



SAFMC Amendments Summary

June 2019

Snapper Grouper

Snapper Grouper Amendment 38 (blueline tilefish)

SEDAR 50 was conducted in 2017 as a joint assessment between the South Atlantic Fishery Management Council (SEDAR Lead) with the Mid-Atlantic Fishery Management Council addressing the stock assessment(s) for Atlantic blueline tilefish. The SSC reviewed results of SEDAR 50 at their October 2017 meeting and provided catch level recommendations for blueline tilefish for the area south of Cape Hatteras, NC. SEFSC staff presented the Committee on the assessment results at the December 2017 meeting. As ABC recommendations that match the jurisdictional boundaries of the Mid- and South Atlantic Councils (boundary at the NC/VA state line) were needed to develop fishing levels and management measures, the SSC formed a workgroup whose task was to determine a suitable approach to obtaining an ABC that would be useable under the existing management structure. The MAFMC SSC reviewed results of the workgroup at their March 2018 meeting and the SAFMC SSC reviewed the results during their May 2018 meeting and provide guidance to the Council. In June 2018, the Committee reviewed SSC recommendations on setting an ABC for blueline tilefish and development of this amendment was delayed by other priorities. The SSC was going to review blueline tilefish at the January 25th webinar which was rescheduled and took place February 25th. Based on the review the SSC decided not to use the revision assessment to update the ABC recommendation they made after SEDAR 50. The SSC reaffirmed their previous ABC recommendations from SEDAR 50 and the Blueline Tilefish ABC Workgroup at their April meeting. Progress could commence on Amendment 38 at the June Council meeting where the Council would consider options to implement a new ABC for the South Atlantic based on ABC recommendations for the southern area developed as part of SEDAR 50 in combination with the approved recommendations for the area north of Hatteras. Because this amendment is only a change to the ACL for blueline tilefish, this could become Abbreviated Framework 3 and depending on NEPA determination could be completed at the September or December 2019 Council meeting.

Snapper Grouper Amendment 44 (allocations for yellowtail)

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. In June 2017 the Council sent a letter to the Gulf Council to obtain input on a possible joint amendment to combine ACLs for yellowtail snapper. The Gulf Council sent a reply indicating their willingness to work with the South Atlantic Council on management solutions for yellowtail snapper. During the March 2018 meeting, the Council agreed to wait until revised MRIP data are available before revisiting long-term management options for yellowtail snapper. Further guidance has been provided that the Council will wait until the next stock assessment for yellowtail snapper before moving forward with management changes for the fishery.

Snapper Grouper Amendment 46 (recreational permit and reporting)

In June 2017, the Council instructed staff to move actions formerly in Amendment 43, except a red snapper ACL action, to Amendment 46. The amendment addresses recreational permitting and reporting for private recreational fishermen, best fishing practices (also include an option to remove circle hook requirements for snapper grouper fishing), and removing powerhead restrictions in special management zones off South Carolina (an action formerly included in the Visioning amendments). The Council approved the amendment for scoping but it has been included as an agenda item since September 2018.

Regulatory Amendment 29 (Best Fishing Practices and Powerhead Regulations)

At their March 2018 meeting, the Council removed actions pertaining to best fishing practices and powerhead regulations from Amendment 46 and requested that staff begin development of a framework amendment. The Council was concerned that other actions in Amendment 46 (recreational permitting and reporting) would take significant time to be developed and did not want to delay action on other issues. The Council reviewed an options paper at their June 2018 meeting and approved the amendment for scoping with actions addressing venting and descending devices, circle hooks, allowable rigs, and powerheads. Scoping hearings were held on August 7th and 8th 2018. The Council reviewed scoping comments at their September 2018 meeting. Actions and alternatives addressing venting and descending devices, circle hooks, and powerheads were approved for analysis. The action pertaining to allowable rigs was removed. The Council reviewed a draft public hearing document at their March 2019 meeting and approved the amendment for public hearings. Public hearings were held on April 30th and May 1st, 2019. The Council will review an updated document and comments from the Snapper Grouper and Law Enforcement Advisory Panels and the Scientific and Statistical Committee at their June 2019 meeting.

Regulatory Amendment 30 (Red Grouper Rebuilding)

The 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 was formally notified of the red grouper stock status via a letter from NMFS dated September 17, 2017. The Council has moved to end overfishing through the revised ABC and ACL for red grouper that will be implemented via Abbreviated Framework Amendment 1 but has not yet revised the red grouper rebuilding plan. Hence, the Council will need to begin development of an amendment to revise the current rebuilding plan before the next red grouper assessment is completed (currently scheduled as a standard assessment in 2021) in order to meet the statutory deadline of September 17, 2019. At their March 2018 meeting, the Council directed staff to begin work on a framework amendment to revise the red grouper rebuilding schedule. The Council

discussed options at their June 2018 meeting and directed staff to consolidate actions addressing red grouper into Regulatory Amendment 30. Hence, actions to modify the seasonal closure of red grouper in the EEZ off the Carolinas were moved over from the Visioning Amendments (Regulatory Amendments 26 & 27). In addition, the Council added an action to consider a trip limit for red grouper. Public hearings for this amendment were held during the October 2018 meeting. At this meeting, the Council approved the purpose and need statements, selected or reconfirmed preferred alternatives, added a sub-alternative to extend the spawning season closure for red grouper off of the Carolinas through June, and voted to progress the amendment for final approval at the December 2018 meeting. Due to data issues discovered subsequent to the October 2018 meeting, the federal government shutdown in late 2018/early 2019, and SSC deliberations over MRIP revision stock assessments, the vote for final approval was delayed and is expected in June 2019.

Wreckfish ITQ Review

In June of 2017, the Council directed staff to begin a subsequent formal review of the Wreckfish ITQ program in accordance with NMFS guidelines. The review itself will not contain actions and alternatives. It could recommend actions and alternatives for the Council to consider in a future Snapper Grouper amendment to the FMP.

A meeting of shareholders was held in August of 2017 to get their input on how the program was working and problems they had encountered. Council and NMFS staff presented information on the development of the review at the September 2017 and March 2018 Council meetings. The SSC and Snapper Grouper AP reviewed the ongoing development in the fall of 2017. The SSC referred review of the document to the Socioeconomic Panel (SEP) of the SSC for further review in February 2018.

The review includes data from the 2009/2010 through 2016/2017 fishing years. The most significant issues identified were putting the data together in a meaningful way and securing waivers from current and past fishery participants. In January 2018, at least one fishery participant and one dealer declined signing the waiver that would release access to confidential landings. Therefore, analyses will only be in the aggregate for each year. In March 2018, the Council directed staff to have the SG and LE APs along with the SSC review the document. The SSC will review the SEP recommendations. Another meeting of Wreckfish shareholders is planned for July 9, 2018 in Daytona Beach, FL. The Council will next consider the review at their March 2019 meeting. Due to the government shutdown, the writing was not completed ahead of the March 2019 meeting as planned. The Council is scheduled to review the final document at June and then vote on final approval in September 2019.

White Paper on Deepwater Species Regional Recreational Allocation

During discussion of the Vision Blueprint Regulatory Amendment 26 (recreational measures), the Council acknowledged that a recreational season for deepwater species would not adequately address regional differences in access to this group of species. The Council directed staff to prepare a white paper to explore regional allocation of the recreational ACLs for these species and bring that back for discussion at the June 2019 meeting. However, Council members also stated a preference for waiting to obtain results of the ASA-led recreational workshops (held in late 2018 and early 2019) to further discuss potential solutions that would promote equitable access to deepwater species.

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.

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).

Coral/Golden Crab/Shrimp

Coral 10/ Golden Crab 10/ Shrimp 11 (Access Areas, Transit Provision, Golden Crab VMS)

In March 2018, the Council directed staff to begin development of a joint amendment for coral, golden crab, and shrimp to look at access areas in the golden crab northern zone, eastern edge of the Oculina Bank Extension established in Coral Amendment 8, shrimp trawl gear stowage requirements when transiting closed areas, and VMS for golden crab vessels. The Council approved the amendment for scoping. At the December 2018 meeting, the Council requested this be an agenda item for the June 2019 meeting; however, it was not added as a priority item at the March 2019 meeting.

Mackerel Cobia

Amendment 24 – Atlantic Spanish Mackerel Allocations

CMP Amendment 24 considered ways to increase opportunity for the total annual catch limit (ACL) to be reached for Atlantic Spanish mackerel. The Atlantic Spanish mackerel commercial sector was exceeding the commercial ACL while the recreational sector was landing increasingly lower proportions of the recreational ACL. Options considered included: permanent reallocation between sectors, trigger thresholds for an ACL shift between sectors, modifications to the framework procedure that would allow for a pre-season ACL shift between sectors, and a common pool allocation. The Council stopped work on this amendment in December 2014 in favor of other priorities with the intent to resume work in 2016.

Framework Amendment 8 – King mackerel trip limits for season two

During the March 2019 meeting the Council reviewed concerns expressed by fishermen in Florida and the Mackerel Cobia Advisory Panel regarding low commercial trip limit 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. When the weather is decent, AP members feel it would be helpful if fishermen had access to a higher trip limit to make trips worthwhile. The Committee directed staff to begin work on framework amendment to address these concerns. Staff will present recommendations from the Mackerel Cobia Advisory Panel and an options paper for consideration at the June 2019 meeting.

Dolphin Wahoo

Dolphin Wahoo Amendment 10 (allocations for dolphin)

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 Dolphin Wahoo 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.

The Council directed staff at the December 2018 meeting to start work again on the amendment with the inclusion of additional items that would allow bag limit sales of dolphin for dually permitted for-hire and commercial permit holders, modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements, reduce the recreational vessel limit for dolphin, revise ACLs to accommodate new recreational data, and revise

sector allocations. In March 2019, the Committee reviewed the actions in the amendment and added a potential item to explore the addition of buoy gear as an authorized commercial gear type in the dolphin wahoo fishery. Council staff will provide an overview of the actions and items that the Council has identified for the amendment at the June 2019 meeting. Additionally, as part of Amendment 10, the Council will be reviewing the Dolphin Wahoo Fishery Management Plan goals and objectives as part of the process for creating an Allocation Review Trigger Policy.

Bullet and Frigate Mackerel

In March 2018, the Mid-Atlantic Council requested that the South Atlantic Council (Council) consider the possibility of managing bullet mackerel and frigate mackerel as ecosystem components in the Dolphin Wahoo Fishery Management Plan. NMFS disapproved inclusion of the two species in the Mid-Atlantic's Unmanaged Forage Omnibus Amendment, citing concerns over inconsistency with National Standard 2 and an insufficient connection to that Council's FMPs. At the December 2018 meeting, the Council received a presentation on the presence of bullet and frigate mackerel in the diets of dolphin and wahoo and at the March 2019 meeting the Council discussed a white paper on mechanisms and regulatory parameters for adding ecosystem component (EC) species to a FMP, ways that other Councils have addressed EC species in FMPs, as well as background information on fisheries for bullet and frigate mackerel. The Council voted to send the topic of adding bullet and frigate mackerel to the Dolphin Wahoo FMP as EC species out for scoping in the spring of 2019. The Council will review the scoping comments received at the June 2019 meeting. This management topic is not currently in an amendment.

Generic Amendments

Comprehensive ABC Control Rule Amendment (SG 45/GC 11/Sargassum 4/Coral 11)

In December 2016, the Council directed staff to start work on a plan amendment that would modify the ABC Control Rule to address flexibility allowed under the MSA and revise how uncertainty and risk tolerance are addressed in setting ABCs. This amendment includes actions to revise the ABC Control Rule to modify how the Council sets the risk tolerance for overfishing, how the SSC addresses uncertainty, and to incorporate flexibility in the ABC specifications to address carry-over of unused catch and phasing-in of major changes in catch levels. The IPT met twice during the July – December 2018 period to continue amendment development. The SSC reviewed the document, including the evaluation of actions and alternatives, in October 2018. Scoping occurred in January 2019. The SSC and Snapper Grouper AP reviewed the amendment, with a focus on the risk policy, in April 2019.

Recreational AMs (SG Reg 31/DW Reg 2)

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 annual catch limits (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. At their

March 2018 meeting, the Council directed staff to begin development of an amendment that would revise recreational accountability measures to allow more flexibility in managing recreational fisheries. The Council reviewed some preliminary actions/alternatives and decided that this Recreational AM would apply only to the snapper grouper and dolphin wahoo FMPs. The Council continued work on this amendment at the December 2018 meeting. Scoping occurred in January 2019. In March 2019, the Council further refined the actions and alternatives.

Joint Commercial Logbook Amendment

Currently, logbook reports from commercial fishermen targeting snapper grouper, coastal migratory pelagics, 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)

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.

Allocation Trigger Plan

The Council needs to continue work on its plan for what triggers will direct the Council to begin a re-evaluation of sector allocations for any given species or FMP. At the December 2018 meeting, the Council began the process by reviewing a white paper prepared to help orient the Council to the process outlined and agreed to by the CCC. Council directed staff on how it would like to proceed. This plan will cover all species managed by the Council. While this is not a formal amendment to any fishery management plan, it will be a guidance document to be used by the Council in the future.

Marine Aquaculture Plan for the South Atlantic Region

The Council at their June meeting approved a motion to begin development of an aquaculture plan for the South Atlantic Region. The Habitat Protection and Ecosystem Based Management Advisory Panel who developed the standing Policy Statement on Aquaculture will continue to review and compile information and background on State and Federal activities to support future consideration of development. Based on the outcome of recent legal rulings, this plan is on hold until after NMFS determines how or if to proceed on councils future development of aquaculture plans.