



Content and Status of Active Amendments

January 15, 2014

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Snapper Grouper

Snapper Grouper Regulatory Amendment 14 (management measures for snapper grouper species)

Regulatory Amendment 14 proposes actions to: (1) modify the commercial and recreational fishing years for greater amberjack, (2) modify the recreational fishing year for black sea bass; (3) modify the recreational accountability measure for black sea bass; (4) modify the commercial fishing year for black sea bass; (5) change the commercial fishing seasons for vermilion snapper; (6) modify the trip limit for gag; and (7) modify the recreational accountability measure for vermilion snapper.

Public hearings were held in August 2013 and the Council approved this amendment for submission to the Secretary of Commerce at their September 2013 meeting.

Snapper Grouper Regulatory Amendment 16

The amendment includes one action to address the prohibition on the use of black sea bass pots that was implemented through Regulatory Amendment 19 and became effective on October 23, 2013. The action includes alternatives to remove the closure, shorten the timeframe, confine spatially to apply only within designated critical right whale habitat, and confine it spatially based on a depth contour. The Council reviewed the document at the December 2013 meeting and approved it for scoping. Scoping meetings were held in January 2014.

Snapper Grouper Regulatory Amendment 17 (MPAs for speckled hind and warsaw grouper)

This amendment would consider alternatives for Marine Protected Areas (MPAs) that would help diminish bycatch of speckled hind and warsaw grouper. The Council initially convened a group of experts and held an MPA Expert Workgroup meeting in Pooler, GA in May 2012. The Workgroup comprised scientists with expertise in deepwater groupers and/or MPAs and commercial and recreational fishermen with extensive experience in the South Atlantic. The Workgroup produced a report that was presented to the Council in June 2012 and contained recommendations for both re-orientation of existing deepwater MPAs as well as options for new MPAs. The Council stated their intent to initially only consider re-orientation of some of the existing deepwater MPAs, however, they approved a motion at the December 2012 meeting to consider other areas. The MPA Expert Workgroup was convened again in February 4-6, 2013 in Charleston to provide further advice to the Council.

At the September 2013 meeting the Council revised the Purpose and Need for the amendment and reviewed the amendment at the December 2013. The Council received presentations on outreach efforts, law enforcement, and research and monitoring for the existing MPAs (established in 2009 through Amendment 14) and the proposed sites. The Council approved a motion to take all the MPA alternatives to scoping in August 2014 and have the Snapper Grouper AP receive the same presentations the Council received at their December 2013 meeting when the AP meets in April 2014. The AP is to provide their recommendations to the Council at the June 2014 meeting.

Snapper Grouper Regulatory Amendment 20 (snowy grouper and mutton snapper)

A standard assessment for snowy grouper was completed in 2013 (SEDAR 36) and the SSC was scheduled to review it at their October 2013 meeting. Due to delays caused by the government shutdown, however, SEFSC analysts who conducted the assessment were unable to present the assessment to the SSC. The SSC felt that a detailed presentation and discussion were necessary considering this was a 'standard assessment' with no CIE or other peer review prior to the SSC meeting (as was the case with blueline tilefish). Therefore, the SSC postponed review until the April 2014 SSC meeting.

The assessment for mutton snapper is being conducted by the Florida Marine Research Institute and was scheduled for SSC review at the October 2013 meeting. However, issues with recreational data for this species have caused a delay, and the SSC will not be reviewing the assessment until their April 2014 meeting.

Given these delays, the Council will be receiving the SSC review of these two assessments at the June 2014 meeting and could use the new framework procedure, assuming it is approved. Alternatively, the Council could approve a regulatory amendment for public hearings to be held in August 2014.

Snapper Grouper Amendment 22 (recreational tag program)

Amendment 22 is being developed to closely control annual harvest levels of snapper grouper species with exceptionally low recreational annual catch limits (ACLs). In order to accomplish this, the Council requested that an amendment be developed to create a recreational tag program for these species. Recreational fishery participants would be issued tags through a pre-determined process. Tags issued to individuals or entities would allow the tag holder to harvest a set number of fish from federal waters in the South Atlantic Region. A Notice of Intent (NOI) to prepare a Draft EIS for Amendment 22 was published on January 3, 2011. The NOI listed several options the Council could consider when

addressing long-term management for red snapper, including trip limits, bag limits, a catch share program, temporal and spatial closures including those to protect spawning stocks, a tag program, and gear prohibitions. Subsequent to the publication of the 2011 NOI, the amendment has been modified twice; once to apply a recreational harvest tag program to deep water snapper grouper species in addition to red snapper, and again to remove all species-specific options and create a harvest tag program that could be applied to any snapper grouper species with a very small recreational ACL. Based on these modifications, a supplemental NOI was published in the Federal Register to provide notice to the public of the broadened scope of Amendment 22.

The Council reviewed a revised Options Paper at their December 2013 meeting but suspended further development of the amendment pending NOAA CG's input on several issues, including whether a recreational harvest tag program would be considered a LAPP and thus be subject to specific requirements. NOAA CG is scheduled to provide feedback to the Council in March 2014.

Snapper Grouper Amendment 27 (Nassau grouper, blue runner, framework)

This amendment assumes management of Nassau grouper in the Gulf of Mexico; modifies the crew size restriction for dual-permitted vessels (those with a Snapper Grouper Unlimited or 225-Pound Permit and a Charter/Headboat Permit for Snapper Grouper); considers modifications to the bag limit retention restriction for captain and crew of for-hire vessels; proposes changes to the existing snapper grouper framework procedure to allow for more timely adjustments to ACLs; and modifies management measures for blue runner. The Council approved this amendment for submission to the Secretary of Commerce at their March 2013 meeting and the document was submitted on May 23, 2013.

A proposed rule for this amendment published in the *Federal Register* on September 27. The comment period on the Proposed Rule ended on October 28. The Secretary approved Amendment 27 on December 16, 2013. Regulations became effective on January 27, 2014.

Snapper Grouper Amendment 29 (ORCS and ABC Control Rule)

At the June 2013 Council meeting, the SSC presented to the Council their recommended changes to the ABC Control Rule. In addition, the SSC provided ABC recommendations for "Only Reliable Catch Stocks". To implement these recommendations, the Council requested development of Amendment 29. A Decision Document/Options Paper was presented to the Council at their September 2013 meeting. At that time, the Council also added actions to implement management measures for gray triggerfish.

The Council reviewed a draft of the amendment at their December 2013 meeting and approved it for public hearings. Public hearings were held in January 2014.

Snapper Grouper Amendment 32 (blueline tilefish)

The stock assessment for blueline tilefish (SEDAR 32) was reviewed by the SSC in October 2013 and found to be suitable for management. The assessment indicated the stock is overfished and undergoing overfishing. However, the SSC recommended an alternate definition of MSST that, if adopted, would indicate the stock is in fact not overfished and a rebuilding plan would not be necessary. A scoping document was developed and a scoping webinar was held on November 7, 2013. Comments were requested on the scoping document by 5 p.m. on November 20, 2013. At the December 2013 Council meeting, staff reviewed the actions and alternatives in the scoping document and provided a

summary of the comments received. In addition, staff reviewed the projection results but indicated they had not been vetted through the SSC.

The Council is required to take action to end overfishing and/or establish a rebuilding plan within two years of being notified that a stock is undergoing overfishing and/or is overfished. The Council received the notification on the status of the blueline tilefish stock on December 6, 2013.

At the December 2013 meeting the Council requested that NMFS take emergency action to set the blueline tilefish ACL at 224,100 pounds whole weight, the yield at $75\%F_{MSY}$. The current ABC/ACL for the blueline tilefish stock (631,341 lbs ww) is nearly three times the estimate of equilibrium MSY from the SEDAR 32 assessment (226,500 lbs ww). Stock projections showed that continued removal of this amount of fish over the next 2 years, while the Council develops management measures to end overfishing by December 6, 2015, would likely reduce the stock to very low levels. This will result in extremely low allowable harvest levels in 2016 and beyond.

The Council expects the emergency rule to be in place for 2014, while Amendment 32 is developed and the SSC reviews the stock assessment projections. The amendment would be presented to the Council at their June 2014 meeting and, if approved, public hearings would be held in August 2014.

Snapper Grouper Regulatory Amendment 21 (MSST definition for species with low M)

While discussing the blueline tilefish stock assessment, the SSC noted that the current definition of MSST ($1-M*SSB_{MSY}$ or $0.5*SSB_{MSY}$, whichever is greater) would not be appropriate for this stock as its natural mortality (M) estimate is 0.1. The SSC recommended that for blueline tilefish, and other species with low natural mortalities, the MSST be set at $75\%SSB_{MSY}$ to avoid a stock's status shifting between "overfished" and "not overfished" simply because of natural annual variation in recruitment, etc.

At the December 2013 meeting, the Council requested that Regulatory Amendment 21 be developed to consider changing the MSST definition to $75\%SSB_{MSY}$ for snapper grouper species with low natural mortalities. The Council intends to approve the amendment for formal review at the March 2014 meeting and hold a public hearing during the meeting week.

Snapper Grouper Amendment 33 (transport of snapper grouper fillets from The Bahamas)

At the December 2013 meeting the Council directed staff to develop and action that consider options related to modifying how fishermen may bring snapper grouper fillets back from The Bahamas into the U.S. EEZ. Currently, fishermen are allowed to bring back up to 60 lbs of snapper grouper fillets. However, there is no way to identify what species those fillets came from. In conjunction with Dolphin Wahoo Amendment 7, the Council will consider an action that requires the skin be left on snapper grouper fillets brought into the U.S. EEZ.

Snapper Grouper Amendment 34 (accountability measures for snapper grouper species)

The Generic Accountability Measures and Dolphin Allocation Amendment considers changes in accountability measures for snapper grouper species to determine when ACL overages need to be paid back and to bring consistency to accountability measures. Scoping is being done via webinar on February 3rd.

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Dolphin Wahoo

Dolphin Wahoo Amendment 5 (ABCs/ACLs/ACTs/AMs, trip limits)

This amendment revises the ACLs for dolphin and wahoo based on updated information; considers changes in AMs to determine when ACL overages need to be paid back; updates the framework procedure; and considers a commercial trip limit for dolphin north and south of 31° N. Latitude. The Council decided not to recommend commercial trip limits for dolphin in this amendment. The Council approved the amendment to be sent to the U.S. Secretary of Commerce in September 2013.

Dolphin Wahoo Amendment 7 (bringing dolphin and wahoo fillets from the Bahamas into the US EEZ)

This amendment considers allowing recreational fishermen to bring dolphin and wahoo fillets from the Bahamas into the US EEZ as is currently allowed with snapper grouper species. The Council directed this amendment be developed at the September 2013 meeting. Public hearings will be held online in and at the December 2013 Council meeting. The Council revised what they wanted in Dolphin Wahoo Amendment 7 at the December 2013 Council meeting. Now to be included for consideration are leaving skin on the fillets, hail in/VMS, as well as determining how many Bahamian fillets may be aboard the vessel in the U.S. EEZ.

Dolphin Wahoo Amendment 8 (sector allocations for dolphin)

The Generic Accountability Measure and Dolphin Allocation Amendment considers changes in how dolphin is allocated between commercial and recreational sectors. Scoping is being done via webinar on February 3rd.

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Golden Crab

Golden Crab Amendment 9 (ABCs/ACLs/ACTs/AMs, trip limits)

The Generic Accountability Measures and Dolphin Allocation Amendment considers changes in accountability measures for golden crab to determine when ACL overages need to be paid back and to bring consistency to accountability measures. Scoping is being done via webinar on February 3rd.

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Coral

Coral Amendment 8 (modifications to coral HAPCs)

This amendment considers expansion of the northern and western boundaries of the Oculina Bank Habitat Area of Particular Concern (HAPC); transit through the Oculina Bank HAPC; expansion of the western boundary of the Stetson-Miami Terrace CHAPC; and expansion of the northern boundary of the Cape Lookout CHAPC. The Council approved the amendment for public hearings at their June 2013 meeting. Public hearings were held in August 2013 and the amendment was approved for Secretarial Review in September 2013.

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Mackerel

Joint Amendment 20A (previously Amendment 19) (sales and permits)

This joint amendment with the Gulf Council would prohibit sale of recreationally caught king mackerel and Spanish mackerel, with an exception for sale of fish caught on for-hire trips on dually permitted vessels in the Gulf region, and an exception for sale of fish caught in state-permitted tournaments in both regions. The amendment also includes an action to reduce the number of latent king mackerel commercial permits but the Councils have selected No Action as the preferred alternative. The last action would eliminate income requirements for king mackerel and Spanish mackerel commercial permits. Public hearings were held in August 2013. The amendment was submitted for Secretarial review on December 2, 2013.

Joint Amendment 20B (previously Amendment 20) (zones and quotas)

This joint amendment with the Gulf Council would change the hook and line trip limits and fishing year for some of the Gulf group king mackerel zones/subzones, and establish a provision to allow transit through closed king mackerel areas. The amendment also includes an action to establish regional allocations of the Atlantic group king mackerel commercial ACL and the Atlantic group Spanish commercial ACL to a Northern Zone and Southern Zone (boundary at the NC/SC line). The amendment will also update language in the framework procedure. The last action will update the cobia ACLs based on the 2012 stock assessment, and will allocate part of the Gulf group cobia ACL to the Florida East Coast because of the designation of the biological boundary between the Gulf and Atlantic stocks at the GA/FL line. Public hearings were held in August 2013. The South Atlantic Council took final action in September 2013. In October 2013, the Gulf Council changed a preferred alternative under the action to change the Gulf group king mackerel trip limits and took final action. In December 2013 the South Atlantic Council also changed a preferred alternative to change the Gulf group king mackerel trip limits to track the Gulf Council's preferred alternative. Additionally, the South Atlantic Council removed a preferred alternative under the action to change the fishing season in the Western Zone for Gulf group king mackerel, and approved to submit the amendment for Secretarial review. At their upcoming February 2014 meeting, the Gulf Council will review the change made by the South Atlantic Council. Additionally, there is one additional item to clarify on the record for the South Atlantic Council preferred alternative/option under Action 2, which will be reviewed and approved by the South Atlantic Council at their March 2014 meeting. If the Gulf Council tracks the South Atlantic preferred alternatives

and takes final action in February 2014 and the South Atlantic takes final action in March 2014, the amendment will be submitted for Secretarial review in April/May 2014.

South Atlantic CMP Framework Action 2013 (transfer at sea provision and king mackerel trip limits)

This amendment would establish provisions to allow transfer at sea of Spanish mackerel caught in gillnet when one set exceeds the trip limit. The amendment also includes an action to modify the trip limit for the Florida East Coast subzone by moving the potential step-up to 75 fish/day in the last month of the season and if less than 70% of the subzone's ACL has been met. The Council approved the amendment for public hearings at the June 2013 meeting. Public hearings were held in August 2013. The South Atlantic Council took final action in September 2013, and the Gulf Council took final action in October 2013. The amendment was submitted for Secretarial review in December 2013.

CMP Framework Amendment 1 (Spanish mackerel ACLs)

This amendment will update the ACLs for Atlantic group and Gulf group Spanish mackerel based on the recent stock assessment (SEDAR 28). Previously this amendment was called the South Atlantic and Gulf Joint Framework Actions 2014. The South Atlantic Council approved the amendment for public hearings at the December 2013 meeting, which will be held in January 2014. The Gulf Council will review the document at their February 2014 meeting; public hearings will be held at the February and April Gulf Council meetings. The South Atlantic Council will take final action in March 2014, and the Gulf Council is scheduled to take final action in April 2014.

Joint Amendment 24 (sector allocations)

This amendment will include actions to consider changes in the recreational/commercial allocations for CMP stocks with sector allocations. The South Atlantic Council will review an options paper in December 2013 and approve for scoping to be held in January 2014. The Gulf Council will review the scoping comments and options in February 2014. The timeline for the amendment will be determined after both Councils have reviewed input from scoping and considered other Council priorities.

Joint Amendment 26 (modification of king mackerel and Spanish mackerel commercial permits)

This amendment will include actions to separate the commercial permits for king and Spanish mackerel into designated permits for each region. Currently there is one commercial king mackerel permit and one Spanish mackerel that allows harvest in the Gulf and South Atlantic regions. The South Atlantic Council will review an options paper in December 2013 and approve for scoping to be held in January 2014. The Gulf Council has not directed staff to work on Amendment 26 but will review scoping comments and the options paper in February 2014. The timeline for the amendment has not been determined but will depend on priorities and other amendments that each Council is developing.

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Generics

Generic Dealer Amendment

The amendment would modify the current permitting and reporting requirements for seafood dealers who first receive federally managed species. Currently, there are five federal dealer permits in the Gulf of Mexico and South Atlantic Regions, and the permits and reporting requirements are different depending on the species purchased. Federally-permitted Gulf of Mexico reef fish and South Atlantic snapper grouper (excluding wreckfish) dealers are required to submit dealer purchase forms once every two weeks via fax or online. South Atlantic golden crab, rock shrimp, and Atlantic dolphin wahoo dealers are required to submit purchase forms once a month via fax or online. The proposed action would require a federal dealer permit to first receive the following additional species: Gulf of Mexico and South Atlantic coastal migratory pelagic resources and spiny lobster, and Gulf of Mexico red drum. The proposed rule would also create a single dealer permit that would allow the holder to first receive any of the species managed under the eight fishery management plans.

The following new dealer reporting requirements would be implemented:

- (1) Purchase forms would be submitted online, once per week, with the exception of dealers reporting purchases of king mackerel landed by the gill net sector for the Gulf West Coast. Florida Southern Sub Zone who would be required to submit forms daily by 6:00 am.
- (2) If no purchase is made, a no-purchase form must be submitted via the same process and frequency as a purchase form.
- (3) A dealer would only be authorized to receive the specified federally managed species if the dealer's previous reports have been submitted and received by NMFS.

The Gulf of Mexico and South Atlantic Councils approved the amendment for review by the Secretary of Commerce in August and September 2012, respectively. The amendment was submitted to NMFS in October 2012 to begin the formal review and approval process. However, in preparing the regulatory package a number of changes were made to clearly describe the current dealer reporting requirements, clarify the number of potential dealers affected and the number that may be subjected to duplicative reporting for a period of time, and elaborate on the impacts if a dealer does not currently own a computer. The South Atlantic Council approved the modification to the amendment and approved it for formal review again at their March 2013 meeting. At the June 2013 meeting, NOAA GC indicated the need for further clarification to the amendment. Hence, the SA Council approved making the necessary revisions to the amendment document and codified text; holding public hearings in the MAFMC and NEFMC areas; providing the amendment to the Gulf Council for approval for formal review at their August meeting; and bringing the amendment back to the South Atlantic Council for formal review at the September 2013 Council meeting. The South Atlantic Council took final action in September 2013.

Joint South Atlantic/Gulf of Mexico Generic Headboat Reporting Amendment

An action to address charter/headboat reporting was originally included in CE-BA 3. At the December 2012 meeting, the Council voted to develop that action in a separate generic amendment jointly with the Gulf of Mexico Council and so amend the Snapper Grouper, Dolphin Wahoo, and Coastal Migratory Pelagic Resources Fishery Management Plans to modify data reporting for charter/headboat vessels. The Councils' currently preferred alternative would require that headboats submit fishing records to the Science and Research Director (SRD) weekly or at intervals shorter than a week if notified. Weekly is defined as 7 days after the end of each week (Sunday). At the March 2013 SA Council meeting, staff reviewed the Gulf Council's February 7, 2013 Data Collection Committee Report; indicated that the Gulf Council had approved the amendment for formal review, along with any regulations deemed necessary and appropriate by the South Atlantic Council. Council staff also reviewed the compliance and catastrophic condition provisions that were added to the amendment to

reflect the Councils' intent. The amendment was approved for submission to the Secretary in March 2013 (SA Council). NMFS notified the Council that the amendment was approved by the Secretary of Commerce on December 17, 2013.

Joint Commercial Logbook Amendment

During the December 2012 meeting, the South Atlantic Council approved a motion moving the commercial logbook reporting action out of CE-BA 3 and indicated their wish to work with the Gulf Council on a joint amendment to address commercial logbook issues in the South Atlantic and Gulf of Mexico.

The amendment includes an action to consider modifying the timing of reporting requirements for commercial logbooks in fisheries for snapper grouper, coastal migratory pelagic resources, dolphin/wahoo, and golden crab fisheries, and providing an option for logbooks to be submitted electronically. 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. SA Council staff will work with Gulf staff and NMFS staff to plan for completion of the amendment incorporating results from year 1 of the pilot study and target regulations being effective on January 1, 2016.

Comprehensive Ecosystem-Based Amendment 3 (bycatch)

The action in CE-BA 3 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.

At their March 2013 meeting, the Council delayed action on CE-BA 3 until a presentation by NOAA General Counsel staff was provided that assesses how the Council is meeting bycatch requirements under the Magnuson Act for SA fisheries. The NOAA General Counsel assessment was scheduled for the September 2013 meeting, then the December 2013 meeting, and is delayed until the March 2014 Council meeting. Accordingly, the Council will revisit discussions regarding CE-BA 3 in March 2014.