



## Content and Status of Active Amendments

March 13, 2017

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### Snapper Grouper

#### Recently implemented:

- *Snapper Grouper Amendment 35 – removed black snapper, dog snapper, mahogany snapper, and schoolmaster from the FMP and clarified regulations pertaining to Golden Tilefish Longline Endorsements – effective June 22, 2016*
- *Regulatory Amendment 25 -- adjusted the annual catch limits, optimum yield, and commercial and recreational management measures for the blueline tilefish stock, changed the fishing year for yellowtail snapper, and increased the recreational bag limit for black sea bass – actions pertaining to blueline tilefish were effective July 13, 2016; remainder were effective August 12, 2016.*

#### *Snapper Grouper Regulatory Amendment 16 (black sea bass pot closure and gear markings) Council lead: Brian*

The amendment contains two actions: the first addresses 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 second action specifies potential new black sea bass pot gear modifications that-aid in gear identification in the event of a whale entanglement. The Council reviewed public hearing comments and made final decisions for the document at their September 2015 meeting. The Council approved the document to send to the Secretary at the December 2015 meeting and submitted for Secretarial review on March 4, 2016. The proposed rule published on August 11, 2016, and the comment period closed on September 12, 2016. The final rule published on December 29, 2016. Regulations for the reduced size of the prohibited area for fishing for black sea bass with pots became effective on December 29, 2016. Regulations for the enhanced gear markings were scheduled to become effective January 30, 2017, but the date will be delayed until March 21, 2017, in accordance to the memorandum from the White House to delay implementation of all new federal regulations.

*Snapper Grouper Amendment 36 (Spawning Special Management Zones) Council lead: Gregg*

Amendment 36 would specify a process for identifying spawning sites/aggregations for snapper grouper species, including speckled hind and warsaw grouper, based on the characteristics of sites important for spawning. Proposed regulations only prohibit fishing for and/or possessing snapper grouper species in areas designated as Spawning Special Management Zones (SMZs) in the following Spawning SMZs: (1) South Cape Lookout (5 square miles)(NC), (2) Devil's Hole/Georgetown Hole (3.1 square miles)(SC), (3) Area 51 (2.99 square miles)(SC), (4) Area 53 site (2.99 square miles)(SC), and (5) Warsaw Hole (4 square mile)(FL). The amendment would also revise the boundary of the Charleston Deep Reef MPA, and address transit and anchoring provisions within newly designated Spawning SMZs. A 10-year sunset provision whereby the Spawning SMZs designation would be discontinued unless spawning were documented is included, and a framework provision to reauthorize the Spawning SMZs is also included. At their December 2015, the Council approved all actions in Amendment 36. The amendment includes a System Management Plan (SMP) to specify the outreach, law enforcement, and monitoring/research projects necessary to effectively monitor and evaluate the Spawning SMZs. Scoping for this amendment took place in August 2014 and development continued in 2014. In 2015, two rounds of public hearing were held, respectively, in April (via webinar) and August (in-person). The Council reviewed public comments at their September meeting and approved all actions in December 2015. The Council approved the amendment for formal review at their March 2016 meeting. The amendment was submitted for Secretarial review on August 30, 2016. The Notice of Availability published on January 4, 2017, with a comment period through March 6, 2017.

*System Management Plan (Amendment 14 MPAs) Council lead: Chip*

Eight Deepwater MPAs were established through Snapper Grouper Amendment 14 in January 2009. The Council has developed a System Management Plan (SMP) that serves as the framework for resource protection, research and monitoring, outreach, administration, and evaluation of the MPAs. The SMP includes action items to assist in achieving the goals and objectives of the SMP and potential metrics for evaluating the management effectiveness of the MPAs. Eventually, the SMP will be expanded to encompass all the Council's managed areas, with sections for MPAs, Spawning SMZs, SMZs, and Coral HAPCs. The Council approved the SMP at their March 2016 meeting.

*Snapper Grouper Amendment 37 (hogfish) Council Lead: Myra*

Actions in Amendment 37 include modifying the FMU for hogfish (genetic evidence indicates three distinct stocks); revising MSY, MSST, ABC, ACLs, AMs and recreational ACT, as appropriate, for the two stocks in the SAFMC jurisdiction; establish a rebuilding plan for the Florida Keys/East Florida stock, and commercial and recreational management measures for each stock. The amendment was approved for scoping in June 2015. Scoping was held via webinar in August 2015. In September 2015, the Council reviewed scoping comments and reviewed actions/alternatives in the document. The Council requested revised projections for the FLK/EFL stock in September due to high recreational landings (recreational sector closed on August 24, 2015). At their September 2015 meeting, the Council requested that the SSC reconsider their ABC recommendation for the GA-NC stock and that a letter be sent to MRIP requesting an evaluation of hogfish landings in 2015. The SSC met in October 2015 and recommended no changes to the approach used to obtain an ABC for the GA-NC stock. The ABC for that stock was revised based on updates to the landings. Amendment 37 was approved for public hearings at the December 2015 Council meeting and hearings were held January-February, 2016. The

SSC convened via webinar on March 4, 2016 to consider methodologies to specify ABCs for the FLK/EFL stock considering that the minimum size limit for that stock would likely increase and thus affect tracking of landings in pounds vs. numbers of fish. The Council reviewed the SSC recommendations and the public hearing comments at the March 2016 meeting. At their meeting on May 3-5, 2016 the SSC reviewed Decision Tools developed by the SERO and provided guidance on whether they should be used to complete effects analyses for the amendment. In June 2016, the Council reviewed the document and selected preferred alternatives for all actions. Amendment 37 was approved for formal review and submitted to NMFS on September 23, 2016. The Notice of Availability (NOA) was published on October 7, 2016, and the comment period for the NOA ends on December 6, 2016. The proposed rule published on December 16, 2016, with a comment period that closed on January 17, 2017.

### *Snapper Grouper Amendment 38 (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 will be conducted in 2017 and is scheduled to be a joint assessment between the South Atlantic Fishery Management Council (SEDAR Lead) and the Mid-Atlantic Fishery Management Council and will address the stock assessment(s) for Atlantic blueline tilefish. Amendment 38 will be developed once SEDAR 50 is completed.

### *Snapper Grouper Amendment 41 (mutton snapper) Council Lead: Myra*

In June 2015, the Council directed staff to begin development of a new amendment that will include actions to revise the biological parameters, catch levels, and management measures for mutton snapper. At their December 2015 meeting, the Council approved Amendment 41 for scoping. Scoping hearings were held in January/February, 2016. The Council reviewed scoping comments at their March 2016 meeting. In June 2016, the Council approved the document for public hearings, which were held in August 2016. The Council reviewed public comment and made changes to preferred alternatives during their September 2016 meeting. The Council approved the amendment for formal review in December 2016, and the amendment was transmitted for formal review on February 28, 2017.

### *Snapper Grouper Amendment 44 (allocations for yellowtail) 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. Under consideration for yellowtail snapper are in-season allocations shifts as well as permanent re-allocation. Scoping meetings were held in August 2016. In December 2016, the Council separated the two amendments, and approved Snapper Grouper Amendment 44 (yellowtail only) for public hearings in late January/early February 2017 with an additional action that would consider merging the ACLs of yellowtail snapper for the Gulf

of Mexico and the South Atlantic regions. In March 2017, the Council decided to postpone the amendment until revised MRIP data are available.

*Snapper Grouper Amendment 43 (red snapper and recreational reporting)* Council lead: Chip Collier

The Council requested that staff begin development of Amendment 43 in June 2016 to address items related to management of red snapper and other directly and indirectly related items that would ultimately result in an adaptive management approach and respond to items in the Vision Blueprint (i.e., recreational stamp, recreational season, time-area closures, etc.). In September 2016, the Council provided further guidance to staff on possible actions and alternatives and requested that a scoping document be prepared for review. At the December 2016 meeting, the Council approved the amendment for scoping meetings, which were held in late January/early February 2017. The Council reviewed the document in March 2017, and at their June 2017 meeting will review/approve the best practices items for public hearings.

*Vision Blueprint Recreational Regulatory Amendment 26* 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 recreational management measures. In September 2016 the Council reviewed an options paper and directed staff to prepare a scoping document for review at the December 2016 meeting. Actions in the amendment may include re-evaluation of the shallow water grouper closure, re-evaluation of aggregate bag limits, removal of minimum size limits for deepwater species, changes to the jacks complex and its bag limits, and modification of the recreational minimum size limit for black sea bass. In December, the Council approved the amendment for scoping meetings, which were held in late January/early February 2017. The Council reviewed public comments and gave direction to staff at their March 2017 meeting. In June 2017, the Council will review and approve the amendment for public hearings.

*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 for review at the December 2016 meeting. Potential actions include commercial split seasons for deepwater species (snowy grouper, yellowedge grouper, blueline tilefish, and golden tilefish (HL only)); commercial split season for red porgy (to line up with existing for vermilion snapper and gray triggerfish); re-evaluation of the shallow water grouper closure; trip limits and step-downs (especially as they pertain to traditional bandit boats, vermilion trip limit step-down in second season), and fishing year changes (golden tilefish hook-and-line). In December, the Council approved the amendment for scoping meetings which were held in late January/early February 2017. The Council reviewed public comments and gave direction to staff at their March 2017 meeting. In June 2017, the Council will review and approve the amendment for public hearings.

*Snapper Grouper Amendment 45 (golden tilefish)* - Council lead: Brian/John C.

The status of the golden tilefish stock in the South Atlantic was assessed through SEDAR 25 (2011) and an update was conducted in 2016 with data through 2014 (SEDAR 25 update 2016). The update determined the golden tilefish stock is undergoing overfishing but is not overfished. The updated assessment indicates that a large reduction in harvest is needed to end overfishing. In December 2016, the Council directed staff to start work on a plan amendment that would modify the ABC Control Rule to implement a phased-in approach to end overfishing of golden tilefish. The Council also requested that

the SEFSC provide projections for  $p^* = 0.4$  and  $0.45$ . In March 2017, the Council requested the SSC consider establishing an interim ABC at 75% FMSY. The Council requested a SEDAR standard assessment of tilefish for late 2017, to be provided to the SSC for consideration in April 2018, with a 2016 terminal year. The Council will continue work on golden tilefish after Spiny Lobster.

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## Dolphin Wahoo

### Recently implemented:

- *Snapper Grouper Amendment 33/Dolphin Wahoo Amendment 7 (transport of fillets from The Bahamas)* - effective on January 27, 2016
- *Snapper Grouper Amendment 34/Dolphin Wahoo Amendment 8 (AMs for snapper grouper species and sector allocations for dolphin)* - effective on February 22, 2016

### *Dolphin Wahoo Regulatory Amendment 1 (commercial trip limit for dolphin)* Council lead: Brian

In September 2015, the Council directed staff to begin development of a regulatory amendment to consider commercial trip limits for dolphin. Public hearings were held via webinar in November 2015 and at the December 2015 Council meeting. The Council's preferred alternative would implement a 4,000 pound commercial trip limit once 75% of the commercial ACL has been caught. The Council approved the amendment for formal review at the December 2015 meeting and it was sent for formal review on February 16, 2016. The proposed rule published on June 30, 2016, and the comment period ended on August 1, 2016. The final rule published on December 30, 2016, with an effective date of January 30, 2017. The effective date will be delayed until March 21, 2017, in accordance to the memorandum from the White House to delay implementation of all new federal regulations.

### *Dolphin Wahoo Amendment 10 (allocations for dolphin)* 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 an action that would eliminate the operator card requirement in the Dolphin Wahoo FMP. 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.

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## Golden Crab

No amendments currently under development.

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## Coral

No amendments currently under development.

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## Shrimp

No amendments currently under development.

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## Mackerel Cobia

*Joint Amendment 26 (king mackerel ACLs, re-designation of KM boundaries and mixing zone, and other king mackerel actions)* Council lead: Kari

This amendment contains actions to update the Gulf and Atlantic king mackerel ACLs based on the results of SEDAR 38; modify 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; provision to allow bag limit sales of Atlantic king mackerel in the small coastal shark gillnet fishery; potential changes in management measures for the Florida East Coast subzone.

South Atlantic scoping was held January/February 2015 and Gulf scoping was held in April 2015. Public hearings were held in January/February 2016. The South Atlantic Council approved the amendment for Secretarial review in March 2016, and the Gulf Council approved the amendment in April 2016. The amendment was submitted for formal review on July 7, 2016. The Notice of Availability published on December 15, 2016, with a comment period until February 13, 2017. The proposed rule published on December 29, 2016, and the comment period closed on January 30, 2017.

*Joint Amendment 29 (Gulf king mackerel quota sharing)* Council lead: Kari

CMP Amendment 26 included an action to revise commercial and recreational allocations of the Gulf king mackerel ACL. The Councils selected No Action for this action so that the amendment could be submitted for formal review, but the Gulf Council directed staff to begin development of Amendment 29 to consider different ways to allocate quota for Gulf king mackerel. The amendment includes also includes an action to revise the recreational AMs for Gulf king mackerel and an action to modify the framework procedure, to align with the potential quota sharing/allocation system. The Gulf Council approved the amendment for public hearings in October 2016. The hearings are scheduled for late November/ early December 2016. The Gulf Council will review public input and take final action in January/February 2017, and the South Atlantic Council is scheduled to take final action in March 2017 (final action was initially included in the December 2016 agenda, but the Gulf Council requested that it be moved to the March 2017 meeting). At their January/February 2017 meeting, the Gulf Council decided to postpone work on the amendment indefinitely. In March 2017, the South Atlantic Council also postponed work on the amendment indefinitely.

### *Framework Amendment 4 (Atlantic cobia)* Council lead: Kari

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 will close on June 20 due to the landings in 2015 exceeding the recreational ACL. Actions include changes to measures for rec bag limits, rec vessel limits, rec minimum size limit, rec accountability measures, and commercial trip limit. The amendment had an action to change the rec fishing year, but the current framework procedure does not allow changes to the fishing year through a framework amendment. The Council moved the action to Amendment 30 at their September 2016 meeting.

Public input meetings were held in May 2016 to get additional recommendations from fishermen. The Council reviewed public comments and the potential actions/alternatives at their June 2016 meeting, and public hearings were held in August 2016. The Council approved the amendment for Secretarial review in September 2016. The amendment was submitted for Secretarial review on October 28, 2016. The proposed rule published on February 21, 2017, with a comment period through March 23, 2017.

### *Framework Amendment 5 (modify permit restrictions)* Council lead: Kari

This amendment includes one action to modify regulations to remove restrictions on commercial king mackerel and Spanish mackerel permits that prohibit retaining 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 are the only two species with this restriction on federally permitted vessels. Initially this framework amendment included an action that would apply in the Gulf only. After June 2016, it is a joint framework amendment with actions applying to the Gulf, South Atlantic, and Mid-Atlantic regions. The South Atlantic Council approved for formal review in September 2016 and the Gulf Council approved the amendment in October 2016. The amendment was submitted for Secretarial review on December 2, 2016. The proposed rule published on March 1, 2017, with a comment period through March 31, 2017.

### *Amendment 30 (Atlantic cobia rec fishing year)* Council lead: Kari

This amendment includes one action to change the recreational fishing year for Atlantic cobia. This action was previously included in Framework Amendment 4, but the current framework procedure does not allow changes to the fishing year through a framework amendment. The Council moved the action to Amendment 30 at their September 2016 meeting. The action was included in the materials for the August 2016 public hearings, and a webinar public hearing was held October 25, 2016. The Gulf Council approved the amendment in October 2016. In December 2016, the South Atlantic Mackerel Cobia Committee amended the action to change both the recreational and commercial fishing years. However, the Council decided to postpone work on Amendment 30 until after the Atlantic States Marine Fisheries Commission finalizes their interstate cobia plan.

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## **Spiny Lobster**

### *Spiny Lobster Regulatory Amendment 4 (spiny lobster ACL and rec traps)* Council lead: Kari

The Gulf and South Atlantic SSCs recommended that the spiny lobster OFL and ABC be calculated based on landings data from 1991 through the most recent data (2015/16). This amendment would include actions to update the OFL, ABC/ACL, and ACT based on the SSCs' recommendation. The amendment will also include an action to prohibit traps for recreational harvest of spiny lobster in the

South Atlantic EEZ. In December 2016, the South Atlantic Council provided recommendations for the recreational trap action, which will be incorporated into the Gulf Council's option paper to be presented at their January/February 2017 meeting. The South Atlantic Council reviewed the draft amendment in March 2017. A webinar public hearing will be held in May 2017. Approval for formal review is scheduled in June 2017 for both councils.

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## Generics

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

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. 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.

### *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 until after NMFS publishes the rule for the Standard Bycatch Reporting Methodology.

*South Atlantic For-Hire Electronic Reporting Amendment* Council lead: John C.

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.

*Limited Entry for Charter/Headboat permits for Snapper Grouper* Council leads: Brian/Kari

In June 2016, the Council approved a control date of June 15, 2016, for Dolphin Wahoo, Snapper Grouper, and CMP charter/headboat permits. NMFS published the control date on September 27, 2016, and the comment period ended on October 27, 2016. The Council also directed staff to start work on an amendment to consider a limited entry system for DW, SG and CMP charter/headboat permits. The Council reviewed an options paper on limited entry at the September 2016 and December 2016 meetings. In December 2016, the Council decided to remove dolphin wahoo and coastal migratory pelagics from consideration for limited entry, and directed staff to develop a white paper on limited entry for snapper grouper for-hire permits. The Council will reviewed the white paper in March 2017 and will discuss limited entry again at the June 2017 meeting.

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