



## Content and Status of Active Amendments

March 2020

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### Snapper Grouper

Recently implemented or submitted:

#### *Vision Blueprint Commercial Regulatory Amendment 27 - Council lead: Myra*

In June 2016, the Council directed staff to begin development of an amendment to address items identified in the Vision Blueprint addressing commercial management measures. In September 2016 the Council directed staff to prepare a scoping document and scoping meetings were held in late January/early February 2017. The Council reviewed public comments and gave direction to staff at their March 2017 and June 2017 meetings. Actions include commercial split seasons and/or trip limit adjustments for several species/complexes; re-evaluation of the shallow water grouper closure for red grouper off the Carolinas, and gear restrictions/modifications. 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 were held via webinar in May 2018. In June, the Council received public input, finished selecting preferred alternatives, and directed staff to prepare the amendment to approve for formal review at the September 2018 meeting. The Council approved the amendment for formal review at their October 2018 meeting and the amendment was submitted to NMFS on 1/24/19. The Proposed Rule published on October 17, 2019 with a comment period through November 18, 2019. The final rule published on January 27, 2020 and regulations became effective on February 26, 2020.

#### *Vision Blueprint Commercial Regulatory Amendment 26 - Council lead: Myra*

The Council initiated development of this amendment in June 2016 to address short-term recreational management measures identified in the Vision Blueprint. Actions in the amendment include modification to the composition and limits of the recreational aggregates, measures to reduce discards, establishment or modification of recreational seasons, and gear restrictions/modifications. The Council reviewed analyses and approved the amendment for public hearings at their March 2018

meeting. Public hearings were held via webinar in May 2018. In June 2018, the Council received public input and decided to narrow the focus of the amendment, removed several actions/sub-actions, and requested that additional public input be obtained in conjunction with scoping hearings for Regulatory Amendment 29 (Best Fishing Practices & Powerheads). Scoping hearings were held on August 7<sup>th</sup> and 8<sup>th</sup> 2018. The Council reviewed comments at their September/October 2018 meeting. The Council reviewed the analyses in December 2018, selected No Action on the first three actions pertaining to a deep-water aggregate, and approved the amendment for formal review. The amendment was submitted to NMFS in April 2019. The proposed rule published on October 25, 2019 with a comment period through November 25, 2019. The final rule published on February 27, 2020 and regulations will become effective on March 30, 2020.

*Amendment 42 (Sea Turtle Release Gear and Revisions to Snapper Grouper Framework)*  
Council Lead: Christina

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 SEFSC approved three additional turtle release gear types for use in handling and releasing incidentally caught sea turtles when fishing for reef fish. 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. Amendment 42 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. Scoping webinars were held on April 23<sup>rd</sup> and 24<sup>th</sup>, 2018. At their June 2018 meeting the Council reviewed scoping comments and approved actions and alternatives to be analyzed. A public hearing draft of Amendment 42 was reviewed at the December 2018 Council meeting. The amendment document was reformatted to expedite review once approved. Public hearings occurred as part of the March 2019 meeting and the Council chose to approve Amendment 42 for formal Secretarial review. The amendment was submitted to NMFS on April 24, 2019. The notice of availability published on June 13, 2019 with comments due August 2, 2019. The proposed rule published on September 17 with a comment period through October 17. The final rule for the amendment published on December 9. Regulations are effective on January 8, 2020.

*Regulatory Amendment 30 (Red Grouper Rebuilding)* Council Lead: John Hadley

The recent red grouper assessment (SEDAR 53) 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. The Council has moved to end overfishing through the revised ABC and ACL for red grouper that will be implemented via Abbreviated Framework Amendment 1 but has not yet revised the red grouper rebuilding plan. Hence, the Council will need to begin development of an amendment to revise the current rebuilding plan before the next red grouper assessment is completed (currently scheduled as a standard assessment in 2021) in order to meet the statutory deadline of September 17, 2019. 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 discussed options at their June 2018 meeting and directed staff to consolidate actions addressing red grouper into Regulatory Amendment 30. Hence, actions to modify the seasonal closure of red grouper in the EEZ off the Carolinas were moved over from the Visioning Amendments (Regulatory Amendments 26 & 27). In addition, the Council added an action to consider a trip limit for red grouper. Public

hearings for this amendment were held during the September 2018 meeting. At this meeting, the Council approved the purpose and need statements, selected or reconfirmed preferred alternatives, added a sub-alternative to extend the spawning season closure for red grouper off of the Carolinas through June, and voted to progress the amendment for final approval at the December 2018 meeting. Due to delays in the availability of 2017 commercial landings data, analyses were not completed in time for the December 2018 meeting. Further, the SSC was scheduled to provide additional guidance on red grouper fishing levels based on the updated assessment that incorporates revised recreational landings estimates (MRIP revisions). The SSC met via webinar and identified potentially problematic aspects of the revised MRIP data that went into the new stock assessments. This webinar did not occur in time for the March 2019 meeting and thus the amendment could not be prepared for formal review. The amendment was scheduled for final review in June 2019 and used the projections from SEDAR 53 to revise the rebuilding schedule for red grouper. The Council approved the amendment for Secretarial review at the June 2019 meeting. The amendment was submitted for formal review on September 10, 2019. The proposed rule published October 29, 2019 with comments due by November 29, 2019. The final rule published on February 6, 2020 and regulations became effective on March 9, 2020.

*Regulatory Amendment 29 (Best Fishing Practices and Powerhead Regulations) Council Lead: Christina*

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 reviewed an options paper at their June 2018 meeting and approved the amendment for scoping with actions addressing venting and descending devices, circle hooks, allowable rigs, and powerheads. Scoping hearings were held on August 7<sup>th</sup> and 8<sup>th</sup> 2018. The Council reviewed scoping comments at their September 2018 meeting. Actions and alternatives addressing venting and descending devices, circle hooks, and powerheads were approved for analysis. The action pertaining to allowable rigs was removed. The Council reviewed a draft public hearing document at their March 2019 meeting. Preferred alternatives were selected that would require a descending device be on board vessels fishing for or possessing snapper grouper species, require vessels fishing for or possessing snapper grouper species to use non-offset circles, and would allow the use of powerheads to harvest snapper grouper species in federal waters off South Carolina. The Council also requested input from the Snapper Grouper Advisory Panel and the Law Enforcement Advisory Panel on the definition of descending devices used in the document. The Council also request that staff work with NMFS to put together a research and monitoring plan for descending device usage and work with the SSC to determine how best fishing practices requirements may be considered in future stock assessments. Lastly, the Council approved Regulatory Amendment 29 for public hearings which will occurred via webinar on April 30<sup>th</sup> and May 1<sup>st</sup>, 2019. At the June 2019 meeting the Council reviewed public comments and input from the Snapper Grouper AP, Law Enforcement AP, and the SSC. The Council modified the definition of descending device based on AP comment and directed staff to bring a finalized document to the September 2019 meeting, including discussion of different types of commercially available and homemade descending devices. The Council further revised the definition of a descending device and approved this amendment for formal review at the September 2019 meeting. The amendment was submitted to NMFS on January 13, 2020.

*Regulatory Amendment 33 (Red Snapper Seasons Modifications) Council Lead: Myra*

During the March 2019 meeting, the Council discussed modifying the days of the week that are open to red snapper recreational harvest starting in 2020, should harvest be allowed, to maximize fishing

opportunity in the event of bad weather. The Committee was concerned that limiting the recreational season to consecutive “weekends” during the summer months could increase the chances of losing an entire weekend to fishing opportunities for red snapper because of poor weather conditions. The Committee also expressed interest in having periodic review of how limited openings are working and providing the public an opportunity to provide feedback on the seasons. Additionally, the Council intends to explore changing the start dates for the commercial and recreational seasons to minimize fishing mortality when red snapper are spawning, and removing the minimum number of days requirement to allow harvest. The Council reviewed an option paper at the June 2019 meeting and approved the amendment for public hearings to be held in August 2019. The Council reviewed public comment in September 2019, removed two actions (modifying the start and the days of the week for the recreational sector), and selected preferred alternatives for the remaining two actions. In December 2019, the Council made modifications to the Purpose and Need and selected the no action alternative to change the start date for the commercial red snapper season. The Council approved the amendment for formal review. At the March 2020 meeting, SERO informed the Council that the 2020 red snapper recreational season would be three days IF Regulatory Amendment 33 were to be implemented before July 2020.

### *Abbreviated Framework 3 (blueline tilefish) - Council lead: Roger*

At the March 2015 meeting, the Council approved a request for emergency actions to extend regulations in Snapper Grouper Amendment 32, once the amendment was approved, to the area that the SSC considers is represented by the stock assessment (SEDAR 32). At the SSC’s April 2015 meeting, the SSC determined that SEDAR 32 applied to the entire eastern seaboard and was the best scientific information available. In September 2015, the Snapper Grouper Committee reviewed an Options Paper for a possible amendment, Amendment 38, to extend the snapper grouper fishery management unit north of the NC/VA border and adjust fishing levels for blueline tilefish to account for landings in the area north of the Council’s jurisdiction. The Council had considered extending the FMU previously (during development of Amendment 18) but did not take action at the time. In September 2015 the Council opted to not move forward with development of Amendment 38 pending the completion of studies on the stock structure of blueline tilefish and to allow time for the MAFMC to develop a management strategy for blueline tilefish in their jurisdiction. Instead, actions to adjust fishing levels for blueline tilefish (based on the SSC’s recommendations) and revise management measures were moved to Regulatory Amendment 25. SEDAR 50 was conducted in 2017 as a joint assessment between the South Atlantic Fishery Management Council (SEDAR Lead) with the Mid-Atlantic Fishery Management Council addressing the stock assessment(s) for Atlantic blueline tilefish. The SSC reviewed results of SEDAR 50 at their October 2017 meeting and provided catch level recommendations for blueline tilefish for the area south of Cape Hatteras, NC. SEFSC staff presented the Committee on the assessment results at the December 2017 meeting. As ABC recommendations that match the jurisdictional boundaries of the Mid- and South Atlantic Councils (boundary at the NC/VA state line) were needed to develop fishing levels and management measures, the SSC formed a workgroup whose task was to determine a suitable approach to obtaining an ABC that would be useable under the existing management structure. The MAFMC SSC reviewed results of the workgroup at their March 2018 meeting and the SAFMC SSC reviewed the results during their May 2018 meeting and provide guidance to the Council. In June 2018, the Committee reviewed SSC recommendations on setting an ABC for blueline tilefish and development of this amendment was delayed by other priorities. The SSC was going to review blueline tilefish at the January 25th webinar which was rescheduled and took place February 25. Based on the review the SSC decided not to use the revision assessment to update the ABC recommendation they made after SEDAR 50.

At their April 2019 meeting, the SSC reaffirmed their previous ABC recommendations from SEDAR 50 and the blueline tilefish ABC Workgroup. Therefore, the SSC recommended that progress could commence on Amendment 38 at the June 2019 Council meeting to consider options to implement a new ABC for blueline tilefish in the South Atlantic. The revised ABC and ACL would be based on recommendations for the southern area developed as part of SEDAR 50 in combination with the approved Workgroup recommendations for the area north of Cape Hatteras, North Carolina.

At the June Committee meeting, Council staff presented background on catch level recommendations for blueline tilefish and options to implement these catch levels. Recommendations are based on results of the SEDAR 50 assessment and the acceptable biological catch (ABC) for the area between Cape Hatteras and the North Carolina/Virginia border.

Council approved a motion to begin development of an abbreviated framework Amendment 3 to Establish a New South Atlantic Blueline Tilefish ACL. The Committee/Council approved a motion to revise the ACL and recreational ACT for Blueline Tilefish to reflect the actions in the decision document and maintain as an Abbreviated Framework and return to the December Council meeting. The IPT/Staff will conduct analyses to be completed for December Council meeting. The Committee/Council reviewed Abbreviated Framework Amendment 3 and public comment provided during the meeting and approved it for formal review at the December 2019 meeting.

### *Under Development:*

#### *Regulatory Amendment 31 (Recreational AMs) Council Lead: Brian*

In recent 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 (ACLs) 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. The Council reviewed some preliminary actions/alternatives and decided that this Recreational AM would apply only to the snapper grouper and dolphin wahoo FMPs. The Council continued work on this amendment at the December 2018 meeting. Scoping sessions occurred in January 2018. The Council reviewed scoping comments and continue development of the amendment at the March 2019 meeting. At the June 2019 Council meeting, the Council decided to move the dolphin and wahoo actions to Dolphin Wahoo Amendment 10. The Council reviewed draft actions/alternatives at the December 2019 meeting and approved modifications to the Purpose and Need. The Council intends to pause future work on Regulatory Amendment 31 until December 2020 when more will be known about how MRIP revisions will affect ACL and allocation revisions.

#### *Regulatory Amendment 34 (SMZs in North and South Carolina) Council Lead: Myra*

The process to designate SMZs around artificial reefs was established in the Snapper Grouper FMP in 1983 with the main intent being to *create incentive to create artificial reefs and fish attraction devices that will increase biological production and/or create fishing opportunities that would not otherwise exist.*

In March 2019, the North Carolina Division of Marine Fisheries and the South Carolina Marine Resources Division submitted requests to the Council to designate artificial reefs located in the EEZ off

those states as Special Management Zones. The NCDMF requested designation of 30 artificial reef sites in the EEZ off North Carolina. Fishing gear other than handline, rod and reel, and spear would be prohibited within the proposed SMZs. Further, harvest of snapper grouper species with spearfishing gear would be limited to the recreational bag limit for those species.

In South Carolina, 29 artificial reef sites in the EEZ have already been designated as SMZs. Four additional artificial reef sites have been established in recent years and the SCMRD has requested the sites be designated as SMZs with the same restrictions on fishing gear as other SMZs, namely limiting angling activities to handheld hook and line gear and spearfishing gear (excluding powerheads). In addition, the use of fish traps, longlines, gill nets, and trawls would be prohibited, and harvest of snapper grouper species would be limited to the applicable recreational bag limits.

In June 2019 the Council directed staff to begin development of an amendment, with the intent to hold public hearings in the fall and consider the amendment for final approval in December 2019. At the September 2019 meeting, the Council revised the timeline for developing this amendment. Public scoping was held during fall 2019 and the Council reviewed public input and provided guidance to staff at the March 2020 meeting. The Council approved the amendment for public hearings to be held before the June 2020 meeting.

*Amendment 45 (ABC Control Rule Revisions for Snapper Grouper) Council Lead: ???*

See Generic Amendments below

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## **Dolphin Wahoo**

Under development:

*Dolphin Wahoo Amendment 10 (dolphin and wahoo management measures) Council lead: John Hadley*

In March 2016, the Council directed staff to begin development of a joint dolphin wahoo and snapper grouper amendment to examine different ways to allocate or share quota between the commercial and recreational sectors for dolphin and yellowtail snapper. In June 2016, the Council approved the amendment for scoping hearings, which were held in August 2016. Options included a common pool allocation, a reserve category, temporary or permanent shifts in allocation, combined annual catch limits, and creating gear allocations in the commercial dolphin fishery. In December 2016, the Council considered approving the amendment, which was being developed jointly with Snapper Grouper Amendment 44 (see Snapper Grouper section above), for public hearings in early 2017. Instead, the Council directed staff to continue to develop Dolphin Wahoo Amendment 10 but separately from SG Am 44 and include an action to revise the ABC Control Rule to include a carry-over provision from one fishing year to the next. The Council also directed staff to develop actions that would eliminate the operator card requirement in the Dolphin Wahoo FMP, revised optimum yield, and allow properly permitted vessels with gear onboard that are not authorized for use in the dolphin wahoo fishery to possess dolphin or wahoo. Consequently, the DW FMP actions were not approved for public hearings. In March 2017, the Council decided to stop work on the amendment until the revised MRIP data are available. At the December 2018 meeting, the Council directed staff to start work again on the amendment with the inclusion of additional items to allow bag limit sales of dolphin for dually permitted for-hire and commercial permit holders, modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with HMS requirements, reduce the recreational vessel limit for dolphin, revised the ACLs to accommodate new MRIP data, and revise sector allocations. At

the June 2019 meeting, the Council removed the action that would allow bag limit sales of dolphin, moved actions from the Recreational Accountability Modifications Amendment (Dolphin Wahoo Regulatory Amendment 2) to Amendment 10, and added an action that would allow filleting of dolphin at sea onboard for-hire vessels in the waters north of the Virginia/North Carolina state border. The Council reviewed Amendment 10 at the December 2019 meeting and voted to postpone discussion on the amendment until the June 2020 meeting.

### *Dolphin Wahoo Amendment 11 (ABC Control Rule Revisions for Dolphin Wahoo)*

Council Lead: John Carmichael

See Generic Amendments below

### *Dolphin Wahoo Amendment 12 (bullet and frigate mackerel as ecosystem component species)* Council lead: John Hadley

At the March 2019 meeting, the Council discussed a white paper on mechanisms and regulatory parameters for adding ecosystem component (EC) species to a FMP, ways that other Councils have addressed EC species in FMPs, as well as background information on fisheries for bullet mackerel and frigate mackerel. The Council voted to send the topic of adding bullet and frigate mackerel to the Dolphin Wahoo FMP as EC species out for scoping in the spring of 2019. At the June 2019 meeting, the Council reviewed the scoping comments received and directed staff to start work on Amendment 12 that would add bullet and frigate mackerel to the Dolphin Wahoo FMP as EC species. The Council reviewed an options paper for this amendment at the September 2019 meeting and requested guidance from NMFS on parameters regarding the Council's ability to add EC species to an FMP and implement regulatory measures. The guidance is expected at the March 2020 meeting. The Council reviewed Amendment 12 at the December 2019 meeting, approved changes to the purpose and need statements. At the March 2020 meeting, the Council received the above noted guidance from NMFS and decided to move forward with a single action that would add the two mackerel species to the Dolphin Wahoo FMP as EC species. The Council will review Amendment 12 at their June 2020 meeting and will potentially vote on final approval of the amendment at their September 2020 meeting.

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## **Golden Crab**

### *Golden Crab 10 (Golden Crab VMS)* Council Lead: Chip

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. The Council approved the amendment for scoping. The Council recommended actions related under Golden Crab Amendment 10 be considered under an exempted fishing permit to better describe the areas fishermen are requesting be opened and potentially explore methods to monitor the fishery. The Council stopped working on this amendment in September 2019.

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## **Coral**

### *Coral 10 (CHAPC Modifications)* Council Lead: Roger

In September 2019, the Council directed staff to remove actions related to coral habitat areas of particular concern (CHAPCs) from the joint amendment with Golden Crab Amendment 10 and Shrimp Amendment 11. This will include one action to explore expanding CHAPCs based on recent mapping and remotely operated vehicle dives which found several new coral mounds and one action to revise the eastern boundary of the Oculina Bank CHAPC, which was expanded in Coral Amendment 8. The Council requested this item be put on the June 2020 agenda.

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## **Shrimp**

### *Shrimp 11 (Shrimp Trawler Transit Provision)* Council Lead: Chip

In September 2019, the Council directed staff to separate Shrimp Amendment 10 from the joint amendment with Coral Amendment 10 and Golden Crab Amendment 10. Shrimp Amendment 10 includes one action which will address cold-weather transit provisions for shrimp trawlers. Shrimp Amendment 10 was scoped in November and public hearings were held in February. The Council approved new transit provisions for cold-weather closed areas (Option 2) that include non-stop progression and gear stowage to mean doors in the rack (cradle), nets in the rigging and tied down, and try net on the deck. The Council approved the amendment for review by the Secretary.

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## **Mackerel Cobia**

Recently implemented or submitted:

### *Framework Amendment 8 (King mackerel trip limits, Season 2)* Council Lead: Christina.

At the March 2019 meeting the Council reviewed Mackerel Cobia Advisory Panel concerns regarding low commercial trip limits in the Atlantic southern zone during season two (October to the end of February). During the winter months, fishermen are only able to fish a small number of days due to the weather. Additionally, due to changes in the fishery, more fish are on the market during this time of the year, resulting in lower prices. When the weather is decent, AP members felt it would be helpful if fishermen had access to a higher trip limit to make trips worthwhile. The Council directed staff to begin work on a framework amendment to address season two trip limits for Atlantic king mackerel. At the June 2019 meeting the Council approved actions and alternatives to be included in Framework Amendment 8. The Council also requested emergency action to raise the season two trip limit south of the Flagler/Volusia County line from 50-fish to 75-fish for the 2019/2020 season. This amendment is intended to make a permanent change to the season two trip limit. At the September 2019 meeting the Council reviewed the analysis and added an additional alternative which they subsequently selected as their preferred (100-fish during season 2 with no step up in February). The amendment was approved for public hearings which occurred on October 29<sup>th</sup> and 30<sup>th</sup>. At the December 2019 meeting the Council reviewed public comment, updated analysis and approved the amendment for formal review. The amendment was submitted to NMFS on February 19, 2020. A proposed rule is currently under development.



Postponed:

*Joint Amendment 24 (Atlantic Spanish mackerel allocations)* Council Lead: Christina

Amendment 24 considered ways to increase opportunity for the total annual catch limit (ACL) to be reached for Atlantic Spanish mackerel and Gulf king mackerel. The Spanish mackerel commercial sector was exceeding the commercial ACL while the recreational sector was landing increasingly lower proportions of the recreational ACL. South Atlantic scoping meetings were held in January 2014. The Gulf Council reviewed the scoping comments and options in February 2014 and decided to postpone further work on the amendment until after SEDAR 38 was finalized. In June 2014, staff presented an options paper on permanent re-allocation, an in-season, ACL shift, pre-season ACL shift, and a common pool allocation for Atlantic Spanish mackerel. In December 2014, the South Atlantic Council postponed further work on this amendment in favor of other priorities with the intent to resume work in 2016.

*Framework Amendment 9 (Commercial Spanish mackerel AMs)* Council Lead: Christina.

During the June 2019 meeting the Council reviewed concerns from the Mackerel Cobia Advisory Panel and directed staff to prepare a white paper with a thorough analysis of effort in the commercial Spanish mackerel fishery. The white paper also included discussion of possible avenues to control effort, including: a limited access commercial permit, a limited access gillnet endorsement in the southern zone, and collaboration with state agencies. Staff presented the results contained in the white paper during the September 2019 meeting. After reviewing the white paper, the Council directed staff to begin an amendment to address commercial Atlantic Spanish mackerel accountability measures and trip limits for the Northern Zone. The Council reviewed a draft public hearing document at the December 2019 that contained three actions (in-season AMs, post-season AMs, and trip limits). Robert Beal, Executive Director of the Atlantic States Marine Fisheries Commission (ASMFC), clarified that the ASMFC Interstate Fisheries Management Plan for Spanish Mackerel does not require states to close their waters to commercial harvest of Spanish mackerel when a federal closure occurs. Based on the information provided by ASMFC, the Committee determined that it was no longer necessary to immediately address Spanish mackerel accountability measures, but that a trip limit reduction in the Northern Zone would help to extend the commercial Spanish mackerel season in federal waters. The Council approved the inclusion of an action to reduce the commercial Spanish mackerel trip limit in the Northern Zone. The amendment was approved for public hearings which occurred in January 2020. At the March 2020 meeting staff noted that the analysis predicts the range of alternatives would only extend the commercial Spanish mackerel season in the Northern Zone by two to five days. In addition, North Carolina Division of Marine Fisheries (NC DMF) staff stated they intend to issue proclamations with new regulations for the commercial small mesh gill net fishery, including yardage limits and attendance requirements. Based on this information, the Council chose to discontinue work on this amendment until results from the upcoming stock assessment are available. The Spanish mackerel operational stock assessment is currently in the planning stage and is tentatively scheduled to begin in 2021.

Under Development:

None.

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## Spiny Lobster

Recently implemented or submitted:

None.

Under development:

*Spiny Lobster Regulatory Amendment 5 (commercial trip limit for vessels with an SG1 and LT permit off NC, SC, and GA) Council lead: Christina.*

At the March 2019 meeting the Council passed a motion requesting options for vessels with a snapper grouper unlimited permit (SG1) and a spiny lobster tailing permit (LT) to be able to retain commercial quantities of spiny lobster (excluding federal waters off Florida). At the June 2019 meeting Council staff presented an options paper with information on current spiny lobster trip limits, permitting, and gear restrictions relevant to both spiny lobster and snapper grouper. The Council clarified that the intent of the amendment is to allow for an increased vessel limit for the diving component of the spiny lobster fishery only. Additionally, the vessel limit would only apply to federal waters off North Carolina, South Carolina, and Georgia. Currently, the daily possession limit is two spiny lobster per person. An increased vessel limit would allow dive fishermen with an SG1 and LT permit on their vessel to supplement their snapper grouper trips with a commercial amount of spiny lobster. The Council will review draft a draft action and alternatives at a future meeting.

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## Generics

*Comprehensive ABC Control Rule Amendment Council Lead: ??*

In December 2016, the Council directed staff to start work on a plan amendment that would modify the ABC Control Rule to address flexibility allowed under the MSA and revise how uncertainty and risk tolerance are addressed in setting ABCs. The Amendment includes actions to: 1) revise how the SSC evaluates assessment uncertainty; 2) revise how the risk tolerance is specified; and 3) allow phase-in and carry-over of ABCs. An IPT was formed to develop actions and alternatives, and the SSC and Council have regularly reviewed progress and provided guidance during 2017 and 2018. Scoping was held in January 2019 and comments reviewed in March 2019.

*Bycatch Reporting Amendment (formerly CE-BA 3) Council lead: Chip*

The action in the Bycatch Reporting Amendment considers improvements in bycatch/discard data collection methods to better quantify all sources of fishing mortality in South Atlantic fisheries. Alternatives consider expanding aspects of the Atlantic Coastal Cooperative Statistics Program's Release, Discard and Protected Species Module to coastal migratory pelagic (SA Council area only) and dolphin and wahoo fisheries; and also implementing a commercial observer program at 2-5% coverage levels for snapper grouper, coastal migratory pelagic (SA Council area only), dolphin and wahoo, and golden crab vessels.

Based on discussions at the September 2014 Council meeting, the SEFSC/SERO agreed to draft a comprehensive bycatch reporting system for the southeast. The SEFSC and SERO will provide an update on their efforts at each Council meeting. The Council's intent is that the bycatch reporting system would be specified and implemented through this amendment.

The Council reviewed the measures in CE-BA 3 in September 2015. The Council received a briefing from NMFS at the March 2016 meeting. The Council has postponed development.

### *South Atlantic For-Hire Electronic Reporting Amendment Council lead: ??*

During the March 2015 meeting, the South Atlantic Council approved actions and alternatives to require weekly electronic reporting by charter vessels, patterned after headboat electronic reporting requirements. The South Atlantic and Gulf of Mexico Councils reviewed the amendment at the Joint Council meeting in Key West in June 2015. In September 2015, the South Atlantic Council directed staff and the IPT to revise the amendment to apply to charter vessels in South Atlantic fisheries only. In December 2015, the Council approved the amendment for public hearings, which were held in January/February 2016. At the March 2016 meeting, the Council revised the expected timeline for the amendment, to allow time to develop core data elements. The Council reviewed the revised amendment in June 2016, developed a list of core variables and scheduled final approval for December 2016 to allow consideration of preliminary feedback from the SAFMC-ACCSP electronic reporting pilot study. In December 2016, the Council approved the amendment for formal review. The Gulf Council approved the CMP portion of the amendment at their January/February 2017 meeting. The amendment was transmitted for formal review on March 4, 2017.

In May 2017, SERO convened a group, called the Southeast For Hire Integrated Electronic Reporting team (SEFHIER), to develop guidance for the regulations necessary to implement this amendment as well as a similar reporting amendment submitted by the Gulf Council. The group met regularly through early 2018 to address topics such as reporting approaches and standards, data management, compliance and enforcement, and outreach and training.

The Notice of Availability and request for comment on proposed rules to implement this amendment published on March 14, 2018, with a comment period through May 13, 2018. The proposed rule published on April 4, 2018, with a comment period through May 4, 2018. The Council was notified on June 12, 2018, that the amendment was approved by NMFS.

### *Joint Commercial Logbook Amendment Council lead: ??*

Currently, logbook reports from commercial fishermen targeting snapper grouper, coastal migratory pelagic, and dolphin/wahoo must be submitted to the Science and Research Director postmarked no later than 7 days after the end of each fishing trip. Logbook reporting forms for golden crab must be submitted to the Science and Research Director postmarked no later than 30 days after sale of the golden crab offloaded from a trip. The amendment also considers requiring that the components of the commercial logbooks (landings, economic, and bycatch) be submitted within 21 days after the end of each trip. This would increase the timeline for snapper grouper, coastal migratory pelagic, and dolphin/wahoo fishermen to complete logbooks, and decrease the timeline for golden crab fishermen. Commercial electronic logbooks, as proposed in this amendment, would not be used to monitor annual catch limits; however, they could serve as a means to verify dealer reports and comply with the Atlantic Coastal Cooperative Statistics Program standards that require two sources for verification of quota-monitored species. It is the Council's intent that NMFS use the commercial logbook landings, with the new timing and compliance requirements specified in this amendment, to compare with commercial trip ticket landings to help ensure the commercial ACLs are not exceeded.

At their June 2013 meeting, the Council approved scheduling a NMFS SEFSC presentation on the details of the commercial electronic logbook pilot study at the September 2013 meeting. The Council receives updates at each Council meeting. SA Council staff will work with Gulf staff and NMFS staff to allow fishermen to voluntarily provide their data electronically and to plan for completion of the amendment incorporating results from year 1 of the pilot study. As of April 2016, voluntary reports may be provided through the ACCSP SAFIS system and available to the SEFSC.

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