



Update on SAFMC Amendments Under Development or Recently Submitted

May 2019

Snapper Grouper

Vision Blueprint Recreational Regulatory Amendment 26

The Council approved the amendment for formal review in December 2018. The amendment is was submitted to the National Marine Fisheries Service (NMFS) on April 17, 2019. Proposed actions in this amendment are below:

1. Minimum size limits for deep-water snappers: Remove the 12-inch total length recreational minimum size limit for queen snapper, silk snapper, and blackfin snapper.
2. Gray Triggerfish: Reduce the recreational minimum size limit for gray triggerfish in the EEZ off east Florida to 12 inches fork length.
3. Specify no more than 10 fish can be of any one species within the 20-fish aggregate (whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup, gray triggerfish, bar jack, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice, and Atlantic spadefish).

Vision Blueprint Commercial Regulatory Amendment 27

The Council approved the amendment for formal review at their October 2018 meeting and the amendment was submitted to NMFS on January 24, 2019. Proposed actions in this amendment are below:

1. Blueline Tilefish: 100 pounds gutted weight (lbs gw) trip limit from Jan 1 - Apr 30 and 300 lbs gw from May 1 - Dec 31.
2. Snowy Grouper: Specify two commercial fishing seasons: 70% of commercial ACL Jan 1 - June 30 (Season 1) and 30% July 1 - December 31 (Season 2). Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward.
3. Greater Amberjack: Specify two commercial fishing seasons: 60% of commercial ACL Mar 1 - Aug 31 (Season 1) and 40% Sept 1 - end of Feb (Season 2). Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. During April each year, no person may sell or purchase a greater amberjack harvested from the South Atlantic EEZ and the harvest and possession limit is one per person per day or one per person per trip, whichever is more restrictive. Season 1 trip limit = 1,200 lbs ww, Season 2 trip limit = 1,000 lbs ww.

4. Red Porgy: Specify two commercial fishing seasons: 30% of commercial ACL Jan 1 - Apr 30 (Season 1) and 70% May 1 - Dec 31 (Season 2). Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. Remove the sale and purchase prohibition and the possession limit of three per person per day or three per person per trip, whichever is more restrictive, during Jan 1 - Apr 30 each year. Retain the commercial trip limit of 120 fish from May 1 - Dec 31 and specify a commercial trip limit from Jan 1 - April 30 of 60 fish.
5. Vermilion Snapper: Retain calendar fishing year and the 50% split quotas of the commercial ACL between the two seasons. Modify the commercial trip limit for both seasons and remove trip limit reductions. Any remaining quota from Season 1 transfers to Season 2. Any remaining quota from Season 2 is not carried forward. Trip limit = 1,000 lbs gw.
6. Almaco Jack: Establish a minimum size limit for the commercial sector of 20 inches fork length.
7. Other Jacks Complex: Establish a commercial trip limit = 500 lbs gw.
8. Deep-water Snappers: Remove the 12-inch total length commercial minimum size limit for queen snapper, silk snapper, and blackfin snapper.
9. Gray Triggerfish: Reduce the commercial minimum size limit for gray triggerfish in the EEZ off the east coast of Florida to 12 inches fork length.

Abbreviated Framework 2 (Vermilion Snapper and Black Sea Bass)

The Council received public comment and approved the amendment for formal review at their October 2018 meeting. The amendment was submitted to NMFS on November 19, 2018. Regulations are effective on May 9, 2019. The amendment adjusts the ACLs for vermilion snapper and black sea bass based on the latest stock assessments for those species. The ACL for vermilion snapper will increase. The ACL for black sea bass decreased; however, catches of black sea bass in recent years have not reached the level of the new ACL and early closures are not expected.

Amendment 42 (Sea Turtle Release Gear and Revisions to Snapper Grouper Framework)

The NMFS Release Protocols for protected species were originally published in 2004. Revised editions were released in 2008 and 2010, and a new update is ready for publication. In the pending update, the Southeast Fisheries Science Center (SEFSC) approved three additional turtle release gear types for use in handling and releasing incidentally caught sea turtles when fishing for reef fish. The new gear requires less space on vessels while still providing the necessary functionality; however, fishermen who participate in the snapper grouper fishery cannot use the approved gear until it is listed as acceptable gear in a fishery management plan and made a requirement in the regulations. Amendment 42 would include the new gear in the regulations for the snapper grouper fishery and consider modifications to the snapper grouper framework so the Council may more quickly modify sea turtle and other protected resources release gear and handling requirements in the future. The amendment was submitted to NMFS on April 27, 2019.

Regulatory Amendment 30 (Red Grouper Rebuilding)

The most recent red grouper assessment (SEDAR 53) indicated that the stock is undergoing overfishing and is not making adequate progress towards rebuilding, which is supposed to take place by 2020 under

the current rebuilding plan. The Council acted to end overfishing via Abbreviated Framework Amendment 1 (implemented in August 2018) but has not yet revised the red grouper rebuilding plan. Actions in Snapper Grouper Regulatory Amendment 30 would implement a rebuilding plan, modify the seasonal closure for red grouper in federal waters off the Carolinas and implement a commercial trip limit. The Council is expected to approve this amendment for formal review at their June 2019 meeting. Regulations may be effective in late 2019. Proposed actions in the amendment are:

Action 1: Revise the Rebuilding Schedule for Red Grouper

Alternative 1 (No Action). The current rebuilding schedule is set at the maximum time period allowed to rebuild (T_{max}). This is equal to 10 years with the rebuilding time period ending in 2020. 2011 was Year 1.

Preferred Alternative 4. Revise the rebuilding schedule to equal the maximum time period allowed to rebuild (T_{max}). This would equal 10 years with the rebuilding time period ending in 2028. 2019 would be Year 1.

Action 2: Modify the seasonal prohibition on recreational harvest and possession of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina

Alternative 1 (No Action). During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney).

Preferred Alternative 2. During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney). Revise the timing of these restrictions only for red grouper in the exclusive economic zone off North Carolina and South Carolina as follows:

Preferred Sub-alternative 2a. January – May (five months)

Action 3: Modify the seasonal prohibition on commercial harvest, possession, sale, and purchase of red grouper in the Exclusive Economic Zone off South Carolina and North Carolina

Alternative 1 (No Action). During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney). Additionally, during January through April, no person may sell or purchase any shallow-water grouper harvested from or possessed in the South Atlantic exclusive economic zone.

Preferred Alternative 2. During January through April, no person may fish for, harvest, or possess in or from the South Atlantic exclusive economic zone any shallow-water grouper (gag, black grouper, scamp, red grouper, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, or coney). Additionally, during January through April, no person may sell or purchase any shallow-water grouper harvested from or possessed in the South Atlantic exclusive economic zone. Revise the timing of these restrictions only for red grouper in the exclusive economic zone off North Carolina and South Carolina as follows:

Preferred Sub-alternative 2a. January – May (five months)

Action 4: Establish a commercial trip limit for red grouper harvested in the South Atlantic Exclusive Economic Zone.

Alternative 1 (No Action). There is no commercial trip limit for red grouper harvested in the South Atlantic exclusive economic zone.

Preferred Alternative 2. Establish a commercial trip limit for red grouper harvested in the South Atlantic exclusive economic zone:

Preferred Sub-alternative 2d. 200 pounds gutted weight

Requested AP Action: Provide comments as appropriate.

Regulatory Amendment 33 (Red Snapper Seasons)

During the March 2019 Council meeting, SERO staff briefed the Council on the projected 2019 red snapper season. As implemented through Amendment 43, the commercial season begins each year on the second Monday in July and the recreational season begins on the second Friday in July. The Committee subsequently discussed possibly modifying the days of the week that are open to recreational harvest starting in 2020, should harvest be allowed, to maximize fishing opportunity in the event of bad weather. The Committee was concerned that limiting the recreational season to consecutive “weekends” during the summer months could increase the chances of losing an entire weekend. The Committee also expressed interest in having periodic review of how limited openings are working and give the public an opportunity to provide feedback on the seasons. The Council intends to explore the following:

- (1) removing the requirement that if the projections indicate the red snapper season (commercial or recreational) would be three days or less, the season would not open for that fishing year;
- (2) modifying the start date for the red snapper recreational season;
- (3) modifying the days of the week that recreational harvest is allowed during an open season;
- and
- (4) modifying the start date of the commercial red snapper season.

The Council will discuss an options paper at their upcoming meeting in June and consider holding public hearings later in the summer.

Requested AP Action: Provide comments as appropriate.

Regulatory Amendment 34 (SMZs off NC & SC)

North Carolina and South Carolina have submitted requests to the Council to designate artificial reef areas in federal waters off their coasts as Special Management Zones (SMZs). The procedure for requesting SMZ designation was established in the original fishery management plan in 1983 and was recently amended to include designation of Spawning Special Management Zones (Amendment 36). During 2019, the Council will review the states’ requests and develop regulation recommendations for NMFS to approve and implement. North Carolina has requested SMZ designation for 30 artificial reefs. South Carolina’s request applies to four additional sites to the existing 28. Within the NC SMZs, only handline gear (handline, rod and reel, and spear) would be allowed to fish for snapper grouper species and only the recreational bag limit could be retained for species harvested with spear. In the SC SMZs, harvest of snapper grouper species would be limited to the recreational bag limit and the only allowable gear would be handheld gear (handline, rod and reel, and spear without powerheads).

For-hire Electronic Reporting Amendment

This amendment proposes mandatory electronic reporting for charter vessel operators with a federal for-hire permit in the snapper grouper, dolphin wahoo, or coastal migratory pelagic fisheries with alternatives for weekly or daily reporting; reducing the time allowed for headboat operators to complete their electronic reports; and requiring location reporting by charter vessels with the same detail now required for headboat vessels. The proposed rule published on April 4, 2018, with a comment period through May 4, 2018. The Council was notified on June 12, 2018, that the amendment was approved by NMFS.

At their January 2017 meeting, the Gulf Council approved a generic amendment to modify charter vessel and headboat reporting requirements for vessels with a Gulf charter/headboat reef fish or a federal Gulf charter/headboat coast migratory pelagics permit. The amendment proposes daily electronic reporting for both Gulf charter and Gulf headboat vessels, a hail-in and hail-out requirement, as well as requirements to report on NMFS approved hardware/software, and a system to report archived GPS coordinates.

Publication of the final rules for both the South Atlantic and Gulf amendments is pending.

Coastal Migratory Pelagics

Amendment 31 (Atlantic cobia management)

In June 2017, the Atlantic States Marine Fisheries Commission (ASMFC) requested that the Councils consider transferring management of Atlantic cobia to the ASMFC, which would require that Atlantic cobia be removed from the federal fishery management plan.

At the March 2018 Council meeting, the Committee discussed enforcement of Atlantic cobia in federal waters if it were to be removed from federal management, and the timing for Amendment 31 relative to the upcoming Stock ID Workshop for Atlantic cobia and the amount of time the State of South Carolina would need to get regulations approved in state waters (due to having to go through the S.C. Legislature). The Council chose to wait until the June 2018 meeting to take final action requesting that staff revise the draft amendment to address NOAA General Counsel concerns and send a letter to ASMFC requesting information on how they intend to handle regulations in federal waters under the preferred alternative. At the June 2018 meeting, the Council received an update on the SEDAR 58 Stock ID Workshop and Review as well as ASMFC actions relative to future management of Atlantic cobia in federal waters under the Atlantic Coastal Act. After reviewing the revised document, the Council approved Amendment 31 for formal review. The Gulf Council reviewed Amendment 31 at their June 2018 meeting and approved the amendment formal review. Amendment 31 was transmitted for formal review on July 13, 2018. The final rule published on February 19, 2019 with an effective date of March 21, 2019. ASMFC is currently working on Amendment 1 to the Interstate FMP for Atlantic Cobia, which will address regulations in federal waters.

Framework Amendments 6 and 8 (King mackerel trip limits)

The new regulations for king mackerel established in CMP Amendment 26 became effective on May 11, 2017, including updated commercial trip limits for the Atlantic Southern zone. Stakeholders and the AP/Sub-Panel have recommended that the Council consider revising the trip limits to allow for a higher trip limit north of the Volusia/Brevard county line during season one, which would mirror trip limits prior to Amendment 26. In September 2017, the Council reviewed a document with options for alternatives to be included in a framework amendment addressing Atlantic king mackerel commercial trip limits during season one. The Council selected Alternative 3 (Season 1: 75-fish in March, 3,500 lb.

from April – September for Volusia County) as their preferred. The Council approved Framework Amendment 6 for formal review at the October 2018 meeting. Framework Amendment 6 was transmitted for formal review on November 9, 2018. The proposed rule published on March 26, 2019.

At the March 2019 meeting the Council reviewed Mackerel Cobia Advisory Panel concerns regarding low commercial trip limits in the Atlantic southern zone during season two (October to the end of February). During the winter months, fishermen are only able to fish a small number of days due to the weather. Additionally, due to changes in the fishery, more fish are on the market during this time of the year, resulting in lower prices. The Council directed staff to begin work on a framework amendment to address season two trip limits for Atlantic king mackerel. The Council will be discussing the amendment at their upcoming meeting in June and considering requesting that NMFS take emergency action to modify the trip limit.

Spiny Lobster

Amendment 13 (update procedure for coordinated management with Florida and bully net regulations)

There is a procedure and protocol in place in the Spiny Lobster Joint FMP to allow NMFS to update federal regulations to align with Florida regulations without necessary action by the Councils. However, the procedure and protocol needed to be updated before the process could be used again to update federal regulations to align with the Florida bully net regulations. The Gulf Council and the South Atlantic Council approved actions to address inconsistencies between State of Florida spiny lobster regulations and those in federal waters concerning bag limits, degradable panels, and the definition of artificial habitat. At the June 2018 meeting, the South Atlantic Council reviewed the amendment, selected preferred alternatives. Based on comments from the Spiny Lobster and Law Enforcement Advisory Panels the Council moved the actions addressing degradable panels and artificial habitat to the considered but rejected appendix, and approved the document for public hearings. The Gulf Council approved Amendment 13 for formal review at their August 2018 meeting. After reviewing the document and public comments at their September 2018 meeting, the Council approved Amendment 13 for formal review. Amendment 13 was transmitted for formal review on November 19, 2018.

Dolphin Wahoo

Amendment 10

During the 2019 March Meeting, the South Atlantic Council discussed Dolphin Wahoo Amendment 10, which considers several actions that would implement management changes to fisheries for Atlantic dolphin and wahoo. Below are the summarized actions that are up for consideration:

- Revise ACLs for dolphin and wahoo to accommodate new recreational landings data and resulting catch level recommendations.
- Revise sector allocations for dolphin and wahoo.
- Revise the optimum yield (OY) definition for dolphin.
- Allow adaptive management of sector ACLs for dolphin.
- Revise the accountability measures for dolphin.
- *Allow properly permitted commercial vessels with lobster traps, stone crab pots, or black sea bass pots onboard to possess dolphin and wahoo.*
- *Allow the use of buoy gear in the commercial dolphin wahoo fishery.*
- *Remove the requirement of vessel operators or crew to hold an Operator Card in the dolphin wahoo fishery.*
- *Allow bag limit sales of dolphin for dually permitted for-hire and commercial dolphin wahoo permit holders.*

- *Reduce the recreational vessel limit for dolphin.*
- *Modify gear and training requirements in the directed commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements.*

The amendment is in its early stages of development and may go out for scoping after the June Council meeting.

Adding Frigate and Bullet Mackerel as Ecosystem Component Species in the Dolphin Wahoo Fishery Management Plan

The Council has recently been considering adding frigate mackerel and bullet mackerel to the Dolphin Wahoo FMP as ecosystem component species. This action is being considered in acknowledgement of the role that the two unmanaged mackerel species play as important forage, particularly for wahoo. At the March 2019 meeting, the Council voted to send the topic out for scoping to gather comments and public input on how they should move forward. Comments received will be presented to the South Atlantic Council at their June 2019 meeting.

Comprehensive Amendments

Recreational Accountability Measures

Over the past five years, the Council has requested information on possible approaches to improve recreational landings estimates, particularly for species that are infrequently intercepted in the recreational survey. However, the accuracy of such estimates has not improved enough to allow efficient tracking of recreational ACLs and has led to mounting frustration among fishery managers, stock assessment analysts, and recreational anglers. The Council is already working on methods to obtain additional data (e.g., Amendment 46, MyFishCount App) that could eventually be used to improve management of recreational fisheries in the region. A possible avenue to lessen the impact of uncertain recreational data on stakeholders is revision of accountability measures to allow more flexibility. The amendment also seeks to provide consistency in accountability measures and fishing season predictability across species for the recreational sector. The Council has reviewed preliminary actions/alternatives to amend the snapper grouper and dolphin wahoo fishery management plans. Work on this amendment will continue through 2019.