



# SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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## DECEMBER 5-9, 2016 COUNCIL MEETING REPORT ATLANTIC BEACH, NORTH CAROLINA

The following summary highlights issues discussed and actions taken at the South Atlantic Fishery Management Council's December 2016 meeting in Atlantic Beach, North Carolina.

Briefing materials, presentations, and public comments are available on the Council's website at: <http://blog.safmc.net/meeting-documents/council-meetings/briefing-book-safmc-meeting-12-2016/>. Read further details and see images and other links at the June 2016 Council Meeting Round-up Story Map: <http://arcg.is/2gUp616>. The Meeting News Release is available at: <http://safmc.net/news-releases/120916-safmc-december2016councilmeeting>.

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
For-Hire Reporting Amendment	Final approval for review by Secretary of Commerce	January/February 2017 – Council sends the For-Hire Reporting Amendment for formal review
For-Hire Limited Entry	Directed staff to develop a White Paper to explore limited entry options for the snapper grouper for-hire fishery; stopped work on limited entry for dolphin/wahoo and coastal migratory pelagics fisheries	Council to discuss at 2017 Council meetings
Mutton Snapper	Final approval for review by Secretary of Commerce	January/February 2017 – Council sends Amendment 41 (Mutton Snapper) for formal review
Red Snapper	Revised scoping document and approved for scoping	Scoping meetings held January and February 2017; Council reviews in March 2017
Yellowtail Snapper	Split from Joint Amendment with Dolphin and approved for public hearings	Public hearings for Amendment 44 (Yellowtail Snapper) held January and February 2017; Council reviews in March 2017
Commercial & Recreational Visioning Amendments	Approved for Scoping via webinars	Webinar scoping meetings held January and February 2017; Council reviews in March 2017
Cobia	Amendment 30 (Cobia Recreational Fishing Year) put on hold	On hold pending ASMFC Cobia FMP for State waters
Dolphin	Split from Joint Amendment with Yellowtail Snapper and added actions for staff to analyze; included action to allow multi-gear trips for lobster pot fishery	Staff/Council work with SSC to complete document for public hearings; bring back to Council in March 2017

Major items addressed:

### **For-Hire Reporting Amendment – Approved for Formal Review**

- Require that federally permitted charter vessels, while operating as a charter vessel, submit fishing records to the SRD weekly, or at intervals shorter than a week if notified by the SRD, via electronic reporting (via NMFS approved hardware and software). Weekly = Tuesday following each fishing week. Report all fish harvested and discarded on all trips regardless of where the fish were caught.
- Require that headboats, while operating as a headboat, submit fishing records to the SRD weekly, or at intervals shorter than a week if notified by the SRD, via electronic reporting (via NMFS approved hardware and software). Weekly = Tuesday following each fishing week.
- Require federally permitted charters vessels to report location fished electronically by manually entering latitude and longitude in degrees and minutes or by clicking on an electronic chart.

Council intent was clarified with regard to duplicative reporting, reporting requirements, and amendment timing. These are detailed in the following bullets:

- Council’s intent is that all charter vessels with a South Atlantic fishery for-hire permit will report all trips and all effort regardless of where the trips take place.
- It is not the Councils intent for vessels without South Atlantic for-hire permits to be required to report under this amendment.
- There is language in the codified text addressing headboat reporting of vessels without permits, landing snapper grouper in state waters that is not applicable to the actions in this amendment.
- Councils intent is to accept, in fulfillment of the actions in this amendment, reports submitted under other permits a vessel may possess when:
  - (1) The reporting requirements of those other permits are more stringent than the requirements for the South Atlantic charter for-hire permit.
  - (2) The data from those reports meet the core data elements identified by the SAFMC and are available to the SEFSC as required to meet assessment needs and ACL monitoring requirements.

Examples include the GARFO VTR system, SC DNR reporting, and actions under consideration by the Gulf Council that will require more frequent reporting than weekly as preferred by the South Atlantic.

- Requirements of vessels to participate in MRIP are not affected by any of the actions in this amendment.
- Requirements of this amendment should become mandatory at least 6 months after publication of the final rule and no earlier than January 1, 2018.
- Council intent is to allow “did not fish” reports to be filed in advance, for up to 30 days, as currently allowed in the headboat survey.

### **For-Hire Control Date & Limited Entry – Guidance for Scoping Document**

The Council established June 15, 2016 as the control date for the three open access charter vessel/headboat permits (Snapper Grouper, Mackerel/Cobia, and Dolphin/Wahoo); the notice published in the Federal Register on 9/27/16; the Council reviewed public comments. The Council discussed the comments/concerns from the public and stopped work on any

consideration of limited entry for the dolphin/wahoo and coastal migratory pelagics fisheries. The Council directed staff to develop a White Paper to explore limited entry options for the snapper grouper for-hire fishery. The White Paper will be discussed at Council meetings in 2017 beginning with the March 2017 meeting.

### **Mutton Snapper – Approved for Formal Review**

The Council specified the following as preferred management measures:

- Revised catch level specifications including annual catch limits in numbers of fish
- Designate April-June as the spawning months
- Retain mutton snapper in the 10 snapper aggregate bag limit and set the mutton snapper bag limit as 5 per person per day year-round (increased from 3 per person preferred taken to public hearings)
- Specify a commercial trip limit for mutton snapper during the “spawning months” in the South Atlantic of 5 per person per day or 5 per person per trip, whichever is more restrictive (increased from 3 per person preferred taken to public hearings)
- Establish a commercial trip limit for mutton snapper during the “regular season” (i.e., non-spawning months) in the South Atlantic of 500 pounds (increased from 300 pounds preferred taken to public hearings)
- Increase the recreational and commercial minimum size limit for mutton snapper in the South Atlantic region from 16 to 18 inches TL

### **Red Snapper – Direction to Revise the Scoping Document & Approved for Scoping**

The Council reviewed the Scientific & Statistical Committee and Snapper Grouper Advisory Panel reports. Brendan Runde, NCSU, presented results of a study that explored use of a descender device to mitigate barotrauma and increase survival rates of discarded deepwater grouper (snowy grouper, scamp, speckled hind). Descender devices appear to be a very promising tool for increasing survival of discarded deepwater groupers. The Committee expressed interest in exploring the use of descender devices to decrease mortality of red snapper discards. Council staff then presented an overview of options for possibly allowing harvest of red snapper while continuing to rebuild the stock. The Committee discussed options and provided guidance as follows:

- PUT MORE EMPHASIS ON THE GENERAL PROBLEM INSTEAD OF SPECIFIC NUMBERS BECAUSE THOSE ARE VERY UNCERTAIN. RE-STRUCTURE SCOPING DOCUMENT TO REMOVE ACTIONS 1-5 OR PUT THOSE IN THE BACK AND MAKE IT CLEAR THAT NUMBERS AREN'T FINAL AND THERE WILL NOT BE FINALIZED NUMBERS FOR SOME TIME.
- SCOPING MEETINGS SHOULD BE IN-PERSON.
- EMPHASIS SHOULD BE ON REQUESTING INPUT ON HOW TO REDUCE DISCARDS AND IF POSSIBLE MEASURES TO HAVE SOME HARVEST.
- USE A TIERED APPROACH TO PRESENTING INFORMATION AND REQUESTING PUBLIC INPUT: FIRST WE NEED TO REDUCE DISCARDS AND SEE IF ANY HARVEST MIGHT BE ALLOWED. SECOND TIER IS HOW TO MANAGE A LIMITED HARVEST.
- REQUEST THAT STAFF PROVIDE INFORMATION ON RESEARCH REGARDING DESCENDING DEVICES TO REDUCE DISCARD MORTALITY OF RED SNAPPER FOR THE MARCH 2017 MEETING.

- SEFSC HAS HOSTED BAROTRAUMA WORKSHOPS BUT NO CERTIFICATION PROGRAM EXISTS IN THE REGION THAT ENDORSES ONE TYPE OF DEVICE OVER ANOTHER. THE SEFSC OFFERED TO REVIEW RESULTS OF WORKSHOPS, ETC. AND GET BACK TO COUNCIL AT THE MARCH 2017 MEETING REGARDING INFORMATION ON DESCENDING DEVICES IN THE REGION.
- NOAA GC TO CHECK WITH COUNTERPARTS IN OTHER REGIONS ON HOW REGULATIONS HAVE BEEN DEVELOPED FOR DESCENDING DEVICES AND PROVIDE UPDATE TO COUNCIL IN MARCH 2017.
- WILL NEED TO DETERMINE WHAT THE EXPECTED REDUCTION IN MORTALITY WOULD BE WITH A POSSIBLE REQUIREMENT OF DESCENDING DEVICES AND LOOK AT WHAT MIGHT BE A REASONABLE RANGE OF ASSUMPTIONS REGARDING COMPLIANCE, ETC. – COUNCIL STAFF TO WORK WITH SERO STAFF TO BRING THIS TO COUNCIL IN MARCH 2017.

**Joint Dolphin/Wahoo and Snapper Grouper Amendment – Split into Separate Amendments**

The Council provided the following guidance for **Yellowtail Snapper (Snapper Grouper Amendment 44)**:

- REVISED SECTOR ALLOCATIONS
- ADD AN ACTION TO COMBINE GULF AND SOUTH ATLANTIC ACL FOR YELLOWTAIL SNAPPER AS WAS INCLUDED IN THE JOINT SOUTH FLORIDA AMENDMENT.
- ADD AN ACTION TO MODIFY THE ACCOUNTABILITY MEASURES AS WAS INCLUDED IN THE JOINT SOUTH FLORIDA AMENDMENT.

The Council provided the following guidance for **Dolphin/Wahoo (Amendment 10)**:

- Revised Optimum Yield for dolphin to be the long-term average catch, which is not designed to exceed the total Annual Catch Limit (ACL), and will fall between the total ACL and the Annual Catch Target (ACT).
- Directed staff to develop an alternative to allow multi-gear trips for legally permitted vessels in the dolphin wahoo fishery.
- Revise sector allocations and accountability measures for dolphin.
- REWORD ALTERNATIVE 4 OF ACTION 3 TO STATE IF THE COMMERCIAL ACL IS NOT MET IN A GIVEN FISHING YEAR, THE UNUSED ACL MAY BE CARRIED FORWARD TO THE NEXT FISHING YEAR ONLY. THE CARRIED FORWARD BALANCE SHALL NOT EXCEED X PERCENT OF THE COMMERCIAL SECTOR ACL. SUBALTERNATIVES RANGING FROM 5%, 10%, 20%.
- Direct staff to develop an action that would address authorized gear aboard a vessel on which dolphin and wahoo are onboard. This surfaced to allow offshore American lobster vessels to land dolphin/wahoo caught with hook-and-line or rods/reels while fishing lobster traps.
- ADD AN ACTION TO REMOVE REQUIREMENT TO HAVE THE OPERATOR CARD FOR THE CHARTER HEADBOAT FLEET IN THE DOLPHIN WAHOO FMP.

## **Vision Blueprint Recreational Regulatory Amendment 26 - Fisheries Seasonality and Retention**

The Committee/Council reviewed an options paper containing possible actions to re-consider the aggregate bag limits, re-evaluate the shallow water grouper closure, modify the minimum size limit for black sea bass, and remove minimum size limits for deepwater species (silk snapper, queen snapper, and blackfin snapper). The Committee/Council provided the guidance below and approved for scoping in January/February 2017.

### Aggregate Bag Limits:

- DEVELOP ALTERNATIVE FOR A 20-FISH AGGREGATE THAT WOULD INCORPORATE AND MAINTAIN SPECIES IN THE CURRENT 10-SNAPPER AGGREGATE.
- INCLUDE AN ALTERNATIVE FOR A 3-GROUPER DEEPWATER AGGREGATE WITH SEASON MATCHING WHAT IS CURRENTLY IN PLACE FOR SNOWY AND BLUELINE
- INCLUDE BACKGROUND ON HOW VISIONING PRIORITIES ARE ALSO BEING ADDRESSED IN AMENDMENT 43
- INCLUDE ALTERNATIVE TO ADD VERMILION SNAPPER TO THE SNAPPER AGGREGATE
- INCLUDE ALTERNATIVE TO ESTABLISH A 10-FISH BAG LIMIT WITHIN THE 20-FISH AGGREGATE FOR GRAY TRIGGERFISH AND ADD AN ACTION TO MODIFY THE MINIMUM SIZE LIMIT OF GRAY TRIGGERFISH IN FEDERAL WATERS OFF FLORIDA TO 12 INCHES FL
- INCLUDE CONSIDERATION OF SPECIFYING A BAG LIMIT FOR ATLANTIC SPADEFISH
- REQUEST INPUT ON JACKS COMPLEX AND SPECIFICATION OF INDIVIDUAL BAG LIMITS

### Shallow Water Grouper Closure:

REQUEST INPUT ON RED GROUPER AND SCAMP AND MODIFYING SEASONAL CLOSURE FOR THOSE SPECIES

## **Vision Blueprint Commercial Regulatory Amendment 27 - Fisheries Seasonality and Retention**

The Committee/Council reviewed an options paper that addresses items in the 2016-2020 Vision Blueprint that direct management of the commercial sector. The options paper included actions that would establish split seasons for deepwater species and red porgy, establish/modify trip limits and step-downs, re-evaluate the shallow water grouper closure, and modify the fishing year for golden tilefish (hook-and-line only). The Committee/Council provided the guidance below and approved for scoping in January/February 2017.

### Commercial Split Seasons:

- INCLUDE BACKGROUND INFORMATION ON TEMPORAL AND SPATIAL VARIABILITY IN THE DISTRIBUTION OF DEEPWATER SPECIES THAT AFFECTS ACCESS.
- INCLUDE BACKGROUND ON WHY HARVEST OF RED PORGY WAS PROHIBITED IN JAN-APRIL

- INCLUDE OPTION FOR COMMERCIAL SPLIT SEASON FOR THE REST OF DEEPWATER SPECIES
- INCLUDE OPTION FOR COMMERCIAL SPLIT SEASON FOR GREATER AMBERJACK

Commercial Trip Limits and Step-Downs:

- REMOVE OPTION TO LIMIT NUMBER OF TRIPS FOR BANDIT BOATS
- INCLUDE OPTION TO UTILIZE COMMERCIAL ANNUAL CATCH TARGET TO STEP DOWN TRIP LIMITS TO A BYCATCH ALLOWANCE
- REQUEST PUBLIC INPUT ON TRIP LIMIT FOR JACKS COMPLEX AS A WHOLE AND SPECIES WITHIN

**Cobia – Recreational Fishing Year Change put on Hold**

The Council postponed further consideration of CMP Amendment 30 until the ASMFC completes the development of an Interstate Management Plan for cobia. Concern was expressed that changing the fishing year would introduce more management uncertainty while the states were developing their management program.

**Citizen Science – Council Approves Coordinator to Implement the Council’s Citizen Science Program**

The Citizen Science Committee met December 8, 2016. Council staff provided a presentation outlining 2016 progress towards developing a citizen science program for the South Atlantic Council. The presentation included immediate needs (dedicated program staff) and challenges for developing a citizen program (funding for projects and program; lack of dedicated staff; and selection of appropriate initial project). Staff also provided an overview of a “kickstarter” (pilot) project idea that would address discard characterization for scamp grouper using a mobile app reporting platform across all sectors. The Council provided guidance to:

- Temporarily move the Amber Von Harten, Outreach Specialist, into the position of Citizen Science Program Manager to be supervised by John Carmichael, Deputy Director for Science & Statistics.
- Hire a new Outreach Specialist on a contractual basis to be supervised by the Citizen Science Program Manager during the transition.
- Citizen Science Program Manager seeks funding to support the kickstarter project through establishment of outside partnerships.
- Continue to seek program support through NMFS.

**Data Collection Committee**

- The Data Committee received a report on voluntary electronic logbook reporting by commercial fisherman from Dr. Bonnie Ponwith, SEFSC. Progress continues on developing the linkages that will allow such data to be submitted through ACCSP and available to the SEFSC. It is anticipated that all components will be completed by February 2017.
- Mike Cahall, ACCSP, presented an overview of electronic reporting programs available through ACCSP, including levels of adoption along the Atlantic Coast for dealer and vessel traditional and electronic reports. Electronic report submission is anticipated to

increase considerably in the near future, and ACCSP continues to expand its data storage and Internet capacity to meet anticipated needs.

- Mike Errigo, SAFMC, provided an update on the SAFMC-ACCSP charter vessel electronic reporting pilot study. Tablets have been provided to participating fishermen from NC through Florida, and training and outreach are now underway. The Council purchased and provided 3 additional tablets for use by fishermen in the Florida Keys to increase participation and coverage. Mike presented screen shots from the charter reporting application as well as preliminary work on developing an electronic version of the APAIS survey form for use in dockside intercepts for validation.
- Ken Brennan of the SEFSC Headboat Survey presented an overview of electronic reporting by Southeast headboat vessels. Electronic reporting has resulted in reduced costs and increased timeliness and compliance. Outreach efforts, both prior to and following electronic reporting implementation were also reviewed. Initial and ongoing outreach is crucial to developing buy-in and ensuring compliance, and late reporting decreased in 2016 from 2015. The headboat program also intends to begin providing an annual report to fishermen, the Council, and other interested parties. Preliminary content and formats were illustrated, and Council members were asked to provide comments to Council Staff by January 9, 2017.
- The Committee/Council approved the For-Hire Electronic Reporting Amendment for formal review.

### **Information & Education Committee**

Scott Baker, Chair of the Information & Education Advisory Panel, briefed the Committee on discussions and recommendations from the November 2-3, 2016 meeting of the Information & Education Advisory Panel. The Committee/Council discussed the recommendations of the AP and expressed support for the development of the online fishermen's forum and working with citizen science "champions" to help further the Council's efforts to initiate a citizen science program. Council also provided the link to the FL FWC YouTube channel to be used as an example of the types of short video clips the Council may want to produce for outreach tools.

Council staff presented the new SAFMC website and highlighted the new public comment and amendments under development pages. Staff described how public comments can now be submitted using online comment forms for each specific amendment as well as separate online comment forms used for collecting public input for Council meetings and scoping/public hearings. Staff also described how comments sent to Council members via e-mail were compiled for the December 2016 meeting and moving forward, will be directed towards the online comment form. The Committee/Council provided the following guidance.

- On amendment pages, add links to meeting pages on the Process section that outlines the dates for each step in the amendment development process.
- For the spreadsheet that compiles public comments from the online comment form, look into ways to format the columns to make the spreadsheet more readable.

### **Stock Assessment Schedule & Appointments**

The SEDAR Committee made appointments for SEDAR 50, Blueline Tilefish; SEDAR 48, Black Grouper; and SEDAR 56, Black Sea Bass. Terms of Reference and project schedules for SEDAR 48 and SEDAR 56 were approved, with the Committee supporting modifications to the

SEDAR 48 Terms of Reference approved by the Gulf Council. During consideration of the SEDAR 56 TORs, the Committee advised that future TORs, particularly those for proposed update stock assessments, specify the model configuration changes that are necessary to bring the assessment model package up to date. The Committee modified the SEDAR 56 TORs to improve documentation and evaluation of model changes.

The Committee was updated on further development to resolve stock ID for SEDAR 50, Blueline Tilefish. After considering recommendations of the Stock ID workgroup and a joint SSC review panel, Council and NMFS leadership representatives recommended defining the southern boundary of the unit stock at the Gulf and South Atlantic Council boundary. There was considerable discussion of the management and science consequences of this recommendation as well as the impacts to the approved assessment schedule that are likely if resolution of this issue is further delayed. The committee recommended that the SEDAR Steering Committee further discuss the process for defining unit stocks and clearly define the role of science and management groups. Additional discussion of the stock definition was recommended for the Council Session.

In other updates, the Committee was informed that the stock unit recommendation for Gulf of Mexico Gray Snapper would include all of Monroe County. There was discussion of the MRIP effort survey changes, and members were advised that the resultant catch changes would likely be considerable. The assessment schedule through 2020, approved by the SEDAR Steering Committee in September 2016, was reviewed.

The SSC's application of the NMFS stock assessment prioritization tool was reviewed. Results were compared to the existing Council priorities and assessment schedule. Clarification was provided that the tool provides an additional source of information for the Council to consider when establishing priorities but does not, in and of itself, establish the Council's priorities. Given the tool is recognized as a work in progress, the Committee supported updating it every other year when the Council reviews its prioritized research plan and including Advisory Panels in the update process. The Committee requested time at the next meeting to review the prioritization tool and scores and requested that the SSC be asked to comment on the long-term assessment planning discussion topics at its next meeting.

The Council modified the SEDAR 50 (blueline tilefish) data workshop TOR 1 to state: define the unit stock for the SEDAR 50 stock assessment to include the entire US Atlantic seaboard, using the boundary between the Gulf of Mexico and South Atlantic Councils as the southwestern boundary for the stock unit to assess.

And

Add an additional bullet item to SEDAR 50 assessment workshop TOR 6 to: consider exploratory models based on the Stock ID Workgroup and SSC Stock ID Review Panel recommendations to (1) characterize and describe the impact of the stock unit definition on risk and uncertainty, and (2) illustrate approaches for assigning productivity by existing council management units.

And



Include an addendum to the TORs for SEDAR 50 stating the original DW TOR #1 and summarizing the recommendations of the Stock ID Workgroup, SSC Stock ID Review Panel, and Leadership Group.

### **Highly Migratory Species Committee**

- Guy DuBeck and Steve Durkee, NMFS HMS staff, delivered a presentation to the Committee on Amendment 5b to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan that will implement regulations intended to end overfishing for dusky sharks. Mr. DuBeck explained that even though harvest of dusky sharks has been prohibited for a number of years, mortality occurring from the incidental bycatch of dusky sharks is still leading to overfishing.
- After the alternatives within Amendment 5b were presented, Mr. DuBeck explained that comments were being requested from the Council and the public regarding the measures found within the preferred alternatives. The Committee asked HMS staff for further clarification on the recreational and commercial requirements in regards to when they would apply to HMS permit holders and how the requirements may affect permit holders when not targeting sharks. The Committee provided input on the preferred alternatives and how they may be better clarified or improved upon.
- The Council will be sending a letter stating the comments on the Amendment 5B.
- Council staff brought to the attention of the Committee a letter received from the Southeastern Fisheries Association asking the Committee to request information on the number of vessels possessing a commercial HMS general category permit but not certified as compliant by the U.S. Coast Guard (USCG) for the safety requirements of a commercial fishing vessel. The Association expressed concern that HMS species are being caught and sold on vessels that are uncertified, thereby creating an inequitable situation for vessel owners that are adhering to the USCG requirements. After input from those on the Committee and Council as well as USCG representatives, it was decided that further research into the potential issue was desired.
- Following this discussion, Gregg Waugh, Executive Director of the South Atlantic Fishery Management Council, presented to the Committee on the proposed China-Bahamas Agricultural and Fisheries Initiative. Additionally, Mr. Waugh reviewed a letter to be sent on behalf of the Council to Prime Minister Christie expressing gratitude for not further considering the initiative and outlining fisheries that the Council would be concerned about should the initiative have moved forward. The Council approved sending the letter to Prime Minister Christie with a copy to the State Department.

### **Law Enforcement Committee**

#### Commercial Permit Renewal and Logbook Reporting

Dave Gloeckner, SEFSC staff, delivered a presentation on the level of late reporting among commercial dealers and commercial vessels in the South Atlantic. Commercial dealers are required to submit their electronic reports weekly. Commercial logbook data are also to be submitted within one week to the SEFSC. No fishing reports are to be submitted within one week of the end of the month when no fishing takes place. Complete reporting is a requirement for the permit to be renewed.

In 2015 & 2016, five to six dealers each year reported landings from earlier periods before their permit could be renewed. The landings reported to meet permit renewal requirements were a small fraction of total landings by those relatively few dealers. Among commercial vessels in 2014-2015, permits with “renewal reports” and “no fish renewal reports” were a small fraction of the total landings for snapper grouper, coastal migratory pelagics, and dolphin wahoo fisheries in the South Atlantic. However, 2014 and 2015 saw an increase in “renewal reports” in the snapper grouper fishery. There is concern that even though the percent of late reported landings is relatively small, that level of landings is potentially high. Also, more “no fishing reports” are reported at the end of the renewal period than trip reports. While logbook data are still crucial, the SEFSC uses dealer reports to track commercial ACLs. Asked what the most common reason for the SEFSC to request clarification from fishermen, SEFSC staff stated that area fished code was probably the most common but that would need to be corroborated.

#### Headboat Reporting Compliance

Among headboats in the South Atlantic, compliance with reporting requirements is relatively high. The majority of headboats are not reporting later than 1 week. Port agent interaction with anglers was noted as a factor contributing to better compliance in submitting reports on time. While the percentage of late reports is an important metric, Committee members expressed interest in obtaining the actual level of landings associated with late reports.

#### Operator Permits

The Committee held a brief follow-up discussion on the topic of whether Operator Permits in South Atlantic fisheries are useful for enforcement and whether any changes are warranted at this time. Operator Permits are currently required in the South Atlantic only in the Rock Shrimp and the Dolphin Wahoo fisheries. The Committee stated their intent to retain the current Operator Permits for now and will further explore options for future use with the assistance of the Law Enforcement Advisory Panel, NOAA OLE, NOAA GC and USCG.

#### **Other Items:**

- **Annual Review of Vision Blueprint** – Amber Von Harten, Council staff, delivered a presentation showing progress to date on actions identified in the Vision Blueprint that would be addressed in 2016-2017. The Committee provided additional guidance on action items where further guidance was needed.
- **SSC Selection** – A proposed clarification to the SSC eligibility criteria was considered to specify that independent experts considered for the SSC should not be employed by advocacy or interests groups. It was noted that advocacy or interest groups language as used here is not all-inclusive, and refers to those groups that advocate or present positions before the Council. Clarification was provided that this provision does not apply to academicians as listed elsewhere in the eligibility statement. The Committee supported the proposed SSC workgroup process. It was clarified that the suggestion for such groups to meet in conjunction with SSC meetings did not intend for such meetings to occur during the scheduled SSC meeting time. The committee reviewed the recent changes in SSC public comment policies and considered the SSC perspective provided by SSC Chair Dr. Marcel Reichert. Guidance was provided to take public comment at future SSC meetings at the start of each meeting and during discussion of each agenda topic.

- **Protected Resources**
  - NMFS is working on a proposed rule/Draft Environmental Impact Statement to require turtle excluder devices in skimmer trawls. The proposed rule is scheduled to be published in the Federal Register in mid-December 2016. NMFS is working on an Annual Determination for Sea Turtle Observers. This regulation would require fisheries to take observers if the fishery is listed in the Annual Determination. The fishery would remain on the list for five years. NMFS has reinitiated Section 7 consultation for several fishery management plans in the South Atlantic Region due to the newly listed green sea turtle North Atlantic and South Atlantic distinct population segments and Nassau grouper. The spiny lobster trap/pot fishery was listed as a Category III fishery in Marine Mammal Protection Act List of Fisheries due to potential interactions with bottlenose dolphins. A proposed rule is in development through the Pelagic Longline Take Reduction Plan.
  - The Biological Opinion for the Snapper Grouper Fishery Management Plan was completed on December 2, 2016. The biological opinion did not identify the proposed changes to the black sea bass pot fishery in Regulatory Amendment 16 as causing jeopardy to the North Atlantic Right Whale population or other listed species. The biological opinion also considered additional measures to reduce lethal takes or interactions with Nassau grouper in the hook and line fishery.
  - Council Member Charlie Philips was nominated as the representative for the Large Whale Take Reduction Team.
  - The stock assessment for Atlantic sturgeon is on schedule to be completed in late 2017.
  - Red knot critical habitat is currently scheduled to be completed in 2017 although the schedule may change.
- **Habitat & Ecosystem-Based Management**
  - The Council received a report from the Habitat Ecosystem AP, a summary of FEP II South Atlantic Food Web & Connectivity and Climate Variability & Fisheries Sections, and an overview of Habitat & Ecosystem Tools and Model Development.
  - Michelle Duval serving as an Advisory Panel member introduced Phil Levin, Co-Chair of the Lenfest Task Force to introduce the effort and context of development of the Report. Felicia Coleman, with Florida State University and Task Force Member provided the Committee a presentation on the Final Lenfest Fishery Ecosystem Task Force Report, Building Effective Fishery Ecosystem Plans.
  - The Council approved the EFH Policy Statement for South Atlantic Climate Variability and Fisheries giving staff and Council Chairman editorial license to finalize for inclusion into FEP II'
  - The Council approved the EFH Policy Statement for South Atlantic Food Web and Connectivity giving staff and Council Chairman editorial license to finalize for inclusion into FEP II.
- **Spiny Lobster**
  - Council staff reviewed a discussion document for a potential action to include in the developing Spiny Lobster amendment. The action would prohibit or restrict

traps for recreational harvest of spiny lobster in the South Atlantic EEZ. The Committee directed staff to add the action to the options paper that the Gulf Council will review at their January/February 2017 meeting. The Committee recommended that the Councils consider prohibition of all recreational traps because there are concerns about the number of traps used per individual; lack of effectiveness of traps to catch spiny lobster outside of Florida waters; concern about negative effects on habitat without being effective gear; and concern about vertical lines that may interact with protected species.

- The South Atlantic SSC met via webinar on November 21, 2016. Dr. Marcel Reichert, SSC Chair, presented the SSC recommendations for spiny lobster to the Committee; they adopted the same recommendations as the Gulf Council SSC. The South Atlantic SSC recommendations will be incorporated into the options paper to be provided to the Gulf Council at their January/February 2017 meeting.
- **Advisory Panel Selection Committee**
  - Reviewed options for a System Management Plan Advisory Panel/Workgroup as outlined in the options paper. The Committee discussed options and expressed concerns about the costs associated creating a new advisory panel considering budget limitations for 2017, the effectiveness of having a large advisory panel/workgroup, and best approaches. The Committee generally agreed that additional consideration should be given to the structure and membership of an advisory body for the System Management Plan and that a workgroup or sub-regional approach (Carolinas/GA separate from Florida) for advisory panels be considered.
  - The Committee made appointments to the SEDAR pool of applicants.
- **The Council approved the following:**
  - RECOMMEND APPROVAL OF THE SC AQUARIUM'S EFP REQUEST TO THE REGIONAL ADMINISTRATOR
  - GUIDANCE TO REQUEST THAT SEFSC PROVIDE PRESENTATION ON SOUTH ATLANTIC CLIMATE SCIENCE ACTION PLAN AT MARCH 2017 MEETING TO ALLOW COUNCIL TO DEVELOP COMMENTS PRIOR TO THE COMMENT PERIOD CLOSING
  - GUIDANCE TO OBTAIN CLARIFICATION OF HOW ENFORCEMENT DEALS WITH OFF-LOADING FISH AFTER A FISHERY OFFICIALLY CLOSES
  - MODIFIED PRIORITIES FOR 2017-18