

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

JEKYLL ISLAND, GEORGIA

MARCH 5, 2009

COUNCIL MOTIONS

SNAPPER GROUPE

The Council approved the following motions relative to Snapper/Grouper:

MOTION #1: DEFER TO GRAY'S REEF NATIONAL MARINE SANCTUARY FOR RULE MAKING IN TERMS OF THE ESTABLISHMENT OF A RESEARCH AREA.

MOTION #2: ESTABLISH AN ANNUAL CATCH LIMIT (ACL) OF ZERO FOR SPECKLED HIND AND WARSAW GROUPE; PROHIBIT ALL FISHING FOR, POSSESSION, AND RETENTION OF ALL DEEPWATER SNAPPER GROUPE SPECIES SEAWARD OF 40 FATHOMS; AND ALLOW HARVEST OF GOLDEN TILEFISH IN THE SPECIFIED AREA (PROJECTED) AS THE PREFERRED.

MOTION #3: ADD ALTERNATIVE 5 TO THE GOLDEN TILEFISH MEASURES AS FOLLOWS:

Alternative 5. The commercial quota at the Foy level would serve as the ACL for the commercial and recreational sectors. The commercial quota would be 321,003 lbs whole weight (289,609 gutted weight). The commercial and recreational Accountability Measure (AM) is to prohibit harvest, possession and retention in both sectors when the quota is met.

MOTION #4: ADOPT GOLDEN TILEFISH ALTERNATIVE 5 AS THE PREFERRED ALTERNATIVE.

MOTION #5: ESTABLISH A RECREATIONAL DAILY BAG LIMIT OF 1 SNOWY GROUPE PER VESSEL. *[Intent is to prohibit high-grading and recreational targeting.]*

MOTION #6: MOVE SNOWY GROUPE ALTERNATIVES 2 & 5 TO THE APPENDIX *(as considered but rejected).*

Alternative 2. Establish an ACL of 0 lbs., which would prohibit all fishing for, possession and retention of snowy grouper.

Alternative 5. The commercial quota would serve as the ACL for the commercial and recreational sectors. The commercial and recreational AM is to prohibit harvest, possession, and retention in both sectors when the quota is met.

MOTION #7: ADD A RECREATIONAL ACCOUNTABILITY MEASURE (AM) TO USE THE THREE YEAR RUNNING AVERAGE OF RECREATIONAL SNOWY GROUPER CATCHES AND ALLOW THE REGIONAL ADMINISTRATOR TO SHORTEN THE FOLLOWING SEASON TO ENSURE THE CATCHES DO NOT EXCEED THE RECREATIONAL ACL [INTENT TO TRACK WORDING FOR ALTERNATIVE 2C UNDER SECTION 4.4] AS FOLLOWS:

Compare recreational ACL with recreational landings over a range of years. For 2010, use only 2010 landings. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, use three year running average.

MOTION #8: SELECT NEW SNOWY GROUPER ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE AS FOLLOWS: TO ESTABLISH A RECREATIONAL DAILY BAG LIMIT OF 1 SNOWY GROUPER PER VESSEL AND ADD A RECREATIONAL AM TO USE THE 3-YEAR RUNNING AVERAGE OF RECREATIONAL SNOWY GROUPER CATCHES AND ALLOW THE REGIONAL ADMINISTRATOR TO SHORTEN THE FOLLOWING SEASON TO ENSURE THE CATCHES DO NOT EXCEED THE RECREATIONAL ACL.

MOTION #9: EXCLUDE WRECKFISH FROM THE DEEPWATER CLOSED AREA ALTERNATIVE.

MOTION #10: MOVE CLOSURE ALTERNATIVES 3 AND 4 TO THE APPENDIX (*as considered but rejected*).

Alternative 3. Prohibit commercial and recreational harvest, possession, and retention of species in the Snapper-Grouper FMU in an area that includes commercial logbook grids 2880, 2980, 2981, 3179, 3080, 3081, 3180, 3181, 3278, 3279, 3280, 3378, and 3379.

Alternative 4. Prohibit commercial and recreational harvest, possession, and retention of species in the Snapper-Grouper FMU in an area that includes commercial logbook grids 2880, 2980, 2981, 3179, 3080, 3081, 3180, 3181, 3278, 3279, 3280, 3378, and 3379. Allow commercial black sea bass pots, commercial harvest of golden tilefish by vessels with a hook-and-line or longline endorsement, and spearfishing.

MOTION # 10A: PROVIDE LICENSE TO THE TEAM TO ANALYZE AND INCLUDE FOR THE COUNCIL'S CONSIDERATION IN JUNE, ANY OTHER CLOSURE ALTERNATIVES THAT ACHIEVE THE NECESSARY REDUCTIONS.

MOTION #11: MODIFY ALTERNATIVE 5 IN ORDER TO CLOSE THE LOGBOOK GRID SQUARES 2880, 2980, 3080, AND 3180 BETWEEN 30 METERS AND A GREATER DEPTH TO BE DETERMINED AT A LATER DATE (STAFF TO PROVIDE ANALYSIS).

MOTION #12: DIRECT STAFF TO ANALYZE THE IMPACTS OF A CLOSURE FOR RED SNAPPER ON OTHER SPECIES FROM PREVIOUS REGULATIONS.

MOTION #13: EVALUATE A RED SNAPPER MONITORING PROGRAM BASED ON A RESEARCH SET-ASIDE TO INCLUDE AN EXPERIMENTAL HEADBOAT FISHERY WITH OBSERVERS [INTENT FOR SCIENTISTS TO DEVELOP RECOMMENDATIONS ON #TRIPS, AREAS TO FISH, ETC.]

MOTION #14: SELECT ALTERNATIVE 2B AS THE PREFERRED ALTERNATIVE FOR BLACK AND RED GROUPER.

Alternative 2b. Establish one ACL for gag, black grouper, and red grouper equivalent to the expected catch resulting from management measures for red grouper and black grouper in Amendment 16 and the gag ACL specified in Table 4-1. The commercial AM would close the fisheries for shallow water grouper when the gag quota or the combined commercial ACL for gag, red grouper, and black grouper is met.

MOTION #15: MOVE ANNUAL CATCH TARGET ALTERNATIVE 3A TO THE APPENDIX (*as considered but rejected*).

Alternative 3a. The recreational sector ACT equals the recreational sector ACL.

MOTION #16: MAKE ALTERNATIVE 2C THE PREFERRED ALTERNATIVE FOR THE RECREATIONAL ACCOUNTABILITY MEASURES.

Alternative 2c. Compare recreational ACL with recreational landings over a range of years. For 2010, use only 2010 landings. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, use three year running average.

MOTION #17: REMOVE ACCOUNTABILITY MEASURE ALTERNATIVE 4B TO THE APPENDIX (*as considered but rejected*).

Alternative 4b. If a species is not overfished, do not implement in-season AMs if the sector ACT is projected to be met. If the ACL is exceeded, the Assistant Administrator shall publish to reduce the length of the following fishing year by the amount necessary to ensure landings do not exceed the sector ACT for the following fishing year.

MOTION #18: RELATIVE TO THE FRAMEWORK PROCEDURE, NOT ONLY INCLUDE SEDAR FOR ADJUSTMENTS BUT ALSO INCLUDE OTHER AVENUES FOR ADJUSTMENTS; STAFF TO DEVELOP ALTERNATIVES FOR ADJUSTMENTS TO THE FRAMEWORK PROCEDURE.

MOTION #19: REQUEST AN INTERIM RULE TO IMPLEMENT NO HARVEST OF RED SNAPPER IN THE EEZ OFF NC, SC, GA & FL. [INTENT TO REQUEST AN EXTENSION

FOR A TOTAL OF A ONE YEAR CLOSURE AND TO REQUEST THE STATES TO ADOPT COMPATIBLE REGULATIONS].
ROLL CALL VOTE - 7 FOR; 6 AGAINST

MOTION #20: REQUEST THE REGIONAL ADMINISTRATOR NOT TO PUBLISH THE FINAL RULE (FOR THE INTERIM RULE) PRIOR TO JUNE 2009 COUNCIL MEETING.

MOTION #21: REQUEST THE NMFS TO DRAFT A RED SNAPPER MONITORING PROGRAM FOR REVIEW AT THE JUNE 2009 MEETING.

MOTION #22: WAS DISAPPROVED AT FULL COUNCIL (*Establish a LAPP for the golden tilefish fishery as our preferred alternative*).

MOTION #23: MOVE BLACK SEA BASS POT ALTERNATIVE 7 TO THE APPENDIX (*as considered but rejected*).

Alternative 7. Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NMFS. Limit the number of black sea bass pots fished annually to 50 per holder of Federal snapper grouper vessel permits for (a) any fishermen that is currently using an average of less than 55 pots (based on average number of pots fished on trips between 1/1/05 and 12/31/06) and (b) fishermen entering the fishery after 1/1/07. For any fishermen currently using an average of 55 or more pots (based on average number of pots fished on trips between 1/1/05 and 12/31/06), limit the number of black sea bass pots annually to their average less as reduced by 10%. Limit the maximum number of pots allowed per holder of Federal snapper-grouper vessel permits to 125. Limit the number of black sea bass pot tags issued annually each holder of Federal snapper-grouper vessel permits to the number of pots allowed plus 10% for damage and loss; however, each permit holder may only fish the number of pots allowed. The number of pots fished will be determined from snapper-grouper logbooks that have been submitted to NMFS on or before 3/8/07.

MOTION #24: ADD A SUBALTERNATIVE UNDER BLACK SEA BASS POT ALTERNATIVE 8 TO ALLOW FISHERMEN TO LEAVE POTS IN THE WATER FOR NO MORE THAN 72 HOURS.

MOTION #25: ADD ALTERNATIVE 6 THAT WOULD CLOSE THE LONGLINE FISHERY WHEN THE 300-POUND TRIP LIMIT FOR GOLDEN TILEFISH GOES INTO EFFECT.

MOTION #26: MOVE ALTERNATIVE 5 UNDER EACH OF ALTERNATIVES 2, 3 & 4 AS A SUBALTERNATIVE [NOTE: APPLIES TO THE TILEFISH FISHING YEAR ACTION].
Alternative 5. Remove the 300 pound. trip limit when 75% of the quota is taken.

MOTION #27: CONSIDER RECOMMENDING A FINER MEASUREMENT IN THE LOGBOOK GRIDS TO MATCH WHAT IS BEING COLLECTED IN THE HEADBOAT LOGBOOK PROGRAM.

MOTION #28: MOVE PRIVATE RECREATIONAL DATA ALTERNATIVES 2 AND 3 TO THE CONSIDERED BUT REJECTED APPENDIX.

Alternative 2. Require vessels with a state recreational fishing license to have an electronic logbook tied to the vessel's GPS on board the vessel, if selected.

Alternative 3. Require vessels with a state recreational fishing license to carry a NMFS approved observer when on a trip in the South Atlantic.

MOTION #29: MODIFY THE WRECKFISH ITQ PROGRAM TO KEEP THE WRECKFISH ITQ PROGRAM AND UPDATE IT TO MEET THE NEW REQUIREMENTS OF MSA [REPLACES CURRENT ALTERNATIVE 4].

MOTION #30: SELECT NEW WRECKFISH ITQ ALTERNATIVE 4 (ABOVE) AS THE PREFERRED ALTERNATIVE.

MOTION #31: ADD A NEW ESSENTIAL FISH HABITAT (EFH) ALTERNATIVE TO TRACK THE MAFMC'S EFH AND EFH-HAPC DESIGNATIONS.

MOTION #32: DIRECT STAFF TO LOOK AT ALLOCATIONS FOR ALL SPECIES IN THE COMPREHENSIVE ANNUAL CATCH LIMIT AMENDMENT [INTENT TO LOOK AT RECREATIONAL & COMMERCIAL ALLOCATIONS AND PRIVATE RECREATIONAL, COMMERCIAL AND FOR-HIRE ALLOCATIONS].

MOTION #33 (TIMING AND TASK MOTION): DIRECT STAFF TO:

1. SEND A LETTER TO GRAY'S REEF NATIONAL MARINE SANCTUARY NOTIFYING THEM THAT THE COUNCIL HAS DECIDED TO DEFER TO GRAY'S REEF NMS FOR RULE MAKING IN TERMS OF THE ESTABLISHMENT OF THE RESEARCH AREA.
2. INCORPORATE THE COUNCIL'S CHANGES TO AMENDMENT 17 AND HAVE A DRAFT READY FOR THE COUNCIL'S REVIEW AND APPROVAL FOR TAKING TO PUBLIC HEARINGS FOR THE JUNE 2009 MEETING.
3. MODIFY RED SNAPPER MANAGEMENT MEASURE ALTERNATIVE 5 IN ORDER TO CLOSE THE LOGBOOK GRID SQUARES 2880, 2980, 3080, AND 3180 BETWEEN 30 M AND A GREATER DEPTH TO BE DETERMINED AT A LATER DATE (STAFF TO PROVIDE ANALYSIS). PROVIDE LICENSE TO THE AMENDMENT TEAM TO ANALYZE AND INCLUDE FOR THE COUNCIL'S

CONSIDERATION IN JUNE, ANY OTHER CLOSURE ALTERNATIVES THAT ACHIEVE THE NECESSARY REDUCTIONS.

4. THE COUNCIL WOULD LIKE STAFF AND STATE/NMFS SCIENTISTS TO EVALUATE A RED SNAPPER MONITORING PROGRAM BASED ON A RESEARCH SET-ASIDE TO INCLUDE AN EXPERIMENTAL HEADBOAT FISHERY WITH OBSERVERS.
5. TASK THE SSC TO INVESTIGATE THE 30% VS. 40% SPR ON A BROAD OVERARCHING LEVEL.

JOINT HABITAT/ECOSYSTEM-BASED MANAGEMENT

The Council approved the following motions relative to Habitat/Ecosystem-Based Management:

MOTION #1: APPROVE THE FISHERY ECOSYSTEM PLAN FOR SUBMISSION TO THE SECRETARY WITH EDITORIAL LICENSE GIVEN TO STAFF TO ADDRESS THE NMFS COMMENTS.

MOTION #2: WAS DISAPPROVED AT FULL COUNCIL (*Direct staff to work with NOAA General Counsel/NMFS to evaluate the incorporation of the North Carolina Division of Marine Fisheries designated anadromous fish spawning areas as EFH-HAPCS in the Comprehensive Ecosystem-Based Amendment 2*)

MOTION #3: SARGASSUM SHOULD BE ADDRESSED IN THE COMPREHENSIVE ANNUAL CATCH LIMIT AMENDMENT.

MOTION #4 (TIMING AND TASK MOTION): DIRECT STAFF TO ADDRESS THE FOLLOWING ITEMS IN THE ECOSYSTEM-BASED AMENDMENT 2:

1. POTENTIALLY MODIFY THE LIMITED TAKE OF OCTOCORALS AND/OR OCTOCORAL REPORTING.
2. EXAMINE THE POTENTIAL FOR A LEASE PROGRAM FOR OCTOCORAL CULTURE.
3. POTENTIALLY ALLOW THE TAKE OF THE ERECT FORMS OF *BRIAREUM* SP. (DEADMAN'S FINGERS) AND *ERYTHROPODIUM* SP. (ENCRUSTING CORAL).
4. POTENTIALLY ESTABLISH A PERMIT SYSTEM TO HARVEST THE INVASIVE SCLERACTINIAN CORAL SPECIES *TUBESTREA COCCINEA* (ORANGE CUP CORAL).

MOTION #5 (TIMING AND TASK MOTION): DIRECT STAFF TO:

1. ADDRESS THE NMFS COMMENTS ON THE FISHERY ECOSYSTEM PLAN (FEP) AND FINALIZE THE FEP FOR SUBMISSION TO SECRETARY OF COMMERCE AFTER THE JUNE 2009 MEETING.
2. CONTINUE EDITING COMPREHENSIVE ECOSYSTEM-BASED AMENDMENT 1 FOR DEIS FILING; THE INTENT IS TO HAVE THE COMMENT PERIOD END PRIOR TO THE JUNE 2009 MEETING SO THAT THE COUNCIL CAN FINALIZE AT THE JUNE MEETING.
3. EVALUATE THE ALTERNATIVES IN ECOSYSTEM-BASED AMENDMENT 2 RELATED TO CORALS/OCTOCORALS.

MOTION #6 (TIMING AND TASK MOTION): DIRECT STAFF TO DRAFT ALTERNATIVES FOR ECOSYSTEM-BASED AMENDMENT 2 RELATED TO CORALS/OCTOCORALS BASED ON SCOPING ITEMS AND INCLUDE IN THE ECOSYSTEM-BASED AMENDMENT 2 OPTIONS PAPER.

LIMITED ACCESS PRIVILEGE PROGRAMS

The Council approved the following motions relative to LAPPS:

MOTION #1: PROVIDE STAFF TIME TO WORK ON DEVELOPMENT OF A GOLDEN CRAB LAPP WITH THE PROVISION THAT THE SNAPPER GROUPER ECONOMIC WORK IS NOT COMPROMISED.

MOTION #2: PRIORITIZE WORK ON LAPPS INITIALLY AS SEPARATE AMENDMENTS WITH THE POSSIBILITY OF BECOMING A COMPREHENSIVE LAPP AMENDMENT:

1. WRECKFISH - FIRST
2. GOLDEN CRAB & GOLDEN TILEFISH – WORKED ON IN CONJUNCTION WITH WRECKFISH WHERE POSSIBLE

MOTION #3 (TIMING AND TASK MOTION): DIRECT STAFF TO WORK ON THE FOLLOWING ITEMS:

1. PRIORITIZE WORK ON LAPPS INITIALLY AS SEPARATE AMENDMENTS WITH THE POSSIBILITY OF BECOMING A COMPREHENSIVE LAPP AMENDMENT:
 - a. WRECKFISH – FIRST
 - b. GOLDEN CRAB & GOLDEN TILEFISH – WORKED ON IN CONJUNCTION WITH WRECKFISH WHERE POSSIBLE
2. SCHEDULE GOLDEN CRAB AP TO MEET DURING THE JUNE 2009 COUNCIL MEETING.

3. STAFF MAY MEET WITH THE GOLDEN CRAB INDUSTRY PRIOR TO THE JUNE 2009 MEETING.
4. STAFF PRESENT A REVISED TIMELINE/STAFFING ANALYSIS DURING FULL COUNCIL AT THE JUNE 2009 MEETING.
5. STAFF PREPARE AN ANALYSIS OF WORK REQUIRED TO PREPARE A LAPP FOR THE ENTIRE SNAPPER GROUPER FISHERY AND PRESENT RESULTS AT THE JUNE 2009 MEETING.

GOLDEN CRAB

The Council approved the following motions relative to Golden Crab:

MOTION #1: PROVIDE STAFF TIME TO WORK ON DEVELOPMENT OF A GOLDEN CRAB LAPP WITH THE PROVISION THAT THE SNAPPER GROUPER ECONOMIC WORK IS NOT COMPROMISED.

MOTION #2: INCLUDE GOLDEN CRAB IN THE COMPREHENSIVE ANNUAL CATCH LIMIT (ACL) AMENDMENT TO ADDRESS NEW REQUIREMENTS FOR ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES.

MOTION #3: DIRECT STAFF TO CONTACT NEW ENGLAND FISHERY MANAGEMENT COUNCIL AND NOAA GENERAL COUNSEL TO ADDRESS THE RED CRAB FISHERY MANAGEMENT UNIT.

MOTION #4 (TIMING AND TASK MOTION): DIRECT STAFF TO WORK ON THE FOLLOWING ITEMS:

1. DEVELOPMENT OF A GOLDEN CRAB LAPP WITH THE PROVISION THAT THE SNAPPER GROUPER ECONOMIC WORK IS NOT COMPROMISED.
2. GOLDEN CRAB AP TO MEET DURING THE JUNE 2009 COUNCIL MEETING.
3. STAFF MAY MEET WITH THE GOLDEN CRAB INDUSTRY PRIOR TO THE JUNE 2009 MEETING.
4. CONTACT NEFMC AND NOAA GENERAL COUNSEL TO ADDRESS THE RED CRAB FISHERY MANAGEMENT UNIT.

MACKEREL

The Council approved the following motions relative to Mackerel:

MOTION #1: DO NOT DEVELOP SEPARATE SAFMC AND GMFMC MACKEREL FISHERY MANAGEMENT PLANS.

MOTION #2: DIRECT STAFF TO EVALUATE MOVING CERO AND LITTLE TUNNY AND ATLANTIC BONITO INTO THE FISHERY MANAGEMENT UNIT OR REMOVING THEM FROM THE FISHERY MANAGEMENT PLAN.

MOTION #3: DEVELOP A JOINT SAFMC AND GMFMC MACKEREL AMENDMENT TO ADDRESS NEW REQUIREMENTS FOR ANNUAL CATCH LIMITS AND ACCOUNTABILITY MEASURES.

MOTION #4: HOLD A JOINT MACKEREL COMMITTEE MEETING DURING THE SAFMC JUNE 2009 MEETING.

MOTION #5 (TIMING AND TASK MOTION): DIRECT STAFF TO WORK ON THE FOLLOWING ITEMS IN PREPARATION FOR THE JUNE 2009 MEETING:

1. CONTACT GULF COUNCIL STAFF TO INFORM THEM ABOUT THE SAFMC'S DECISIONS AND OFFER TO HOLD A JOINT MACKEREL COMMITTEE MEETING DURING THE SAFMC'S JUNE 2009 MEETING.
2. WORKING WITH GULF & NMFS STAFF, PREPARE A DECISION DOCUMENT TO USE AT THE JOINT MEETING OUTLINING THE DECISIONS FOR THE JOINT AMENDMENT.
3. REQUEST CLARIFICATION ON THE COBIA ASSESSMENT.

DOLPHIN/WAHOO

The Council approved the following motions relative to Dolphin/Wahoo:

MOTION #1: PURSUE INCLUDING DOLPHIN AND WAHOO IN THE COMPREHENSIVE ANNUAL CATCH LIMIT AMENDMENT TO ADDRESS NEW REQUIREMENTS FOR ANNUAL CATCH LIMITS (ACLS) AND ACCOUNTABILITY MEASURES (AMS), EVALUATE PROHIBITING BAG LIMIT SALES OF DOLPHIN FROM FOR-HIRE VESSELS AND ESTABLISH MINIMUM SIZE LIMITS FOR DOLPHIN OFF NORTH CAROLINA & SOUTH CAROLINA.

MOTION #2: EVALUATE THE PROHIBITION ON BAG LIMIT SALES OF DOLPHIN FROM FOR-HIRE VESSELS AND ESTABLISHING A MINIMUM SIZE LIMIT FOR DOLPHIN IN THE MID-ATLANTIC AND NEW ENGLAND AREAS.

MOTION #3 (TIMING AND TASK MOTION): DIRECT STAFF TO DEVELOP A DETAILED DECISION DOCUMENT EVALUATING ACLS, AMS, BAG LIMIT SALE PROHIBITION, AND SIZE LIMIT FOR USE AT THE JUNE 2009 MEETING.

SHRIMP

The Council approved the following motions relative to Shrimp:

MOTION #1: CONSIDER ALL THE PENAEID SHRIMP AND ROCK SHRIMP AS ANNUAL CROPS, THEREFORE, THE COUNCIL DOES NOT NEED TO DEVELOP ACLS AND AMS.

MOTION #2 (TIMING AND TASK MOTION): DIRECT STAFF TO SEND A LETTER TO NMFS INDICATING THAT THE SHRIMP SPECIES IN THE SHRIMP FMP ARE ANNUAL CROPS AND, THEREFORE, DO NOT REQUIRE THE COUNCIL TO DEVELOP AN AMENDMENT TO SPECIFY ACLS AND AMS.

SSC SELECTION

The Council approved the following motions relative to SSC Selection:

MOTION #1: THE SSC MEETINGS SHOULD BE SCHEDULED TO TAKE PLACE PRIOR TO THE COUNCIL MEETING WEEK.

MOTION #2: ESTABLISH 3-YEAR TERMS OF SERVICE ON THE SSC; USE STAGGERED TERMS BASED ON YEARS OF SERVICE (INTENT TO HAVE 1/3 OF MEMBERSHIP ROTATE IN ANY ONE YEAR AND FURTHER THAT THERE BE NO LIMIT TO THE LENGTH OF SERVICE).

MOTION #3: ESTABLISH A SOCIO-ECONOMIC TECHNICAL ADVISORY PANEL (APPOINTED BY THE COUNCIL) TO THE SSC TO BE CHAIRED BY AN SSC MEMBER AND TO CONVENE IN THE MOST COST EFFECTIVE METHOD AS NEEDED.

MOTION #4 (TIMING AND TASK MOTION): DIRECT STAFF TO:

1. ADVERTISE FOR THE OPEN SEAT ON THE SSC WITH THE INTENT TO FILL THE SEAT AT THE JUNE 2009 MEETING.
2. WORK TOWARDS HAVING THE SSC MEET PRIOR TO COUNCIL MEETINGS.
3. ADVERTISE FOR THE SOCIO-ECONOMIC ADVISORY PANEL WITH THE INTENT TO APPOINT MEMBERS AT THE JUNE 2009 MEETING.
4. SCHEDULE A SSC/AP WORKSHOP TO HELP THE SSC WITH THE DEVELOPMENT OF ANNUAL BIOLOGICAL CATCH LEVELS.

SPINY LOBSTER

The Council approved the following motions relative to Spiny Lobster:

MOTION #1: DEVELOP A SEPARATE AMENDMENT WITH THE GULF COUNCIL TO BRING THE SPINY LOBSTER PLAN INTO COMPLIANCE WITH THE NEW REQUIREMENTS FOR ACLS AND AMS.

MOTION #2: INCLUDE AN ACTION TO DELEGATE CERTAIN OPERATIONAL ASPECTS OF THE FISHERY OFF FLORIDA TO THE STATE OF FLORIDA WITH THE AGREEMENT OF THE TWO COUNCILS AND THE STATE OF FLORIDA.

MOTION #2A: INCLUDE THE FOLLOWING 10 ITEMS FOR CONSIDERATION FOR POTENTIAL DELEGATION:

Examples of items could include:

1. *Numerical specification of ACL and breakdown into sector-specific ACLs based on the definitions included in the amendment to the Spiny Lobster FMP.*
2. *Commercial quotas and recreational allocations based on the allocations specified in the amendment to the Spiny Lobster FMP.*
3. *Size limit modifications.*
4. *Bag limit modifications.*
5. *Trip limits.*
6. *Modifications to the length of the season.*
7. *Application of the AMs including closing the fishery when a sector reaches its quota and/or allocation.*
8. *Rules and regulations for possession of traps including gear marking, tagging, etc.*
9. *Data collection and reporting requirements.*
10. *Closed areas – this may be difficult and Florida might need to have NMFS prepare an Environmental Assessment.*

MOTION #3: DEVELOP THE FOLLOWING TAILING OPTIONS IN THE AMENDMENT:

1. CONTINUE TO ALLOW –“THE POSSESSION ABOARD A FISHING VESSEL OF A SEPARATED SPINY LOBSTER TAIL IN OR FROM THE EEZ IS AUTHORIZED ONLY WHEN THE POSSESSION IS INCIDENTAL TO FISHING EXCLUSIVELY IN THE EEZ ON A TRIP OF 48 HOURS OR MORE AND A FEDERAL TAIL-SEPARATION PERMIT SPECIFIED IN SECTION 640.4(A) (2) HAS BEEN ISSUED TO AND IS ON BOARD THE VESSEL.”

2. DO NOT ALLOW TAILING; THIS WOULD REQUIRE ALL LOBSTERS TO BE LANDED WHOLE. THIS WOULD HELP PREVENT THE USE OF HOOKS AND SPEARS TO HARVEST LOBSTERS.
3. ALLOW TAILING ON COMMERCIAL TRAP VESSELS AND SHRIMP VESSELS MAKING MULTI-DAY (OVER 48 HOURS) TRIPS.

MOTION #4: DEVELOP THE FOLLOWING SHORT OPTIONS IN THE AMENDMENT:

1. CONTINUE TO ALLOW AS SPECIFIED – “A LIVE SPINY LOBSTER UNDER THE MINIMUM SIZE LIMIT SPECIFIED IN PARAGRAPH (B)(1) OF THIS SECTION (FEDERAL 50-SHORT RULE) THAT IS HARVESTED IN THE EEZ BY A TRAP MAY BE RETAINED ABOARD THE HARVESTING VESSEL FOR FUTURE USE AS AN ATTRACTANT IN A TRAP PROVIDED IT IS HELD IN A LIVE WELL ABOARD THE VESSEL. NO MORE THAN FIFTY UNDERSIZED SPINY LOBSTERS, OR ONE PER TRAP ABOARD THE VESSEL, WHICHEVER IS GREATER, MAY BE RETAINED ABOARD FOR USE AS ATTRACTANTS. THE LIVE WELL MUST PROVIDE A MINIMUM OF $\frac{3}{4}$ GALLONS (1.7 LITERS) OF SEAWATER PER SPINY LOBSTER. AN UNDERSIZED SPINY LOBSTER SO RETAINED MUST BE RELEASED TO THE WATER ALIVE AND UNHARMED IMMEDIATELY UPON LEAVING THE TRAP LINES AND PRIOR TO ONE HOUR AFTER OFFICIAL SUNSET EACH DAY.”
2. PROHIBIT POSSESSION AND USE OF SHORTS AS ATTRACTANTS.

MOTION #5: DO NOT ADDRESS ANY CHANGES TO THE NORTHERN PORTION OF THE SPINY LOBSTER FISHERY.

MOTION #6: UPDATE THE FMP MANAGEMENT PROTOCOL TO TRACK CHANGES IN FLORIDA’S MANAGEMENT PROCESS.

MOTION #7 (TIMING AND TASK MOTION): DIRECT STAFF TO:

1. PROVIDE THE SAFMC ACTIONS TO THE GULF COUNCIL AND DISCUSS THE GULF COUNCIL’S TIMING FOR WORK ON THIS AMENDMENT. REPORT BACK TO THE COMMITTEE IN JUNE 2009.
2. CONTACT THE STATE OF FLORIDA REPRESENTATIVES CONCERNING THE SCHEDULE FOR A STOCK ASSESSMENT UPDATE. REPORT BACK TO THE COMMITTEE IN JUNE 2009.
3. DEVELOP A DETAILED DECISION DOCUMENT FOR USE AT THE JUNE 2009 COMMITTEE MEETING THAT BEGINS TO EVALUATE THE ALTERNATIVES TO BE INCLUDED.

OTHER MOTIONS

MOTION # 1: THE COUNCIL ENDORSED THE SSC RECOMMENDATIONS THAT THE SEDAR SCHEDULE BE ADJUSTED TO ACCOMMODATE DEVELOPMENT OF BASIC ASSESSMENT ANALYSES (E.G., SURPLUS PRODUCTION MODELS, ETC.) THAT WILL GENERATE ESTIMATES OF MSY FOR SOUTH ATLANTIC DATA POOR UNASSESSED STOCKS. THE SSC HAS DEVELOPED A PROCESS FOR DETERMINING ABC VALUES AS REQUIRED UNDER MAGNUSON-STEVEN'S REAUTHORIZATION ACT AND THESE BASIC ANALYSES ARE ESSENTIAL FOR APPLYING THIS PROCESS AND DEVELOPING MORE RELIABLE AND SCIENTIFICALLY DEFENSIBLE ABC VALUES FOR DATA POOR STOCKS. THE SSC REQUESTS THESE ANALYSES BE COMPLETED BY DECEMBER 2010.

THE COUNCIL RECOMMENDED A MODIFIED SEDAR PROCESS AS FOLLOWS: 1) TWO DATA WORKSHOPS ADDRESSING MULTIPLE STOCKS, 2) TWO ASSESSMENT WORKSHOPS, ONE TO DEVELOP METHODS AND A SECOND FOR REFINING PRELIMINARY MODELS, AND 3) REVIEW PROVIDED BY THE SSC.

MOTION #2: THE COUNCIL RECOMMENDED THE REGIONAL ADMINISTRATOR APPROVE THE NORTH CAROLINA AQUARIUM'S EXEMPTED FISHERIES PERMIT (EFP) REQUEST.

MOTION #3: THE COUNCIL RECOMMENDED THE REGIONAL ADMINISTRATOR APPROVE THE PAUL RUDERSHAUSEN/TOM BURGESS EFP REQUEST.

MOTION #4: THE COUNCIL APPROVED SENDING A LETTER TO NORTH CAROLINA STRESSING THE IMPORTANCE OF THE NC FISHERY RESOURCE GRANT PROGRAM.