

FINAL
SUMMARY REPORT
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Full Council I

The Council approved the agenda for the meeting and the minutes from June 2023.

Reports

NOAA Office of Law Enforcement, the US Coast Guard, state agencies, and the Gulf Council liaison provided reports to the Council.

Following up on the Council's request from June 2023 to obtain the number, frequency, and duration of closures off the east Florida coast due to space-related activity, the USCG representative indicated a Freedom of Information Act (FOIA) request would be needed.

State agency representatives expressed concerns about the negative effects of imports on the penaeid shrimp fishery. Governors will be submitting letters to the Biden Administration to request compensation to the industry for losses resulting from shrimp imports. The Council subsequently intends to write a letter to express support.

Commercial Electronic Logbook Amendment

Staff listed the revisions the IPT made to the document since the June meeting and suggested revisions to Option 1 (below), which the Council approved.

MOTION 1: APPROVE EDITS TO OPTION 1 IN THE COMPREHENSIVE AMENDMENT ADDRESSING ELECTRONIC REPORTING FOR COMMERCIAL VESSELS.

Option 1: Modify the reporting requirements to require the owner or operator of a vessel for which a commercial fishing permit for South Atlantic snapper grouper, Atlantic dolphin and wahoo, coastal migratory pelagic species or Gulf reef fish has been issued to maintain a fishing record for each trip on an electronic software approved by the National Marine Fisheries Service. Completed fishing records must be electronically transmitted to the Science and Research Director no later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report must be submitted on one of the electronic forms no later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

APPROVED BY COUNCIL

The Council reviewed three tables with estimated one-time cost savings upon implementation of electronic reporting, one-time costs of implementation, and annual maintenance costs. Staff summarized public comments and reviewed the draft Council rationale.

The Council discussed the draft codified text. NOAA GC advised that revisions were needed and would be provided for the Council's consideration by the end of the meeting week.

Direction to include mention of catastrophic condition scenario in the amendment.

MOTION 2: APPROVE THE COMPREHENSIVE AMENDMENT ADDRESSING ELECTRONIC REPORTING FOR COMMERCIAL VESSELS FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.
APPROVED BY COUNCIL

East Coast Climate Change Scenario Planning

Roger Pugliese reviewed the status of the East Coast Climate Scenario Planning Project, including the final project report and prioritized action items. John Carmichael guided discussion on the action items and the Council provided the following input.

Theme 1: Governance

- Consideration is needed for the governance overlap between the SAFMC and GMFMC and recognition that any changes impacting SAFMC operations could also impact GMFMC.
- The SAFMC process has worked well and resulted in various governance arrangements with MAFMC, ASMFC, and GMFMC, each adapted to different circumstances.
- The proposed “leadership planning exercise” should be more fully described. Discussions of committee structure and any potential changes must accommodate thorough Council consideration.
- The SAFMC regularly reviews AP structure and composition and has created seats for MAFMC and NEFMC representation.
- All organizations may benefit from identifying ways to expand and diversify AP recruiting.

Theme 2. Ecosystem data

- Consider a South Atlantic workshop including SSC, NMFS, and state representatives, structured similar to a SEDAR data workshop, to identify ecosystem related data now available and new data that could be used for addressing climate issues and risks. Funding could be pursued through IRA grants.
- The SEFSC reported that efforts are underway to support more frequent Ecosystem Status Reports, and four additional staff were hired to support climate related activities.
- Council and SERO staff have begun evaluating approaches to streamlining management actions. Comparing procedures with other Councils and Regional Offices may help identify alternative approaches.

Theme 3. Data

- Study fleets are consistent with the Councils ongoing efforts through its Citizen Science program to increase fishermen involvement in data collection.
- Consider the rock shrimp fishery for a study fleet pilot.

- Evaluate climate and ecosystem data needs through IPTs and identify potential management actions and FMP data specifications that could address data gaps.

Additional Topics for Consideration by the Council

- The Council is interested in pursuing improved nimbleness as described in topic M4 and requests a future presentation on management triggers.
- Permits (M5) are an ongoing issue that will require action by NMFS to resolve.
- Standardizing data across regions to support shifting distributions is necessary. The Council requests a presentation from SEFSC on status and outcomes from the 2020 Atlantic Science Coordination Workshop.
- The Council is interested in pursuing alternative management options (M7) despite the lack of regional interest in the topic. IRA funding could be used to support work on developing alternative approaches such as dynamic reference points.

Allocation Review Process

Council staff reviewed the draft allocation review guidelines, including the Council's new [allocations webpage](#) and suggested updates to the Council's existing Allocation Review Trigger Policy. The Council had the following comments:

Allocation Review Trigger Policy

- Recommend saving the original Allocation Review Trigger Policy document and noting when it was updated for maintaining a clear record. Note the date of the update on the revised policy that is posted to the website or used in amendment documents.
- Conducting allocation reviews at least every seven years is appropriate for the time-based trigger criteria; however, some species will need to be reviewed sooner. Clarify that seven years is the upper limit.
- Council members support having information on allocations as well as the timing of allocation reviews on the website and removing the table from the trigger policy. Making it a stand-alone table on the website will be helpful in keeping it and the trigger policy up to date.
- Direct staff to make sure that the Gulf Council agrees with the seven-year time trigger for species with stocks that cross jurisdictional boundaries (black grouper, yellowtail snapper, mutton snapper, and hogfish).
- Clarify the language in the trigger policy regarding "three out of the five consecutive years". Specify that the five years is based on the immediately preceding five full fishing years of data that is available.
 - Determining when landings hit the exceedance or underage trigger should be clarified. This will be determined during SAFE report reviews.
- The Council was concerned that the trigger policy could reduce the Council's flexibility, especially when addressing changes resulting from climate change. Add language to the policy that the Council will need to maintain flexibility to respond to an unprecedented need to review allocations outside the specified triggers in the policy.
 - Note that a Council member can still bring forward a request to examine allocations at any time even if an allocation trigger criterion has not been met.

Allocation Review Guidelines

- In situations where the Council determines that an existing allocation is adequate and there is no FMP amendment, the Council will review the ensuing allocation review report at the next meeting to make sure there is consensus amongst the Council before the report is finalized and added to the website.
 - This approval of the review will “start the clock” for the seven-year time-based trigger.

General Comments

- Include a definition of “allocations” on the webpage and in the Allocation Review Guidelines.
- If an allocation review is triggered, the Council may consider requesting that the appropriate advisory panel develop a fishery performance report for that species if it does not already exist.

Southeast Reef Fish Survey (SERFS) and Southeast Area Monitoring and Assessment Program (SEAMAP) Updates

Staff from South Carolina Department of Natural Resources presented summarized trends in abundance and distribution for select species collected in the SERFS and SEAMAP through 2022. A few stocks had higher than average indices of abundance in 2021 or 2022. Red Snapper index of abundance for the trap index was the second highest observed in the time series in 2022 and was the highest in the video survey in 2021. White Shrimp index of abundance based on the SEAMAP Trawl survey was the highest in the timeseries in 2022. Several of the grouper species, Red Porgy, and Black Sea Bass had lower than average indices of abundance in the most recent years. Red Porgy and Black Sea Bass indices were the lowest in the trap timeseries in 2021 or 2022.

Marine Recreational Information Program pilot study briefing

The Council received a presentation from Richard Cody on the recent MRIP pilot study indicating potential bias in effort estimates. An expanded evaluation is planned for 2024. Calibrated historic estimates may be available by mid-2026 and full implementation of survey changes will likely occur in 2026. The Council approved several motions to guide consideration during this meeting on how to proceed with amendments in light of the MRIP estimation issues.

The Council approved the following motions:

MOTION 3: DURING THE SEPTEMBER COUNCIL MEETING AND PRIOR TO DISCUSSION ON EACH AMENDMENT THAT UTILIZES MRIP-FES DATA, THE COUNCIL WILL DISCUSS THE FOLLOWING:

1. THE AMENDMENT’S DEPENDENCY ON MRIP-FES DATA,
2. ANY MSA OR FEDERAL DEADLINES REQUIRED TO COMPLETE THE AMENDMENT, AND

3. IF THE COUNCIL IS INTERESTED IN MOVING FORWARD WITH THE AMENDMENT AND SUBSEQUENT TIMELINE OR POSTPONING FURTHER DISCUSSION UNTIL THE MRIP FES BIAS EVALUATION STUDY IS COMPLETE.
APPROVED BY COUNCIL

MOTION 4: DURING THE SEDAR COMMITTEE, THE COUNCIL WILL DISCUSS THE ONGOING AND UPCOMING PROJECTS REQUESTED BY THE SAFMC, CONSIDER THEIR DEPENDENCY ON MRIP-FES, AND PROVIDE RECOMMENDATIONS TO BE CONSIDERED AT THE NEXT SEDAR STEERING COMMITTEE.
APPROVED BY COUNCIL

MOTION 5: DIRECT THE EXECUTIVE COMMITTEE AT THEIR OCTOBER 2023 MEETING TO RE-EVALUATE AND PRIORITIZE THE WORKLOAD IN ACCORDANCE WITH THE COUNCIL'S ACTIONS DURING THE SEPTEMBER 2023 MEETING TO ADJUST FMP AMENDMENT TIMELINES AND SAFMC SEDAR PRIORITIES IN LIGHT OF THE RECENT NOTIFICATION OF POSSIBLE BIAS IN ESTIMATES PROVIDED BY THE MRIP-FES PROGRAM.
APPROVED BY COUNCIL

NMFS Council Governance Procedural Directive Discussion

NMFS has requested comments on a draft policy directive addressing MSA § 304(f)(1), authorizing the Secretary of Commerce to Council governance authority for FMPs. The Council Coordination Committee has reviewed the draft at several meetings and is preparing a comment letter. Other Councils are also expected to offer comments.

Judd Curtis reviewed SSC comments on the directive, provided during their September 7th meeting. Issues noted by the SSC include:

- lack of clarity in the process,
- potentially arbitrary threshold values,
- no clear role stated for SSCs in reviewing information or recommendations,
- concerns with data sources available for the South Atlantic, and
- no consideration of the impacts on science and assessment activities.

John Carmichael reviewed detailed comment points on the directive, and the Council supported including the points in a comment letter. Additionally, the Council observed that the overall policy did not appear thoroughly developed and raised a concern that additional challenges or pitfalls could arise when applied. Public input and stakeholder involvement should be included in the process. Including information on how past governance decisions were made, and any challenges encountered, could provide stronger justification for the process and a better basis on which to evaluate the directive.

The Council recognizes the need for guidance on how governance decisions will be made, and desires a process that will be effective across all regions and situations. The process must be adaptive to the unique situation that each stock will present and not be overly cumbersome to

apply. This may require a less prescriptive approach at the national level and greater involvement of regional entities, including the Councils as well as Science Centers and Regional Offices, in stock distribution evaluations and governance decisions.

Timing and Tasks

MOTION 6: DIRECT STAFF TO DO THE FOLLOWING:

- Prepare a presentation on management triggers to inform activities related to climate change response for the March 2024 Council meeting.
- Request a presentation from SEFSC on status and outcomes from the 2020 Atlantic Science Coordination Workshop for the December 2023 Council meeting.
- Request an update from the SEFSC on progress to address differences in fishery independent surveys across regions (SOUTHEAST AND NORTHEAST) that currently limit the use of survey information to evaluate climate impacts on fish stocks for the December 2023 meeting.
- Finalize comment letter on governance procedural directive.
- Submit a FOIA request to the USCG to obtain information on the number, frequency, and duration of closures in the EEZ as a result of space-related activities over the past 10 years.
- Prepare a letter to support the state's positions regarding shrimp imports and the effect they are having on the domestic shrimp industry.

APPROVED BY COUNCIL