

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
ATLANTIC BEACH, NORTH CAROLINA
DECEMBER 10-11, 2009
SUMMARY COUNCIL MOTIONS**

SPINY LOBSTER

The Council approved the following motions relative to Spiny Lobster:

MOTION #1: APPROVED THE SEDAR UPDATE APPOINTMENTS AS FOLLOWS:

- >> **SAFMC SSC (2) - SHERRY LARKIN (SSC) AND DAVE EGGLESTON (NC STATE SCIENTIST)**
- >> **SAFMC ADVISORY PANEL (2) - COMMERCIAL: TONY IAROCCI (NOT ON AP) WITH BRUCE IRWIN (AP) AS AN ALTERNATE.
RECREATIONAL: BOB BURTON (AP) WITH MICHAEL ADAMS (AP) AS AN ALTERNATE.**
- >> **SAFMC STAFF - GREGG WAUGH**
- >> **SAFMC COUNCIL MEMBER - MARK ROBSON WITH GEORGE GEIGER AS AN ALTERNATE.**

MOTION #2: APPROVED THE TIMING FOR SPINY LOBSTER AMENDMENT 10 AS FOLLOWS:

>> *SA Council and SSC approve Terms of Reference (TOR) December 6-11, 2009*

>> *SA Council approves participants December 6-11, 2009*

>> *Gulf Council approves TORs February 1-4, 2010*

>> *Gulf SSC approves TORs December 1-2, 2009*

>> *Gulf Council approves participants February 1-4, 2010*

>> *Data scoping webinar March 16, 2010*

>> *Preliminary data through 2008 compiled by April 22, 2010*

>> *Base run model adjustments developed May 1 to June 18, 2010*

>> *Final data through 2009 compiled by June 1, 2010*

>> *Update Webinar 1 - finalize data; preliminary model discussion June 22, 2010*

>> *Update Webinar 2 July 13, 2010*

>> *Update Webinar 3 July 27, 2010*

>> *Draft update report distributed by teams for review August 11, 2010*

>> *Update Workshop August 23-25, 2010*

>> *Update Webinar 4 September 8, 2010*

>> *Update Workshop report sent to council staff for SSC October 18, 2010*

>> *Update Review by Joint SA/Gulf SSC – scheduled so that SSC Review Report can be included in SAFMC December 2010 briefing book (by COB on November 15, 2010). Meet early in 1st week in November (Nov 1-5) and finalize report by COB on November 15th.*

MOTION #3: APPROVED THE TERMS OF REFERENCE FOR THE SPINY LOBSTER SEDAR UPDATE AS MODIFIED BY THE SSC (*Note: Included in the Spiny Lobster Committee Report.*)

JOINT EXECUTIVE AND FINANCE

The Council approved the following motion relative to Executive and Finance:

MOTION #1: VOTED TO ALLOW COUNCIL MEMBERS AND ELIGIBLE SSC MEMBERS TO RECEIVE COMPENSATION FOR PARTICIPATION IN WEBINARS.

PROTECTED RESOURCES

The Council approved the following motion relative to Protected Resources:

MOTION #1: VOTED TO REFER THE ISSUE OF SMALLTOOTH SAWFISH ALLOWABLE TAKES IN THE SHRIMP FISHERY TO THE SHRIMP COMMITTEE.

ECOSYSTEM-BASED MANAGEMENT

The Council approved the following motions relative to CE-BA 2:

MOTION #1: (*Pertaining to delegating or transferring management authority of octocorals to the State of Florida.*) RETAIN OPTIONS 1 AND 2 (BELOW) AND DISCARD OTHER OPTIONS UNDER THE ACTION PERTAINING TO OCTOCORAL MANAGEMENT:

Option 1. No action. Do not transfer management authority of the octocoral fishery to the State of Florida.

Option 2. Delegate management of the octocoral fishery to the State of Florida but do not withdraw the South Atlantic Coral FMP.

MOTION #2: ELIMINATE THE OPTION TO WITHDRAW THE SOUTH ATLANTIC CORAL FMP.

MOTION #3: FURTHER CONSIDER WHETHER EXOTIC SPECIES ARE PART OF THE MANAGEMENT UNIT. (*This motion was in lieu of removing the proposed action to allow harvest of orange cup coral. The intent is for staff to coordinate with appropriate agencies to develop a draft policy addressing invasive species in the South Atlantic region that can be reviewed at the March 2010 SAFMC meeting.*)

MOTION #4: REMOVE THE ACTION THAT WOULD POSSIBLY ALLOW HARVEST OF ENCRUSTING GORGONIANS AND PLACE IN CONSIDERED BUT REJECTED APPENDIX.

PERSONNEL

MOTION #1: THE COUNCIL VOTED TO REMOVE CHRIS DECKER FROM THE SNAPPER GROUPER ADVISORY PANEL.

SNAPPER GROUPER

The Council approved the following motions relative to Snapper/Grouper:

MOTION #1: ACCEPT THE TERMS OF REFERENCE FOR BLACK SEA BASS AS MODIFIED BY SSC.

MOTION #2: ACCEPT THE TERMS OF REFERENCE FOR SNOWY GROUPEr AS MODIFIED BY SSC.

MOTION #3: APPOINT THE FOLLOWING INDIVIDUALS TO THE SNAPPER GROUPEr SEDAR UPDATES:

- >> SCIENTIFIC AND STATISTICAL COMMITTEE - DR. ANDREW COOPER, DR. MARCEL REICHERT, DR. JOHN BOREMAN AND CHIP COLLIER
- >> THREE ADDITIONAL SCIENTISTS – TO BE DETERMINED BY THE COUNCIL CHAIRMAN, VICE-CHAIRMAN AND CHAIRMAN OF THE SNAPPER GROUPEr COMMITTEE
- >> OBSERVER - DR. FRANK HESTER.

MOTION #4: APPOINT THE FOLLOWING ADVISORY PANEL MEMBERS TO THE SEDAR UPDATES:

- >> TOM BURGESS, KENNY FEX, ZACH BOWEN AND BOBBY CARDIN.

MOTION #5: APPOINT THE REMAINING INTERESTED ADVISORY PANEL MEMBERS AS ALTERNATES (DEBRANGO, HARRIS, OSBORNE, GOULD, SCHOOLCRAFT, HIGH AND BROWN).

MOTION #6: APPROVE THE TERMS OF REFERENCE FOR RED SNAPPER AS MODIFIED BY THE SSC AND ADD THE FOLLOWING ITEMS:

- >> INCONSISTENCIES WITH GULF ASSESSMENT (NATURAL MORTALITY AND OTHER INCONSISTENCIES)
- >> UNCERTAINTIES-PRESENTED AS A RANGE NOT A BASE RUN
- >> REFERENCE POINTS

MOTION #7: FOR THE BLACK SEA BASS AND SNOWY GROUPEr TERMS OF REFERENCE, THE UNCERTAINTIES SHOULD BE PRESENTED AS A RANGE AND NOT AS A BASE RUN.

AMENDMENT 17A

MOTION #8: DO NOT CHANGE THE COUNCIL'S PREFERRED ALTERNATIVE FROM F40% TO F30%, BUT ADD AN ANALYSES BASED ON MSY PROXY = F30%SPR AND HAVE IT COMPLETED FOR REVIEW AT MARCH 2010 MEETING.

MOTION #9: MOVE ALTERNATIVE 2 UNDER REBUILDING STRATEGY AND OPTIMUM YIELD TO THE CONSIDERED BUT REJECTED APPENDIX (*Define a rebuilding strategy for red snapper that sets fishing mortality at FMSY*)

(F40%) in year 1. The ACL (total removals) for 2010 would be 105,000 lbs whole weight. The ACL specified for 2010 would remain in effect beyond 2010 until modified. Under this strategy, the fishery would have a 44% chance of rebuilding to SSBMSY within the allowable 35 year timeframe (Table 2-6). Since this alternatives specifies the fishing mortality rate that produces MSY, OY at equilibrium would not be specified. The Council will review ACL and management measures following the next scheduled assessment for red snapper.)

MOTION #10: CHANGE THE REBUILDING STRATEGY PREFERRED

ALTERNATIVE TO ALTERNATIVE 6 (Define a rebuilding strategy for red snapper that sets FOY equal to 97% FMSY (97%F40%) and rebuilds in 35 years. The ACL for 2010 would be 101,000 lbs whole weight. The ACL (total removals) specified for 2010 would remain in effect beyond 2010 until modified. The Council will review ACL and management measures following the next scheduled assessment for red snapper. OY at equilibrium would be 2,291,000 lbs ww. Under this strategy, the fishery would have a 50% chance of rebuilding to SSBMSY by 2044. (F^{rebuild}).

MOTION #11: MOVE REBUILDING STRATEGY ALTERNATIVE 7 TO THE

CONSIDERED BUT REJECTED APPENDIX (*Define a rebuilding strategy for red snapper that sets the ACL at 0 (directed landings only). The AM would be to track catch per unit effort (CPUE) of red snapper via a fishery-independent monitoring program (see Section 4.12) to track changes in biomass. CPUE would be evaluated every three years and adjustments would be made by the framework action being developed in Amendment 17B).*

MOTION #12: UNDER RED SNAPPER MANAGEMENT MEASURES MAKE AREA CLOSURE ALTERNATIVE 4D (98-300 FT.; 69%, 80% AND 86% REDUCTIONS) THE COUNCIL'S PREFERRED ALTERNATIVE.

MOTION #13: ALTERNATIVES 7 AND 9 UNDER RED SNAPPER MANAGEMENT

MEASURES BE THE COUNCIL'S PREFERRED ALTERNATIVES (*Alternative 7 - Allow harvest, possession, and retention of snapper grouper species (with exception of red snapper) in the closed area if fish were harvested with black sea bass pots with endorsements. Alternative 9 - Allow harvest, possession, and retention of snapper grouper species (with the exception of red snapper) in the closed area if fish were harvested with spearfishing gear).*

MOTION #14. RECONSIDER THE ESTABLISHMENT OF ALTERNATIVE 8 UNDER RED SNAPPER MANAGEMENT MEASURES AS THE PREFERRED ALTERNATIVE

(Alternative 8 - Allow harvest, possession, and retention of snapper grouper species (with exception of red snapper) with bottom longline gear in the closed area deeper than 50 fathoms as specified in CFR §622.35.)

MOTION #15. DO NOT MAKE ALTERNATIVE 8 UNDER RED SNAPPER MANAGEMENT MEASURES THE PREFERRED ALTERNATIVE

(This motion canceled out Motion #14 above).

MOTION #16: SUB-ALTERNATIVE 11A UNDER RED SNAPPER MANAGEMENT MEASURES BE THE COUNCIL'S PREFERRED ALTERNATIVE (*Sub-Alternative 11a - The prohibition on possession does not apply to a person aboard a vessel that is in transit with snapper grouper species on board and with fishing gear appropriately stowed*).

MOTION #17: UNDER "REQUIRE THE USE OF CIRCLE HOOKS", REQUIRE THE USE OF NON-OFF SET, NON-STAINLESS STEEL CIRCLE HOOKS WHEN FISHING FOR SNAPPER GROUPEER SPECIES WITH HOOK AND LINE GEAR WITHIN THE EEZ NORTH OF 28 DEGREES AS THE COUNCIL'S PREFERRED ALTERNATIVE; IT IS UNLAWFUL TO POSSESS SNAPPER GROUPEER SPECIES WITHOUT ALSO POSSESSING NON-OFF SET, NON-STAINLESS STEEL CIRCLE HOOKS; INTENT TO APPLY TO USE OF NATURAL BAITS ONLY.

MOTION #18: REQUEST THE SEFSC TO PROVIDE A FISHERY INDEPENDENT MONITORING PLAN FOR RED SNAPPER AT OUR MARCH 2010 MEETING.

MOTION #19: MAKE ALTERNATIVE 2 UNDER ESTABLISH A RED SNAPPER MONITORING PROGRAM THE COUNCIL'S PREFERRED ALTERNATIVE (*Alternative 2 - Establish fishery independent monitoring program to track progress of red snapper. Sampling would include deployment of chevron traps, cameras, and hook and line at randomly selected stations*).

MOTION #20: REQUEST THE SEFSC TO PROVIDE A FISHERY DEPENDENT MONITORING PLAN FOR RED SNAPPER AT OUR MARCH 2010 MEETING

AMENDMENT 17B

MOTION #21: CLARIFY THAT IN ALTERNATIVES 2-5 IT WAS THE COUNCIL'S INTENT THAT SPECKLED HIND AND WARSAW GROUPEER BE CLOSED THROUGHOUT THE EEZ.

MOTION #22: INCLUDE THE ONE SNOWY GROUPEER PER BOAT LIMIT AS PART OF THE AGGREGATE GROUPEER BAG LIMIT.

MOTION #23: APPROVE SENDING SNAPPER GROUPEER AMENDMENT 17B TO THE SECRETARY OF COMMERCE FOR FORMAL REVIEW, APPROVAL AND IMPLEMENTATION. INTENT TO GIVE STAFF EDITORIAL LICENSE TO ADDRESS ANY NEEDED CHANGES.

MOTION #24: APPROVE THE SNAPPER GROUPEER AMENDMENT 17B PROPOSED RULE - INTENT TO GIVE STAFF EDITORIAL LICENSE TO ADDRESS ANY NEEDED CHANGES.

MOTION #25: GIVE CHAIRMAN HARRIS THE AUTHORITY TO DEEM THE PROPOSED RULE AS APPROPRIATE IF ANY CHANGES ARE REQUIRED.

MOTION # 26: DIRECTED STAFF TO DRAFT A LETTER TO THE SECRETARY OF COMMERCE FOR REVIEW AT THE MARCH 2010 COUNCIL MEETING BASED ON CHAIRMAN HARRIS' COMMENTS [ITEMS TO ADDRESS INCLUDE: ACLS, DATA DELIVERY SYSTEMS AND ECONOMIC IMPACTS].

AMENDMENT 18

MOTION #27: ADD A NEW ACTION TO AMENDMENT 18 THAT INVOKES THE 12/4/08, 10/14/05 AND 4/23/97 CONTROL DATES TO LIMIT PARTICIPATION IN THE BLACK SEA BASS POT FISHERY. THE INTENT IS TO USE LANDINGS FROM BLACK SEA BASS POTS.

MOTION #28: ADD ALTERNATIVES WHICH WOULD USE THE NUMBER OF TAGS ISSUED AS OF 12/4/08 AS A BASIS FOR REDUCTIONS OF 10% AND 25%.

MOTION #29: MOVE ACTION #5 TO THE CONSIDERED BUT REJECTED APPENDIX (*Action #5 - Separate gag recreational allocation into regions/states*).

MOTION #30: ADD A SUB-ALTERNATIVE TO ALTERNATIVES 2, 3 & 4 THAT KEEPS THE 300 POUND TRIP LIMIT WHEN 75% OF THE QUOTA IS TAKEN.

AMENDMENT 20

MOTION #31: ADD A SERIES OF ALTERNATIVES THAT WOULD ALLOW TRANSFER OF WRECKFISH SHARES OR ALLOCATIONS.

MOTION #32: INCLUDE ACTIONS 6-12 AND ASSOCIATED ALTERNATIVES IN AMENDMENT 20 (*Action 6: redistribution of unused quota share; Action 7: cost recovery fee; Action 8: VMS; Action 9: overage (borrowing) allowance; Action 10: resource rent extraction; Action 11: sunset provision applied to share ownership; Action 12: reallocation of wreckfish to non-ITQ shareholders*).

COMPREHENSIVE ACL AMENDMENT OPTIONS PAPER

MOTION #33: ADD AN ALTERNATIVE THAT DESIGNATES A SPECIES AS AN ECOSYSTEM COMPONENT SPECIES IF LANDINGS OF THAT SPECIES ARE LESS THAN OR EQUAL TO 10,000 LBS.

OTHER MOTIONS

MOTION #1: THE COUNCIL VOTED TO SEND A LETTER TO FLORIDA FISH AND WILDLIFE COMMISSION EXPRESSING NO OBJECTION TO THEIR MANAGEMENT AUTHORITY FOR POMPANO, AFRICAN POMPANO, & BONEFISH.

MOTION #2: THE COUNCIL VOTED NOT TO RECOMMEND THE REGIONAL ADMINISTRATOR NOT ISSUE THE LEW AUGUSTA REQUESTED EXEMPTED FISHING PERMIT AT THIS TIME.

MOTION #3: THE COUNCIL APPROVED SENDING A LETTER TO HMS OBJECTING TO THE EXTENSION OF THE CLOSED AREA EFP UNTIL SUCH TIME AS HMS CAN RESPOND TO OUR INITIAL REQUEST, WHICH WAS TO OUTLINE THE LEVELS OF BYCATCH OF SPECIES THAT WOULD RESULT IN RESCINDING THAT PERMIT.