove the trip limit reduction. Any remaining quota from Season 1 transfers to Season 2. Any remaining quota from Season 2 is not carried forward.

MOTION #11: ADOPT THE IPT’S SUGGESTED EDITS UNDER ACTION 5

Action 5. Modify the commercial trip limit for vermilion snapper

Alternative 4. Modify the commercial trip limit for both seasons and remove trip-limit reductions:

Sub-alternative 4a. 1,000 pounds gutted weight

Sub-alternative 4b. 850 pounds gutted weight

Sub-alternative 4c. 700 pounds gutted weight

MOTION #12: ADOPT THE IPT’S SUGGESTED EDITS UNDER ACTION 6

Action 6. ~~Implement~~ Establish a minimum size limit for almaco jack for the commercial sector

Alternative 2. ~~Specify~~ Establish a minimum size limit for almaco jack for the commercial sector

MOTION #13: ADOPT THE IPT’S SUGGESTED EDITS UNDER ACTION 7

Action 7. ~~Implement~~ Establish a commercial trip limit for the Other Jacks Complex

MOTION #14: ADOPT THE IPT’S SUGGESTED EDITS UNDER ACTION 8

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

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. Off North Carolina and South Carolina, revise the timing of these restrictions only for red grouper as follows:

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

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

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

NOTE: AN EARLIER MOTION MOVED THIS ACTION TO REGULATORY AMENDMENT 30

MOTION #15: APPROVE ALL ACTIONS IN VISION BLUEPRINT REGULATORY AMENDMENT 27 TO CONSIDER APPROVAL FOR FORMAL REVIEW IN SEPTEMBER 2018

Amendment 47 (Snapper Grouper For-Hire Permit Moratorium)

At the March 2018 meeting, the Council requested that staff prepare a revised options paper and draft scoping document for their consideration in June. Staff presented an overview of the documents and received the following guidance:

- Remove “moratorium” from the title of the amendment. Instead use “for-hire permit modifications” or something similar.
- Revise discussion of “overcapitalization” since there is not quantitative evidence provided to back up this statement.

- Concern that even though the for-hire electronic reporting amendment has been approved (awaiting publication of final rule) it is difficult to anticipate the effects of new regulations.
- There is evidence that compliance with reporting requirements in the Gulf of Mexico is higher than in the South Atlantic and this may be directly attributed to the for-hire limited entry program.
- Add that Council could consider multiple permit types.
- Request public input on other ways to address Council concerns rather than limiting entry.
- If possible, differentiate “6-pack” vessels vs. “headboats” in the scoping document in regard to potential permit types.
- Add option to put an identifying number on SG for-hire permits.
- Add information on penalties for non-reporting.
- Request to reach out to all federal permit holders via mailout to notice the scoping meetings.
- Scoping meetings should be held in-person, if possible. Request to include a location in Mid-Atlantic region (Council meeting is in Virginia Beach in mid-August) and Key West. The following locations are suggested as potential scoping meeting locations:

Florida

- Key West, FL
- (TBD)

Georgia

- Savannah, GA
- Brunswick, GA
- Midway, GA (if only one location is possible)

South Carolina

- Murrells Inlet, SC
- Charleston, SC
- Hilton Head, SC

North Carolina

- Wilmington, NC
- Morehead City, NC
- Manteo or Hatteras, NC (depending on meeting site availability)

Virginia

- Virginia Beach, VA (August MAFMC meeting)

MOTION#16: SEND SNAPPER GROUPER AMENDMENT 47, AS MODIFIED, OUT FOR SCOPING BEFORE THE SEPTEMBER 2018 MEETING.

CLARIFICATION THAT A POSTCARD WILL BE MAILED TO PERMIT HOLDERS AND SCOPING WILL BE CONDUCTED VIA WEBINAR PRIOR TO THE SEPTEMBER MEETING. IN SEPTEMBER, DECIDE WHETHER ADDITIONAL INPUT SHOULD BE SOUGHT

Regulatory Amendment 30 (Red grouper Rebuilding)

MOTION #17: APPROVE INCLUSION OF ACTION 1 AND RANGE OF ALTERNATIVES IN SNAPPER GROUPER REGULATORY AMENDMENT 30.

Action 1. Revise the Rebuilding Schedule for Red Grouper.

Alternative 1 (No Action). The current rebuilding schedule is set at the maximum time period allowed to rebuild (T_{max}). This is equal to 10 years with the rebuilding time period ending in 2020. 2011 was Year 1.

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 years with the rebuilding time period ending in 2023. 2018 would be Year 1.

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

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. 2018 would be Year 1.

MOTION #18: CONSIDER A COMMERCIAL TRIP LIMIT WITH SUB-ALTERNATIVES OF 75 POUNDS, 100 POUNDS, 150 POUNDS, AND 200 POUNDS GUTTED WEIGHT.

MOTION #19: SEND SNAPPER GROUPER REGULATORY AMENDMENT 30 (RED GROUPER REBUILDNG), AS MODIFIED, FOR PUBLIC HEARING AT THE SEPTEMBER COUNCIL MEETING.

Regulatory Amendment 28 (Golden Tilefish)

MOTION #20: ACCEPT THE PURPOSE AND NEED AS MODIFIED.

Purpose for Action

~~Adjust catch levels and implement management measures of golden tilefish in the South Atlantic~~
End overfishing of golden tilefish and implement management measures in the South Atlantic.

Need for Action

~~End overfishing of golden tilefish, while minimizing to the extent practicable, adverse socio-economic effects and achieve optimum yield on a continuing basis as per the Magnuson-Stevens Fishery Conservation and Management Act.~~ **End overfishing of golden tilefish, maximize economic opportunity for the commercial hook and line component, while minimizing to the extent practicable, adverse socio-economic effects and achieve optimum yield on a continuing basis as per the Magnuson-Stevens Fishery Conservation and Management Act.**

MOTION#21: GUTTED WEIGHT ABC FOR GOLDEN TILEFISH BE CALCULATED USING THE 1.059 CONVERSION FACTOR RESULTING IN A CATCH LEVEL OF 342,000 POUNDS GUTTED WEIGHT AND BE USED TO DERIVE THE QUOTAS.

MOTION #22: SELECT ALTERNATIVE 3/SUB-ALTERNATIVE 3A UNDER ACTION 1 AS THE PREFERRED.

Action 1: Revise the Annual Catch Limit for Golden Tilefish

Alternative 3. ~~Revise the golden tilefish annual catch limits. The total annual catch limit =90% of ABC. (The acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee is $P^*=30\%$.)~~ Allow the total annual catch limit for golden tilefish to remain equal to the yield at 75% of FMSY based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee when the population is at equilibrium. The annual catch limit value in place in 2020 will remain in effect in future years unless changed by the South Atlantic Fishery Management Council.

Sub-Alternative 3a. ACL = ABC

MOTION #23: APPROVE THE IPT'S SUGGESTED EDITS TO ACTION 1

Action 1: Revise the Annual Catch Limit for Golden Tilefish

Alternative 2. ~~Revise the golden tilefish annual catch limits. The total annual catch limit would equal the acceptable biological catch. (The acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee is $P^*=30\%$.)~~ Revise the total annual catch limit for golden tilefish based on an acceptable biological catch of $P^*=30\%$. The annual catch limit value in place in 2024 will remain in effect in future years unless changed by the South Atlantic Fishery Management Council.

Sub-Alternative 2a. ACL = ABC

Sub-Alternative 2b. ACL = 90% of ABC

Sub-Alternative 2c. ACL = 80% of ABC

Alternative 3. ~~Revise the golden tilefish annual catch limits. The total annual catch limit =90% of ABC. (The acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee is $P^*=30\%$.)~~ Allow the total annual catch limit for golden tilefish to remain equal to the yield at 75% of FMSY based on the acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee when the population is at equilibrium. The annual catch limit value in place in 2020 will remain in effect in future years unless changed by the South Atlantic Fishery Management Council.

Sub-Alternative 3a. ACL = ABC

Sub-Alternative 3b. ACL = 90% of ABC

Sub-Alternative 3c. ACL = 80% of ABC

Alternative 4. ~~Revise the golden tilefish annual catch limits. The total annual catch limit =80% of ABC. (The acceptable biological catch recommendation from the South Atlantic Fishery Management Council's Scientific and Statistical Committee is $P^*=30\%$.)~~ Revise the total annual catch limit for golden tilefish based on the yield at 75% of F_{MSY} . The annual catch limit value in place in 2024 will remain in effect in future years unless changed by the South Atlantic Fishery Management Council.

Sub-Alternative 4a. ACL = ABC

Sub-Alternative 4b. ACL = 90% of ABC

Sub-Alternative 4c. ACL = 80% of ABC

Alternative 5. ~~Allow the ACL to be set to pre-interim rule values. The total annual catch limit would equal 558,036 pounds gutted weight.~~

MOTION #24: SELECT ALTERNATIVE 1 (NO ACTION) AS THE PREFERRED ALTERNATIVE.

Action 2. Adjust the Fishing Year for the Commercial Hook and Line component

Alternative 1 (No Action). Retain the existing calendar year as the golden tilefish fishing year (January 1 through December 31) for all sectors.

MOTION #25: APPROVE SNAPPER GROUPER REGULATORY AMENDMENT 28 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.

Amendment 42 (Modifications to Sea Turtle Release Gear and Snapper Grouper Framework)

MOTION #26: APPROVE THE PURPOSE AND NEED STATEMENT

The **purpose** is to include three new sea turtle release gear types in the current regulations for the commercial and for-hire components of the snapper grouper fishery and revise the snapper grouper framework to include modifications to protected resources release gear requirements and handling procedures after they are approved by the SEFSC.

The **need** is to provide flexibility to participants in the federal commercial and for-hire snapper grouper fishery in complying with sea turtle release gear requirements and handling procedures and allow for more timely modifications to the regulations.

MOTION #27: APPROVE ALTERNATIVES 1 THROUGH 2 UNDER ACTION 1

Action 1. Modify sea turtle release gear requirements for vessels with snapper grouper permits in the South Atlantic region

Alternative 1: No Action. Do not modify the regulations to allow the use of new approved sea turtle release gears for vessels with commercial or charter vessel/headboat South Atlantic snapper grouper permits.

Alternative 2: Modify the regulations for vessels with commercial or charter vessel/headboat South Atlantic snapper grouper permits to allow the use of the new collapsible hoop net, dehooking device, and small hoist to release incidentally hooked sea turtles.

MOTION #28: APPROVE ALTERNATIVES 1 THROUGH 2 UNDER ACTION 2

Action 2. Modify the Snapper Grouper Framework Protocol

Alternative 1: No Action. Do not modify the snapper grouper framework procedure amended through Snapper Grouper Amendment 27.

Alternative 2: Modify the snapper grouper framework procedure to include changes to release gear requirements and handling protocols for sea turtles and other protected resources through the abbreviated documentation process for framework actions. Release gear requirements and handling protocols that could be implemented or changed would include:

Sub-alternative 2a: Release gear requirements for sea turtles and other protected resources

Sub-alternative 2b: Handling requirements for sea turtles and other protected resources

Note: In Alternative 2, both Sub-alternative 2a and Sub-alternative 2b could be selected as preferred.

Regulatory Amendment 32 (Yellowtail Snapper)

MOTION #29: APPROVE THE PURPOSE AND NEED STATEMENTS:

The **purpose** of this framework amendment is to revise accountability measures to minimize the probability of in-season closures for yellowtail snapper.

The **need** for the amendment is to achieve optimum yield for yellowtail snapper while minimizing, to the extent possible, adverse social and economic effects due to in-season closures.

MOTION #30: ADD ALTERNATIVE TO ACTION 1: AN IN-SEASON CLOSURE WILL OCCUR FOR THE COMMERCIAL SECTOR WHEN THE TOTAL CATCH MEETS OR IS PROJECTED TO MEET 80% OF THE TOTAL ACL AND THE COMMERCIAL QUOTA IS REACHED.

GUIDANCE TO ALLOW IPT TO OFFER OTHER SIMILAR ALTERNATIVES THAT WOULD ALLOW EQUITABLE ACCESS TO BOTH SECTORS

MOTION #31: REMOVE ACTION 2 FROM CONSIDERATION IN REGULATORY AMENDMENT 32

Action 2. Revise the Post-season Accountability Measures for Yellowtail Snapper

MOTION #32: APPROVE REGULATORY AMENDMENT 32 FOR SCOPING

MOTION #33:

APPROVE THE FOLLOWING TIMING AND TASKS:

- REQUEST THAT THE SSC REVIEW THE FWRI SELECTIVITY STUDY DURING THEIR OCTOBER 2018 MEETING AND RECOMMEND WHETHER TO INCLUDE IN INTERIM ANALYSIS FOR RED SNAPPER
- OBTAIN INFORMATION ON HIGHLY MIGRATORY SPECIES RECREATIONAL PERMIT FOR POSSIBLE INCLUSION IN AMENDMENT 46
- REQUEST THAT THE PRESENTATION ON GRAY TRIGGERFISH DISCARD MORTALITY BE DELIVERED TO THE SSC DURING THEIR OCTOBER 2018 MEETING AND REQUEST RECOMMENDATION ON THE UTILITY OF THE SIZE LIMIT GIVEN THE NEW INFORMATION
- MAKE REQUESTED MODIFICATIONS TO VISION BLUEPRINT REGULATORY AMENDMENT 26 AND OBTAIN ADDITIONAL PUBLIC INPUT DURING SCOPING HEARINGS FOR REGULATORY AMENDMENT 29
- CONDUCT SCOPING HEARINGS FOR THE FOLLOWING AMENDMENTS:
 - REGULATORY AMENDMENT 29 (BEST FISHING PRACTICES)
 - AMENDMENT 47 (FOR-HIRE PERMIT MODIFICATIONS)

- REGULATORY AMENDMENT 30 (RED GROUPER REBUILDING AND MANAGEMENT MEASURES)
- REGULATORY AMENDMENT 32 (YELLOWTAIL SNAPPER ACCOUNTABILITY MEASURES)
- PREPARE REGULATORY AMENDMENT 28 FOR FORMAL REVIEW AND SUBMIT
- PREPARE VISION BLUEPRINT REGULATORY AMENDMENT 27 TO CONSIDER APPROVAL FOR FORMAL REVIEW IN SEPTEMBER 2018
- BEGIN WORK ON AN ABBREVIATED FRAMEWORK AMENDMENT TO ADJUST CATCH LEVELS OF VERMILION SNAPPER AND BLACK SEA BASS –

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CMP Amendment 31 (Atlantic Cobia Management)

MOTION #1: APPROVE COASTAL MIGRATORY PELAGICS AMENDMENT 31 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.

CMP Framework Amendment 6 (Atlantic King Mackerel Trip Limits)

MOTION #2: APPROVE THE IPT RECOMMENDED CHANGES TO PURPOSE AND NEED

The *purpose* is to modify the commercial trip limit for Atlantic king mackerel in the Atlantic Southern Zone.

The need is to provide **anglers with a commercial** trip limit sufficient to support fishing activity **and revenue opportunity** while constraining harvest to the ACL and providing for year-round access.

MOTION #3: APPROVE COASTAL MIGRATORY PELAGICS FRAMEWORK AMENDMENT 6 FOR PUBLIC HEARINGS

Timing and Task(s)

MOTION #4: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Prepare CMP Framework Amendment 6 for public hearings and for the September 2018 Council meeting.
2. Upon approval by the Gulf Council, prepare CMP Amendment 31 for submission to the Secretary of Commerce.

SPINY LOBSTER

Spiny Lobster Amendment 13 (Atlantic Cobia Management)

MOTION #1: SELECT ALTERNATIVE 2 UNDER ACTION 1 AS THE PREFERRED ALTERNATIVE.

Action 1: Florida state bully net permit, marking requirements, and gear prohibitions for bully net gear in the exclusive economic zone (EEZ) off Florida.

Alternative 2: Align federal regulations to be consistent with Florida regulations for spiny lobster commercial harvesters *using bully net gear* by implementing the following:

- Require commercial bully net vessels in the EEZ off Florida to have a bully net permit from Florida
- Require that the vessel be marked with the harvester's Florida bully net permit number using reflective paint or other reflective material
- Prohibit commercial bully net vessels from having trap pullers onboard
- Prohibit the simultaneous possession of a bully net and any underwater breathing apparatus (not including dive masks or snorkels) onboard a vessel used to harvest or transport spiny lobster for commercial purposes.

MOTION #2: UNDER ACTION 2 SELECT ALTERNATIVE 2 AND ALTERNATIVE 3 AS PREFERRED.

Action 2: Commercial spiny lobster bully net and dive gear trip limits in the EEZ off Florida.

Alternative 2. Establish a commercial daily vessel harvest and possession limit of 250 per day/vessel for spiny lobsters harvested by bully net in or from the entire EEZ off Florida.

Alternative 3. Establish a commercial daily vessel harvest and possession limit of 250 per day/vessel for spiny lobsters harvested by diving in or from the EEZ off only Broward, Dade, Monroe, Collier, and Lee Counties, Florida.

MOTION #3: SELECT ALTERNATIVE 1 (NO ACTION) UNDER ACTION 3 AS THE PREFERRED, WITH THE INTENT TO MOVE TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 3: Specification of degradable panels in spiny lobster traps in the EEZ off Florida.

Alternative 1. No Action. In the EEZ off Florida, a spiny lobster trap constructed of material other than wood must have a panel constructed of wood, cotton, or other material that will degrade at the same rate as a wooden trap. Such panel must be located in the upper half of the sides or on top of the trap, so that, when removed, there will be an opening in the trap no smaller than the diameter found at the throat or entrance of the trap.

MOTION #4: MOVE ACTION 4 TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 4: Harvesting restrictions near artificial habitat in the EEZ off Florida

MOTION #5: SELECT ALTERNATIVE 2 UNDER ACTION 5 AS THE PREFERRED ALTERNATIVE

Action 5: Establish an enhanced cooperative management procedure for federal and Florida state agencies for the management of spiny lobster.

Alternative 2. Establish an enhanced cooperative management procedure that allows Florida to request changes to the spiny lobster federal regulations through NMFS rulemaking. Following is the proposed language (adapted from Amendment 2 to the Spiny Lobster FMP) for the procedure to be added to the existing protocol (established in Amendment 10 to the Spiny Lobster FMP):

Proposed Language for Enhanced Cooperative Management Protocol and Procedure Joint Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico (Gulf) and South Atlantic Procedure for Enhanced Cooperative Management:

1. The Gulf of Mexico and South Atlantic Fishery Management Councils (Councils) and National Marine Fisheries Service (NMFS) acknowledge that the spiny lobster fishery is largely a State of Florida (State) fishery, which extends into the exclusive economic zone (EEZ), in terms of current participants in the directed fishery, major nursery, fishing, landing areas, and historical regulation of the fishery. As such, this fishery requires cooperative state/federal efforts for effective management through the Fishery Management Plan for the Spiny Lobster Fishery of the Gulf of Mexico and South Atlantic (Spiny Lobster FMP).
2. The Councils and NMFS acknowledge that the State is managing and will continue to manage the resource to protect and increase the long-term yields and prevent depletion of lobster stocks and that the State Administrative Procedure Act and rule implementation procedures, including final approval of the rules by Governor and Cabinet, provide ample and fair opportunity for all persons to participate in the rulemaking procedure.
3. The Florida Fish and Wildlife Conservation Commission (FWC) acknowledges that regulations proposed for implementation under any fishery management plan amendment, regulatory or otherwise, must be consistent with the management objectives of the Spiny Lobster FMP, the National Standards, the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) including the National Standards, and all other applicable law. Federal rules will be implemented in accordance with the Administrative Procedure Act.
4. The Councils and NOAA Fisheries Service agree that the State may propose the following regulatory changes directly to NOAA Fisheries Service:
 - A. GEAR RESTRICTIONS:**
 - a. Limiting the number of traps that may be fished by each vessel.
 - b. Describing the construction characteristics of traps, including requiring escape gaps and their specifications/measurements.
 - c. Specification of gear and vessel identification requirements including placement and materials to be used.

- d. Specification of gear that may be utilized or prohibited in the directed fishery and specification of bycatch levels that may be taken as incidental catch in non-directed fisheries.
- e. Changes to soak or removal periods and requirements for traps.

B. HARVEST RESTRICTIONS:

- a. Recreational bag and possession limits.
 - b. Changes in fishing seasons.
 - c. Limitations on use, possession, and handling of undersized lobsters.
 - d. Changes in minimum legal size.
 - e. Changes to permit requirements.
5. The State will have the responsibility for collecting and developing the information upon which to base the fishing regulations, with assistance as needed by NMFS, and cooperatively share the responsibility for enforcement with federal agencies.
6. FWC will develop alternative proposed regulations and analyses on the effects of these alternatives, hold public hearings (as required by Florida's Administrative Procedure Act), and at a final hearing select each preferred alternative rule for implementation. After approval of the regulations by the FWC Commissioners, FWC will advise the Councils and the NOAA Fisheries Service's Southeast Regional Administrator (RA) of the recommended regulations and proposed implementation date and will provide to the RA and to the Councils the analyses of the effects and impacts of the recommended and alternative regulations and summaries of public comment. **For regulations to be implemented by the start of the fishing season (currently August 6), FWC must complete these actions on or before February 1.** The Councils may submit the proposed regulations and supporting analyses to the Scientific and Statistical Committees (SSC) for review of the scientific analyses. The Councils may also submit the proposed regulations and supporting analyses to the advisory panels for comment.
7. The RA will review the proposed regulations, analyses, and public record, and will notify the Councils and FWC if the RA preliminarily determines that the regulations are consistent with this Protocol and Procedure, the objectives of the Spiny Lobster FMP, the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) including the National Standards, and other applicable law. If the Councils agree with the RA's preliminary determination, the Councils will deem the proposed regulations as necessary or appropriate, and the RA will proceed with implementation of the proposed regulations as specified in Paragraph 9. If the Councils do not agree with the RA's preliminary determination, the RA will not proceed with implementation of the proposed regulations until this issue has been resolved. If in the judgment of the RA, the proposed regulations or the supporting record are not consistent with this Protocol and Procedure or the Spiny Lobster FMP objectives or the applicable law, the RA will immediately notify the Councils and FWC of the deficiencies in the regulations or supporting record. FWC may submit, for the RA's review, additional information or analyses to correct the deficiencies in the record.

~~8. The rules will apply to the EEZ for the management area from North Carolina through Texas, unless the RA or the Councils determine those rules may adversely impact other state and federal fisheries. In that event, the RA may limit the application of the rule, as necessary, to address the problem.~~

9. When the RA has preliminarily concluded the proposed regulations are acceptable and the Councils have deemed the proposed regulations as necessary and appropriate, the RA will draft and publish a proposed rule for public comment. After reviewing the public comments, the RA may, in consultation with the Councils, make appropriate revisions to the proposed regulations prior to publishing a final rule in the Federal Register. The effective date of rules promulgated under this procedure will be the starting date of the next fishing season following publication of the final rule, unless otherwise agreed upon by FWC, the Councils, and the RA.

10. NOAA Fisheries Service and the Councils agree that their staffs will prepare the proposed and final rules and, based on Florida's analyses of any impacts, the associated National Environmental Policy Act documentation and other documents required to support the rule.

****DIRECTION TO STAFF TO REMOVE LANGUAGE REQUIRING FWC TO SUBMIT REGULATORY MATERIALS TO NMFS BY FEBRUARY FIRST FOR IMPLEMENTATION PRIOR TO THE START OF THE SPINY LOBSTER FISHING YEAR FROM THE ENHANCED COOPERATIVE MANAGEMENT PROCEDURE AND PROTOCOL****

****DIRECTION TO STAFF TO REMOVE BULLET POINT NUMBER EIGHT FROM THE ENHANCED COOPERATIVE MANAGEMENT PROCEDURE AND PROTOCOL****

**MOTION #6: APPROVE SPINY LOBSTER AMENDMENT 13 FOR PUBLIC HEARINGS.
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

Note: Council staff drafts the timing and task motion based on Committee action. If points require clarification, they will be added to the draft motion. The Committee should review this wording carefully to be sure it accurately reflects their intent prior to making the motion.

Timing and Task(s)

MOTION # 7: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Prepare Spiny Lobster Amendment 13 for public hearings and the September Council meeting.
2. Revise the language for the enhanced cooperative management protocol and procedure as directed.

SSC SELECTION

MOTION #1: REAPPOINT DR. CAROLYN BELCHER, DR. ALEXEI SHAROV, AND DR. FRED SERCHUK TO THE SSC FOR ANOTHER TERM.

MOTION #2: APPOINT DR. YAN LI TO THE SSC FOR THE NC DMF SEAT.

MOTION #3: APPOINT DR. CHRIS DUMAS TO THE SSC.

MOTION #4: ADOPT THE FOLLOWING TIMING AND TASK(S):

- 1) Draft and send letters to all the SSC members that were reappointed to the SSC for another 3-year term.
- 2) Draft and send letters to all the SSC members that decided not to reapply to the SSC thanking them for their service.
- 3) Draft and send a letter to Dr. Yan Li and Dr. Chris Dumas announcing their appointments to the SSC for 3-year terms.
- 4) Draft and send letters to all the other applicants who applied for positions on the SSC but were not appointed, thanking them for their applications.

ABC CONTROL RULE COMMITTEE OF THE WHOLE

MOTION #1: APPROVE THE REVISED SCHEDULE.

MOTION #2: TAKE THE ABC CONTROL RULE AMENDMENT AS AMENDED TO SCOPING.

MOTION #3: ADOPT THE FOLLOWING TIMING AND TASKS:

- 1. Incorporate the Council’s recommendations for the ABC control rule document and prepare for scoping. Conduct scoping between the September and December 2018 Council meetings.
- 2. Request that the SSC develop initial stock risk ratings at its October 2018 meeting.
- 3. Review scoping comments and SSC recommendations in December 2018.
- 4. Consider timing and future development of the recreational accountability measures during Executive Finance in September 2018.

(based on these suggested tasks, the ABC COW would not need to meet in September 2018)

SEDAR

MOTION #1: MOVE TO APPOINT PARTICIPANTS TO SEDAR 64 AS LISTED IN TABLE 1.
TABLE 1. SEDAR 64 YELLOWTAIL SNAPPER APPOINTMENTS.

| Name | Affiliation | DW | AW | RW |
|---------------------------------------|--------------------|-----------|-----------|-----------|
| Technical Appointees (non-SSC) | | | | |
| Steve Smith | RSMAS* | P | | |
| SSC | | | | |
| Fred Surchuk | SSC | | P | |
| Amy Schueller | SSC | | | P |

| | | | | |
|---------------------------|--------|-----|---|---|
| Marcel Reichert | SSC | P | | |
| Alexei Sharov | SSC | | | P |
| George Sedberry | SSC | ALT | | |
| Anne Lange | SSC | | P | |
| Fred Scharf | SSC | P | | |
| AP / Constituents | | | | |
| Greg Mecurio | S/G AP | P | | |
| James Paskiewicz | S/G AP | alt | O | O |
| Manny Herrera* | | P | O | O |
| Observers | | | | |
| Jessica McCawley | SAFMC | O | O | O |
| TBD, SAFMC Council Member | SAFMC | | | |

MOTION #2: MOVE TO APPOINT MANNY HERRERA TO THE SEDAR AP.

MOTION #3: MOVE TO APPOINT PARTICIPANTS TO SEDAR 58 AS LISTED IN TABLE 2.
TABLE 2. SEDAR 58 COBIA PARTICIPANTS.

| Name | Affiliation | DW | AW | RW |
|--------------------------------|-------------|----|----|--------|
| Technical Appointees (non-SSC) | | | | |
| Julie DeFilippi-Simpson | ACCSP | P | | |
| Alan Bianchi/Amanda Tong | NC DMF | P | | |
| Chris Wilson | NC DMF | P | | |
| Amy Dukes | SCDNR | P | | |
| Kayla Rudnay | SCDNR | P | | |
| Justin Yost | SCDNR | P | | |
| Dawn Franco | GADNR | P | | |
| SSC | | | | |
| Marcel Reichert | SSC | P | | |
| George Sedberry | SSC | P | | |
| Jeff Buckel | SSC | | P | Chair? |
| Anne Lange | SSC | | P | |
| Rob Ahrens | SSC | | | P |
| AP / Constituents | | | | |
| Wes Blow | AP; VA | P | O | O |
| Bill Gorham | AP; NC | P | O | O |
| Collins Doughtie | AP; SC | P | O | O |
| Stephen Donalson | AP; FL | | O | |
| Council Observers | | | | |
| Anna Beckwith | Council | O | O | O |
| Mel Bell | Council | O | O | O |

MOTION #4: MOVE TO APPOINT ANNE LANGE TO THE COBIA STOCK ID TECHNICAL REVIEW PANEL.

MOTION #5: MOVE TO APPOINT JACK COX, BOBBY FREEMAN, KENNY FEX AND BEN HARTIG AS OBSERVERS TO THE RED PORGY ASSESSMENT.

MOTION #6: MOVE TO APPOINT KENNY FEX AND BEN HARTIG TO THE SEDAR AP

MOTION #7: ADD THE YTS DW TOR 7 AND 8 TO THE COBIA DW, ADD ‘AND INDICATE WHY’ TO COBIA DW TOR 4 BULLET 6, AND APPROVE THE TORS FOR COBIA AS MODIFIED.

MOTION #8: MOVE TO APPROVE THE TORS FOR YTS SEDAR 64.

MOTION #9: MOVE TO APPROVE THE SCHEDULES FOR SEDAR 58 AND 64.

HABITAT PROTECTION AND ECOSYSTEM BASED MANAGEMENT

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

- 1) Support completion of the South Atlantic Ecopath model for the fall SSC meeting.
- 2) Staff work with regional partners and SECOORA to refine regional ocean observing priorities to better characterize and monitor fish, fish habitat and fisheries operations.
- 3) Submit online comment to BOEM on Path Forward for Renewable Energy by 7/5/18.

JOINT HABITAT, GOLDEN CRAB AND SHRIMP

MOTION #1: APPROVE JOINT CORAL AMENDMENT 10, GOLDEN CRAB AMENDMENT 10, AND SHRIMP AMENDMENT 11 FOR SCOPING.

MOTION #2: ACCEPT THE TIMING AND TASK

The committee requested the following changes to action and alternatives in Coral Amendment 10, Golden Crab Amendment 10, and Shrimp Amendment 11:

- Add sub-alternatives for 1,600 to 1,900 ft and 1,600 to 2,400 ft under the alternative for depths (**Alternative 3**) of the action to consider adjusting the golden crab access areas in the Stetson Miami Coral Habitat Area of Particular Concern (**Action 1**),
- Add information on the ecosystem importance of the nursery habitat function of sand habitat adjacent to coral habitats, and
- Provide background on previous Council’s rationale for creating access areas or closed areas.

CITIZEN SCIENCE

MOTION #1: MOVE TO APPOINT THE FOLLOWING INDIVIDUALS TO THE CITIZEN SCIENCE OPERATIONS COMMITTEE

- Holly Abeels
- Scott Baker
- Brett Fitzgerald
- Bob Lorenz
- Jack McGovern
- Marcel Reichert

- TBD – SEFSC designee

MOTION #2: MOVE TO APPOINT DR. MICHELLE DUVAL TO THE CITIZEN SCIENCE OPERATIONS COMMITTEE PENDING HER COMPLETION OF DUTIES WITH NCDMF

HIGHLY MIGRATORY SPECIES (HMS)

MOTION #1: SEND COMMENT LETTER TO HMS TO INCLUDE BOTTOM LONGLINE GEAR RESTRICTIONS IN SPAWNING SMZ SITES AND UPDATE COORDINATES FOR THE CHARLESTON DEEP ARTIFICIAL REEF MPA SITE.

MOTION #2: THE SAFMC SEND A LETTER TO CHRIS OLIVER WITH A COPY TO WILBUR ROSS STATING THAT THE SAFMC DID NOT TAKE A POSITION BUT RATHER EXPRESSED CONCERNS REGARDING THE KERSTETTER/DAY BOAT EFP TO PELAGIC LONGLINE IN THE CONSERVATION AREA OFF THE EAST COAST OF FLORIDA. THE COUNCIL DID NOT TAKE A POSITION ON THE ISSUANCE OF AN EFP WHICH WOULD ALLOW KERSTETTER/DAY BOAT TO RETAIN AND SELL DOLPHIN AND/OR WAHOO CAUGHT DURING THE OTHER EFP OPERATIONS.

MOTION #3: Direct Staff to do the following:

- Send a letter to HMS outlining the comments and concerns of the Council in regards to the use of bottom longline gear in spawning SMZs and to update the coordinates for the Charleston Deep Artificial Reef site.
- Send a letter to HMS outlining the comments and concerns of the Council in regards to the pelagic longline EFP.

EXECUTIVE FINANCE

MOTION #1: Top Priorities for Scoping/PH in August 2018

1. Spiny lobster 13 – PH @ Sept. Council Mtg. only
2. King mackerel CMP Framework 6 – PH @ Sept. Council Mtg. only
3. SG Reg 30 red grouper rebuilding – CLARIFIED THAT PH AT SEPTEMBER MEETING
4. Reg 32 yellowtail AMs
5. Reg 29 best practices & powerheads
6. Abbrev. Framework 2 – VS & BSB – PH @ Sept. Council Mtg. only
7. SG Amend 47 – for hire (webinars only in August)/additional scoping in Sept/Oct – CLARIFIED WEBINARS IN AUGUST

And bring to the Council in Sept 2018 for additional work

1. Visioning (Commercial) Reg Amend 27
2. Spiny lobster 13 – PH & Final Action
3. CMP Framework 6 – PH & Final Action
4. Reg 32 Yellowtail AMs
5. Visioning (Recreational) Reg Amend 26
6. Reg 30 red grouper rebuilding
7. Abbrev. Framework 2 VS & BSB – PH & Final Action

8. Reg 29 best practices & powerheads
9. SG AMENDMENT 47

INTENT: WEBINARS BETWEEN SEPTEMBER AND DECEMBER MEETINGS TO GET VISIONING INPUT

MOTION #2: THE SAFMC WILL START AN AQUACULTURE FMP.

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

- 1) Directed staff to modify the draft 2018 agendas for the September meeting and include the recommendations from the Personnel Committee; address the major recommendations for the Committee's consideration.
- 2) Directed staff to work on the following items for Scoping/Public Hearings prior to the September 2018 meeting:
 - a. Spiny lobster 13 – PH @ Sept. Council Mtg. only
 - b. King mackerel CMP Framework 6 – PH @ Sept. Council Mtg. only
 - c. SG Reg 30 red grouper rebuilding – PH @ Sept. Council Mtg. only
 - d. Reg 32 yellowtail AMs
 - e. Reg 29 best practices & powerheads
 - f. Abbrev. Framework 2 – VS & BSB – PH @ Sept. Council Mtg. only
 - g. SG Amend 47 – for hire (webinars only in August)/additional scoping in Sept/Oct
- 3) Directed staff to work on the following items to be included on the September 2018 agenda:
 - a. Visioning (Commercial) Reg Amend 27
 - b. Spiny lobster 13 – PH & Final Action
 - c. CMP Framework 6 – PH & Final Action
 - d. Reg 32 Yellowtail AMs
 - e. Visioning (Recreational) Reg Amend 26
 - f. Reg 30 red grouper rebuilding
 - g. Abbrev. Framework 2 VS & BSB – PH & Final Action
 - h. Reg 29 best practices & powerheads
 - i. Snapper Grouper Amendment 47
- 4) Structure the Council agenda to have meetings begin at 8:30 am and end at 5:00 pm.
- 5) Send letter to NMFS with recommended regulations to be removed.
- 6) Directed staff to develop a specific process and date for Committee Chairs to review agendas for committees prior to finalizing the briefing book.
- 7) Directed staff to prepare comment letters as indicated in the CCC report.
- 8) Directed staff to prepare a draft approach for looking at tiers based on workload for list of items to be addressed at each Council meeting.