



## SAFMC Amendments Summary

November 5, 2018

### 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.

#### *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 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 Council approved the amendment for scoping at their March 2018 meeting. Scoping webinars were held on April 23<sup>rd</sup> and 24<sup>th</sup>, 2018. At their June 2018 meeting the Council reviewed scoping comments and approved actions and alternatives to be analyzed. A draft of Amendment 42 will be reviewed at the December 2018 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.

### *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 did not include it as an agenda item for the September 2018 Meeting.

### *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 7<sup>th</sup> and 8<sup>th</sup> 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 will review a draft public hearing document at their March 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 vote for final approval is expected in March 2018.

### *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 and consider the input of the APs, the SSC, and shareholders, prior to giving final approval to the review.

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## **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 October 2018 meeting, the Council requested this be an agenda item for the March 2019 meeting.

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## **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.

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## 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 DW 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.

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## Generic Amendments

### *Comprehensive ABC Control Rule Amendment*

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. The Amendment includes actions to: 1) revise how the SSC evaluates assessment uncertainty; 2) revise how the risk tolerance is specified; and 3) allow phase-in and carry-over of ABCs. An IPT was formed to develop actions and alternatives, and the SSC and Council have regularly reviewed progress and provided guidance during 2017 and 2018. In June 2018 the Council directed that scoping of this amendment be conducted in the Fall of 2018. However, since the Council did not work on this amendment at the October 2018 meeting is not scheduled to work on it at the December 2018 meeting, scoping will not occur until early 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 is scheduled to continue work on this amendment at the December 2018 meeting.

### *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 send to NMFS by August 2019 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 will begin the process by reviewing a white paper prepared to help orient the Council to the process outlined and agreed to by the CCC. Council will direct 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.

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