

Director's Report





ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

February 15, 2017

MEMORANDUM

TTDC 2-17

TO: Marine Fisheries Commission
FROM: DMF License and Statistics Section
SUBJECT: Trip Ticket Disposition Code

The License and Statistics Section is currently executing a phased-in approach for implementation of species disposition on trip tickets. Disposition will be available on all paper trip tickets and in the electronic trip ticket software to document catch that is kept for personal consumption once implementation is complete. Trip Ticket Program staff reached out to other states to determine the best way to implement this field on paper trip tickets. Currently, South Carolina, Georgia, and Virginia do not collect disposition on trip tickets. Florida Fish and Wildlife does provide a space on their trip tickets to record disposition and North Carolina's approach was modeled after Florida. The new paper tickets will be phased-in, meaning existing paper trip ticket stock will be used before new tickets are mailed to dealers to reduce waste of current stock. Fishermen who are not selling to a dealer are not required to turn in trip tickets.

While modifying paper trip tickets to include disposition code, Trip Ticket Program staff also evaluated and updated gear, waterbody, and species lists on each ticket type to remove unused selections and add any species or gears that were frequently written by dealers on the trip ticket. The header information (fisherman license number, dealer number, etc.) was also standardized to be the same on all trip ticket types.

Progress made to date

- A field to capture disposition has been added to the electronic trip ticket software and is visible to all dealers using the most current version of the software (Version 7.0.0).
- Data on disposition is being included in the electronic trip ticket files sent by the dealer.
- The division is able to upload disposition into the Fisheries Information Network database from the electronic dealer data files.
- New templates, including a place to record disposition, were developed for all paper ticket types.
- A reference sheet for disposition codes was developed and will be included with all paper trip ticket books sent to dealers.



Next steps

- Existing stock of paper tickets will be used before new tickets get sent to the dealers to reduce waste.
- The next trip ticket order will include the new ticket templates. The next order is expected to be in April 2017.
- The Fisheries Information Network user interface will need to be modified to include disposition code so Trip Ticket Program staff can enter data collected on paper trip tickets into the database.

Any data collected on paper tickets before the interface is updated will not be able to be entered. The division is currently working on replacing the Fisheries Information Network using Pega software and the inclusion of disposition code is not in scope of the existing Pega contract.

A copy of a Type 1 (Finfish) ticket showing the addition of the new disposition field is attached (Figure 1) as well as a copy of the disposition code reference sheet (Table 1).



Table 1. North Carolina Trip Ticket Program disposition codes.

Disposition Code	Description
0	No Disposition
1	Food
2	Personal Use
5	Aquaculture
6	Canned Pet Food
7	Animal Food
8	Bait
9	Reduction/Meal
10	Aquarium
11	Kept, Disposition Unknown
12	Biomedical Use
13	Packing, Only
14	Fertilizer
15	Research
100	Reason not specified
101	No Market
602	Seized by Law Enforcement



INFORMATION
WILL BE
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N.C. Marine Fisheries Commission Rule Suspension Update- As of January 25, 2017

(In accordance with Division of Marine Fisheries Resource Management Policy 2014-2: Temporary Rule Suspensions)

New Suspension - Action Required

- **The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0301 POTS is suspended:**

Section (g), which reads:

(g) It is unlawful to use crab pots in Coastal Fishing Waters unless each pot contains no less than two unobstructed escape rings that are at least two and five-sixteenths inches inside diameter and located in the opposite outside panels of the upper chamber of the pot, except the following are exempt from the escape ring requirements:

- (1) unbaited pots;
- (2) pots baited with a male crab; and
- (3) pots set in areas and during time periods described in 15A NCAC 03R .0118.

Suspension of the above rule allows the division to implement the crab pot escape ring requirements adopted by the commission in the May 2016 Revision to Amendment 2 of the N.C. Blue Crab Fishery Management Plan. This suspension was effective January 15, 2017, implemented in Proclamation M-11-2016.

Continuing Suspensions - No Action Required

- **The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03L .0201 CRAB HARVEST RESTRICTIONS is suspended:**

Sections (a) and (b), which read:

(a) It is unlawful to possess more than 10 percent by number in any container, male and immature female hard blue crabs less than five inches from tip of spike to tip of spike and to fail to return hard blue crabs not meeting this restriction to the waters from which taken, except the Fisheries Director may, by proclamation authority established in Paragraph (f) of this Rule, further restrict the harvest of blue crabs. All blue crabs not sorted into containers as specified in Paragraph (b) of this Rule shall be deemed hard blue crabs for the purpose of establishing the 10 percent culling tolerance.

(b) It is unlawful to possess blue crabs less than five inches from tip of spike to tip of spike unless individual crabs are sorted to and placed in separate containers for each of the following categories:

- (1) soft crabs;
- (2) pink and red-line peeler crabs;
- (3) white-line peeler crabs; and
- (4) from March 1 through October 31, male crabs to be used as peeler crab bait.

- **The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03L .0203 CRAB DREDGING is suspended:**

Section (a), which reads:

(a) It is unlawful to take crabs with dredges except:

- (1) from January 1 through March 1 in the area of Pamlico Sound described in 15A NCAC 03R .0109; and
- (2) incidental to lawful oyster dredging operations in areas not subject to the exception in Subparagraph (a)(1) of this Rule provided the weight of the crabs shall not exceed:

- (A) 50 percent of the total weight of the combined oyster and crab catch; or
- (B) 500 pounds, whichever is less.

Suspension of the above rules relative to crab harvest and dredging allows the division to implement the blue crab harvest restrictions adopted by the Marine Fisheries Commission in the May 2016 Revision to Amendment 2 of the N.C. Blue Crab Fishery Management Plan. These restrictions were implemented in proclamation M-11-2016.

➤ **The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03J .0501 DEFINITIONS AND STANDARDS FOR POUND NETS AND POUND NET SETS is suspended:**

Section (e)(2), which reads:

(e) Escape Panels:

- (2) It is unlawful to use flounder pound net sets without four unobstructed escape panels in each pound. The escape panels shall be fastened to the bottom and corner ropes on each wall on the side and back of the pound opposite the heart. The escape panels shall be a minimum mesh size of five and one-half inches, hung on the diamond, and shall be at least six meshes high and eight meshes long.

Suspension of portions of this rule allows the division to increase the minimum mesh size of escape panels for flounder pound nets in accordance with Supplement A to Amendment 1 of the N.C. Southern Flounder Fishery Management Plan. This suspension was implemented in Proclamation M-34-2015.

➤ **The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0519 SHAD is suspended:**

Paragraphs (a) and (b) which read:

- (a) It is unlawful to take American shad and hickory shad by any method except hook-and-line from April 15 through December 31.
- (b) It is unlawful to possess more than 10 American shad or hickory shad, in the aggregate, per person per day taken by hook-and-line or for recreational purposes.

➤ **The following portion of N.C. Marine Fisheries Commission Rule 15A NCAC 03Q .0107 SPECIAL REGULATIONS: JOINT WATERS is suspended:**

Paragraph (4) which reads:

- (4) Shad: It is unlawful to possess more than 10 American shad or hickory shad, in the aggregate per person per day taken by hook-and-line.

Suspension of portions of these rules allows the division to change the season and creel limit of American shad under the management framework of the N.C. American Shad Sustainable Fishery Plan. These suspensions were implemented in Proclamation FF-59-2016.



ROY COOPER
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MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

February 15, 2017

MEMORANDUM

Landings 2-17

TO: Marine Fisheries Commission
FROM: DMF License and Statistics Section
SUBJECT: Landings Update

Attached are the current landings for red drum and southern flounder.

Red drum landings are presented by month for the Sept. 1, 2015 through Aug. 31, 2016 fishing season and the Sept. 1, 2016 through Aug. 31, 2017 fishing season. Monthly landings of southern flounder are presented for 2013-2016.

2016 landings are preliminary and only complete through September. Preliminary 2017 data for January will be available in March 2017. Confidential data were denoted with ***.



Year	Month	Species	Pounds	Dealers	Trips	Average (2007-2009)
2013	1	SOUTHERN FLOUNDER	2,942	42	276	7,713
2013	2	SOUTHERN FLOUNDER	896	37	254	4,617
2013	3	SOUTHERN FLOUNDER	4,387	57	682	23,512
2013	4	SOUTHERN FLOUNDER	16,696	92	1,176	68,389
2013	5	SOUTHERN FLOUNDER	49,629	123	1,778	122,514
2013	6	SOUTHERN FLOUNDER	79,203	137	2,127	154,090
2013	7	SOUTHERN FLOUNDER	119,726	150	2,840	170,387
2013	8	SOUTHERN FLOUNDER	124,184	147	2,686	201,862
2013	9	SOUTHERN FLOUNDER	416,203	161	3,632	396,301
2013	10	SOUTHERN FLOUNDER	883,476	172	5,512	781,717
2013	11	SOUTHERN FLOUNDER	483,762	121	2,589	392,150
2013	12	SOUTHERN FLOUNDER	5,288	12	27	37,303
2014	1	SOUTHERN FLOUNDER	2,978	29	183	7,713
2014	2	SOUTHERN FLOUNDER	1,823	29	285	4,617
2014	3	SOUTHERN FLOUNDER	3,430	43	677	23,512
2014	4	SOUTHERN FLOUNDER	18,997	71	933	68,389
2014	5	SOUTHERN FLOUNDER	16,001	93	681	122,514
2014	6	SOUTHERN FLOUNDER	80,142	123	1,988	154,090
2014	7	SOUTHERN FLOUNDER	84,702	141	2,148	170,387
2014	8	SOUTHERN FLOUNDER	105,208	137	2,204	201,862
2014	9	SOUTHERN FLOUNDER	404,143	153	3,588	396,301
2014	10	SOUTHERN FLOUNDER	634,514	146	3,436	781,717
2014	11	SOUTHERN FLOUNDER	320,773	121	1,991	392,150
2014	12	SOUTHERN FLOUNDER	800	5	7	37,303
2015	1	SOUTHERN FLOUNDER	1,984	30	237	7,713
2015	2	SOUTHERN FLOUNDER	495	21	93	4,617
2015	3	SOUTHERN FLOUNDER	10,750	62	768	23,512
2015	4	SOUTHERN FLOUNDER	20,824	88	1,074	68,389
2015	5	SOUTHERN FLOUNDER	42,454	117	1,282	122,514
2015	6	SOUTHERN FLOUNDER	53,838	116	1,482	154,090
2015	7	SOUTHERN FLOUNDER	42,806	106	1,144	170,387
2015	8	SOUTHERN FLOUNDER	43,900	111	1,152	201,862
2015	9	SOUTHERN FLOUNDER	255,067	122	2,335	396,301
2015	10	SOUTHERN FLOUNDER	429,234	127	2,554	781,717
2015	11	SOUTHERN FLOUNDER	301,489	90	1,755	392,150
2015	12	SOUTHERN FLOUNDER	89	7	10	37,303
2016	1	SOUTHERN FLOUNDER	2,625	33	264	7,713
2016	2	SOUTHERN FLOUNDER	1,643	31	291	4,617
2016	3	SOUTHERN FLOUNDER	9,018	57	911	23,512
2016	4	SOUTHERN FLOUNDER	10,562	72	630	68,389
2016	5	SOUTHERN FLOUNDER	24,531	89	822	122,514
2016	6	SOUTHERN FLOUNDER	44,970	100	1,247	154,090
2016	7	SOUTHERN FLOUNDER	43,608	102	1,138	170,387
2016	8	SOUTHERN FLOUNDER	52,953	106	1,410	201,862
2016	9	SOUTHERN FLOUNDER	244,503	130	3,000	396,301
2016	10	SOUTHERN FLOUNDER	277,841	114	2,131	781,717
2016	11	SOUTHERN FLOUNDER	140,614	47	1,099	392,150
2016	12	SOUTHERN FLOUNDER	14	5	5	37,303

2016 data are preliminary and only complete through October.

***data are confidential

Red Drum Landings 2015-2016

Landings are complete through October 31, 2016

2015 Landings are final; 2016 landings are preliminary

Year	Month	Species	Pounds	2009-2011 Average	2012-2014 Average
2015	9	Red Drum	4,961	28,991	35,471
2015	10	Red Drum	18,815	43,644	59,757
2015	11	Red Drum	4,897	14,318	28,619
2015	12	Red Drum	1,398	3,428	3,401
2016	1	Red Drum	1,183	5,885	1,364
2016	2	Red Drum	1,679	3,448	3,176
2016	3	Red Drum	2,170	5,699	2,957
2016	4	Red Drum	3,698	7,848	3,945
2016	5	Red Drum	6,200	13,730	9,222
2016	6	Red Drum	6,013	12,681	7,432
2016	7	Red Drum	6,328	13,777	15,555
2016	8	Red Drum	6,793	21,252	16,910

Fishing Year (Sept 1, 2015 - Aug 31, 2016) Landings 64,134

Year	Month	Species	Pounds	2009-2011 Average	2012-2014 Average
2016	9	Red Drum	18,748	28,991	35,471
2016	10	Red Drum	13,983	43,644	59,757
2016	11	Red Drum	6,124*	14,318	28,619
2016	12	Red Drum	909*	3,428	3,401

Fishing Year (Sept 1, 2016 - Aug 31, 2017) Landings 39,764

*partial trip ticket landings only

***landings are confidential



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

January 27, 2017

MEMORANDUM

PR 2-17

TO: Marine Fisheries Commission

FROM: Chris Batsavage, Protected Resources Section Chief/Special Assistant for Councils

SUBJECT: Protected Resources Section Update

Observer Program

Tables summarizing observer coverage and protected species interactions from January through December 2016 are included below. These tables provide the number of trips, observer coverage, and protected species interactions for large and small mesh gill nets by month, season and management unit. Please note that observer coverage is based on the average number of trips from previous years because 2016 trip data is preliminary. The overall numbers of large and small mesh gill net trips in 2016 are lower than previous years, which will result in higher observer coverage values if the finalized 2016 trip data show the same trend.

A total of 49 sea turtle interactions were observed in large mesh gill nets and three in small mesh gill nets from January through December 2016, with most of the interactions occurring in October (13). Six self-reported sea turtle interactions by gill net fishermen occurred during this time period.

A total of 78 Atlantic sturgeon interactions were observed in large mesh gill nets and six in small mesh gill nets from January through December 2016, with most of the interactions occurring in September (26). Two self-reported Atlantic sturgeon interactions by gill net fishermen occurred during this time period.

Management Unit Openings and Closures

The following management units closed as a requirement of the Sea Turtle and Atlantic Sturgeon Incidental Take Permits:

- Management Unit B closed to large mesh gill nets on Nov. 2, 2016 due to the number of allowed live green sea turtle takes being approached for the incidental take permit fishing year (Sept. 1, 2016-Aug. 31, 2017). The management unit could reopen before Sept. 1,



2017 if staff determine that live green sea turtle takes were lower than expected due to lower than expected fishing effort.

- Management Unit C opened to large and small mesh gill nets on Dec. 5, 2016.
- Management Unit A below the Highway 64/264 Bridges in Croatan and Roanoke sounds opened to small mesh gill nets on Dec. 12, 2016.
- Management Unit A closed to large mesh gill nets on Dec. 16, 2016 due to the number of allowed live Atlantic sturgeon takes being approached for the fall season (December-February). Portions of the management area reopened on Jan. 29, 2017 after staff determined that live Atlantic sturgeon takes were lower than expected due to lower than expected fishing effort.



Table 1. Preliminary data collected for large mesh gill nets by month through the NCDMF Observer Program through December 2016.

Month	Trips		Observer Large Mesh				Observed Takes By Species								
	Estimated ¹	Actual ²	AP Attempts ³	Trips	Yards	Coverage ⁴	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon	
							Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	270	525	51	22	10,400	8.1	0	0	1	0	0	0	0	1	0
February	725	757	49	40	16,960	5.5	0	0	0	0	0	0	0	2	0
March	1,925	1,780	85	173	104,833	9.0	0	0	0	0	0	0	0	4	1
April	1,246	784	109	76	39,850	6.1	0	0	0	0	0	0	0	4	2
May	923	487	133	63	29,740	6.8	1	0	0	1	0	0	1	0	0
June	1,279	618	75	67	31,985	5.2	3	1	1	1	0	0	0	1	0
July	1,192	364	116	46	28,310	3.9	2	0	2	2	0	0	1	0	0
August	1,450	506	105	74	43,955	5.1	0	0	4	0	0	0	0	0	0
September	2,218	2,302	73	275	215,640	12.4	4	1	4	3	0	0	0	24	2
October	2,393	1,207	88	121	90,989	5.1	2	0	9	2	0	0	0	17	0
November	1,137	689	128	81	37,530	7.1	0	0	2	1	0	0	0	11	0
December	238	356	116	11	5,590	4.6	0	0	0	0	0	0	0	9	0
Total	14,997	10,375	1,128	1,049	655,782	7.0	12	2	23	10	0	0	2	73	5

¹ Finalized trip ticket data averaged from 2011-2015

² Preliminary trip ticket data for 2016

³ Alternative Platform trips where no fishing activity was found

⁴ Based on estimated trips and observer large mesh trips

Table 2. Preliminary data collected for large mesh gill nets by season and management unit through the NCDMF Observer Program through December 2016.

Season	Unit	Trips		Observer Large Mesh				Observed Takes By Species									
		Estimated ¹	Actual ²	AP Attempts ³	Trips	Yards	Coverage ⁴	Kemp's		Green		Loggerhead		Unknown	A.Sturgeon		
								Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
Winter	A	946	1,724	71	52	28,150	5.5	0	0	0	0	0	0	0	0	10	0
	B	109	35	10	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	C	138	30	23	13	7,140	9.4	0	0	0	0	0	0	0	0	0	0
	D1	0	0	2	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	D2	3	1	5	0	0	0.0	0	0	0	0	0	0	0	0	0	0
Spring	E	36	41	46	12	2,260	33.3	0	0	1	0	0	0	0	0	0	0
	A	2,277	1,505	70	138	86,433	6.1	0	0	0	0	0	0	0	0	4	2
	B	568	273	75	43	21,440	7.6	1	0	0	1	0	0	1	0	0	0
	C	878	996	39	73	49,390	8.3	0	0	0	0	0	0	0	0	0	0
	D1	25	5	12	0	0	0.0	0	0	0	0	0	0	0	0	0	0
Summer	D2	67	92	27	4	3,000	5.9	0	0	0	0	0	0	0	0	0	0
	E	279	180	104	54	14,160	19.4	0	0	0	0	0	0	0	0	4	1
	A	1,419	148	42	5	5,450	0.4	1	1	0	0	0	0	0	0	1	0
	B	1,234	159	37	3	2,800	0.2	2	0	1	1	0	0	0	0	0	0
	C	654	524	54	58	46,440	8.9	0	0	1	0	0	0	0	0	0	0
Fall	D1	0	0	11	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	D2	125	159	25	22	10,080	17.6	0	0	1	0	0	0	0	0	0	0
	E	489	498	127	99	39,480	20.2	2	0	4	2	0	0	1	0	0	0
	A	2,692	1,447	32	175	198,189	6.5	0	0	0	0	0	0	0	0	51	2
	B	1,453	1,148	34	131	77,325	9.0	3	0	13	4	0	0	0	0	0	0
Total	C	807	642	41	37	22,925	4.6	1	1	0	0	0	0	0	0	0	0
	D1	40	29	20	15	5,205	37.3	0	0	1	1	0	0	0	0	0	0
	D2	295	369	27	34	10,900	11.5	0	0	0	0	0	0	0	0	0	0
	E	461	563	135	85	29,615	18.5	2	0	1	1	0	0	0	0	1	0
Total		14,997	10,568	1,069	1,053	660,382	7.0	12	2	23	10	0	0	2	71	5	

¹ Finalized trip ticket data averaged from 2011-2015

² Preliminary trip ticket data for 2016

³ Alternative Platform trips where no fishing activity was found

⁴ Based on estimated trips and observer large mesh trips

Table 3. Preliminary data collected for small mesh gill nets by month through the NCDMF Observer Program through December 2016.

Month	Trips		Observer Small Mesh			Observed Takes By Species								
	Estimated ¹	Actual ²	Trips	Yards	Coverage ³	Kemp's		Green		Loggerhead		Unknown	A. Sturgeon	
						Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	666	558	29	14,455	4.4	0	0	0	0	0	0	0	3	0
February	666	853	28	15,170	4.2	0	0	0	0	0	0	0	1	0
March	928	1,042	44	19,435	4.7	0	0	1	0	0	0	0	1	0
April	1,344	900	23	7,785	1.7	0	0	1	1	0	0	0	0	0
May	879	476	16	6,595	1.8	0	0	0	0	0	0	0	0	0
June	726	457	11	2,425	1.5	0	0	0	0	0	0	0	0	0
July	665	375	7	2,325	1.1	0	0	0	0	0	0	0	0	0
August	727	606	12	2,760	1.6	0	0	0	0	0	0	0	0	0
September	771	400	6	775	0.8	0	0	0	0	0	0	0	0	0
October	1,083	702	25	5,080	2.3	0	0	0	0	0	0	0	0	0
November	740	350	50	10,790	6.8	0	0	0	0	0	0	0	0	0
December	630	319	20	9,070	3.2	0	0	0	0	0	0	0	1	0
Total	9,825	7,038	271	96,665	2.8	0	0	2	1	0	0	0	6	0

¹ Finalized trip ticket data averaged from 2013-2015

² Preliminary trip ticket data for 2016

³ Based on estimated trips and observer small mesh trips

Table 4. Preliminary data collected for small mesh gill nets by season and management unit through the NCDMF Observer Program through December 2016.

Season	Unit	Trips		Observer Small Mesh			Observed Takes By Species									
		Estimated ¹	Actual ²	Trips	Yards	Coverage ³	Kemp's		Green		Loggerhead		Unknown	A.Sturgeon		
							Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
Winter	A	1,196	1,392	50	25,540	4.2	0	0	0	0	0	0	0	0	5	0
	B	451	468	3	2,180	0.7	0	0	0	0	0	0	0	0	0	0
	C	162	119	9	5,100	5.6	0	0	0	0	0	0	0	0	0	0
	D1	5	1	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	D2	66	23	1	200	0.0	0	0	0	0	0	0	0	0	0	0
Spring	E	82	147	9	4,265	10.9	0	0	0	0	0	0	0	0	0	0
	A	1,311	665	28	13,510	2.1	0	0	0	0	0	0	0	0	0	0
	B	1,295	1,475	29	12,000	2.2	0	0	1	0	0	0	0	0	1	0
	C	263	94	7	2,550	2.7	0	0	0	0	0	0	0	0	0	0
	D1	39	34	6	650	15.3	0	0	0	0	0	0	0	0	0	0
Summer	D2	42	20	2	400	4.7	0	0	0	0	0	0	0	0	0	0
	E	201	130	11	4,705	5.5	0	0	1	1	0	0	0	0	0	0
	A	356	39	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	B	1,035	1,073	7	2,510	0.7	0	0	0	0	0	0	0	0	0	0
	C	363	151	7	2,350	1.9	0	0	0	0	0	0	0	0	0	0
Fall	D1	12	4	1	50	8.3	0	0	0	0	0	0	0	0	0	0
	D2	66	19	3	450	4.5	0	0	0	0	0	0	0	0	0	0
	E	286	152	12	2,150	4.2	0	0	0	0	0	0	0	0	0	0
	A	438	91	0	0	0.0	0	0	0	0	0	0	0	0	0	0
	B	1,058	769	18	4,015	1.7	0	0	0	0	0	0	0	0	0	0
Total	C	241	63	8	3,850	3.3	0	0	0	0	0	0	0	0	0	0
	D1	60	33	9	1,390	15.0	0	0	0	0	0	0	0	0	0	0
	D2	240	213	18	4,080	7.5	0	0	0	0	0	0	0	0	0	0
	E	557	283	28	3,310	5.0	0	0	0	0	0	0	0	0	0	0
Total		9,825	7,458	266	95,255	2.7	0	0	2	1	0	0	0	0	6	0

¹ Finalized trip ticket data averaged from 2013-2015

² Preliminary trip ticket data for 2016

³ Based on estimated trips and observer small mesh trips



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

January 17, 2017

MEMORANDUM

MAFC 2-17

TO: Marine Fisheries Commission
FROM: Chris Batsavage, Protected Resources Section Chief/Special Assistant for Councils
SUBJECT: Mid-Atlantic Fishery Management Council Meeting Summary - Dec. 12-15, 2016

The Mid-Atlantic Fishery Management Council met on Dec. 12-15, 2016 in Baltimore, MD. The council met jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board to discuss several topics related to management of summer flounder, scup, and black sea bass. Management actions taken by the council are discussed below.

Scup Quota Period Framework and Addendum

The council and board discussed a framework and addendum to modify the dates of the commercial scup quota periods. The commercial scup quota is divided into three periods: Winter I (January-April), Summer (May-October) and Winter II (November-December). The Winter I and Winter II quota periods are managed under a coastwide trip limit, while the Summer Period is managed under state-specific commercial quotas and trip limits. The alternative quota periods being considered are including the month of October in the Winter II quota period and extending the Winter I period until May 15. An analysis suggested that the two action alternatives would not have major socioeconomic or biological impacts; however, some council and board members raised concerns about economic impacts to commercial scup fishermen in state waters and the biological impacts of increased landings if the Winter I quota period is extended through May 15. The council and board agreed to move forward with development of the framework and addendum and plan to take final action in early 2017.

Summer Flounder Allocation Model

The council and the board heard a presentation on an economic model which evaluated the allocation of landings between the commercial and recreational summer flounder fisheries. The model suggested that the current landings-based allocation of 60 percent to the commercial fishery and 40 percent to the recreational fishery is economically efficient and minor changes to that allocation scheme would not likely change the economic benefits derived from the fishery. The model will need to be updated following the release of a revised time series of recreational



landings estimates from the Marine Recreational Information Program in 2017. The model was peer reviewed by members of the council's Scientific and Statistical Committee and other experts and they concluded that the model can be considered the best available science and can be used for management after a few minor adjustments.

Summer Flounder Sex-Specific Population Model

Dr. Patrick Sullivan of Cornell University updated the council and board on the development of a sex-specific summer flounder stock assessment model that accounts for differences in size and growth between female and male summer flounder, which could have implications for management. The model is complete and has been tested with simulated data. The next step is to run the model with actual data from commercial and recreational fisheries. The model may be considered during development of the next summer flounder benchmark stock assessment.

Summer Flounder Amendment

The council and board received an update on development of the comprehensive summer flounder amendment. The current goal of the amendment is to review all aspects of summer flounder management, including goals and objectives, allocation between the commercial and recreational sectors, recreational measures and strategies, and commercial measures and strategies. However, a single amendment covering all of these issues will not be complete until spring of 2020 due to the complexity of the issues and because a revised time series of recreational landings estimates from the Marine Recreational Information Program will not be available until late 2017. Many board and council members think some of these issues must be addressed before then, so they discussed several options for timelines for further development of the amendment and requested additional advice from the council's Fishery Management Action Team on this issue.

Effects of Ocean Acidification on Summer Flounder

Dr. Chris Chambers of the Northeast Fisheries Science Center's Sandy Hook Lab summarized his research on the effects of high carbon dioxide and high temperatures on summer flounder reproduction and productivity. The results showed negative effects on several key life processes, such as fertilization, hatching, and larval growth rates. The council and board are concerned about the future sustainability of the summer flounder population as well as other flatfish species under these conditions.

Summer Flounder Recreational Measures for 2017

The council and board recommended the continued use of conservation equivalency to manage the recreational summer flounder fishery, based on recent performance of the recreational summer flounder fishery, as well as staff, Monitoring Committee, and Advisory Panel recommendations for recreational management measures for 2017. Conservation equivalency allows individual states or multi-state regions to develop customized measures that, in combination, will achieve the coastwide recreational harvest limit of 3.77 million pounds in 2017, an all-time low (approximately 30 percent less than 2016, 48 percent less than 2015, and 68 percent less than 2011, when it peaked at 11.68 million pounds). The combination of these measures should be equivalent to the non-preferred coastwide alternative approved by the council and board (i.e. a 4-fish possession limit, a 19-inch total length minimum size, and an open season of June 1 – Sept, 15). The council and board also approved precautionary default measures (i.e. a 2-fish possession limit, a 20-inch total length minimum size, and an open season



of July 1 – Aug. 31), which will be implemented in any state or region that does not adopt measures consistent with the conservation equivalency guidelines.

The Board approved Draft Addendum XXVIII to the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan. This addendum considers alternative management approaches for the 2017 recreational summer flounder fisheries, while also seeking to address needed reductions due to a decrease in the coastwide recreational harvest limit in 2017. Based on the recreational harvest overage in 2016 and the historically low recreational harvest limit in 2017, a coastwide harvest reduction of 41 percent is required. All but one management option in the draft addendum has changes to North Carolina's recreational flounder regulations. Public hearings were held in early and mid-January from Massachusetts to North Carolina, but no members of the public attended the hearing in North Carolina. The board will take final action in early February 2017.

Black Sea Bass Recreational Measures for 2017

The council and board agreed to make no changes to the current recreational black sea bass management measures at this time because of the recently completed black sea bass benchmark stock assessment. Instead, they will revisit this topic during their February 2017 joint meeting, at which time they will consider revising the 2017 recreational harvest limit and adjusting recreational management measures based on the stock assessment results.

Upcoming Meeting

The next regularly scheduled meeting of the Mid-Atlantic Fishery Management Council will be Feb. 14-16, 2017 at the Hilton Garden Inn Outer Banks Hotel in Kitty Hawk, NC.





December 2016 Council Meeting Report

December 12-15, 2016

Baltimore, Maryland

This document summarizes actions taken and issues considered at the Mid-Atlantic Fishery Management Council's December 2016 meeting in Baltimore, Maryland. Presentations, briefing materials, and audio recordings are available at: <http://www.mafmc.org/briefing/december-2016>.

Executive Committee

The Executive Committee discussed guidelines and nominations for Ricks E. Savage award and the Council's award of excellence. The Ricks E. Savage award is awarded annually to an individual who added value to the Council process and management goals through significant scientific, legislative, enforcement, or management contributions. The award winner will be announced at the February 2017 Council meeting.

The Council's award of excellence was recently established and recognizes an outstanding contribution to fisheries management, legislation, science, or law enforcement in the Mid-Atlantic. It is not awarded on a regular basis, but only as deemed appropriate to recognize exceptional contributions.

The Executive Committee also discussed a request from the New England Fishery Management Council (NEFMC) for joint management of summer flounder, scup, and black sea bass. These three species are jointly managed by the Mid-Atlantic Council and the Atlantic States Marine Fisheries Commission (the Commission). The Council sent a letter to the NEFMC in August 2016 expressing their concerns about joint management and offering alternatives to increase participation of both Councils on certain committees. The Executive Committee agreed that discussions with the NEFMC on possible ways to address these issues should continue.

Squid Capacity Amendment

After reviewing input from the Mackerel, Squid, and Butterfish Committee, Advisory Panel (AP), and the public, the Council approved a range of alternatives for the Squid Capacity Amendment. These alternatives include options for criteria for vessels to re-qualify to maintain limited access squid permits, options to make the longfin squid incidental permit a limited access permit, and possible modifications to the Trimester 2 rollover and closure provisions. After much discussion, the Council voted to remove closed areas from further consideration in the amendment, but added closed areas as a possible addition to the Council's 2017 implementation plan. The Council also agreed that evaluation of the goals and objectives of the Mackerel, Squid,

and Butterfish Fishery Management Plan (FMP) should not be included in the Squid Capacity Amendment, but should take place through a separate action in 2017. The Council will further analyze the alternatives in the Squid Capacity Amendment and will solicit additional public input at public hearings in 2017.

Industry-Funded Monitoring Amendment

The Council reviewed alternatives for the Industry-Funded Monitoring Amendment, a summary of potential impacts of the alternatives, and public comments. The amendment, which is being developed jointly with the New England Fishery Management Council, includes alternatives to increase monitoring in the Atlantic mackerel and Atlantic herring fisheries to monitor catch (both directed and incidental) more precisely. The Council voted to postpone further action on the amendment until completion of an ongoing electronic monitoring pilot project, which is scheduled to conclude in November 2017. The project is expected to provide critical information about the cost and utility of electronic monitoring in the Atlantic mackerel and Atlantic herring fisheries.

New Jersey Special Management Zones

The Council voted to recommend that the National Marine Fisheries Service (NMFS) designate 13 artificial reef sites in federal waters off the coast of New Jersey as year-round special management zones (SMZs). Under this designation, fishing at each site would be restricted to hook and line gear, spearfishing, and take by hand. This designation was requested by the New Jersey Department of Environmental Protection (NJ DEP) with the intent of ameliorating conflicts between recreational hook and line fishermen and commercial fishermen using fixed pot/trap gear at those sites. The NJ DEP constructed these reefs with the goal of enhancing hook and line fishing opportunities. The use of fixed pot/trap gear on the reefs was deemed incompatible with the goals of the NJ DEP reef program and resulted in loss of federal funding that could be used to maintain and monitor the reefs. SMZ status should allow for restoration of this funding and was deemed consistent with applicable law and with the intent of the reef program.

Monkfish Specifications

The Council approved Framework 10 to the Monkfish FMP with the same preferred measures as the New England Fishery Management Council. Monkfish are jointly managed by the Mid-Atlantic and New England Councils. The framework includes landing limits and management measures for 2017-2019. Under the preferred alternatives, Total Allowable Landings will increase slightly in the Northern (+8%) and Southern Areas (+1%). In the Northern Area, days-at-sea allocations will remain unchanged; however, the incidental landing limits will increase to 900 pounds for C permits and 750 pounds for D permits when fishing under a groundfish day at sea. In the Southern Area, days-at-sea will increase from 32 to 37, and trip limits will increase to 700 pounds for A and C permits and to 575 pounds for B, D, and H permits.

The Council also discussed initiating an amendment with the New England Council to consider using catch shares (e.g. individual fishing quotas) in the monkfish fishery. Preferred next steps

include a meeting of the Monkfish Committee and AP to gauge interest in such an action among Mid-Atlantic fishery participants.

Summer Flounder, Scup, and Black Sea Bass

The Council met jointly with the Commission's Summer Flounder, Scup, and Black Sea Bass Management Board (the Board) to discuss several topics related to management of summer flounder, scup, and black sea bass.

Scup Quota Period Framework and Addendum

The Council and Board discussed a framework and addendum to modify the dates of the commercial scup quota periods. The alternatives include a no action alternative and two alternatives to modify the dates of the quota periods based on recommendations from AP members. Both action alternatives would leave all other management measures unchanged, including the possession limits and allocations of quota among the periods. An analysis suggested that the two action alternatives would not have major socioeconomic or biological impacts; however, some Council and Board members raised concerns about economic impacts to commercial scup fishermen in state waters and the biological impacts of increased landings during the first half of May, which is expected to occur under one alternative. The Council and Board agreed to move forward with development of the framework and addendum and plan to take final action in early 2017.

Summer Flounder Allocation Model

The Council and the Board heard a presentation on an economic model which evaluated the allocation of landings between the commercial and recreational summer flounder fisheries. The model, developed by Dr. Kurt Schnier (University of California, Merced) and Dr. Rob Hicks (College of William & Mary), evaluated the marginal benefits of alternative allocation schemes. The model suggested that the current landings-based allocation of 60% to the commercial fishery and 40% to the recreational fishery is economically efficient and minor changes to that allocation scheme would not likely change the economic benefits derived from the fishery. The model will need to be updated following the release of a revised time series of recreational landings estimates from the Marine Recreational Information Program in 2017.

The Council and Board also heard a presentation on a peer review of the model by members of the Council's Scientific and Statistical Committee (SSC) and other experts. The review panel concluded that the model can be considered the best available science and can be used for management after a few minor adjustments.

Summer Flounder Sex-Specific Population Model

The Council and Board heard a presentation on development of a sex-specific stock assessment model for summer flounder. The model was developed by Dr. Patrick Sullivan of Cornell University and accounts for differences in size and growth between female and male summer flounder. Females tend to grow faster and reach larger sizes and older ages than males. These differences could have implications for management. The model is complete and has been tested with simulated data. The next step is to run the model with actual data from commercial and

recreational fisheries. The model may be considered during development of the next summer flounder benchmark stock assessment.

Summer Flounder Amendment

The Council and Board received an update on development of the comprehensive summer flounder amendment. The current goal of the amendment is to review all aspects of summer flounder management, including goals and objectives, allocation between the commercial and recreational sectors, recreational measures and strategies, and commercial measures and strategies. The Council and Board discussed several options for timelines for further development of the amendment and requested additional advice from the Fishery Management Action Team on this issue.

Effects of Ocean Acidification on Summer Flounder

Dr. Chris Chambers of the Northeast Fisheries Science Center's Sandy Hook Lab summarized his research on the effects of high CO₂ and high temperatures on summer flounder reproduction and productivity. The results showed negative effects on several key life processes, such as fertilization, hatching, and larval growth rates.

Summer Flounder Recreational Measures for 2017

The Council and Board discussed recent performance of the recreational summer flounder fishery, as well as staff, Monitoring Committee, and AP recommendations for recreational management measures for 2017. They recommended continued use of conservation equivalency to achieve, but not exceed, the 2017 summer flounder recreational harvest limit (RHL) of 3.77 million pounds. Conservation equivalency allows individual states or multi-state regions to develop customized measures that, in combination, will achieve the coastwide RHL. The combination of these measures should be equivalent to the non-preferred coastwide alternative approved by the Council and Board (i.e. a 4-fish possession limit, a 19-inch total length minimum size, and an open season of June 1 – September 15). Once conservation equivalency is approved by NMFS, the non-preferred measures are published in the federal regulations, but waived in favor of state measures. The Council and Board also approved precautionary default measures (i.e. a 2-fish possession limit, a 20-inch total length minimum size, and an open season of July 1 – August 31) which will be implemented in any state or region that does not adopt measures consistent with the conservation equivalency guidelines.

The Board approved Draft Addendum XXVIII for public comment. This addendum includes options for summer flounder recreational management under conservation equivalency in 2017. Public hearings on this addendum will take place in January 2017 and the Board will take final action in February 2017.

Scup Recreational Measures for 2017

The Council and Board discussed recent performance of the recreational scup fishery, as well as staff, Monitoring Committee, and AP recommendations for recreational management measures for 2017. A comparison of projected 2016 landings to the 2017 RHL indicated that landings would need to be reduced by 15% to prevent an RHL overage in 2017. This reduction was based on preliminary data and will be re-evaluated once additional data are available. Only 2% of the

recreational scup harvest comes from federal waters; therefore, the Council and Board agreed to maintain *status quo* recreational measures in federal waters in 2017 (i.e. a 50-scup bag limit, a 9-inch total length minimum size, and a year-round open season). The Board agreed that state measures should address the needed reduction in landings and voted to continue their regional approach to management in state waters. The Board will discuss management measures in state waters at their winter meeting in early 2017.

Black Sea Bass Recreational Measures for 2017

The Council and Board discussed recent fishery performance and staff, Monitoring Committee, and AP recommendations for recreational black sea bass management measures for 2017. A black sea bass benchmark stock assessment was completed in December 2016. In January 2017, the Council's SSC will review the stock assessment and recommend Acceptable Biological Catch levels (ABCs) for 2017-2019. The Council and Board agreed to make no changes to the current recreational management measures at this time. They will revisit this topic during their February 2017 joint meeting, at which time they will consider revising the 2017 RHL and adjusting recreational management measures accordingly.

Other Topics

2017 Implementation Plan

The Council approved an implementation plan for 2017. The implementation plan lists activities and priorities for the coming year and is linked to the Council's strategic plan. It can be found at: <http://www.mafmc.org/strategic-plan/>.

National Standard 1 Guidelines

The Council discussed recent revisions to the National Standard 1 guidelines. The revisions include new options for certain circumstances in which changes in ABCs can be phased-in over up to three years, unused quota can be carried over from one year to the next, and overfishing status can be determined based on a three-year average of fishing mortality. The revisions also include new options for calculating rebuilding timelines, as well as new guidance on determining adequate progress in rebuilding and on determining which stocks require federal management. The revisions do not require the Council to modify their FMPs; however, FMP amendments may be necessary if the Council wishes to implement some of these new options.

New York Wind Energy Area

The Council heard a presentation from the Bureau of Ocean Energy and Management (BOEM) on the New York Wind Energy Area. The area starts about 11.5 nautical miles from Jones Beach, New York and extends about 24 nautical miles to the southeast. A BOEM representative discussed plans for a lease sale for wind energy development in the area. The presentation covered recent changes to the lease and the associated environmental assessment, next steps, and future and ongoing fisheries studies. The Council provided feedback on recent and planned considerations of impacts of the lease on commercial and recreational fishing.

Lenfest Ecosystem Task Force

The Council received a presentation on a Lenfest Ocean Program report titled “Building Effective Fishery Ecosystem Plans”. The report includes recommendations for using Fishery Ecosystem Plans to implement ecosystem-based management. The Council’s Ecosystem Approach to Fisheries Management Document, Deep Sea Corals Amendment, and Unmanaged Forage Omnibus Amendment were presented as examples of the types of actions recommended in the report.

Dusky Shark Management

The Council received a presentation on a dusky shark amendment. Dusky shark are managed by the NMFS Atlantic Highly Migratory Species Office. Harvest of dusky shark has been prohibited since 2000. The amendment includes a variety of measures to reduce catch and discard mortality of dusky sharks, which are currently overfished and experiencing overfishing. The Council discussed several aspects of the amendment and voted to submit a comment letter to NMFS prior to the December 22, 2016 public comment deadline.

Observer Safety Program Review

The Council received a presentation on an ongoing review of fisheries observer safety. The comprehensive external review focuses on safety reporting, communications, practices/policies, training, equipment, and international regulations. The goal of the review is to improve mitigation of dangers inherent to the fishing industry and to fisheries observers.

Next Meeting

February 14 – 16, 2017; Kitty Hawk, NC
Hilton Garden Inn Outer Banks/Kitty Hawk
5353 North Virginia Dare Trail, Kitty Hawk, NC, 27949
Telephone: 252- 261-1290



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

January 20, 2017

MEMORANDUM

SAFMC 2-17

TO: Marine Fisheries Commission
FROM: Michelle Duval
SUBJECT: South Atlantic Fishery Management Council Meeting Summary (Dec. 5-9, 2016)

The South Atlantic Fishery Management Council met Dec. 5-9, 2016 in Atlantic Beach, North Carolina. The attached meeting report compiled by council staff contains a summary of the major issues addressed and actions taken. The report includes links to the post-meeting news release, briefing materials and public comments, as well as a graphical summary of the meeting via the September 2016 Council Meeting Round-up Story Map (<http://arcg.is/2gUp616>).

Items that may be of particular interest to the commission include:

- **For-Hire Reporting Amendment:** The council took final action on this amendment and approved it for formal secretarial review (see page 2). The amendment will implement weekly electronic reporting for federally-permitted charter boats for all council-managed fisheries, similar to that already in place for headboats. It is the council's intent to not duplicate reporting that may already occur under other permits vessels may possess, provided those data meet the core reporting requirements and are available to NOAA's Southeast Fisheries Science Center for quota monitoring and stock assessments. The reporting requirements will become mandatory six months after publication of the final rule, but no earlier than Jan. 1, 2018 (see page 2).
- **For-Hire Limited Entry:** The council reviewed public comments received regarding the June 15, 2016 control date for the three open-access charter/headboat permits and halted consideration of limited entry in the for-hire sector for the coastal migratory pelagics (king and Spanish mackerel, cobia) and dolphin/wahoo fisheries. The council will continue to discuss the utility of limited entry for the snapper grouper for-hire fleet at its next meeting (see pages 2 and 3).
- **Cobia:** The council considered public comments received on Coastal Migratory Pelagics Amendment 30 (Cobia Recreational Fishing Year) and put this amendment on hold pending the development of an Atlantic States Marine Fisheries Commission fishery management plan for cobia (page 6).
- **Public Scoping Meetings (Red Snapper; Snapper Grouper Vision Blueprint):** The council reviewed scoping documents for red snapper (Amendment 43), and Recreational (Regulatory Amendment 26) and Commercial (Regulatory Amendment 27) Vision Blueprint Amendments and approved these for webinar and in-person scoping meetings. The red snapper amendment focuses on reducing recreational discards (see page 3), while the Vision Blueprint amendments focus on seasonality and retention (e.g., commercial split seasons, recreational bag limits, size limits, shallow water grouper spawning closure; see pages 5-6). Public meetings in North Carolina are being held in Wilmington (Feb. 6), Hatteras (Feb. 7) and Atlantic Beach (Feb. 8). For more information, go to <http://safmc.net/safmc-meetings/public-hearing-and-scoping-meeting-schedule/>.



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Dr. Michelle Duval, Chair | Charlie Phillips, Vice Chair
 Gregg T. Waugh, Executive Director

DECEMBER 5-9, 2016 COUNCIL MEETING REPORT ATLANTIC BEACH, NORTH CAROLINA

The following summary highlights issues discussed and actions taken at the South Atlantic Fishery Management Council’s December 2016 meeting in Atlantic Beach, North Carolina.

Briefing materials, presentations, and public comments are available on the Council’s website at: <http://blog.safmc.net/meeting-documents/council-meetings/briefing-book-safmc-meeting-12-2016/>. Read further details and see images and other links at the June 2016 Council Meeting Round-up Story Map: <http://arcg.is/2gUp616>. The Meeting News Release is available at: <http://safmc.net/news-releases/120916-safmc-december2016councilmeeting>.

Issue:	Action Taken:	Schedule:
For-Hire Reporting Amendment	Final approval for review by Secretary of Commerce	January/February 2017 – Council sends the For-Hire Reporting Amendment for formal review
For-Hire Limited Entry	Directed staff to develop a White Paper to explore limited entry options for the snapper grouper for-hire fishery; stopped work on limited entry for dolphin/wahoo and coastal migratory pelagics fisheries	Council to discuss at 2017 Council meetings
Mutton Snapper	Final approval for review by Secretary of Commerce	January/February 2017 – Council sends Amendment 41 (Mutton Snapper) for formal review
Red Snapper	Revised scoping document and approved for scoping	Scoping meetings held January and February 2017; Council reviews in March 2017
Yellowtail Snapper	Split from Joint Amendment with Dolphin and approved for public hearings	Public hearings for Amendment 44 (Yellowtail Snapper) held January and February 2017; Council reviews in March 2017
Commercial & Recreational Visioning Amendments	Approved for Scoping via webinars	Webinar scoping meetings held January and February 2017; Council reviews in March 2017
Cobia	Amendment 30 (Cobia Recreational Fishing Year) put on hold	On hold pending ASMFC Cobia FMP for State waters
Dolphin	Split from Joint Amendment with Yellowtail Snapper and added actions for staff to analyze; included action to allow multi-gear trips for lobster pot fishery	Staff/Council work with SSC to complete document for public hearings; bring back to Council in March 2017

Major items addressed:

For-Hire Reporting Amendment – Approved for Formal Review

- Require that federally permitted charter vessels, while operating as a charter vessel, submit fishing records to the SRD weekly, or at intervals shorter than a week if notified by the SRD, via electronic reporting (via NMFS approved hardware and software). Weekly = Tuesday following each fishing week. Report all fish harvested and discarded on all trips regardless of where the fish were caught.
- Require that headboats, while operating as a headboat, submit fishing records to the SRD weekly, or at intervals shorter than a week if notified by the SRD, via electronic reporting (via NMFS approved hardware and software). Weekly = Tuesday following each fishing week.
- Require federally permitted charters vessels to report location fished electronically by manually entering latitude and longitude in degrees and minutes or by clicking on an electronic chart.

Council intent was clarified with regard to duplicative reporting, reporting requirements, and amendment timing. These are detailed in the following bullets:

- Council’s intent is that all charter vessels with a South Atlantic fishery for-hire permit will report all trips and all effort regardless of where the trips take place.
- It is not the Councils intent for vessels without South Atlantic for-hire permits to be required to report under this amendment.
- There is language in the codified text addressing headboat reporting of vessels without permits, landing snapper grouper in state waters that is not applicable to the actions in this amendment.
- Councils intent is to accept, in fulfillment of the actions in this amendment, reports submitted under other permits a vessel may possess when:
 - (1) The reporting requirements of those other permits are more stringent than the requirements for the South Atlantic charter for-hire permit.
 - (2) The data from those reports meet the core data elements identified by the SAFMC and are available to the SEFSC as required to meet assessment needs and ACL monitoring requirements.

Examples include the GARFO VTR system, SC DNR reporting, and actions under consideration by the Gulf Council that will require more frequent reporting than weekly as preferred by the South Atlantic.

- Requirements of vessels to participate in MRIP are not affected by any of the actions in this amendment.
- Requirements of this amendment should become mandatory at least 6 months after publication of the final rule and no earlier than January 1, 2018.
- Council intent is to allow “did not fish” reports to be filed in advance, for up to 30 days, as currently allowed in the headboat survey.

For-Hire Control Date & Limited Entry – Guidance for Scoping Document

The Council established June 15, 2016 as the control date for the three open access charter vessel/headboat permits (Snapper Grouper, Mackerel/Cobia, and Dolphin/Wahoo); the notice published in the Federal Register on 9/27/16; the Council reviewed public comments. The Council discussed the comments/concerns from the public and stopped work on any

consideration of limited entry for the dolphin/wahoo and coastal migratory pelagics fisheries. The Council directed staff to develop a White Paper to explore limited entry options for the snapper grouper for-hire fishery. The White Paper will be discussed at Council meetings in 2017 beginning with the March 2017 meeting.

Mutton Snapper – Approved for Formal Review

The Council specified the following as preferred management measures:

- Revised catch level specifications including annual catch limits in numbers of fish
- Designate April-June as the spawning months
- Retain mutton snapper in the 10 snapper aggregate bag limit and set the mutton snapper bag limit as 5 per person per day year-round (increased from 3 per person preferred taken to public hearings)
- Specify a commercial trip limit for mutton snapper during the “spawning months” in the South Atlantic of 5 per person per day or 5 per person per trip, whichever is more restrictive (increased from 3 per person preferred taken to public hearings)
- Establish a commercial trip limit for mutton snapper during the “regular season” (i.e., non-spawning months) in the South Atlantic of 500 pounds (increased from 300 pounds preferred taken to public hearings)
- Increase the recreational and commercial minimum size limit for mutton snapper in the South Atlantic region from 16 to 18 inches TL

Red Snapper – Direction to Revise the Scoping Document & Approved for Scoping

The Council reviewed the Scientific & Statistical Committee and Snapper Grouper Advisory Panel reports. Brendan Runde, NCSU, presented results of a study that explored use of a descender device to mitigate barotrauma and increase survival rates of discarded deepwater grouper (snowy grouper, scamp, speckled hind). Descender devices appear to be a very promising tool for increasing survival of discarded deepwater groupers. The Committee expressed interest in exploring the use of descender devices to decrease mortality of red snapper discards. Council staff then presented an overview of options for possibly allowing harvest of red snapper while continuing to rebuild the stock. The Committee discussed options and provided guidance as follows:

- PUT MORE EMPHASIS ON THE GENERAL PROBLEM INSTEAD OF SPECIFIC NUMBERS BECAUSE THOSE ARE VERY UNCERTAIN. RE-STRUCTURE SCOPING DOCUMENT TO REMOVE ACTIONS 1-5 OR PUT THOSE IN THE BACK AND MAKE IT CLEAR THAT NUMBERS AREN'T FINAL AND THERE WILL NOT BE FINALIZED NUMBERS FOR SOME TIME.
- SCOPING MEETINGS SHOULD BE IN-PERSON.
- EMPHASIS SHOULD BE ON REQUESTING INPUT ON HOW TO REDUCE DISCARDS AND IF POSSIBLE MEASURES TO HAVE SOME HARVEST.
- USE A TIERED APPROACH TO PRESENTING INFORMATION AND REQUESTING PUBLIC INPUT: FIRST WE NEED TO REDUCE DISCARDS AND SEE IF ANY HARVEST MIGHT BE ALLOWED. SECOND TIER IS HOW TO MANAGE A LIMITED HARVEST.
- REQUEST THAT STAFF PROVIDE INFORMATION ON RESEARCH REGARDING DESCENDING DEVICES TO REDUCE DISCARD MORTALITY OF RED SNAPPER FOR THE MARCH 2017 MEETING.

- SEFSC HAS HOSTED BAROTRAUMA WORKSHOPS BUT NO CERTIFICATION PROGRAM EXISTS IN THE REGION THAT ENDORSES ONE TYPE OF DEVICE OVER ANOTHER. THE SEFSC OFFERED TO REVIEW RESULTS OF WORKSHOPS, ETC. AND GET BACK TO COUNCIL AT THE MARCH 2017 MEETING REGARDING INFORMATION ON DESCENDING DEVICES IN THE REGION.
- NOAA GC TO CHECK WITH COUNTERPARTS IN OTHER REGIONS ON HOW REGULATIONS HAVE BEEN DEVELOPED FOR DESCENDING DEVICES AND PROVIDE UPDATE TO COUNCIL IN MARCH 2017.
- WILL NEED TO DETERMINE WHAT THE EXPECTED REDUCTION IN MORTALITY WOULD BE WITH A POSSIBLE REQUIREMENT OF DESCENDING DEVICES AND LOOK AT WHAT MIGHT BE A REASONABLE RANGE OF ASSUMPTIONS REGARDING COMPLIANCE, ETC. – COUNCIL STAFF TO WORK WITH SERO STAFF TO BRING THIS TO COUNCIL IN MARCH 2017.

Joint Dolphin/Wahoo and Snapper Grouper Amendment – Split into Separate Amendments

The Council provided the following guidance for **Yellowtail Snapper (Snapper Grouper Amendment 44)**:

- REVISED SECTOR ALLOCATIONS
- ADD AN ACTION TO COMBINE GULF AND SOUTH ATLANTIC ACL FOR YELLOWTAIL SNAPPER AS WAS INCLUDED IN THE JOINT SOUTH FLORIDA AMENDMENT.
- ADD AN ACTION TO MODIFY THE ACCOUNTABILITY MEASURES AS WAS INCLUDED IN THE JOINT SOUTH FLORIDA AMENDMENT.

The Council provided the following guidance for **Dolphin/Wahoo (Amendment 10)**:

- Revised Optimum Yield for dolphin to be the long-term average catch, which is not designed to exceed the total Annual Catch Limit (ACL), and will fall between the total ACL and the Annual Catch Target (ACT).
- Directed staff to develop an alternative to allow multi-gear trips for legally permitted vessels in the dolphin wahoo fishery.
- Revise sector allocations and accountability measures for dolphin.
- REWORD ALTERNATIVE 4 OF ACTION 3 TO STATE IF THE COMMERCIAL ACL IS NOT MET IN A GIVEN FISHING YEAR, THE UNUSED ACL MAY BE CARRIED FORWARD TO THE NEXT FISHING YEAR ONLY. THE CARRIED FORWARD BALANCE SHALL NOT EXCEED X PERCENT OF THE COMMERCIAL SECTOR ACL. SUBALTERNATIVES RANGING FROM 5%, 10%, 20%.
- Direct staff to develop an action that would address authorized gear aboard a vessel on which dolphin and wahoo are onboard. This surfaced to allow offshore American lobster vessels to land dolphin/wahoo caught with hook-and-line or rods/reels while fishing lobster traps.
- ADD AN ACTION TO REMOVE REQUIREMENT TO HAVE THE OPERATOR CARD FOR THE CHARTER HEADBOAT FLEET IN THE DOLPHIN WAHOO FMP.

Vision Blueprint Recreational Regulatory Amendment 26 - Fisheries Seasonality and Retention

The Committee/Council reviewed an options paper containing possible actions to re-consider the aggregate bag limits, re-evaluate the shallow water grouper closure, modify the minimum size limit for black sea bass, and remove minimum size limits for deepwater species (silk snapper, queen snapper, and blackfin snapper). The Committee/Council provided the guidance below and approved for scoping in January/February 2017.

Aggregate Bag Limits:

- DEVELOP ALTERNATIVE FOR A 20-FISH AGGREGATE THAT WOULD INCORPORATE AND MAINTAIN SPECIES IN THE CURRENT 10-SNAPPER AGGREGATE.
- INCLUDE AN ALTERNATIVE FOR A 3-GROUPER DEEPWATER AGGREGATE WITH SEASON MATCHING WHAT IS CURRENTLY IN PLACE FOR SNOWY AND BLUELINE
- INCLUDE BACKGROUND ON HOW VISIONING PRIORITIES ARE ALSO BEING ADDRESSED IN AMENDMENT 43
- INCLUDE ALTERNATIVE TO ADD VERMILION SNAPPER TO THE SNAPPER AGGREGATE
- INCLUDE ALTERNATIVE TO ESTABLISH A 10-FISH BAG LIMIT WITHIN THE 20-FISH AGGREGATE FOR GRAY TRIGGERFISH AND ADD AN ACTION TO MODIFY THE MINIMUM SIZE LIMIT OF GRAY TRIGGERFISH IN FEDERAL WATERS OFF FLORIDA TO 12 INCHES FL
- INCLUDE CONSIDERATION OF SPECIFYING A BAG LIMIT FOR ATLANTIC SPADEFISH
- REQUEST INPUT ON JACKS COMPLEX AND SPECIFICATION OF INDIVIDUAL BAG LIMITS

Shallow Water Grouper Closure:

REQUEST INPUT ON RED GROUPER AND SCAMP AND MODIFYING SEASONAL CLOSURE FOR THOSE SPECIES

Vision Blueprint Commercial Regulatory Amendment 27 - Fisheries Seasonality and Retention

The Committee/Council reviewed an options paper that addresses items in the 2016-2020 Vision Blueprint that direct management of the commercial sector. The options paper included actions that would establish split seasons for deepwater species and red porgy, establish/modify trip limits and step-downs, re-evaluate the shallow water grouper closure, and modify the fishing year for golden tilefish (hook-and-line only). The Committee/Council provided the guidance below and approved for scoping in January/February 2017.

Commercial Split Seasons:

- INCLUDE BACKGROUND INFORMATION ON TEMPORAL AND SPATIAL VARIABILITY IN THE DISTRIBUTION OF DEEPWATER SPECIES THAT AFFECTS ACCESS.
- INCLUDE BACKGROUND ON WHY HARVEST OF RED PORGY WAS PROHIBITED IN JAN-APRIL

- INCLUDE OPTION FOR COMMERCIAL SPLIT SEASON FOR THE REST OF DEEPWATER SPECIES
- INCLUDE OPTION FOR COMMERCIAL SPLIT SEASON FOR GREATER AMBERJACK

Commercial Trip Limits and Step-Downs:

- REMOVE OPTION TO LIMIT NUMBER OF TRIPS FOR BANDIT BOATS
- INCLUDE OPTION TO UTILIZE COMMERCIAL ANNUAL CATCH TARGET TO STEP DOWN TRIP LIMITS TO A BYCATCH ALLOWANCE
- REQUEST PUBLIC INPUT ON TRIP LIMIT FOR JACKS COMPLEX AS A WHOLE AND SPECIES WITHIN

Cobia – Recreational Fishing Year Change put on Hold

The Council postponed further consideration of CMP Amendment 30 until the ASMFC completes the development of an Interstate Management Plan for cobia. Concern was expressed that changing the fishing year would introduce more management uncertainty while the states were developing their management program.

Citizen Science – Council Approves Coordinator to Implement the Council’s Citizen Science Program

The Citizen Science Committee met December 8, 2016. Council staff provided a presentation outlining 2016 progress towards developing a citizen science program for the South Atlantic Council. The presentation included immediate needs (dedicated program staff) and challenges for developing a citizen program (funding for projects and program; lack of dedicated staff; and selection of appropriate initial project). Staff also provided an overview of a “kickstarter” (pilot) project idea that would address discard characterization for scamp grouper using a mobile app reporting platform across all sectors. The Council provided guidance to:

- Temporarily move the Amber Von Harten, Outreach Specialist, into the position of Citizen Science Program Manager to be supervised by John Carmichael, Deputy Director for Science & Statistics.
- Hire a new Outreach Specialist on a contractual basis to be supervised by the Citizen Science Program Manager during the transition.
- Citizen Science Program Manager seeks funding to support the kickstarter project through establishment of outside partnerships.
- Continue to seek program support through NMFS.

Data Collection Committee

- The Data Committee received a report on voluntary electronic logbook reporting by commercial fisherman from Dr. Bonnie Ponwith, SEFSC. Progress continues on developing the linkages that will allow such data to be submitted through ACCSP and available to the SEFSC. It is anticipated that all components will be completed by February 2017.
- Mike Cahall, ACCSP, presented an overview of electronic reporting programs available through ACCSP, including levels of adoption along the Atlantic Coast for dealer and vessel traditional and electronic reports. Electronic report submission is anticipated to

increase considerably in the near future, and ACCSP continues to expand its data storage and Internet capacity to meet anticipated needs.

- Mike Errigo, SAFMC, provided an update on the SAFMC-ACCSP charter vessel electronic reporting pilot study. Tablets have been provided to participating fishermen from NC through Florida, and training and outreach are now underway. The Council purchased and provided 3 additional tablets for use by fishermen in the Florida Keys to increase participation and coverage. Mike presented screen shots from the charter reporting application as well as preliminary work on developing an electronic version of the APAIS survey form for use in dockside intercepts for validation.
- Ken Brennan of the SEFSC Headboat Survey presented an overview of electronic reporting by Southeast headboat vessels. Electronic reporting has resulted in reduced costs and increased timeliness and compliance. Outreach efforts, both prior to and following electronic reporting implementation were also reviewed. Initial and ongoing outreach is crucial to developing buy-in and ensuring compliance, and late reporting decreased in 2016 from 2015. The headboat program also intends to begin providing an annual report to fishermen, the Council, and other interested parties. Preliminary content and formats were illustrated, and Council members were asked to provide comments to Council Staff by January 9, 2017.
- The Committee/Council approved the For-Hire Electronic Reporting Amendment for formal review.

Information & Education Committee

Scott Baker, Chair of the Information & Education Advisory Panel, briefed the Committee on discussions and recommendations from the November 2-3, 2016 meeting of the Information & Education Advisory Panel. The Committee/Council discussed the recommendations of the AP and expressed support for the development of the online fishermen's forum and working with citizen science "champions" to help further the Council's efforts to initiate a citizen science program. Council also provided the link to the FL FWC YouTube channel to be used as an example of the types of short video clips the Council may want to produce for outreach tools.

Council staff presented the new SAFMC website and highlighted the new public comment and amendments under development pages. Staff described how public comments can now be submitted using online comment forms for each specific amendment as well as separate online comment forms used for collecting public input for Council meetings and scoping/public hearings. Staff also described how comments sent to Council members via e-mail were compiled for the December 2016 meeting and moving forward, will be directed towards the online comment form. The Committee/Council provided the following guidance.

- On amendment pages, add links to meeting pages on the Process section that outlines the dates for each step in the amendment development process.
- For the spreadsheet that compiles public comments from the online comment form, look into ways to format the columns to make the spreadsheet more readable.

Stock Assessment Schedule & Appointments

The SEDAR Committee made appointments for SEDAR 50, Blueline Tilefish; SEDAR 48, Black Grouper; and SEDAR 56, Black Sea Bass. Terms of Reference and project schedules for SEDAR 48 and SEDAR 56 were approved, with the Committee supporting modifications to the

SEDAR 48 Terms of Reference approved by the Gulf Council. During consideration of the SEDAR 56 TORs, the Committee advised that future TORs, particularly those for proposed update stock assessments, specify the model configuration changes that are necessary to bring the assessment model package up to date. The Committee modified the SEDAR 56 TORs to improve documentation and evaluation of model changes.

The Committee was updated on further development to resolve stock ID for SEDAR 50, Blueline Tilefish. After considering recommendations of the Stock ID workgroup and a joint SSC review panel, Council and NMFS leadership representatives recommended defining the southern boundary of the unit stock at the Gulf and South Atlantic Council boundary. There was considerable discussion of the management and science consequences of this recommendation as well as the impacts to the approved assessment schedule that are likely if resolution of this issue is further delayed. The committee recommended that the SEDAR Steering Committee further discuss the process for defining unit stocks and clearly define the role of science and management groups. Additional discussion of the stock definition was recommended for the Council Session.

In other updates, the Committee was informed that the stock unit recommendation for Gulf of Mexico Gray Snapper would include all of Monroe County. There was discussion of the MRIP effort survey changes, and members were advised that the resultant catch changes would likely be considerable. The assessment schedule through 2020, approved by the SEDAR Steering Committee in September 2016, was reviewed.

The SSC's application of the NMFS stock assessment prioritization tool was reviewed. Results were compared to the existing Council priorities and assessment schedule. Clarification was provided that the tool provides an additional source of information for the Council to consider when establishing priorities but does not, in and of itself, establish the Council's priorities. Given the tool is recognized as a work in progress, the Committee supported updating it every other year when the Council reviews its prioritized research plan and including Advisory Panels in the update process. The Committee requested time at the next meeting to review the prioritization tool and scores and requested that the SSC be asked to comment on the long-term assessment planning discussion topics at its next meeting.

The Council modified the SEDAR 50 (blueline tilefish) data workshop TOR 1 to state: define the unit stock for the SEDAR 50 stock assessment to include the entire US Atlantic seaboard, using the boundary between the Gulf of Mexico and South Atlantic Councils as the southwestern boundary for the stock unit to assess.

And

Add an additional bullet item to SEDAR 50 assessment workshop TOR 6 to: consider exploratory models based on the Stock ID Workgroup and SSC Stock ID Review Panel recommendations to (1) characterize and describe the impact of the stock unit definition on risk and uncertainty, and (2) illustrate approaches for assigning productivity by existing council management units.

And

Include an addendum to the TORs for SEDAR 50 stating the original DW TOR #1 and summarizing the recommendations of the Stock ID Workgroup, SSC Stock ID Review Panel, and Leadership Group.

Highly Migratory Species Committee

- Guy DuBeck and Steve Durkee, NMFS HMS staff, delivered a presentation to the Committee on Amendment 5b to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan that will implement regulations intended to end overfishing for dusky sharks. Mr. DuBeck explained that even though harvest of dusky sharks has been prohibited for a number of years, mortality occurring from the incidental bycatch of dusky sharks is still leading to overfishing.
- After the alternatives within Amendment 5b were presented, Mr. DuBeck explained that comments were being requested from the Council and the public regarding the measures found within the preferred alternatives. The Committee asked HMS staff for further clarification on the recreational and commercial requirements in regards to when they would apply to HMS permit holders and how the requirements may affect permit holders when not targeting sharks. The Committee provided input on the preferred alternatives and how they may be better clarified or improved upon.
- The Council will be sending a letter stating the comments on the Amendment 5B.
- Council staff brought to the attention of the Committee a letter received from the Southeastern Fisheries Association asking the Committee to request information on the number of vessels possessing a commercial HMS general category permit but not certified as compliant by the U.S. Coast Guard (USCG) for the safety requirements of a commercial fishing vessel. The Association expressed concern that HMS species are being caught and sold on vessels that are uncertified, thereby creating an inequitable situation for vessel owners that are adhering to the USCG requirements. After input from those on the Committee and Council as well as USCG representatives, it was decided that further research into the potential issue was desired.
- Following this discussion, Gregg Waugh, Executive Director of the South Atlantic Fishery Management Council, presented to the Committee on the proposed China-Bahamas Agricultural and Fisheries Initiative. Additionally, Mr. Waugh reviewed a letter to be sent on behalf of the Council to Prime Minister Christie expressing gratitude for not further considering the initiative and outlining fisheries that the Council would be concerned about should the initiative have moved forward. The Council approved sending the letter to Prime Minister Christie with a copy to the State Department.

Law Enforcement Committee

Commercial Permit Renewal and Logbook Reporting

Dave Gloeckner, SEFSC staff, delivered a presentation on the level of late reporting among commercial dealers and commercial vessels in the South Atlantic. Commercial dealers are required to submit their electronic reports weekly. Commercial logbook data are also to be submitted within one week to the SEFSC. No fishing reports are to be submitted within one week of the end of the month when no fishing takes place. Complete reporting is a requirement for the permit to be renewed.

In 2015 & 2016, five to six dealers each year reported landings from earlier periods before their permit could be renewed. The landings reported to meet permit renewal requirements were a small fraction of total landings by those relatively few dealers. Among commercial vessels in 2014-2015, permits with “renewal reports” and “no fish renewal reports” were a small fraction of the total landings for snapper grouper, coastal migratory pelagics, and dolphin wahoo fisheries in the South Atlantic. However, 2014 and 2015 saw an increase in “renewal reports” in the snapper grouper fishery. There is concern that even though the percent of late reported landings is relatively small, that level of landings is potentially high. Also, more “no fishing reports” are reported at the end of the renewal period than trip reports. While logbook data are still crucial, the SEFSC uses dealer reports to track commercial ACLs. Asked what the most common reason for the SEFSC to request clarification from fishermen, SEFSC staff stated that area fished code was probably the most common but that would need to be corroborated.

Headboat Reporting Compliance

Among headboats in the South Atlantic, compliance with reporting requirements is relatively high. The majority of headboats are not reporting later than 1 week. Port agent interaction with anglers was noted as a factor contributing to better compliance in submitting reports on time. While the percentage of late reports is an important metric, Committee members expressed interest in obtaining the actual level of landings associated with late reports.

Operator Permits

The Committee held a brief follow-up discussion on the topic of whether Operator Permits in South Atlantic fisheries are useful for enforcement and whether any changes are warranted at this time. Operator Permits are currently required in the South Atlantic only in the Rock Shrimp and the Dolphin Wahoo fisheries. The Committee stated their intent to retain the current Operator Permits for now and will further explore options for future use with the assistance of the Law Enforcement Advisory Panel, NOAA OLE, NOAA GC and USCG.

Other Items:

- **Annual Review of Vision Blueprint** – Amber Von Harten, Council staff, delivered a presentation showing progress to date on actions identified in the Vision Blueprint that would be addressed in 2016-2017. The Committee provided additional guidance on action items where further guidance was needed.
- **SSC Selection** – A proposed clarification to the SSC eligibility criteria was considered to specify that independent experts considered for the SSC should not be employed by advocacy or interests groups. It was noted that advocacy or interest groups language as used here is not all-inclusive, and refers to those groups that advocate or present positions before the Council. Clarification was provided that this provision does not apply to academicians as listed elsewhere in the eligibility statement. The Committee supported the proposed SSC workgroup process. It was clarified that the suggestion for such groups to meet in conjunction with SSC meetings did not intend for such meetings to occur during the scheduled SSC meeting time. The committee reviewed the recent changes in SSC public comment policies and considered the SSC perspective provided by SSC Chair Dr. Marcel Reichert. Guidance was provided to take public comment at future SSC meetings at the start of each meeting and during discussion of each agenda topic.

- **Protected Resources**
 - NMFS is working on a proposed rule/Draft Environmental Impact Statement to require turtle excluder devices in skimmer trawls. The proposed rule is scheduled to be published in the Federal Register in mid-December 2016. NMFS is working on an Annual Determination for Sea Turtle Observers. This regulation would require fisheries to take observers if the fishery is listed in the Annual Determination. The fishery would remain on the list for five years. NMFS has reinitiated Section 7 consultation for several fishery management plans in the South Atlantic Region due to the newly listed green sea turtle North Atlantic and South Atlantic distinct population segments and Nassau grouper. The spiny lobster trap/pot fishery was listed as a Category III fishery in Marine Mammal Protection Act List of Fisheries due to potential interactions with bottlenose dolphins. A proposed rule is in development through the Pelagic Longline Take Reduction Plan.
 - The Biological Opinion for the Snapper Grouper Fishery Management Plan was completed on December 2, 2016. The biological opinion did not identify the proposed changes to the black sea bass pot fishery in Regulatory Amendment 16 as causing jeopardy to the North Atlantic Right Whale population or other listed species. The biological opinion also considered additional measures to reduce lethal takes or interactions with Nassau grouper in the hook and line fishery.
 - Council Member Charlie Philips was nominated as the representative for the Large Whale Take Reduction Team.
 - The stock assessment for Atlantic sturgeon is on schedule to be completed in late 2017.
 - Red knot critical habitat is currently scheduled to be completed in 2017 although the schedule may change.
- **Habitat & Ecosystem-Based Management**
 - The Council received a report from the Habitat Ecosystem AP, a summary of FEP II South Atlantic Food Web & Connectivity and Climate Variability & Fisheries Sections, and an overview of Habitat & Ecosystem Tools and Model Development.
 - Michelle Duval serving as an Advisory Panel member introduced Phil Levin, Co-Chair of the Lenfest Task Force to introduce the effort and context of development of the Report. Felicia Coleman, with Florida State University and Task Force Member provided the Committee a presentation on the Final Lenfest Fishery Ecosystem Task Force Report, Building Effective Fishery Ecosystem Plans.
 - The Council approved the EFH Policy Statement for South Atlantic Climate Variability and Fisheries giving staff and Council Chairman editorial license to finalize for inclusion into FEP II'
 - The Council approved the EFH Policy Statement for South Atlantic Food Web and Connectivity giving staff and Council Chairman editorial license to finalize for inclusion into FEP II.
- **Spiny Lobster**
 - Council staff reviewed a discussion document for a potential action to include in the developing Spiny Lobster amendment. The action would prohibit or restrict

traps for recreational harvest of spiny lobster in the South Atlantic EEZ. The Committee directed staff to add the action to the options paper that the Gulf Council will review at their January/February 2017 meeting. The Committee recommended that the Councils consider prohibition of all recreational traps because there are concerns about the number of traps used per individual; lack of effectiveness of traps to catch spiny lobster outside of Florida waters; concern about negative effects on habitat without being effective gear; and concern about vertical lines that may interact with protected species.

- The South Atlantic SSC met via webinar on November 21, 2016. Dr. Marcel Reichert, SSC Chair, presented the SSC recommendations for spiny lobster to the Committee; they adopted the same recommendations as the Gulf Council SSC. The South Atlantic SSC recommendations will be incorporated into the options paper to be provided to the Gulf Council at their January/February 2017 meeting.
- **Advisory Panel Selection Committee**
 - Reviewed options for a System Management Plan Advisory Panel/Workgroup as outlined in the options paper. The Committee discussed options and expressed concerns about the costs associated creating a new advisory panel considering budget limitations for 2017, the effectiveness of having a large advisory panel/workgroup, and best approaches. The Committee generally agreed that additional consideration should be given to the structure and membership of an advisory body for the System Management Plan and that a workgroup or sub-regional approach (Carolinas/GA separate from Florida) for advisory panels be considered.
 - The Committee made appointments to the SEDAR pool of applicants.
- **The Council approved the following:**
 - RECOMMEND APPROVAL OF THE SC AQUARIUM'S EFP REQUEST TO THE REGIONAL ADMINISTRATOR
 - GUIDANCE TO REQUEST THAT SEFSC PROVIDE PRESENTATION ON SOUTH ATLANTIC CLIMATE SCIENCE ACTION PLAN AT MARCH 2017 MEETING TO ALLOW COUNCIL TO DEVELOP COMMENTS PRIOR TO THE COMMENT PERIOD CLOSING
 - GUIDANCE TO OBTAIN CLARIFICATION OF HOW ENFORCEMENT DEALS WITH OFF-LOADING FISH AFTER A FISHERY OFFICIALLY CLOSES
 - MODIFIED PRIORITIES FOR 2017-18



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

January 20, 2017

MEMORANDUM

HMS 2-17

TO: Marine Fisheries Commission
FROM: Randy Gregory, Division of Marine Fisheries, NCDEQ
SUBJECT: Highly Migratory Species Update

The Highly Migratory Species Advisory Panel met on Dec. 1-2, 2016 in Bethesda, Maryland to discuss the proposed management measures contained in Draft Amendment 5b to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan, which proposes a range of management measures to prevent overfishing and rebuild dusky sharks. These measures are based on recent assessments that determined dusky sharks are overfished and experiencing overfishing. Preferred alternatives for recreational anglers would require permit holders fishing for sharks recreationally to obtain a shark endorsement, which requires completion of an online shark identification and fishing regulation training course, and requires the use of circle hooks while shark fishing. Preferred alternatives for the commercial fishery would require pelagic longline fishermen to release all sharks not being retained using a dehooker or cutting the gangion less than 3 feet from the hook, completion of a shark identification and fishing regulation training course for pelagic longline, bottom longline, and shark gillnet vessel owners and operators and require the use of circle hooks by all directed shark permit holders using bottom longline.

Sharks

On Dec. 13, the National Marine Fisheries Service announced a final rule that establishes a commercial retention limit of eight blacknose sharks in the Atlantic region south of 34°00' N. latitude (approximately Cape Fear). The action is necessary to reduce discards of non-blacknose small coastal sharks while increasing the utilization of the Atlantic non-blacknose small coastal shark quota and aid in rebuilding and ending overfishing of Atlantic blacknose sharks. As of Jan. 13, 2017, all Atlantic Shark Limited Access Permit holders within the Atlantic region south of 34 °00' N. latitude will be limited to landing no more than eight blacknose sharks per trip, as long as the blacknose and non-blacknose shark fisheries are open.

The National Marine Fisheries Service has completed a comprehensive status review under the Endangered Species Act for the oceanic whitetip shark (*Carcharhinus longimanus*) in response to a petition from Defenders of Wildlife to list the species. Based on the best scientific and commercial information available, including the status review report (Young et al., 2016), and after taking into account efforts being made to protect the species, they have determined that the oceanic whitetip shark



warrants listing as a threatened species. Comments on this proposed rule must be received by March 29, 2017.

Bluefin Tuna

In December, following a request by the North Carolina Division of Marine Fisheries, the National Marine Fisheries Service transferred 16.3 metric tons of Atlantic bluefin tuna quota from the 24.3 metric ton General category December 2017 sub-quota period to the January 2017 sub-quota period, and set the General category bluefin tuna daily retention limit to three “large medium” or “giant” bluefin tuna (measuring 73 inches or greater) per vessel per day/trip for the January 2017 sub-quota period. The transfer to the January 2017 period results in a sub-quota of 41 metric tons for the January 2017 period and a December 2017 period sub-quota of 8 metric tons. The General category fishery will close when the adjusted January period sub-quota of 41 metric tons has been reached, or it will close automatically on March 31, 2017, whichever comes first. The General category fishery reopens on June 1, 2017.

The National Marine Fisheries Service anticipates that some under-harvest of the 2016 adjusted United States bluefin tuna quota will be carried forward to 2017 and placed in the Reserve category, in accordance with the regulations. This, in addition to the fact that any unused General category quota will roll forward to the next sub-period within the calendar year along with National Marine Fisheries Service’s plan to actively manage the sub-quotas to avoid any exceedances, makes it likely that General category quota will remain available through the end of 2017 for December fishery participants, even with the transfer.

As of Jan. 17, 2017, the General category has landed approximately 6.5 metric tons of the 41 metric ton January sub-quota. Most of these landings occurred in the Beaufort Inlet area with a few recent landings in the Ocean Isle area.

The recreational bluefin tuna fishery opened Jan. 1, 2017 for Highly Migratory Species Angling category-permitted vessels and Charter/Headboat category-permitted vessels. The daily retention limit is the default limit of one bluefin tuna between 27 inches and 73 inches curved fork length. The recreational bluefin tuna trophy fishery is open in all areas with a limit of one bluefin tuna measuring 73 inches curved fork length or greater per vessel per year.

