Appendix A. Considered But Eliminated Alternatives

This section describes actions and alternatives that the South Atlantic Council (Council) considered in developing this document, but decided not to pursue in Comprehensive Ecosystem-Based Amendment 3 (CE-BA 3). A summary of why the measures were eliminated from further consideration in CE-BA 3 follows.

<u>Coral Habitat Area of Particular Concern (CHAPC) actions</u>
Expand Boundaries of the Oculina Bank HAPC
Implement a Transit Provision through the Oculina Bank HAPC
Expand Boundaries of the Stetson-Miami Terrace CHAPC
Expand Boundaries of the Cape Lookout CHAPC

The measures to expand Coral Habitat Areas of Particular Concern (CHAPC) originate from recommendations brought forward by the Council's Coral Advisory Panel (AP) during their October 2011 meeting. The recommendations are based on new research that has identified areas of deepwater coral resources outside of existing HAPC and CHAPC boundaries. The measures were scoped as a part of Comprehensive Ecosystem-Based Amendment 3 (CE-BA 3) during public scoping meetings in January and February 2012. During the scoping process, considerable feedback was received from the shrimp industry primarily concerned over potential impacts associated with modifications to the Oculina Bank HAPC and Stetson-Miami Terrace CHAPC. The Shrimp and Deepwater Shrimp APs met jointly in April 2012 and recommended modifications to the HAPC and CHAPC expansion recommendations originally proposed by the Coral AP. The Shrimp APs also recommended that should the Council move forward with a northern expansion of the Oculina Bank HAPC, a transit provision be considered to allow fishermen continued access to historical rock shrimp fishing grounds off the eastern boundary. Without a transit provision, fishermen expressed concern that traveling around the northern extension to access fishable areas would be costly and dangerous. The Coral AP convened again in May 2012 and refined the recommended expansions they presented during the fall of 2011. During the spring of 2012, the Habitat AP met and endorsed the Coral APs recommendations. At the June 2012 Council meeting in Orlando, FL, representatives from the Deepwater Shrimp, Coral, and Habitat APs presented their respective group's reports from recent AP meetings. The Council discussed the benefit of convening a joint meeting of the Deepwater Shrimp and Coral APs to discuss the HAPC and CHAPC recommendations and allow an opportunity for developing consensus in how the areas are recommended for modification. The Council removed these Actions from consideration in CE-BA 3 and deferred development to a future Amendment in 2013 and after a joint AP meeting. Additionally, the Council approved a motion to solicit participation for the joint AP meeting from the Chair of the Law Enforcement AP and the Chair and Vice-Chair of the Habitat AP. The Actions to modify the Oculina Bank HAPC, consider a transit provision through Oculina Bank HAPC, and modify the Stetson-Miami Terrace and Cape Lookout CHAPCs are being developed through Coral Amendment 8.

Additional protection for speckled hind and warsaw grouper actions

The measures to consider additional protection for speckled hind and warsaw grouper were scoped as a part of CE-BA 3 during public scoping meetings in January and February 2012. During the June 2012 meeting, the Council continued discussions of pursuing additional protections for speckled hind and warsaw grouper. They deliberated at length consideration of expanding existing Marine Protected Areas (MPAs), developing new targeted MPAs along the mid-shelf region to offer increased biological protections for speckled hind and warsaw grouper, and implementing potential spawning season closures.

Council staff presented a summary of the MPA public workshops held in SC and GA (April, 18th, 2012 in Charleston, SC and May 16th, 2012 in Pooler, GA) and a report from the MPA Expert Workgroup (May 16-17th, 2012 in Pooler, GA). These meetings were held as a result of Council guidance during the March 2012 meeting to gather data on areas of occurrence and habitat for these two species and also in recognition of limited fishery-independent and dependent data on speckled hind and warsaw grouper. At the June 2012 meeting, the Council provided guidance to convene additional public workshops to collect more data and input from the public in the FL and NC areas that have not had a chance to participate in the previously held workshops in SC and GA. Public workshops were held in Jacksonville, FL on August 7th, 2012; Cocoa Beach, FL on August 8th, 2012; Key Largo, FL on August 9th, 2012; and New Bern, NC on August 16th, 2012. A meeting reconvening the MPA Expert Workgroup to further discuss this issue has been scheduled for February 4-6th, 2013 in North Charleston, SC. The Council will review recommendations from the MPA Expert Workgroup at their March 2013 meeting.

At the June 2012 meeting, Dr. Nick Farmer (NMFS SERO) gave a presentation on a possible management approach to select candidate sites for MPA designation, including an overview of the data used and recommendations of criteria to consider in the siting of MPAs. The Council directed staff to develop alternatives that consider reconfiguring existing MPAs (first tier), designating new MPAs (second tier), and a combination of the two (third tier). Further, the Council directed staff to request the SSC to review the current fishing levels for speckled hind and warsaw grouper and discuss applicability of the ORCS methodology to develop an overfishing limit (OFL) for both species at their October 23-25th, 2012 meeting.

With a need to further develop a suite of refined alternatives for these measures, the scheduling of additional public workshops, and the request for further review by the SSC in the fall of 2012, management measures for speckled hind and warsaw grouper were moved from CE-BA 3 at the June 2012 meeting to allow the Council continued discussions at future meetings. MPA evaluation and an analysis of speckled hind and warsaw grouper regulatory effects are being developed through Snapper Grouper Regulatory Amendment 17.

Data Collection Actions

Modify data reporting for for-hire vessels

The Council considered alternatives that would increase the reporting frequency of for-hire (charter/headboat) vessels, and require electronic reporting by for-hire fishermen in fisheries for snapper grouper, coastal migratory pelagic, and dolphin/wahoo fisheries. The measure to modify data reporting for for-hire vessels was scoped as a part of CE-BA 3 during public scoping meetings in January and February 2012. The Council discussed that improving data reporting in these fisheries would reduce the chance that the recreational annual catch limits are exceeded and accountability measures are triggered. The Council also noted that the for-hire sector contributes to recreational landings that count towards the recreational annual catch limit and that catches from charter vessels are captured in the Marine Recreational Information Program (MRIP) but headboat catches are monitored separately. The Council further discussed concern that delays in receiving and processing headboat data may contribute to the recreational annual catch limit being exceeded and noted that electronic reporting via computer/internet could reduce delays and result in fewer recreational annual catch limit overruns.

The Council also considered reporting changes for the charter sector. At the September and December 2012 meetings, the SEFSC Science and Research Director discussed that the protocols for data collection for the charter sector are coordinated by MRIP and their involvement would be necessary in development of such an electronic reporting system. The SEFSC Science and Research Director discussed their readiness in moving forward with an electronic reporting system for headboat vessels. The Council deferred development of this measure to a future joint amendment with the Gulf of Mexico Council to allow for coordination with MRIP and for the Southeast Fisheries Science Center (SEFSC) to obtain necessary funding to proceed.

During the December 2012 meeting, the Council removed the Headboat Reporting Action from CE-BA 3 into its own Amendment to develop separately from other management issues. The Action to modify data reporting for for-hire fisheries is being developed through the joint South Atlantic/Gulf of Mexico Generic Headboat Reporting in the South Atlantic Amendment.

Modify data-reporting for commercial vessels

An Action that considered alternatives that would modify the frequency and method of reporting requirements for commercial logbooks in fisheries for snapper grouper, coastal migratory pelagic, dolphin/wahoo, and golden crab fisheries was considered in CE-BA 3. The alternatives for this Action carried over from Snapper Grouper Amendment 18A and were also scoped during public scoping meetings in January and February 2012 as a part of CE-BA 3. During the June and September 2012 meetings, the Council discussed that the current timeline for reporting of commercial logbooks is ineffective because of the extent of information required for completion of trip tickets. To complete the economic form of the logbook requirement (and most time consuming for fishermen), currently fishermen must wait to total a week of receipts and possess current pay slip information on sale of fish, steps that often take up to 12 days after the end of each trip and longer than the 7 day requirement for submitting logbooks. Council representatives discussed that the steps are necessary to provide actual economic data on the price received versus using the current market price at the time of landing as noted in the logbook instructions. The Council discussed modifying the deadline for logbook reporting from seven to 21 days (3

weeks) to allow fishermen adequate time to possess and complete the necessary data to fill out the required forms. At the September 2012 meeting, the Council selected an alternative as preferred that would require NMFS to develop a voluntary system for commercial permit holders to submit their logbook entries electronically via an electronic version of the logbook made available via computer or internet; the preferred alternative also indicated that fishermen would be encouraged to submit electronic logbooks but would be allowed to submit paper logbooks within 21 days after the end of each trip. The Council discussed that currently fishermen do not have to submit a logbook if they have no trip activity to report. In an effort to manage compliance of reporting and ensure increased efficiency in reporting on a more timely basis, the Council selected as a preferred the alternative that would require submission of "No fishing forms" at the same frequency as logbook reports. They discussed that the forms would be required in order for fishermen to keep fishing and selling their catch to improve timing and enforcement.

At the December 2012 meeting, the Council discussed deferring development of this Action until revisions to the coastal logbook program as a whole have been addressed. As a result of the December 2012 meeting discussion, measures addressing commercial logbook issues (including compliance with reporting timelines, no-fishing reports, mandatory electronic reports with a provision for extreme events) will be considered in a future joint Amendment with the Gulf of Mexico Council.

Require commercial snapper grouper vessels to carry Vessel Monitoring System equipment
The Council considered an Action in CE-BA 3 that would improve fishing/catch location data and compliance for the snapper grouper fishery. The Action would require Vessel Monitoring System (VMS) equipment for all commercial snapper grouper vessels and was incorporated into CE-BA 3 during the June 2012 Council meeting and taken out for public hearings in August 2012. Under the Action, the initial cost to purchase VMS equipment would be covered by the National Office of Law Enforcement. Based on reports from NOAA Office of Law Enforcement representatives at the December 2012 meeting, reimbursement funds are available until mid-2014 for the South Atlantic commercial snapper grouper fleet. At the December 2012 meeting, the Council discussed both the enforcement aspects of VMS and the utility of this technology in management decisions as demonstrated in the rock shrimp fishery (the only fishery in the South Atlantic required to carry VMS). The Council is considering modifications to the Oculina Bank HAPC and incorporating VMS data into the analysis to indicate rock shrimp fishery activity in association with a northern and western HAPC boundary modification. At the December 2012 meeting, the Council discussed the need for developing 'Frequently Asked Questions' information to better inform fishermen on how VMS technology would work. The Council also noted their intent that this Action be taken back out for public input and comment between the March and June 2013 Council meetings and before their consideration of final Action in June 2013. The Council selected as a preferred alternative a requirement that commercial snapper grouper fishing vessels with a federal unlimited or trip limited permit be equipped with VMS contingent upon available reimbursement funds to cover purchase of equipment for the commercial snapper grouper fleet.

As a result of the December 2012 Council meeting discussions, the Action to require VMS for all snapper grouper commercial vessels in the South Atlantic was removed from CE-BA 3 and is being developed through Snapper Grouper Amendment 30.