

FINAL
SUMMARY REPORT
COMMITTEE OF THE WHOLE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Jekyll Island, GA
March 6, 2019

The Committee approved the agenda and discussed the following items of business.

ABC Control Rule Amendment (Snapper Groupe 45/Golden Crab 11/Sargassum 4/Coral 11/Dolphin Wahoo 14)

The Committee was updated on the status of the amendment and schedule and received a summary of scoping comments. SCC Chair Dr. George Sedberry reviewed SSC comments from October 2019. It was noted that current draft guidance on carry-over and phase-in provisions is less prescriptive than earlier versions, and that the GMFMC is moving ahead on these provisions for the CMP FMP. Therefore, the Council may choose to move ahead on this amendment without continuing to wait for the final guidance. The SSC will be asked to review the document, including initial risk categorizations, in April.

Guidance was provided on Action 5 (carry-over) to consider an alternative to exempt Dolphin from sub-Action 1, Alternative 4 which addresses carry-over when there is a prior regulatory closures closure.

Recreational AMs Amendment

The Committee was updated on the status of the amendment. While significant work was completed on the amendment, not as much work could be done due to the Federal government shutdown. The timing for completion of the amendment was adjusted to take an additional Council meeting to finish the document that was discussed at the December 2018 Council meeting. The Committee discussed the Purpose and Need and the Actions/Alternatives for the amendment.

The Committee made the following motions:

**MOTION #1: MOVE ACTION 1 TO THE CONSIDERED, BUT REJECTED APPENDIX.
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

**MOTION #2: MOVE ALTERNATIVES 3 & 4 OF ACTION 2 TO THE CONSIDERED, BUT REJECTED APPENDIX.
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

**MOTION #3: MODIFY ACTION 2, SUB-ALTERNATIVE 2B SO THAT IN SEASON CLOSURES COULD BE APPLIED TO OVERFISHED SPECIES LISTED IN THE REPORT TO CONGRESS
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

Action 2 (*Now Action 1*). Revise in-season closure, recreational accountability measures
Action Alternatives:

Alternative 1 (No Action). Retain the existing in-season closure accountability measures for the recreational sector for snapper grouper species. For 44 total species (17 individual species and 6 complexes), there is an in-season closure accountability measure that would close the harvest of a species (or a species complex where one exists) when the recreational landings of that species (or species complex), reaches, or is projected to reach, the species (or species complex) recreational annual catch limit unless the National Marine Fisheries Service determines no closure is necessary based on the Best Scientific Information Available. The following species currently do not have this in-season closure accountability measure for the recreational sector: black sea bass, red snapper, speckled hind, and warsaw grouper.

Alternative 2. Remove the existing in-season closure accountability measures for the recreational sector for the following snapper grouper species.

Sub-alternative 2a: All snapper grouper species.

Sub-alternative 2b: for snapper grouper species listed as being overfished based on the most recent Status of U.S. Fisheries Report to Congress.

MOTION #4: MOVE ACTION 4, ALTERNATIVES 4 AND 5 INTO ACTION 3 AS ALTERNATIVE 4, SUB-ALTERNATIVES 4A AND 4B. MOVE THE REMAINING ALTERNATIVES OF ACTION 4 TO THE CONSIDERED BUT REJECTED APPENDIX.

**APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

Action 3 (*Now Action 2*). Revise post season, recreational accountability measures
Action Alternatives:

Alternative 1 (No Action). Retain the existing post season accountability measures for the recreational sector for snapper grouper species.

-For 36 total species (15 individual, 5 complexes), if overfished and total annual catch limit is exceeded, to monitor recreational landings for a persistence in increased landings, and if necessary, the AA will reduce the length of the recreational fishing season and the recreational annual catch limit by the amount of the overage.

-For the Deepwater Complex and blueline tilefish, if overfished and the total annual catch limit is exceeded, the AA will reduce the length of the recreational fishing season in the following fishing year to ensure recreational landings do not exceed the recreational annual catch limit the following fishing year.

- For vermilion snapper, if overfished and the total annual catch limit is exceeded, the AA will reduce the recreational annual catch limit for that following year by the amount of the recreational overage in the prior fishing year.

Alternative 2. Remove the existing post season accountability measures for the recreational sector that reduces the length of fishing season and the recreational annual catch limit in the following fishing year by the amount of the recreational overage if is overfished and the total annual catch limit is exceeded. Post season accountability measures will be triggered if

Alternative 3. Replace the existing trigger for the post season accountability measure for the recreational sector. Only specify post season accountability measures if:

Sub-alternative 3a. For those species where recreational annual catch limits stay the same from year to year, and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

Sub-alternative 3b. For those species where recreational annual catch limits stay the same from year to year, and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

Sub-alternative 3c. For those species where recreational annual catch limits are constant, and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

Sub-alternative 3d. The total (commercial and recreational combined) annual catch limit is exceeded.

Sub-alternative 3e. The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress. For a species complex, at least one of the species in the complex is overfished based on the most recent status of U.S. Fisheries Report to Congress.

Alternative 4. Replace the existing action taken following a trigger for the post season accountability measure for the recreational sector. If a post season accountability measure are triggered, monitor for a persistence in increased landings, and:

Sub-alternative 4a. Reduce the recreational sector annual catch limit in the following fishing year by the amount of the overage to the recreational annual catch limit.

Sub-alternative 4b. Reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following fishing year.

Sub-alternative 4c. Reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following fishing year and the most recent annual PSE for the species is > 40%.

Sub-alternative 4d. Reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following fishing year and the most recent annual PSE for the species is > 60%.

Sub-alternative 4e. Reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following fishing year and the most recent annual PSE for the species is > 80%.

**MOTION #5: MOVE ACTION 6 TO THE CONSIDERED, BUT REJECTED
APPENDIX.**

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #6: MODIFY ACTIONS 7 & 8 TO BE SIMILAR TO ACTIONS 3 AND 4 FOR
SNAPPER GROUPER. HOWEVER, THERE WILL BE NO ADDITIONAL SUB-**

ALTERNATIVES TO INCORPORATE PSE CONSIDERATIONS UNDER THE NEW ALTERNATIVE 4.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Action 7 (*Now Action 4*). Revise post season, recreational accountability measures

Action Alternatives:

Alternative 1 (No Action). Retain the current post season accountability measures for the recreational sector for dolphin and wahoo.

Alternative 2. Do not specify post season accountability measures.

Alternative 3. Only specify post season accountability measures if:

Sub-alternative 3a. The recreational ACLs are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

Sub-alternative 3b. The recreational ACLs are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

Sub-alternative 3c. The recreational ACLs are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total ABC in any one year.

Sub-alternative 3d. The total (commercial and recreational combined) annual catch limit is exceeded.

Sub-alternative 3e. The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress.

Alternative 4. Replace the existing action taken following a trigger for the post season accountability measure for the recreational sector. If a post season accountability measure are triggered, monitor for a persistence in increased landings, and:

Sub-alternative 4a. Reduce the recreational sector annual catch limit in the following fishing year by the amount of the overage to the recreational annual catch limit.

Sub-alternative 4b. Reduce the length of the following recreational fishing season by the amount necessary to ensure recreational landings do not exceed the recreational annual catch limit in the following fishing year. ~~reduce the probability of an overage that the ACL will not be exceeded in the following year.~~

The Committee gave the following direction to staff regarding the Recreational AMs amendment:

- ACCEPT THE IPT'S RECOMMENDED LANGUAGE CHANGES TO THE PURPOSE & NEED
- ACCEPT IPTS EDITS TO ACTION 3
- ADD 3 SUB-ALTERNATIVES TO ALTERNATIVE 4 OF ACTION 3 TO LOOK AT PSE LEVELS OF > 40%, 60%, AND 80%
- PSE COMPARISONS ARE BASED ON ANNUAL PSE VALUES FOR ACTION 3
- ACCEPT IPT'S RECOMMENDED LANGUAGE ACTION 4 AND ITS ALTERNATIVES

- SUB-ALTERNATIVES FOR ACTION 5 (Now Action 4), ALTERNATIVE 2 SHOULD BE THOSE SPECIES THAT EXCEEDED ITS ACL AT LEAST ONE TIME IN THE PAST THREE YEARS

Allocation Trigger Policy

The Committee reviewed the Allocation Trigger Policy. Updates to the policy included an explanation of the impact of S. 1520 (Modernizing Recreational Fisheries Management Act of 2018). There was discussion of the need for the Council to review the goals and objectives of the snapper grouper, CMP, and dolphin wahoo FMPs. The Committee reiterated its desire to apply both indicator-based and time-based criteria as triggers for re-examing allocations. The Committee added an additional trigger criterion to consider a change to the social or economic status of at least one sector to the indicator-based criteria. The Committee also discussed the GMFMC’s recommendation that the “between Council” allocations of black grouper, mutton snapper, and yellowtail snapper be reassessed every 10 years. The Committee recommended that the “between Council” allocations for these species be reconsidered every 7 years.

The Committee also made the following decisions:

- The Council will revisit allocations for species each time a stock assessment for a species is accepted.
- The default review for allocations will occur every 7 years.
- To avoid reviewing all allocations potentially every 7 years, the Council wants managed species to be sorted into 3 bins: 1) species that have an allocation in effect in any year prior to 2013; 2) species that last had their allocation set in 2013; and 3) species that had their allocations set in 2014 or later. The Council will review these groupings the next time they review the amendment.
- A sector would need to exceed its allocation 3 out of 5 years to trigger an allocation review.
- A sector would need to under harvest at least 50% of its sector ACL for 3 out of 5 years to trigger an allocation review.
- The Council will review at a later date the information they would like to have to help them in determining whether or not sector allocation is warranted.

Other Business

There was no other business discussed.

MOTION #7 (TIMING AND TASK):

- Request that the SSC review the actions and alternatives and risk categorizations for the ABC Control Rule amendment in April 2019.
- Direct the IPT to prepare language of actions and alternatives for the ABC Control Rule amendment for potential Council approval in June 2019.
- Modify the Recreational AM Amendment to include action taken by the Council and bring back in June 2019.
- Send a letter to the GMFMC explaining the logic behind their recommendation to look at the “between Council” allocations for black grouper, mutton snapper, and yellowtail

snapper. This letter is to be sent to the GMFMC with enough time to get it into their briefing book ahead of their April 2019 meeting.

- Bring the Council a draft allocation review trigger policy memo for review at the June 2019 meeting.

APPROVED BY COUNCIL