

South Atlantic Fishery Management Council
Full Council and Committee Reports
SUMMARY MOTIONS
September 12-16, 2022

This is a summary of the motions approved by the Council. Motions addressing actions and alternatives for FMP amendments are followed by text showing the result of the approved motion. Complete details on motions and other committee recommendations are provided in the Committee Reports available on the SAFMC website.

Full Council Session I

Acceptable Biological Catch Control Rule Amendment

MOTION 1: APPROVE THE PURPOSE AND NEED STATEMENTS.

Purpose for Actions

The purpose of this amendment is to revise the acceptable biological catch control rule by clarifying the incorporation of scientific uncertainty and management risk, modifying the approach used to determine the acceptable risk of overfishing, and prioritizing the use of stock rebuilding plans for overfished stocks. Additionally, this amendment will specify conditions and procedures for using carry-overs and phase-ins in setting catch limits, including modification of framework procedures to accommodate implementation of carry-overs when applicable.

Need for Actions

The need for this amendment is to ensure catch level recommendations are based on the best scientific information available, prevent overfishing while achieving optimum yield, and include flexibility in setting catch limits as allowed by the Magnuson-Stevens Fishery Conservation and Management Act, and particularly in accordance with 2020 NMFS guidance on carry-over and phase-in provisions.

MOTION 2: CONFIRM ALTERNATIVE 2 UNDER ACTION 1 AS PREFERRED, WITH PREFERRED SUB-ALTERNATIVES 2B AND 2C.

Action 1. Modify the Acceptable Biological Catch Control Rule

******Refer to Full Council I Summary Report for language of preferred alternative(s)******

MOTION 3: SELECT ALTERNATIVE 2-SUB-ALTERNATIVE 2C UNDER SUB-ACTION 2.1 AND ALTERNATIVE 2 UNDER SUB-ACTION 2.2 AS PREFERRED.

Action 2. Allow phase-in of acceptable biological catch changes under the acceptable biological catch control rule

Sub-Action 2.1. Establish criteria specifying when phase-in is allowed.

******Refer to Full Council I Summary Report for language of preferred alternative(s)******

MOTION 4: UNDER SUB-ACTION 3.1, SELECT ALTERNATIVE 2 AS PREFERRED WITH SUB-ALTERNATIVES 2D AND 2E AS AMENDED.

Action 3. Allow carry-over of unharvested portion of the annual catch limit under the acceptable biological catch control rule

Sub-Action 3.1. Establish criteria specifying circumstances when an unharvested portion of the originally specified sector ACL can be carried over from one year to increase the available harvest in the immediate next year. Carry-overs may not be delayed, and only amounts from the originally specified sector ACL may be carried over.

****Refer to Full Council I Summary Report for language of preferred alternative(s)****

MOTION 5: UNDER SUB-ACTION 3.2, SELECT ALTERNATIVE 2 AS PREFERRED.

Sub-Action 3.2. Specify limits on how much of the unharvested portion of a sector annual catch limit may be carried over from one year to increase the sector annual catch limit in the next year.

****Refer to Full Council I Summary Report for language of preferred alternative(s)****

MOTION 6: SELECT ALTERNATIVE 2 UNDER SUB-ACTION 4.1, SUB-ACTION 4.2, AND SUB-ACTION 4.3 AS PREFERRED.

Action 4. Modify framework procedures for the Snapper Grouper, Dolphin Wahoo, and Golden Crab Fishery Management Plans

****Refer to Full Council I Summary Report for language of sub-actions and preferred alternative(s)****

MOTION 7: APPROVE ALL ACTIONS IN THE ABC CONTROL RULE AMENDMENT.

Snapper Grouper Committee

MOTION 8: RECOMMEND APPROVAL OF THE EFP.

Release Mortality Reduction & Red Snapper Catch Levels (Regulatory Amendment 35)

MOTION 9: CONTINUE WORK ON REGULATORY AMENDMENT 35 TO REDUCE SNAPPER GROUPEL DISCARDS AND MODIFY THE RED SNAPPER ACL WITH THE GOAL OF TAKING FINAL ACTION NO LATER THAN MARCH 2023.

MOTION 10: ADD AN APPENDIX TO REGULATORY AMENDMENT 35 TO PROMOTE BEST FISHING PRACTICES THAT REDUCE RECREATIONAL DEAD RELEASES IN THE SNAPPER GROUPEL FISHERY.

MOTION 11: TO REQUEST THE SEFSC PROVIDE THE FOLLOWING SOUTH ATLANTIC RED SNAPPER STOCK ASSESSMENT SENSITIVITY RUN AT THE DECEMBER 2022 COUNCIL MEETING:

- REDUCE ANNUAL DISCARD ESTIMATES BY 50% RELATIVE TO CURRENT ESTIMATES USED IN THE ASSESSMENT.
- ASSUME 100% COMPLIANCE WITH DESCENDING DEVICE REQUIREMENTS.

THIS SENSITIVITY RUN IS HYPOTHETICAL BUT INTENDED TO INFORM THE COUNCIL ON HOW REDUCED DISCARDS AND DISCARD MORTALITY ESTIMATES WOULD AFFECT STOCK STATUS AND MANAGEMENT BENCHMARKS.

MOTION 12: TO DIRECT STAFF TO BEGIN DEVELOPMENT A WHITE PAPER, FOR REVIEW AT THE MARCH 2023 COUNCIL MEETING, TO EVALUATE ADDITIONAL LONGER-TERM OPTIONS TO FURTHER AVOID/MINIMIZE, TO THE EXTENT PRACTICABLE, DISCARDS OF SNAPPER-GROUPER SPECIES IN ORDER TO ACHIEVE STOCK REBUILDING GOALS, REDUCE WASTE, PROTECT MARINE ECOSYSTEMS, INCREASE SOCIO-ECONOMIC BENEFITS, ENHANCE ANGLER OPPORTUNITIES, AND/OR PROMOTE MORE EFFECTIVE UTILIZATION OF THE RESOURCE (E.G, SHIFT DEAD DISCARDS TO LANDED CATCH).

Yellowtail Snapper (Amendment 44)

MOTION 13: REINITIATE SNAPPER GROUPER AMENDMENT 44.

Gag (Amendment 53)

MOTION 14: APPROVE THE PURPOSE AND NEED STATEMENT, AS REVISED

The purpose of this fishery management plan amendment is to establish a rebuilding plan, set an acceptable biological catch, revise annual catch limits, and sector allocations, and make modifications to management measures and accountability measures for South Atlantic gag based on the results of the most recent stock assessment.

The need for this fishery management plan amendment is to end overfishing of South Atlantic gag, rebuild the stock, and achieve optimum yield while minimizing, to the extent practicable, adverse social and economic effects.

MOTION 15: RETAIN ALTERNATIVE 1 AS PREFERRED UNDER SUB-ACTION 4B FOR PUBLIC HEARINGS.

Sub-Action 4b. Modify the commercial spawning season closure for gag.

Preferred Alternative 1 (No Action): The annual commercial gag spawning season closure is from January 1 through April 30.

MOTION 16: INCLUDE ACTIONS THAT WOULD MODIFY THE BLACK GROUPER VESSEL LIMIT, SPAWNING SEASON CLOSURE, AND CAPTAIN AND CREW BAG LIMIT AND ALTER THE PURPOSE AND NEED ACCORDINGLY.

MOTION 17: REMOVE ALTERNATIVE 4 FROM SUB-ACTION 5A.

Action 5. Modify the recreational management measures for gag

Sub-Action 5a. Establish a recreational vessel limit for gag.

Alternative 4. Retain the current bag limit. Establish a recreational gag vessel limit of 6 fish per vessel per day, not to exceed the daily bag limit, whichever is more restrictive, for the:

Sub-Alternative 4a. private recreational component.

Sub-Alternative 4b. for-hire component.

MOTION 18: ADD AN ALTERNATIVE UNDER SUB-ACTION 5A TO PROHIBIT THE RETENTION OF THE BAG LIMIT FOR CAPTAIN AND CREW

Sub-Action 5a. Establish a recreational vessel limit for gag

MOTION 19: RETAIN ALTERNATIVE 1 AS PREFERRED UNDER SUB-ACTION 5B FOR PUBLIC HEARINGS.

Sub-action 5b. Modify the recreational spawning season closure for gag.

Preferred Alternative 1 (No Action): The annual recreational gag spawning season closure is from January 1 through April 30.

MOTION 20: APPROVE AMENDMENT 53 AND ALL ACTIONS, AS REVISED, FOR PUBLIC HEARINGS.

Wreckfish (Amendment 48)

MOTION 21: APPROVE THE PURPOSE AND NEED AS MODIFIED.

Purpose: The purpose of this action is to modernize the wreckfish individual transferable quota (ITQ) program, revise management measures.

Need: The need for this action is to improve program monitoring and enforcement, as well as data collection and management, provide more flexibility for fishers and increase profitability in the wreckfish ITQ program.

MOTION 22: SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 1.

Action 1. Revise sector allocations and sector annual catch limits for wreckfish.

Alternative 2. Allocate 98% of the total annual catch limit for wreckfish to the commercial sector. Allocate 2% of the total annual catch limit for wreckfish to the recreational sector

MOTION 23: SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 2.

Action 2. Implement an electronic reporting system for the wreckfish individual transferable quota (ITQ) program

Alternative 2. Implement an electronic system of reporting for the wreckfish ITQ program to electronically track ownership and transfers of quota shares, distribution, and transfers of annual allocation (quota pounds), and electronically record wreckfish landing information.

MOTION 24: SELECT ALTERNATIVE 3 AS PREFERRED UNDER ACTION 3.

Action 3. Modify the requirement to possess a commercial vessel permit for wreckfish.

Alternative 3. To commercially harvest or sell wreckfish, a commercial permit for South Atlantic snapper grouper (unlimited) must have been issued to the vessel, the permit must be on board, and the permit holder must be a wreckfish shareholder.

MOTION 25: ADD AN ALTERNATIVE THAT ALLOWS FOR HARVEST OR SALE OF WRECKFISH WITH A PERMIT FOR SOUTH ATLANTIC SNAPPER GROUPE, REMOVING THE REQUIREMENT TO BE A WRECKFISH SHAREHOLDER.

MOTION 26: SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 4.

Action 4. Modify the commercial fishing year for wreckfish.

Alternative 2. The commercial fishing year for wreckfish begins on January 1 and ends on December 31. From January 15 through April 15, each year, no person may harvest or possess wreckfish on a fishing vessel, in or from the exclusive economic zone.

MOTION 27: MOVE ACTION 5 TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 5. Modify the spawning season closure for wreckfish.

MOTION 28: SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 8.1.

Sub-Action 8-1. Implement a cost recovery plan for the wreckfish individual transferable quota program.

Alternative 2. Implement an individual transferable quota cost recovery plan. The transferable quota shareholder landing wreckfish would be responsible for collection and submission of the cost recovery fee to NMFS.

MOTION 29: SELECT ALTERNATIVE 3 AS PREFERRED UNDER ACTION 8.2.

Sub-Action 8-2. Collection of wreckfish individual transferable quota program cost recovery fees.

Alternative 3. Fees will be collected upon the sale of such fish during a fishing season.

MOTION 30: SELECT ALTERNATIVE 4 AS PREFERRED UNDER ACTION 8.3.

Sub-Action 8-3. Frequency of wreckfish individual transferable quota program cost recovery fee collection.

Alternative 4. Cost recovery fee will be submitted four times per year.

MOTION 31: SELECT ALTERNATIVE 3 AS PREFERRED UNDER ACTION 8.4.

Sub-Action 8-4. Determination of wreckfish individual transferable quota program cost recovery fees.

Alternative 3. The cost recovery fee will be based on standard** ex-vessel value of the wreckfish landings as calculated by NMFS.

MOTION 32: APPROVE SNAPPER GROUPER AMENDMENT 48 FOR PUBLIC HEARINGS AT THE MARCH 2023 COUNCIL MEETING.

Golden Tilefish and Blueline Tilefish (Amendment 52)

MOTION 33: CHANGE THE PREFERRED ALTERNATIVE UNDER ACTION 6 TO ALTERNATIVE 1 (NO ACTION).

Action 6. Modify blueline tilefish recreational season.

Preferred Alternative 1 (No Action). Do not modify the blueline tilefish recreational season. The current recreational season is May 1-August 31

MOTION 34: APPROVE ALL ACTIONS FOR SNAPPER GROUPER AMENDMENT 52.

Snowy Grouper (Amendment 51)

MOTION 35: APPROVE ALL ACTIONS AS MODIFIED IN SNAPPER GROUPE AMENDMENT 51.

Greater Amberjack (Amendment 49)

MOTION 36: APPROVE THE PURPOSE AND NEED STATEMENTS AS REVISED.

Purpose: The *purpose* of this amendment is to revise the acceptable biological catch and catch limits for greater amberjack in the South Atlantic based on the results of the latest stock assessment; revise sector allocations, the commercial minimum size limits, commercial trip limits, and the April spawning closure for greater amberjack; and remove recreational annual catch targets for the Snapper Grouper Fishery Management Plan.

Need: The *need* for this amendment is to ensure catch limits are based on the best scientific information available and to ensure overfishing does not occur for the South Atlantic greater amberjack stock, while increasing social and economic benefits through sustainable and profitable harvest of South Atlantic greater amberjack, consistent with the Magnuson-Stevens Fishery Conservation and Management Act and its National Standards. This amendment is also needed to make administrative efforts more efficient by removing recreational annual catch targets, which are not actively used in management, from the Snapper Grouper Fishery Management Plan.

MOTION 37: APPROVE MODIFIED ACTION AND ALTERNATIVE LANGUAGE IN ACTION 1.

Action 1. Revise the greater amberjack acceptable biological catch, total annual catch limit, and annual optimum yield

****Refer to Snapper Grouper Committee Summary Report for language of preferred alternative(s)****

MOTION 38: CHANGE PREFERRED ALTERNATIVE UNDER ACTION 3 TO ALTERNATIVE 2 (34 INCH COMMERCIAL MINIMUM SIZE LIMIT).

Action 3. Reduce the commercial minimum size limit for greater amberjack

Preferred Alternative 2. Reduce the commercial minimum size limit to 34 inches fork length.

MOTION 39: APPROVE AMENDMENT 49 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER GROUPE FISHERY OF THE SOUTH ATLANTIC REGION 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.

MOTION 40: DIRECT STAFF TO DO THE FOLLOWING:

- Continue to develop actions for Regulatory Amendment 35 (Snapper Grouper Release Mortality Reduction and Red Snapper Catch Levels) for the Committee’s consideration of approval for public hearings at the December 2022 meeting.
- Remove overfishing limits from purpose and need and action language in amendments considering revisions to catch levels, including Amendment 49 (Greater Amberjack), Amendment 51 (Snowy Grouper), Amendment 52 (Golden Tilefish and Blueline Tilefish), Amendment 53 (Gag Grouper), and Regulatory Amendment 35 (Red Snapper and Release Mortality Reduction).
- Conduct public comment for Amendment 53 (Gag Grouper) prior to the December 2022 Council meeting. Coordinate with states to conduct hearings via listening stations.
- Develop Amendment 48 (Wreckfish) in preparation for public hearings to be held at the March 2023 Council meeting.
- Prepare Amendment 51 (Snowy Grouper) and Amendment 52 (Golden Tilefish Blueline Tilefish) for consideration of final approval at the December 2022 Council meeting.
- Convene a meeting of the Snapper Grouper Advisory Panel in October.

Mackerel Cobia Committee

MOTION 41: ADD THE FOLLOWING LANGUAGE TO THE JOINT CMP FMP OBJECTIVES: TO ACHIEVE ROBUST FISHERY REPORTING AND DATA COLLECTION SYSTEMS ACROSS ALL SECTORS FOR MONITORING THE COASTAL MIGRATORY PELAGIC FISHERY WHICH MINIMIZES SCIENTIFIC, MANAGEMENT, AND RISK UNCERTAINTY.

MOTION 42: REMOVE CURRENT OBJECTIVE 3 FROM THE CMP FMP OBJECTIVES.
Objective 3: To provide necessary information for effective management and establish a mandatory reporting system for monitoring catch.

MOTION 43: AMEND THE LANGUAGE OF OBJECTIVE 1 TO READ AS FOLLOWS:
Objective 1 reads as follows: The primary objective of this FMP is to ACHIEVE AND MAINTAIN OPTIMUM yield at the maximum sustainable yield (MSY), TO allow recovery of overfished populations, and maintain population levels sufficient to ensure adequate recruitment.

MOTION 44: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Work with Gulf Council staff, as needed, to continue work on Coastal Migratory Pelagics Amendment 33.
2. Add a review of the revised SEDAR 78 stock assessment to the SSC’s October 2022 meeting agenda.
3. Convene a meeting of the Mackerel Cobia Advisory Panel to discuss the agenda items as listed above in October 2022.
4. Develop a white paper that examines false albacore relative to the ten criteria outlined in the Magnuson-Stevens act to determine if they may be in need of conservation and management.
5. Prepare the allocation decision tool for Atlantic Spanish mackerel to be reviewed at the December 2022 meeting.

SEDAR Committee

MOTION 45: THE COMMITTEE APPROVED SCOPES OF WORK FOR GAG, KING MACKEREL, AND RED PORGY AS MODIFIED.

Full Council Session II

MOTION 46: RESUBMIT CORAL AMENDMENT 10 AFTER MODIFICATIONS.