

# Summary of Active SAFMC Amendments for the Coral Advisory Panel

May 2018

## Snapper Grouper

Recently implemented or submitted:

### *Mutton Snapper (Amendment 41)*

In June 2015, the Council directed staff to begin development of a new amendment to revise the biological parameters, catch levels, and management measures for mutton snapper. The amendment **revised the commercial and recreational catch limits, increased the commercial and recreational minimum size limits from 16 to 18 inches total length, established a commercial trip limit of 500 pounds whole weight during January through March and July through December; established a commercial trip limit during the April through June spawning season of five mutton snapper per person per day, or five mutton snapper per person per trip, whichever is more restrictive; and decreased the recreational bag limit within the ten-snapper aggregate to five mutton snapper per person per day.** The proposed rule published in the Federal Register on October 24, 2017 and the final rule published on January 11, 2018 and regulations became effective on February 10, 2018.

### *Red Snapper Annual Catch Limit (Amendment 43)*

At their June 2017 meeting, the Council directed staff to finalize development of Amendment 43 with only one action: **to remove the process currently in place to set annual catch limits (established through Amendment 28) and set an annual catch limit for red snapper for 2018 and beyond in order to allow limited harvest.** The remainder of the actions in Amendment 43 would continue to be developed in Amendment 46 in 2017-2018. The Council obtained public input and approved Amendment 43 for formal review at their September 2017 meeting. The amendment was submitted for formal review on November 20, 2017.

### *Red Grouper Annual Catch Limit (Abbreviated Framework 1)*

Results of the latest stock assessment indicate the red grouper stock in the South Atlantic is overfished and undergoing overfishing. The Council prepared and submitted an amendment to adjust the fishing levels for red grouper based on the recommendations of the Scientific and Statistical Committee (SSC). The abbreviated framework amendment was submitted for formal review on December 21, 2017. The current total annual catch limit is 780,000 lbs ww. Once implemented, the new amendment would **reduce the total annual catch limit for 2019 to 150,000 lbs ww.** Commercial and recreational allocations are 44% and 56%, respectively.

Under development:

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

The Council reviewed analyses and approved the amendment for public hearings at their March 2018 meeting. Public hearings will be held via webinar and listening stations on May 8-10, 2018. The amendment proposes the following 5 actions and sub-actions for snapper grouper species in the South Atlantic Region:

- Action 1. Modify the species composition of the recreational aggregates*
- Action 2. Specify recreational management measures for the deep-water species aggregate*
- Action 3. Specify management measures for the shallow-water grouper aggregate*
- Action 4. Specify management measures for the other shallow-water species aggregate*
- Action 5. Specify the aggregate bag limit for the snapper grouper species aggregate*

### **Commercial Management Measures (Vision Blueprint Regulatory Amendment 27)**

The Council revised alternatives at their September 2017 meeting and approved the same timeline for development as that for the recreational amendment (see above). The Council reviewed analyses and approved the amendment for public hearings at their March 2018 meeting. Public hearings will be held via webinar and listening stations on May 8-10, 2018. The amendment proposes the following 10 actions for snapper grouper species in the South Atlantic Region:

- Action 1. Establish a commercial split season and modify the commercial trip limit for blueline tilefish*
- Action 2. Establish a commercial split season for snowy grouper*
- Action 3. Establish a commercial split season and modify the commercial trip limit for greater amberjack*
- Action 4. Establish a commercial split season and modify the commercial trip limit for red porgy*
- Action 5. Modify the commercial trip limit for vermilion snapper*
- Action 6. Implement a minimum size limit for almaco jack for the commercial sector*
- Action 7. Implement a commercial trip limit for the Other Jacks Complex*
- Action 8. Modify the seasonal prohibition on commercial harvest and possession of red grouper in the exclusive economic zone off South Carolina and North Carolina*
- Action 9. Remove the commercial minimum size limit for certain deep-water species*
- Action 10. Reduce the commercial minimum size limit for gray triggerfish in the exclusive economic zone off east Florida*

### **Recreational Permit and Reporting (Amendment 46)**

In June 2017, the Council instructed staff to move actions formerly in Amendment 43, except an action to specify a red snapper annual catch limit in 2018, to Amendment 46. At that time, the amendment contained actions to specify catch levels for red snapper, address recreational permitting and reporting for private recreational fishermen, best fishing practices (also include an option to remove circle hook requirements for snapper grouper fishing), and removing powerhead restrictions in special management zones off South Carolina (action formerly included in the Visioning amendments). In December 2017 the Council directed staff to remove actions pertaining to red snapper from the amendment and focus on recreational reporting and best fishing practices. In March 2018, the Council directed staff to retain actions on **recreational permitting and reporting** in Amendment 46 and develop the remainder of the actions (best fishing practices and powerhead regulations) in a framework amendment (Regulatory Amendment 29).

### **For-Hire Permit Moratorium (Amendment 47)**

The Council has held several discussions in recent years on limiting the number of Atlantic Snapper Grouper Charter/Headboat permits, and potential benefits to the for-hire component from this management approach. In June 2017, the Council instructed staff to begin work on an amendment that would explore a moratorium on the for-hire component of the snapper grouper fishery. The Council discussed options at their December 2017 meeting and provide further guidance to staff on the scope of

the amendment and timing. In March 2018, the Council provided detailed input and directed staff to develop a draft scoping document based on their direction to consider at the June 2018 meeting.

### *Best Fishing Practices and Powerhead Regulations (Regulatory Amendment 29)*

At their March 2018 meeting, the Council removed actions pertaining to **best fishing practices and powerhead regulations** from Amendment 46 and requested that staff begin development of a framework amendment. The Council was concerned that other actions in Amendment 46 (recreational permitting and reporting) would take significant time to be developed and did not want to delay action on other issues. The Council will review options at their June 2018 meeting.

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

The recent red grouper assessment indicated that the stock is undergoing overfishing and is not making adequate progress towards rebuilding, which is supposed to take place by 2020 under the current rebuilding plan. The Council was formally notified of the red grouper stock status via a letter from NMFS dated September 17, 2017 and has two years to revise the rebuilding plan. At their March 2018 meeting, the Council directed staff to begin work on a framework amendment to **revise the red grouper rebuilding schedule**. The Council will discuss options at their June 2018 meeting.

### *Yellowtail Snapper Accountability Measures (Regulatory Amendment 32)*

In 2016 and early 2017 the Council began developing Snapper Grouper Amendment 44 to consider modifications to jurisdictional and sector allocations as well as commercial trip limits for yellowtail snapper. Work on the amendment has been suspended, however, pending revisions to the recreational landings estimates through the Marine Recreational Information Program (MRIP). In March 2018, the Council directed staff to begin development of an amendment to address short-term management of yellowtail snapper to provide timely relief for commercial fishermen (in light of hurricanes in summer 2017) via a framework amendment. The amendment would **consider changing accountability measures to remove in-season closures for either sector until the total annual catch limit is met or projected to be met**.

### *Sea Turtle Release Gear and Revisions to Snapper Grouper Framework (Amendment 42)*

The NMFS Release Protocols for protected species were originally published in 2004. Revised editions were released in 2008 and 2010, and a new update is ready for publication. In the pending update, the NMFS Southeast Fisheries Science Center approved three additional turtle release gear types for use in handling and releasing incidentally caught sea turtles when fishing for reef fish: a new collapsible hoop net, dehooking device, and small hoist. The new gear requires less space on vessels while still providing the necessary functionality; however, fishermen who participate in the snapper grouper fishery cannot use the approved gear until it is listed as acceptable gear in a fishery management plan and made a requirement in the regulations. The Amendment would **include the new gear in the regulations for the snapper grouper fishery and consider modifications to the snapper grouper framework** so the Council may more quickly modify sea turtle and other protected resources release gear and handling requirements in the future. The Council approved the amendment for scoping at their March 2018 meeting.

### *Golden Tilefish (Regulatory Amendment 28)*

Will be discussed in more detail during the meeting.

### *Wreckfish Individual Transferable Quota (ITQ) Program Review*

Will be discussed in more detail during the meeting

## Dolphin Wahoo

Recently implemented:

### *Commercial Trip Limit for Dolphin (Dolphin Wahoo Regulatory Amendment 1)*

The amendment implemented a **4,000-pound commercial trip limit once 75% of the commercial ACL has been caught**. The final rule published on December 30, 2016, with an effective date of January 30, 2017. However, the effective date was delayed until March 21, 2017, in accordance to the memorandum from the White House to delay implementation of all new federal regulations.

## Golden Crab, Shrimp, Coral

Under development:

### *Access Areas, Transit Provision, Golden Crab VMS (Coral Amendment 10/ Golden Crab Amendment 10/ Shrimp Amendment 11)*

In March 2018, the Council directed staff to begin development of a joint amendment for coral, golden crab, and shrimp to look at **access areas in the golden crab northern zone, eastern edge of the Oculina Bank Extension established in Coral Amendment 8, shrimp trawl gear stowage requirements when transiting closed areas, and VMS for golden crab vessels**. This is currently an options paper and the Council requested a draft scoping document be presented to them at the June 2018 meeting.

## Mackerel Cobia

Recently implemented:

### *King Mackerel Annual Catch Limits, Re-designation of Boundaries and Mixing Zone (Joint Amendment 26)*

This amendment **updated the Gulf and Atlantic king mackerel annual catch limits based on the results of SEDAR 38; modified the stock boundary to be consistent with the stock boundary used in SEDAR 38; updated zone/subzone commercial quotas for Gulf king mackerel; revised sector allocations for Gulf king mackerel; implemented a provision to allow bag limit sales of Atlantic king mackerel in the small coastal shark gillnet fishery; and considered management measures for the Florida East Coast subzone**.

The final rule published on April 11, 2017, and regulations became effective May 11, 2017.

### *Atlantic Cobia (Framework Amendment 4)*

In March 2016, the Council directed staff to develop an amendment with actions that could lengthen the recreational season for Atlantic cobia. In 2016, the recreational season closed on June 20 due to the landings in 2015 exceeding the recreational annual catch limit. Actions implemented include **changes to measures for the recreational bag limits, vessel limits, minimum size limit, accountability measures; and the commercial trip limit**. The final rule published on August 4, 2017 and became effective on September 5, 2017.

### *Modify Permit Restrictions (Framework Amendment 5)*

This amendment modified regulations to **remove restrictions on commercial king mackerel and Spanish mackerel permits prohibiting retention of the bag limit on recreational (non-commercial and non-charter/headboat) trips on federally permitted vessels when commercial harvest is closed in that zone.** King mackerel and Spanish mackerel were the only two species with that restriction on federally permitted vessels. Initially this framework amendment included an action that would apply in the Gulf only. After June 2016, the amendment became a joint framework amendment with actions applying to the Gulf, South Atlantic, and Mid-Atlantic regions. The final rule published on August 1, 2017 and became effective on August 31, 2017.

Under Development:

### *Atlantic Cobia Management (Amendment 31)*

In June 2017, the Atlantic States Marine Fisheries Commission (ASMFC) requested that the Councils consider transferring management of Atlantic cobia to the ASMFC, which would require that Atlantic cobia be removed from the federal fishery management plan. In June 2017, the South Atlantic Council directed staff to start work on an amendment with an option for **complementary management of Atlantic cobia, and an option to remove Atlantic cobia from the federal FMP.** At the March 2018 Council meeting, the Committee discussed enforcement of Atlantic cobia in federal waters under Preferred Alternative 2 (remove Atlantic cobia from the federal FMP), and the timing for Amendment 31 relative to the upcoming Stock ID Workshop for Atlantic cobia and the amount of time the State of South Carolina may need to get regulations approved in state waters given that have to go through the S.C. Legislature. The Council chose to wait until the June 2018 meeting to take final action requesting that staff revise the draft amendment to address NOAA General Counsel concerns and send a letter to ASMFC requesting information on how they intend to handle regulations in federal waters under the preferred alternative.

### *King Mackerel Trip Limits (Framework Amendment 6)*

The new regulations for king mackerel established in Amendment 26 became effective on May 11, 2017, including updated commercial trip limits for the Atlantic Southern zone. Stakeholders and the AP/Sub-Panel have recommended that the Council consider **revising the trip limits to allow for a higher trip limit north of the Volusia/Brevard county line, which would mirror trip limits prior to Amendment 26.** In September 2017, the Council reviewed a document with options for alternatives to be included in a framework amendment addressing Atlantic king mackerel commercial trip limits. In December 2018, the Council approved the amendment for scoping at their March 2018 meeting. The Council reviewed public input during the March 2018 meeting and directed staff to bring a draft of Framework Amendment 6 to the June 2018 meeting. The Council also selected Alternative 3 (Season 1: 75-fish in March, 3,500 lb. from April – September for Volusia County) as their preferred.

## **Spiny Lobster**

Under development:

### *Spiny lobster Annual Catch Limit and Recreational Traps (Regulatory Amendment 4)*

The Gulf and South Atlantic SSCs recommended that the spiny lobster overfishing limit and acceptable biological catch be calculated based on landings data from 1991 through the most recent data (2015/16). This amendment includes actions **to update fishing levels based on the SSCs' recommendation, in addition to an action to prohibit traps for recreational harvest of spiny**

**lobster in the South Atlantic EEZ.** Both Councils approved the amendment for formal review in June 2017. The proposed rule published on February 2, 2018, and the comment period closed March 4, 2018.

### *Update Procedure for Coordinated Management with Florida and Bully Net Regulations (Spiny Lobster Amendment 13)*

There is a procedure and protocol in place in the Spiny Lobster Joint FMP to allow NMFS to update federal regulations to align with Florida regulations without necessary action by the Councils. However, the **procedure and protocol need to be updated before the process can be used again to update federal regulations to align with regulations in Florida state waters.** Florida Fish and Wildlife Commission (FWC) recently updated regulations for commercial bully netting in state waters. The new bully net regulations are meant to help quantify participation in the fishery and aid law enforcement in identifying bully netters at night and preventing illegal use of commercial gear. FWC also identified several other inconsistencies between federal regulations for spiny lobster that apply to the exclusive economic zone off Florida and Florida state regulations. Both the Gulf and South Atlantic Councils have approved motions to for an amendment that would **address inconsistencies between State of Florida spiny lobster regulations and those in federal waters concerning commercial bully netting, dive and bully net bag limits, degradable panels, and the definition of artificial habitat.** Scoping webinars were held January 8<sup>th</sup> and 9<sup>th</sup>, 2018. The Gulf Council approved actions and alternatives to be analyzed in January 2018. South Atlantic Council reviewed public input and approved the actions and alternatives to be analyzed in September 2017. Both Councils will review a draft public hearing document at their June 2018 meetings.

## **Generic Amendments**

Recently submitted:

### *South Atlantic For-Hire Electronic Reporting Amendment*

The For-Hire Amendment includes Amendment 39 to the Fishery Management Plan for the Snapper Grouper Fishery, Amendment 9 to the Dolphin Wahoo FMP and Amendment 27 to the Coastal Migratory Pelagics Fishery Management Plan of the Gulf of Mexico and Atlantic Regions.

The amendment proposes mandatory weekly electronic reporting for charter vessel operators with a federal for-hire permit in the snapper grouper, dolphin wahoo, or coastal migratory pelagic fisheries; reduces the time allowed for headboat operators to complete their electronic reports; and proposes requiring location reporting by charter vessels with the same detail now required for headboat vessels. The amendment was submitted for formal review in March 2017. NMFS published a Notice of Availability on March 14, 2018. The agency is accepting public comment until May 13, 2018.

Under development:

### *Comprehensive Recreational Accountability Measures Amendment*

Over the past five years, the Council has requested information on possible approaches to improve recreational landings estimates, particularly for species that are infrequently intercepted in the recreational survey. However, the accuracy of such estimates has not improved enough to allow efficient tracking of recreational annual catch limits and has led to mounting frustration among fishery managers, stock assessment analysts, and recreational anglers. The Council is already working on methods to obtain additional data (e.g., Amendment 46, MyFishCount App) that could eventually be used to improve management of recreational fisheries in the region. A possible avenue to lessen the impact of uncertain recreational data on stakeholders is revision of accountability measures. At their March 2018 meeting, the Council directed staff to begin development of an amendment that would

**revise recreational accountability measures to allow more flexibility in managing recreational fisheries.**