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Atlantic States Marine Fisheries Commission

2021 Winter Meeting Webinar Summary

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

2021 Winter Meeting Webinar
February 1 – 4, 2021

Toni Kerns, ISFMP, or
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Meeting Summaries, Press Releases and Motions

TABLE OF CONTENTS

SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS MANAGEMENT BOARD & MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (FEBRUARY 1, 2021)	3
<i>Press Release</i>	<i>3</i>
<i>Meeting Summary.....</i>	<i>4</i>
<i>Motions</i>	<i>5</i>
AMERICAN LOBSTER MANAGEMENT BOARD (FEBRUARY 2, 2021)	8
<i>Meeting Summary.....</i>	<i>8</i>
<i>Motions</i>	<i>9</i>
WINTER FLOUNDER MANAGEMENT BOARD (FEBRUARY 2, 2021)	10
<i>Meeting Summary.....</i>	<i>10</i>
<i>Motions</i>	<i>11</i>
ATLANTIC MENHADEN MANAGEMENT BOARD (FEBRUARY 2, 2021).....	11
<i>Meeting Summary.....</i>	<i>11</i>
<i>Motions</i>	<i>11</i>
ATLANTIC HERRING MANAGEMENT BOARD (FEBRUARY 2, 2021).....	11
<i>Meeting Summary.....</i>	<i>11</i>
<i>Motions</i>	<i>13</i>
EXECUTIVE COMMITTEE (FEBRUARY 3, 2021).....	13
<i>Meeting Summary.....</i>	<i>13</i>
<i>Motions</i>	<i>14</i>

COASTAL SHARKS MANAGEMENT BOARD (FEBRUARY 3, 2021).....	14
<i>Meeting Summary</i>	14
<i>Motions</i>	15
ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM (ACCSP) COORDINATING COUNCIL (FEBRUARY 3, 2021)	15
<i>Meeting Summary</i>	15
<i>Motions</i>	15
ATLANTIC STRIPED BASS MANAGEMENT BOARD (FEBRUARY 3, 2021)	15
<i>Press Release</i>	15
<i>Meeting Summary</i>	16
<i>Motions</i>	18
SHAD AND RIVER HERRING MANAGEMENT BOARD (FEBRUARY 4, 2021)	18
<i>Meeting Summary</i>	18
<i>Motions</i>	19
BLUEFISH MANAGEMENT BOARD (FEBRUARY 4, 2021)	20
<i>Meeting Summary</i>	20
<i>Motions</i>	20
INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (FEBRUARY 1 & 4, 2021)	21
<i>Meeting Summary</i>	21
<i>Motions</i>	24

SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS MANAGEMENT BOARD & MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (FEBRUARY 1, 2021)

Press Release

**ASMFC and MAFMC Approve Changes to State Allocations
of Commercial Black Sea Bass Quota**

The Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and the Mid-Atlantic Fishery Management Council (Council) jointly approved several changes to the management program for black sea bass commercial fisheries. These changes include modifying the state allocations of the commercial black sea bass quota, adding the state allocations to the Council's Fishery Management Plan (FMP), and modifying the regulations for federal in-season closures. The Board adopted the new allocations through Addendum XXXIII to the Summer Flounder, Scup and Black Sea Bass FMP, while the Council recommended these changes through an amendment to its FMP. These actions address significant changes in the distribution of black sea bass that have occurred since the original allocations were implemented under Amendment 13 in 2003 and also account for the historical dependence of the states on the black sea bass fishery.

Under the approved changes, Connecticut's baseline allocation will increase from 1% to 3% of the coastwide quota to address its disproportionately low allocation compared to the increased availability of black sea bass in state waters. The state allocations will then be calculated by allocating 75% of the coastwide quota according to the new baseline allocations (historical allocations modified to account for Connecticut's increase to 3%) and 25% to three regions based on the most recent regional biomass distribution information from the stock assessment (see Table 1). The three regions are: 1) Maine-New York, 2) New Jersey, and 3) Delaware-North Carolina. The regional allocations will be distributed among states within a region in proportion to their baseline allocations, except Maine and New Hampshire will each receive 1% of the northern region quota. Because the allocations are based in part on the regional biomass distribution from the stock assessment, they will be adjusted if a new assessment indicates a change to the biomass distribution. The Board and Council committed to reevaluating the approved state allocation system within 5 years.

The Council and Board agreed to add the state allocations to the Council's FMP. As a result, future modifications to the allocations will require a joint action of the Board and Council. Additionally, they approved a change to the federal regulations such that the entire black sea bass commercial fishery will close in-season for all federally permitted vessels and dealers once landings are projected to exceed the coastwide quota plus an additional buffer of up to 5%. The buffer aims to minimize negative economic impacts of coastwide closures on states that have not fully harvested their quotas. The Council and Board considered, but did not adopt, changes to the regulations for paybacks of state quota overages; states will only be required to pay back overages of their state quota if the coastwide quota is exceeded.

Addendum XXXIII's measures are final for state waters (0-3 miles from shore) and become effective January 1, 2022. The Council will submit their amendment to NOAA Fisheries for review, approval, and implementation.

Table 1. Revised state allocation percentages of the black sea bass commercial quota based on the most recent regional biomass distribution information.

State	Allocations under Amendment 13	New Allocations Using Most Recent Biomass Distribution*	Difference from Amendment 13 to New Allocations
ME	0.50%	0.40%	-0.10%
NH	0.50%	0.40%	-0.10%
MA	13.00%	15.64%	+2.64%
RI	11.00%	13.23%	+2.23%
CT	1.00%	3.67%	+2.67%
NY	7.00%	8.57%	+1.57%
NJ	20.00%	20.10%	+0.10%
DE	5.00%	4.11%	-0.89%
MD	11.00%	8.88%	-2.12%
VA	20.00%	16.14%	-3.86%
NC	11.00%	8.88%	-2.12%
Total	100.00%	100.00%	

*These allocations are based on the results of the 2019 Operational Stock Assessment and will be updated if future assessments indicate a change to the biomass distribution.

Addendum XXXIII will be available on the Commission website, www.asmfc.org, on the black sea bass webpage by the end of February. Updates on the Council's amendment will be posted at <https://www.mafmc.org/actions/bsb-commercial-allocation>.

Contacts

For more information, please contact either:

Julia Beaty, Mid-Atlantic Fishery Management Council, jbeaty@mafmc.org, 302-526-5250

Savannah Lewis, Atlantic States Marine Fisheries Commission, slewis@asmfc.org, 703-842-0715

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PR21-02

Meeting Summary

The Summer Flounder, Scup, and Black Sea Bass Management Board met to consider approval of a New Jersey summer flounder proposal and a Massachusetts black sea bass proposal to adjust 2021 recreational measures, consider a Virginia proposal for its February black sea bass recreational fishery, and take final action on Black Sea Bass Addendum XXXIII (see above press release for additional information).

Staff presented the three recreational proposals and the Technical Committee (TC) report on the technical merit of the proposals. Due to COVID-19 effects on 2020 APAIS sampling, all three proposals rely on Marine Recreational Information Program (MRIP) estimates from 2018-2019. The Commission's Conservation Equivalency Policy allows states to submit proposals for alternative measures in state waters that are projected to achieve the same level of recreational harvest that would have been achieved under the regulations approved by the Board in December 2020.

New Jersey submitted a proposal to modify its recreational summer flounder fishery to open the Friday before Memorial Day, May 28, 2021. To accommodate the delayed opening, New Jersey proposed adding nine days onto the end of its season based on average daily harvest rates across the two years to account for differences in wave 3 and wave 5 landings. Harvest under this proposal is projected to be 0.09% lower than harvest under status quo measures. In addition, Massachusetts put forward a proposal for its black sea bass recreational fishery with two season options for a Saturday opening that the state will take to the public to solicit feedback. The options include: 1) May 15 to September 3; and 2) May 22 to September 14. To account for the shift in opening date, Massachusetts calculated the adjusted season closure date based on average daily harvest rates in wave 3 and wave 5.

Staff presented Virginia's proposal to participate in the February 2021 black sea bass recreational fishery in accordance with the start of the federal waters open season. Virginia will account for its harvest during the February 2021 fishery by adjusting its season later in the year. Landings in pounds will be calculated in February from mandatory angler reporting, and season adjustments to account for February landings will be based on the average daily harvest rate in pounds, by wave, from 2018-2019 MRIP data.

Based on the TC's recommendation, the Board approved both New Jersey and Massachusetts's conservation equivalency proposals as well as Virginia's proposed methodology to account for its February black sea bass season.

For more information on summer flounder, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org and for more information on black sea bass, please contact Savannah Lewis, Fishery Management Plan Coordinator, at slewis@asmfc.org.

Motions

Board Only Motions

Move to approve the following 2021 recreational conservational equivalency season adjustments: New Jersey summer flounder fishery (May 28 through September 28), and Massachusetts's black sea bass fishery (options A, May 15 – Sept 3, and B, May 22 – Sept 14), and approve Virginia's proposal for adjusting recreational black sea bass measures to account for February harvest.

Motion made by Mr. Gilmore and seconded by Mr. Luisi. Motion stands approved.

Board & Council Motions

Main Motion

Move to approve:

Modified Option B – Increase CT to 3% and NY to 9%, with the change occurring over 2 years

Option C – DARA approach, with the following sub options:

- **Sub-option C1-B: allocations based 50% on stock distribution and 50% on the initial allocations at the end of the transition phase**
- **Sub-option C2-A: 5% change in weights per adjustment**
- **Sub-option C3-A: annual adjustment to factor weights**
- **Modified allocation adjustment cap (C4-A): cap the change in regional allocations at a maximum of 5% per adjustment.**

Regional configuration option G2 – NJ as separate region

Board: Motion made by Dr. McNamee and seconded by Mr. Hasbrouck.

Council: Motion made by Mr. DiLernia and seconded by Ms. Davidson.

Motion to Substitute

Move to substitute to address Black Sea Bass Commercial State Allocations by approving Option B - Increase Connecticut Quota to 3%; Option D - Trigger Approach, with a trigger of 4 M lbs. (a trigger value between Sub Options D1-A and D1-B); Sub-option D2-B - Distribution of surplus quota based on regional biomass from stock assessment; Sub-option D3-B - Proportional distribution of regional surplus quota; Sub-option D4-A - Static base allocations; Option G - Regional Configuration Options; and Sub-option G2 - Establishing three regions with New Jersey as a separate region.

Board: Motion made by Mr. Clark and seconded by Ms. Bolen.

Council: Motion made by Ms. Bolen and seconded by Mr. Cimino.

Motion to Amend Substitute Motion

Move to amend the substitute motion option b: “increase Connecticut's base allocation to 3% and New York’s base allocation to 9%.”

Board: Motion made by Mr. Borden and seconded by Dr. Davis. Motion fails for lack of a majority (5 in favor, 6 opposed, 1 abstention).

Council: Motion made by Mr. Farnham and seconded by Mr. DiLernia.

Motion to Substitute

Move to substitute to address Black Sea Bass Commercial State Allocations by approving Option B - Increase Connecticut Quota to 3%; Option D - Trigger Approach, with a trigger of 4 M lbs. (a trigger value between Sub Options D1-A and D1-B); Sub-option D2-B - Distribution of surplus quota based on regional biomass from stock assessment; Sub-option D3-B - Proportional distribution of regional surplus quota; Sub-option D4-A - Static base allocations; Option G - Regional Configuration Options; and Sub-option G2 - Establishing three regions with New Jersey as a separate region.

Board: Motion made by Mr. Clark and seconded by Ms. Bolen. Motion fails for lack of a majority (6 in favor, 6 opposed).

Council: Motion made by Ms. Bolen and seconded by Mr. Cimino.

Main Motion

Move to approve:

Modified Option B – Increase CT to 3% and NY to 9%, with the change occurring over 2 years

Option C – DARA approach, with the following sub options:

- **Sub-option C1-B: allocations based 50% on stock distribution and 50% on the initial allocations at the end of the transition phase**
- **Sub-option C2-A: 5% change in weights per adjustment**
- **Sub-option C3-A: annual adjustment to factor weights**
- **Modified allocation adjustment cap (C4-A): cap the change in regional allocations at a maximum of 5% per adjustment.**

Regional configuration option G2 – NJ as separate region

Board: Motion made by Dr. McNamee and seconded by Mr. Hasbrouck. Motion fails for lack of a majority (6 in favor, 6 opposed).

Council: Motion made by Mr. DiLernia and seconded by Ms. Davidson.

Main Motion

Move to adopt the following options for black sea bass commercial allocations:

- **Modified Alternative B: Increase CT's base allocation to 3% and NY's base allocation to 9%.**
- **Alternative F: Percentage of coastwide quota distributed based on initial allocations:**
- **Sub-alternative F1-B: 75% of the coastwide quota allocated using the initial allocations.**
- **Sub-alternative F2-B: Remaining quota (25%) allocated based on regional biomass from the stock assessment.**
- **Sub-alternative F3-B: Proportional distribution of regional quota.**
- **Sub-alternative G2: Establish three regions: 1) ME-NY; 2) NJ; and 3) DE-NC.**

Board: Motion made by Ms. Meserve and seconded by Dr. Davis.

Council: Motion made by Ms. Davidson and seconded by Mr. Farnham.

Motion to Amend

Move to amend to modify alternative B to remove "and NY's base allocation to 9%" and add at the end of the motion "to review the state by state allocations in not more than 5 years".

Board: Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion carries (6 in favor, 5 opposed, 1 abstention).

Council: Motion made by Mr. Batsavage and seconded by Mr. Cimino. Motion carries (14 in favor, 5 opposed, 1 abstention).

Main Motion as Amended

Move to adopt the following options for black sea bass commercial allocations:

- **Modified Alternative B: Increase CT's base allocation to 3%.**
- **Alternative F: Percentage of coastwide quota distributed based on initial allocations:**
- **Sub-alternative F1-B: 75% of the coastwide quota allocated using the initial allocations.**
- **Sub-alternative F2-B: Remaining quota (25%) allocated based on regional biomass from the stock assessment.**
- **Sub-alternative F3-B: Proportional distribution of regional quota.**
- **Sub-alternative G2: Establish three regions: 1) ME-NY; 2) NJ; and 3) DE-NC.**

Review the state by state allocations in not more than 5 years.

Board: Motion carries (10 in favor, 2 opposed).

Council: Motion carries (13 in favor, 7 opposed).

Board Only

Move to approve Addendum XXXIII, as modified today, with an implementation date of January 1, 2022.

Motion made by Ms. Meserve and seconded by Dr. Davis. Motion carries without objection with one abstention from NOAA Fisheries (11 in favor, 1 abstention).

Council Only:

Move to submit the Black Sea Bass Commercial State Allocation Amendment, with identification of the preferred alternatives, to NMFS.

Motion made by Mr. Defur and seconded by Mr. Cimino. Motion passes (13 in favor, 2 opposed, 3 abstentions).

AMERICAN LOBSTER MANAGEMENT BOARD (FEBRUARY 2, 2021)

Meeting Summary

The American Lobster Management Board met to consider a number of items: the Proposed Rule and Draft Environmental Impact Statement (DEIS) for proposed modifications to the Atlantic Large Whale Take Reduction Plan for 2021 and Draft Biological Opinion for Atlantic fisheries; management responses to the 2020 American Lobster Benchmark Stock Assessment and Peer Review; the potential for conducting a management strategy evaluation for the lobster fishery; the recent Executive Order on the Northeast Canyons and Seamounts Marine National Monument; a nomination to the Jonah Crab Advisory Panel; and the election of a Board Vice Chair.

NOAA Fisheries staff presented a summary of proposed modifications to federal lobster fishery regulations being considered for 2021 along with a DEIS. The proposed changes to the Plan would (1) modify gear marking to introduce state-specific colors for gear marks and increase the number of gear markings and areas requiring marked lines; (2) modify gear configurations to reduce the number of vertical lines by requiring more traps between buoy lines; (3) introduce weak insertions or weak rope into buoy lines; (4) modify existing seasonal restricted areas to allow ropeless fishing; and (5) add one or two new seasonal restricted areas closed to buoy lines but open to ropeless gear. The Board discussed some concerns with the changes related to the timeline of federal rulemaking and conservation equivalency for state management programs.

Additionally, NOAA Fisheries staff summarized the Draft Batch Fisheries Biological Opinion (Opinion) for several federally-permitted fisheries including lobster. The Opinion analyzed the impacts of the proposed fisheries on protected species, along with a Conservation Framework that intends to reduce mortality and serious injury to North Atlantic Right Whales by 95% over ten years. The Opinion determined that the proposed action is not likely to jeopardize any listed species or destroy or adversely modify any critical habitat. The Board made a recommendation to the Interstate Fisheries Management Program (ISFMP) Policy Board to send letters to NOAA Fisheries including comments on both the proposed rule and the Biological Opinion.

The Board reviewed the results and recommendations from the 2020 American Lobster Benchmark Stock Assessment and Peer Review, which was accepted for management use in October 2020. While the Gulf of Maine/Georges Bank (GOM/GBK) stock is near time-series high abundance and not experiencing overfishing, the Board felt that proactively addressing stock resiliency is essential. As such, the Board directed the Plan Development Team to continue work on Addendum XXVII with a focus on developing a trigger mechanism that would automatically implement management measures to improve the biological resiliency of the GOM/GBK stock if the trigger is reached. For the Southern New England (SNE) stock, the assessment and peer review recommended substantial measures, such as a moratorium, to improve the declining trend in abundance. Even so, improvements are likely to be limited as a result of unfavorable environmental conditions and declining recruitment.

Staff also presented the Board with a prospective work plan to outline potential focal areas, resource needs, and associated workload tradeoffs for a management strategy evaluation (MSE) of the lobster fishery. The Commission's Management and Science Committee identified American lobster as a potential priority species for which an MSE could be developed to inform management decisions. The Board agreed an MSE could allow environmental and economic factors to be more effectively incorporated into management. The Board tasked staff and the Technical Committee to identify

timelines and cost estimates for developing an MSE for both stocks with several potential focal areas, including recommendations from the SNE stock assessment. This information will be presented at the Commission's Spring Meeting.

The Board discussed a recent Executive Order from President Biden, which requires a review of a 2020 proclamation that modified the Northeast Canyons and Seamounts Marine National Monument by returning commercial fishery management authority to the Magnuson-Stevens Act. The Interior Secretary shall report his/her findings to the President by March 21, 2021. The Board forwarded a recommendation to the ISFMP Policy Board to send a letter to the Secretary of the Interior during the review period to restate the Commission's position that management authority over commercial fisheries in the area should remain with the New England Fishery Management Council.

The Board also approved the nomination of Jon Williams, an offshore commercial trap fisherman representing Rhode Island, to the Jonah Crab Advisory Panel. Finally, Dr. Jason McNamee was named Vice Chair of the Lobster Board.

For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to recommend to the ISFMP Policy Board that the Commission send letters to NOAA Fisheries with comments on the proposed rule to amend the regulations implementing the Atlantic Large Whale Take Reduction Plan and the draft biological opinion. The letter should include the following:

- **The rule and bi-op should be completed by the end of May to ensure the court does not intervene.**
- **Implementation timeline recommendations that address practical start dates**
- **Supporting trawl equivalency such that 8 traps with 2 endlines = 4 traps with 1 endline**
- **Support enforcement and coordination with state agencies**
- **Conservation Equivalencies that would allow for modifications related to trawl lengths**
- **(specific to the bi-op) A statement that address the burden the US Fishery could bear based on the actions of Canada.**

Motion made by Mr. Keliher and seconded by Mr. Borden. Motion carries without objection with one abstention (NOAA Fisheries).

Move to task the TC and staff with the development of a set of prioritized options, timelines and a draft budget to assist the Board in considering if MSE could be of use for management, for the GOM and SNE stocks, in as timely a manner as possible. This information shall be presented to the Board at the spring meeting.

Motion made by Mr. Keliher and seconded by Dr. McNamee. Passed by unanimous consent.

Move to re-initiate PDT and TC work on the Gulf of Maine resiliency addendum. The addendum should focus on a trigger mechanism such that, upon reaching of the trigger, measures would be automatically implemented to improve the biological resiliency of the GOM/GBK stock.

Motion made by Mr. Keliher and seconded by Ms. Patterson. Passed by unanimous consent.

Move to recommend to the ISFMP Policy Board that the Commission send a letter to the Secretary of the Interior restating the Commission's position on modifying the Northeast Canyons and Seamounts Marine National Monument.

Motion made by Mr. Reid and seconded by Ms. Patterson. Passed by majority with one abstention (NOAA Fisheries).

Move to approve the nomination to the Jonah Crab Advisory Panel for Jon Williams of RI.

Motion made by Mr. Reid and seconded by Mr. Hasbrouck. Passes by unanimous consent.

Move to elect Dr. Jason McNamee as Vice Chair of the American Lobster Management Board.

Motion made by Mr. Reid and seconded by Ms. Patterson. Passed by unanimous consent.

WINTER FLOUNDER MANAGEMENT BOARD (FEBRUARY 2, 2021)

Meeting Summary

The Winter Flounder Management Board reviewed reports from both the Technical Committee (TC) and the Advisory Panel (AP) and set status quo specifications for the 2021-2023 fishing years. The TC was supportive of status quo commercial and recreational measures for a few reasons (see Table 1). First, the New England Fishery Management Council (Council) set the 2021-2023 state waters sub-component equal to 2017-2019 average catch with the assumption that commercial and recreational measures would be held constant. Second, the TC's 2018 commercial measures analysis indicates the Southern New England and Mid-Atlantic (SNE/MA) region is essentially a bycatch fishery. Any further restriction in measures would likely increase regulatory discards and have a limited impact on fishing mortality.

Table 1. 2021-2023 Winter Flounder Commercial and Recreational Measures for the Gulf of Maine and Southern New England/Mid-Atlantic Stocks

Stock	Sector	Trip Limit/ Possession Limit	Size Limit	Season	Gear
GOM	Commercial	500 lbs/trip/day	12"	Maintain closures	Minimum 6.5" square or diamond mesh in cod-end
	Recreational	8 fish	12"	Open all year	
SNE/MA	Commercial	50 lbs/38 fish/trip/day	12"	Maintain closures	Minimum 6.5" square or diamond mesh in cod-end; 100-lb mesh trigger
	Recreational	2 fish	12"	March 1 – December 31	

The Board also discussed the SNE/MA stock's low likelihood of rebuilding back to the biomass target by 2023 despite sustained low levels of catch. The Board intends to continue to work collaboratively with the Council to determine the best path forward in improving understanding of the biology of the winter flounder stock and determining the right management approach for this depleted stock.

For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org at 703-842-0714.

Motions

Move to nominate William Hyatt as the Vice Chair to the Winter Flounder Management Board.

Motion made by Ms. Ware and seconded by Ms. Patterson. Motion stands approved.

ATLANTIC MENHADEN MANAGEMENT BOARD (FEBRUARY 2, 2021)

Meeting Summary

The Atlantic Management Board met to review landings as required by Amendment 3 and as part of an initial discussion on revisiting commercial allocations. Landings data from 2016-2019 and quota transfers from 2018-2020 were presented to highlight recent trends. Maine's proportion of coastwide landings has increased in recent years and the states of Maine, New Hampshire, and Massachusetts have received the majority of quota transfers over the past three years. The Board discussed further evaluating the current allocations based on additional landings information by category such as from the Episodic Set-Aside Program and incidental catch. Preliminary 2020 landings will be available in the coming months through state compliance reports, due April 1st, and the Board will continue discussions on commercial allocations at the Spring Meeting.

The Board also briefly discussed the management of Atlantic menhaden in the Chesapeake Bay and data needed to expand the stock assessments to include spatial dynamics. The 2020 single-species and ecological reference points (ERP) benchmark stock assessments evaluated Atlantic menhaden coastwide as a single population and described the ecological impacts of its population on key predator and prey species. Currently, the models used to assess Atlantic menhaden do not have spatial or seasonal dynamics although that remains a long-term goal. The Board tasked the Technical Committee and ERP Workgroup with identifying and prioritizing data or data collection programs necessary to develop the ERP models to include spatially explicit information, with particular interest in the Chesapeake Bay, to be considered at their next Meeting.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

Motions

No motions made.

ATLANTIC HERRING MANAGEMENT BOARD (FEBRUARY 2, 2021)

Meeting Summary

The Atlantic Herring Management Board met to set 2021-2023 fishery specifications. The New England Fishery Management Council (Council) approved 2021-2023 fishery specifications back in September 2020 through Framework 8. The framework proposes a lower sub-annual catch limit (ACL) for Area 1A in 2021 (1,391 mt) and 2022/2023 (1,184 mt) based on results of the 2020 Management Track Assessment and following the acceptable biological catch (ABC) control rule outlined in Amendment 8.

The Board reviewed the specifications at the 2020 Annual Meeting, and set seasonal allocations for the 2021 fishing year based on the information, but decided to wait to take action on the 2021-2023 specifications until NOAA Fisheries had released a final rule on the framework. While a final rule had not been published at the time of this meeting, the Board approved the specifications as outlined in

the Council’s framework (see table below) contingent on a final rule being published by NOAA Fisheries.

2021-2023 Atlantic Herring Specifications (in Metric Tons)

Specification	2021	2022	2023
Annual Catch Limit (ACL)	4,814	4,098	4,098
Domestic Annual Harvest	4,814	4,098	4,098
Border Transfer	0	0	0
Area 1A Sub-ACL	1,391*	1,184*	1,184*
Area 1B Sub-ACL	207	176	176
Area 2 Sub-ACL	1,338	1,139	1,139
Area 3 Sub-ACL	1,877	1,598	1,598
Fixed Gear Set-Aside	30	30	30
Research Set-Aside as % of Sub-ACLs	3%	0%	0%

*If the New Brunswick weir fishery catch through October 1 is less than the associated “trigger”, then 1,000 mt of the management uncertainty buffer will be added to the Area 1A sub-ACL

The Board also received an update on the Council’s Amendment 8. Approved in 2018, the Amendment’s purpose is to establish a long-term ABC control rule for Atlantic herring that explicitly account for herring’s role in the ecosystem. Additionally, the Amendment addresses the biological and ecological requirements of the species by establishing a restricted area prohibiting fishing with midwater trawl gear to prevent potential localized depletion and user group conflicts. The restricted area is inshore of 12 nautical miles U.S./Canada border to the Rhode Island/Connecticut border and inshore of 20 nautical miles off the east coast of Cape Cod. In considering potential impacts of the new restricted area to state waters fisheries, Maine and New Hampshire currently do not allow midwater trawling in their state waters. Massachusetts and Rhode Island are reviewing potential loop holes that allow state only permitted midwater trawl vessels to fish in the restricted area and addressing them where needed. NOAA Fisheries released a final rule of the Amendment in January 2021 with an effective date of February 10, 2021.

Lastly, the Board received a brief update regarding ongoing discussions between Commission and Council leadership on coordinating state and federal herring management. Following a meeting that occurred between the Executive Directors of the Commission and Council and NOAA attorneys, Commission and Council leadership will reconvene to continue coordination discussions and review the responsibilities of each management body. Further updates on this coordination effort will be provided at the next Board meeting.

For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at EFranke@asmfc.org or 703.842.0740.

Motions

Move to approve the following Atlantic herring specifications for 2021-2023 as recommended by the New England Fishery Management Council contingent on the final rule being published by NOAA Fisheries:

For 2021

- **Annual Catch Limit (ACL) = 4,814 mt**
- **Domestic Annual Harvest = 4,814 mt**
- **Border Transfer = 0 mt**
- **Area 1A Sub-ACL = 1,391 mt**
- **Area 1B Sub-ACL = 207 mt**
- **Area 2 Sub-ACL = 1,338 mt**
- **Area 3 Sub-ACL = 1,877 mt**
- **Fixed Gear Set-Aside= 30 mt**
- **Research Set-Aside as % of Sub-ACLs= 3%**

For 2022 and 2023

- **Annual Catch Limit (ACL) = 4,098 mt**
- **Domestic Annual Harvest = 4,098 mt**
- **Border Transfer = 0 mt**
- **Area 1A Sub-ACL = 1,184 mt**
- **Area 1B Sub-ACL = 176 mt**
- **Area 2 Sub-ACL = 1,139 mt**
- **Area 3 Sub-ACL = 1,598 mt**
- **Fixed Gear Set-Aside= 30 mt**
- **Research Set-Aside as % of Sub-ACLs= 0%**

Motion made by Ms. Ware and seconded by Mr. Abbott. Motion passed by unanimous consent.

EXECUTIVE COMMITTEE (FEBRUARY 3, 2021)

Meeting Summary

The Executive Committee met to discuss several issues, including the second round of CARES fisheries disaster assistance, legislative and appropriations update, annual meetings update and new approach to allocations. The following discussions took place, with no action items:

- Mr. Beal provided a brief overview of the second round of CARES assistance, and introduced Ms. Kelly Denit, Director of NOAA's Office of Sustainable Fisheries, to field questions. The appropriations language provides \$300 million for fisheries, with \$255 million allocated to marine coastal states. One significant change to the language is that there is a 1% minimum allocation to each state, meaning the ASMFC states will get at least \$3 million each (This value may be slightly reduced by administrative fees).
- Mr. Beal gave an update on the legislative and appropriations front. With the change in Administrations in the Presidency and in Congress, Committees will be reorganized with new leadership. The NOAA Assistant Administrator has not been announced yet, and the President has not submitted a FY22 budget yet. The Committee discussed a draft letter to Office of

Management & Budget regarding funding priorities for the Atlantic states; a line will be added to the letter regarding Menhaden research focusing on the Chesapeake Bay.

- Mrs. Leach provided an update on future Annual Meetings, with plans to hold the 80th Annual Meeting in Long Branch, NJ October 17-22, 2021. Future Annual Meetings will be conducted in North Carolina (2022), Maryland (2023), and Delaware (2024). The Committee also discussed the future balance of virtual and in-person meetings following COVID. This discussion will be continued at a future Executive Committee meeting.
- The Committee discussed pursuing a new approach to allocation due to the changing of species distribution. This discussion will continue on the bi-weekly Executive Committee calls.

For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org or 703.842.0740.

Motions

No motions made.

COASTAL SHARKS MANAGEMENT BOARD (FEBRUARY 3, 2021)

Meeting Summary

The Coastal Sharks Management Board received updates on a number federal shark activities. Dr. Cami McCandless, with NOAA Fisheries, updated the Board on the NMFS Cooperative Shark Tagging Program, which has administered a citizen science shark tagging program throughout the Atlantic since the 1960s. The program collects survey data annually and also collects fishery-dependent data from commercial vessels and recreational tournaments. Despite the pitfalls of 2020, tagging has increased by 7% and recapture reporting is up 25% year over year. Data collected by the program has served multiple uses including: updating essential fish habitat designations, research on shifting shark distributions, and as the basis for delineating stocks of blacktip, bonnethead, and sandbar sharks for assessments.

During Board discussion, the issue of how does NOAA Fisheries coordinate its activities with state permitting requirements was raised. South Carolina and Florida require anglers to get a permit to tag sharks. In order to make sure that participants follow state regulations, NOAA Fisheries includes a reminder with its issued tags to check with their respective state about additional restrictions or required permits to use these tags.

Karyl Brewster-Geisz, with NOAA Fisheries Division of Highly Migratory Species (HMS) Management, provided the Board with updates on upcoming shark actions from the Atlantic HMS Division. Draft Amendment 14, which was released for comment in 2020, explored options to reestablish a new framework for shark quotas consistent with new guidelines under Magnuson-Stevens Act National Standard 1. Three of the options being considered include (1) actively managing both commercial and recreational sectors, (2) eliminating the commercial quota linkages between management groups, and (3) allowing the flexibility to determine the overfishing status using a 3-year average of fishing mortality rather than only making determinations concurrent with stock assessments. Any resulting changes in quotas would be implemented in subsequent rules following the release of Final

Amendment 14 later this year. NOAA Fisheries is also undertaking a comprehensive review of the shark fishery that will examine the current state of the fishery and how previous management actions have affected the fishery.

Lastly, the Board approved the nomination of Capt. Rick Bellavance to the Coastal Sharks Advisory Panel. Capt. Bellavance has been a charter boat fisherman targeting a variety of fish for over 30 years, is a member of the Rhode Island Charter Boat Association, is a consultant for the New England Fishery Management Council, and previously held a seat on NOAA Fisheries Highly Migratory Species Advisory Panel.

For more information, please contact, Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org.

Motions

Move to appoint Rick Bellavance to the Coastal Sharks Advisory Panel.

Motion made by Mr. Reid and seconded by Mr. Miller. Approved by unanimous consent.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM (ACCSP) COORDINATING COUNCIL (FEBRUARY 3, 2021)

Meeting Summary

The ACCSP Coordinating Council met to review and take action on program funding for FY2021. The Council was provided an update on ACCSP Leadership Team membership and meetings since the October 2020 Annual Meeting. The Council supported the use of ACCSP grant extension for the SAFIS helpdesk, NJ staff support, and the extended timeline for completing the approved the South Atlantic Fishery Management Council/North Carolina citizen science application project. The Council reviewed the revised FY2021 administrative grant. Several factors combined to allow the Leadership Team to support funding all maintenance and new proposals for 2021. These included the final determination of utilizing the 2016-2021 grant funds, the reduced the ACCSP administrative proposal, and a return of unused ACCSP funds from the Florida Headboat sampling project.

For more information, please contact Geoff White, ACCSP Director, at Geoff.white@accsp.org.

Motions

Motion to approve the 2016-2020 Administrative Grant extension tasks as presented, and approve the revised 2021 ACCSP proposal at \$2,122,916.

Motion made by Ms. Patterson and seconded by Mr. Bell. Motion stands approved.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (FEBRUARY 3, 2021)

Press Release

Atlantic Striped Bass Board Approves Draft Amendment 7 PID for Public Comment

The Commission's Atlantic Striped Bass Management Board approved for public comment the Public Information Document (PID) for Draft Amendment 7 to the Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass. As the first step in the amendment process, the PID seeks input from

stakeholders and those interested in striped bass about changes observed in the fishery/resource and potential management measures.

The last time a new plan amendment to the Atlantic Striped Bass FMP was adopted was in 2003 (Amendment 6). Since then, the status and understanding of the striped bass stock and fishery has changed considerably which raises concern that the current management program no longer reflects current fishery needs and priorities. The results of the 2018 Benchmark Stock Assessment in particular led the Board to discuss a number of prominent issues facing striped bass management. Consequently, the Board initiated the development of Amendment 7 in August 2020.

The purpose of the PID is to solicit stakeholder input on prioritizing the importance of each topic for continued development and potential inclusion in the Draft Amendment. The PID considers the following management topics: (1) fishery goals and objectives; (2) biological reference points; (3) management triggers; (4) stock rebuilding targets and schedule; (5) regional management; (6) management program equivalency (conservation equivalency); (7) recreational release mortality; (8) recreational accountability; (9) coastal commercial quota allocation; and (10) other issues raised in public comments.

Stakeholders are encouraged to provide input on the PID either by attending state public hearings or providing written comment. It is anticipated that states from Maine through North Carolina will be conducting public hearings, likely in a virtual format, in March and April 2021. A subsequent press release will provide the details of those hearings. The Atlantic Striped Bass Management Board will meet at the Commission's 2021 Spring Meeting in May to consider public comment and provide direction to staff for items to be included in Draft Amendment 7.

The PID is available at http://www.asmfc.org/files/PublicInput/StripedBassAm7PID_PublicComment_Feb2021.pdf or via the Commission's website, www.asmfc.org, under Public Input. Public comment will be accepted until **5 PM (EST) on April 9, 2021** and should be forwarded to Emilie Franke, Fishery Management Plan Coordinator, 1050 N. Highland St, Suite 200A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at comments@asmfc.org (Subject line: Striped Bass PID). For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740.

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PR21-03

Meeting Summary

The Atlantic Striped Bass Management Board met to receive a Technical Committee (TC) report on assessment model sensitivity to recreational release mortality assumptions; consider approving for public comment an updated draft of the Public Information Document (PID) for Amendment 7; and consider proposed study collecting information on the tube rig gear and a proposed exemption to the circle hook requirement for this gear.

The Board reviewed a TC report on the sensitivity of the stock assessment model to different scenarios of recreational release mortality. This TC task was the result of Board and public concern about the assumption of a coastwide 9% release mortality used in the assessment. The analysis focused on the sensitivity of the model to that assumption and addressed the question of whether model results or stock status would change if a different release mortality rate was used. The report highlighted that

significant changes to the release mortality rate assumption in the model resulted in significant changes to the scale of the population, but did not affect the final stock status determination. While having a more refined estimate of recreational release mortality may not change the assessment model performance for past years, the TC emphasized that reducing release mortality through management measures and angler education and outreach continues to be important for the recovery of the stock. In response to questions from Board members, the TC noted that it is important to understand and track how changes in recreational management (e.g. circle hook requirements) affect the stock trends in the future. The Board reiterated the importance of hearing from the public on the issue of recreational release mortality which is included in the PID as part of the Amendment 7 development process.

The Board also heard from the TC on the timeline for the next stock assessment update for striped bass, which is currently scheduled for 2021. Due to the impacts of COVID-19 on data collection and considering that 2020 is only the first year of Addendum VI implementation, the TC recommended that the stock assessment update be postponed until 2022. The Board noted that COVID-19 may also impact data collection in 2021 and they may have to consider this issue again next year. The Board agreed by consensus to forward this recommendation to postpone the striped bass stock assessment to 2022 to the ISFMP Policy Board.

The Board then considered a proposed study by Maine and Massachusetts to collect information on the striped bass baited tube rig fishery and an accompanying request for a two-year exemption to the circle hook requirements for the tube rig gear. Addendum VI requires the mandatory use of circle hooks when fishing for striped bass with bait to reduce discard mortality in recreational striped bass fisheries. At their October 2020 meeting, the Board approved Addendum VI state implementation plans for circle hook requirements with the caveat that no exemptions to mandatory circle hook requirements will be permitted. Since then, the Commission and several states have received request to consider exemptions for tube rig gear. The Board heard from Maine and Massachusetts on their proposed study to assess the prevalence of baited tube rigs in the fishery and to assess the incidence of deep hooking (i.e. gut hooking). Some Board members expressed support for this study and the need to re-consider this exemption considering the anecdotally low incidence of gut hooking with this gear. Some Board members reiterated concern that this exemption may lead to requests for other exemptions, making enforceability difficult and potentially undermining the intent of the provision. The Board accepted the Maine/Massachusetts proposal to study the tube rig fishery and approved a delayed implementation of the circle hook requirement for tube rig gear coastwide through 2022. Other states interested in participating in the study should submit a letter of intent to the Commission within two weeks.

The Board also discussed the uncertainty around the definition of bait and the differing interpretations of natural bait among states. The Board approved by consensus the creation of an ad hoc committee to develop a definition of bait that would require the use of circle hooks and method of fishing that would require the use of circle hooks as well as how to handle incidental catch. The ad hoc committee will report back to the Striped Bass Board at a special Board meeting to take place early March 2021 or as soon as possible.

Finally, the Board approved the following new members to the Striped Bass Advisory Panel: Andrew Dangelo and Michael Plaia representing Rhode Island; Dennis Fleming representing the Potomac River Fisheries Commission; and Nathaniel Miller representing New York.

For more information, please contact Emilie Franke efranke@asmfc.org, Fishery Management Plan Coordinator, or Toni Kerns tkerns@asmfc.org, ISFMP Director, or at 703.842.0740.

Motions

Move to approve the Public Information Document for Draft Amendment 7 to the Striped Bass Fishery Management Plan for public comment as modified today.

Motion made by Mr. Fote and seconded by Mr. Gary. Motion approved by consensus.

Move to accept the Maine/Massachusetts proposal to study the tube rig fishery and, for the duration of the study, delay implementation of the circle hook requirement for tube rig gear through 2022 for all states in the striped bass management unit. Other states wishing to participate in a study on the tube rig fishery should submit a letter of intent to ASMFC within two weeks to ensure consistency in data collection.

Motion made by Ms. Ware and seconded by Mr. Armstrong. Motion passes (11 in favor, 4 opposed).

Main Motion

Create an ad hoc committee established by the chair to develop a definition of bait that would require the use of circle hooks. This committee will report back to the Striped Bass Board at a special Board meeting to take place early March 2021.

Motion made by Mr. Hasbrouck and seconded by Dr. McNamee

Motion to Amend

Move to amend to add method of fishing that would require the use of circle hooks and how to handle incidental catch.

Motion made by Mr. Cimino and seconded by Dr. Davis. Motion passes (15 in favor).

Main Motion as Amended

Create an ad hoc committee established by the chair to develop a definition of bait that would require the use of circle hooks and method of fishing that would require the use of circle hooks and how to handle incidental catch. This committee will report back to the Striped Bass Board at a special Board meeting to take place early March 2021 or as soon as possible.

Motion passes by consent.

Move to approve Andrew Dangelo and Michael Plaia representing Rhode Island, Dennis Fleming representing the Potomac River Fisheries Commission, and Nathaniel Miller representing New York to the Striped Bass Advisory Panel.

Motion made by Mr. Gary and seconded by Mr. Sikorski. Motion adopted by consent.

SHAD AND RIVER HERRING MANAGEMENT BOARD (FEBRUARY 4, 2021)

Meeting Summary

The Shad and River Herring Management Board met to consider several items: (1) Board action in response to the 2020 American Shad Benchmark Stock Assessment and Peer Review, (2) Technical Committee recommendations to improve Amendments 2 and 3 to the Fishery Management Plan

(FMP), (3) approval of updated shad habitat plans, (4) the FMP Review and state compliance for the 2019 fishing year, and (5) two nominations to the Advisory Panel.

The Board reviewed recommendations from the Technical Committee (TC) and comments from the Advisory Panel (AP) regarding paths forward for improving shad stocks in light of the 2020 Assessment results. The assessment found that American shad remain depleted on a coastwide basis, and determined that several systems are depleted, experiencing unsustainable adult mortality, or have an unknown stocks status despite having active fisheries. The TC emphasized that habitat-related issues (such as passage barriers) and bycatch in coastal mixed-stock fisheries are likely limiting recovery for a number of stocks. Therefore, the TC did not recommend management changes at this time, but recommended states focus on restoration efforts and data improvements to improve future assessments. Consistent with the recommendations, the Board tasked the TC to develop methods to evaluate bycatch removals in directed mixed-stock fisheries in state waters in order to understand and reduce impacts to external stocks. Additionally, to address data deficiencies highlighted by the TC, the Board forwarded a recommendation to the Interstate Fishery Management Policy Board to send a letter to NOAA Fisheries requesting increased prioritization of stock composition sampling of American shad in offshore fisheries.

The TC Chair presented recommendations for improvements to Amendments 2 and 3 to the FMP. These Amendments require states or jurisdictions to have an approved Sustainable Fishery Management Plan (SFMP) to allow any harvest of river herring and shad, respectively. The TC recommendations provide additional criteria to guide the development of SFMPs, such as appropriate time series for sustainability metrics, management responses to falling below sustainability thresholds, clarification on the use of SFMPs versus Alternative Management Plans, and interjurisdictional management guidance. The Board agreed with the TC recommendations and tasked them to develop a technical guidance document for use in SFMP development and evaluation.

The Board also reviewed updates to the American Shad Habitat Plans for Maine, New Hampshire, Maryland, North Carolina, South Carolina, and Georgia. The habitat plans are required by Amendment 3 to the FMP and updates to include current information and recent restoration programs were requested on a five year basis. The Board approved the presented shad habitat plans, and will review remaining updates at their next meeting.

As recommended by the Plan Review Team, the Board approved the FMP Review for Shad and River Herring for the 2019 Fishing Year, state compliance reports, and *de minimis* requests. Lastly, the Board approved two nominations to the AP: Dr. Ed Hale of Delaware, and Eric Roach of New Hampshire. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to task the Technical Committee with developing methods to evaluate bycatch removals in directed mixed-stock fisheries in state waters in order to understand and reduce impacts to stocks outside the area where directed catch occurs.

Motion made by Mr. Cimino and seconded by Dr. Davis. Motion carries unanimously.

Move to task the Technical Committee with developing a technical guidance document to guide SFMP/AMP development and evaluation based on the recommendations presented today.

Motion made by Dr. Davis and seconded by Mr. Haymans. Motion passes (10 in favor, 8 opposed).

Move to approve the updated shad habitat plans submitted by ME, NH, MD, NC, SC, and GA.

Motion made by Ms. Patterson and seconded by Mr. Haymans. Motion passes unanimously.

Move to approve the FMP Review for the 2019 fishing year, state compliance reports, and *de minimis* requests from ME, NH, MA, and FL.

Motion made by Mr. Clark and seconded by Ms. Patterson. Motion is approved by consensus.

Move to approve nominations to the Shad and River Herring Advisory Panel for Dr. Ed Hale from Delaware, and Eric Roach from New Hampshire.

Motion made by Dr. Davis and seconded by Mr. Miller. Motion is approved by consensus.

BLUEFISH MANAGEMENT BOARD (FEBRUARY 4, 2021)

Meeting Summary

The Bluefish Management Board met to consider Technical Committee (TC) recommendations to revise the Addendum I age sampling requirements, discuss additional TC recommendations on bluefish recreational release length sampling, and consider a nomination to the Bluefish Advisory Panel.

In accordance with TC recommendations, the Board changed the threshold for required participation in the Addendum I age sampling program from 5% of total coastwide bluefish harvest for the period 1998-2008, to 4% of total coastwide bluefish removals (recreational and commercial landings and dead discards) for the period 2010-2019. This update added Florida to the list of states that are already required to submit age samples under Addendum I. While Virginia does not meet the updated threshold, the state will continue its current sampling regime for bluefish and provide the same minimum 100 samples as other states for the purposes of continuing its valuable collection of biological data used in stock assessments. The Board also changed the 50 fish spring and fall sampling requirements to a target in recognition that bluefish are not present in state waters year round for all states. However, the 100 annual sampling requirement still remains. The sampling program seeks to support bluefish stock assessments by improving the quantity and quality of information used in assessments.

The Board also discussed the need for increased recreational release length sampling to accurately characterize discards for catch accounting and stock assessments. Rhode Island, Connecticut, and New Jersey already have voluntary angler programs that collect these data, but the TC encouraged state members consider expanding upon these programs for broader participation along the Atlantic coast. Lastly, the Board appointed John LaFountain a seafood processor/dealer from Rhode Island to the Bluefish Advisory Panel.

For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at dleaning@asmfc.org.

Motions

Move to revise Addendum I to Amendment 1's sampling requirements from 5% of coastwide harvest to 4% of the total coastwide removals, defined as the sum of recreational and commercial landings

and dead discards, for the period 2010-2019; adding Florida to the states required to collect samples; and changing the 50 fish seasonal requirement to a target but the 100 fish annual sampling requirement remains.

Motion made by Mr. Cimino and seconded by Mr. Hasbrouck. Motion is approved by unanimous consent.

Move to approve the nomination to the Bluefish Advisory Panel for John LaFountain of RI.

Motion made by Dr. McNamee and second by Dr. Davis. Motion is approved by unanimous consent.

INTERSTATE FISHERIES MANAGEMENT PROGRAM (ISFMP) POLICY BOARD (FEBRUARY 1 & 4, 2021)

Meeting Summary

The ISFMP Policy Board (Policy Board) met to review a full suite of issues, including:

- Executive Committee update
- State declared interests for Commission managed species
- Pennsylvania's participation on the Atlantic Menhaden Management Board
- Recreational Management Reform Initiative discussion with the Mid-Atlantic Fishery Management Council (Council)
- Process issues for Commission work on Recreational Management Reform Initiative
- Progress update on the draft Risk and Uncertainty Policy
- Review of the 2020 Commissioner Survey results
- Electronic recreational data collection
- Reports from the Atlantic Coastal Fish Habitat Partnership, Habitat Committee, and Artificial Reef Committee

Executive Committee Report

Commission Chair Pat Keliher presented the Executive Committee Report to the Policy Board (see Executive Committee meeting summary earlier in this document).

States Declared Interests on Species Management Boards

Annually, states and agencies review their declared interest to participate on the management boards for each Commission managed species. The following changes were made: the U.S. Fish and Wildlife (USFWS) withdrew its interest in participating on management boards for black sea bass, summer flounder, scup, bluefish, Spanish mackerel, tautog, weakfish, winter flounder, cobia, black drum, red drum, spot, spotted sea trout, Atlantic croaker. The Commonwealth of Massachusetts withdrew from weakfish board due to the significant decline of weakfish in state waters. Several states declared interest in participating on species boards due to an increased presence of those species in state waters in recent years, these include: Delaware-spotted seatrout; New Jersey-spotted seatrout; New York-Spanish mackerel; Rhode Island-Spanish mackerel and cobia; and New Hampshire-black sea bass. The Policy Board approved all of these changes.

Pennsylvania's Participation on the Atlantic Menhaden Board

Articles II, VIII, and XII of the Interstate Compact address participation by certain states eligible for Commission fishery management activities, including Pennsylvania, generally requiring that such participation be limited to anadromous species found in those states' waters. Pennsylvania has been part of the Atlantic Menhaden Management Board since 2016, but because Atlantic menhaden are not

anadromous, the question arose whether it is proper for Pennsylvania to participate on the Menhaden Board. The Policy Board agreed to maintain Pennsylvania's participation in the Menhaden Board in light of the ecological linkage between menhaden and striped bass, which is consistent with the Commission's increased focus on ecosystem-based management.

Recreational Management Reform Initiative

Joint Discussion with Council

The Policy Board met jointly with the Council to receive an update on the Recreational Management Reform Initiative and discuss next steps. This initiative considers improvements to the management of recreational fisheries for summer flounder, scup, black sea bass, and bluefish. As part of this initiative, the Council and Commission are developing a joint framework/addendum and a joint amendment, each of which will consider several topics. During the meeting, the Board and Council agreed to focus on the harvest control rule proposal put forward by six recreational organizations as an immediate next step. Council, Commission and NOAA Fisheries staff will work together to consider how this proposal may need to be modified to comply with Magnuson-Stevens Fishery Conservation and Management Act requirements to implement annual catch limits and prevent overfishing.

Policy Board Only Discussion

The Council and the Commission have been working on a Recreational Management Reform Initiative for summer flounder, scup, black seas bass and bluefish. The Policy Board has been meeting with the Council to discuss these issues because it is the overarching Board of the two management boards as well as the initiative could have solutions for other Commission management species, the Board affirmed it will continue to work with the Council vs another Commission management board. In addition, the Board agreed to have Commission leadership bring forward a voting process recommendation to the MAFMC leadership. The Board agreed the two management bodies could have independent motions on an issue rather than identical motions as in the process used for the jointly managed species.

Draft Risk and Uncertainty Policy

Dr. Jason McNamee presented on the Commission's Draft Risk and Uncertainty Policy. Updates included a refined decision tool criteria, a revised process, a sample weighting preference survey, and an updated striped bass example. The Board provided feedback and supported using tautog as a pilot case for the Risk and Uncertainty Policy.

2020 Commissioner Survey

Deke Tompkins presented the results of the 2020 Commissioner Survey Results. Many responses showed similar trends from years past. It was noted some obstacles to the Commission's success in rebuilding stocks include depleted stocks, environmental/climate conditions, balancing individual and collective interests, management response time, inadequate federal resources/support, reallocation, recreational data shortfalls, and cooperation with the Councils. Some of the issues Commissioners would like to focus more on include: include depleted species, modernizing outreach for the next generation, habitat and climate change, socioeconomics, improvements to MRIP, regulatory consistency among states, stakeholder engagement, accountability measures, increased Congressional support, quota allocation, and regional differences and intra-species interaction.

Electronic Recreational Data Collection

In a recent review of biological reporting requirements, the Bluefish Technical Committee noted the

stock assessment recommendation that an accurate characterization of recreational release lengths is integral to the assessment and that improvements to the methodology used to collect these data is recommended. The Technical Committee discussed options for electronic reporting that could be used for collecting recreational angler release data to remove the need for a state to create a new data collection system. The Technical Committee recommended to the Bluefish Board that it advance the importance of broadly collecting reliable recreational release length frequency data for all recreational species through a request to the Policy Board. The specific request was to ask the Policy Board task the Assessment Science Committee to work with the ACCSP to develop a comprehensive program for reporting released fish of all recreationally important species the Commission manages. However, the Bluefish Board had some concerns about the lack of specificity in the recommended task. In light of this concern, Toni Kerns presented an overview of SciFish, an electronic recreational reporting application in development by ACCSP, which could have the potential to collect quantitative data. Staff recommend that Commission staff and the Assessment Science Committee provide feedback for assessment and management concerns to ACCSP as the application is developed.

Reports from Atlantic Coastal Fish Habitat Partnership and ASMFC Habitat and Artificial Reef Committees

Dr. Lisa Havel provided updates on Atlantic Coastal Fish Habitat Partnership (ACFHP), Habitat Committee, and Artificial Reef Committee. The ACFHP Steering Committee met virtually November 9-10, 2020. The Committee discussed the National Fish Habitat Conservation through Partnerships Act passage, received updates on current on-the-ground projects, and reviewed the final version of the Fish Habitat Conservation Mapping Assessment. For the FY2021 National Fish Habitat Action Plan – USFWS funding, ACFHP received 14 applications, and is recommending 11 for funding. These 11 applications cover seven states in the North, Mid-, and South Atlantic, and improve tidal vegetation, riverine bottom, and shellfish beds if funded. The selections are usually announced in late spring. ACFHP also recently endorsed three projects: Big Pink Key Aquatic Habitat Hydrological Restoration in Florida; Evaluating an Approach to Long-Term SAV Monitoring in North Carolina; and Tuckerton Reef in New Jersey.

The Habitat Committee met virtually November 12-13, 2020. It discussed the status and next steps for the documents the Committee is currently working on: Acoustic Impacts to Fisheries, Fish Habitats of Concern, and the *2020 issue of Habitat Hotline Atlantic*. The Committee continued working on designating Fish Habitats of Concern for ASMFC-managed species, and discussed developing a comment letter on the proposed elimination of dredge windows in the U.S. Army Corps of Engineers Wilmington District, which was unanimously approved by the Policy Board.

Dr. Havel also presented a new document from the Artificial Reef Committee, updating the 1988 publication *Profiles of State Artificial Reef Programs and Projects*. The update highlights accomplishments of Atlantic state artificial reef programs over the past 30+ years, and was approved unanimously for publication by the Policy Board.

The Policy Board agreed to send four letters to NOAA Fisheries (see relevant sections of the American Lobster Board and the Shad and River Herring Management Board for details on the letters). The one letter not discussed at the American Lobster Board meeting was a request to NOAA Fisheries for additional time to comment on the draft “batched” Biological Opinion for ten fishery management plans in the Northeast and the implementation of the New England Fishery Management Council’s

Omnibus Habitat Amendment 2. The additional time will allow the 15 Atlantic coastal states the opportunity to thoroughly review the Biological Opinion and provide meaningful feedback.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org.

Motions

Move to approve the changes to the species declared interest.

Motion made by Mr. Fote and seconded by Dr. Rhodes. Motion passes by consensus.

On behalf of the Lobster Board, move the Commission to send letters to NOAA Fisheries with comments on the proposed rule to amend the regulations implementing the Atlantic Large Whale Take Reduction Plan and the draft biological opinion. The Biological opinion letter should include the following:

- The bi-op should be completed so it will support the proposed rule to avoid a jeopardy.
- A statement that address the burden the US Fishery could bear based on the actions of Canada.
- The Atlantic Large Whale Take Reduction Plan letter should include the following:
- The rule should be completed by the end of May to ensure the court does not intervene.
- Implementation timeline recommendations that address practical start dates
- Supporting trawl conservation equivalency that would allow for modifications related to trawl lengths as well as address the need to fish a single endline in areas. Example 8 traps with 2 endlines = 4 traps with 1 endline
- Support enforcement and coordination with state agencies

Motion made by Mr. McKiernan. Motion passes with 1 abstention (NOAA Fisheries).

On behalf of the Lobster Board, move the Commission send a letter to the Secretary of the Interior restating the Commission's position on modifying the Northeast Canyons and Seamounts Marine National Monument.

Motion made by Mr. McKiernan. Motion passes with 2 abstentions (NOAA Fisheries and USFWS)

Move to request the Commission send a letter to NOAA requesting a short extension of the comment period on the Endangered Species Act Section 7 Consultation-Biological Opinion from February 19 to March 1, 2021.

Motion made by Mr. Borden and seconded by Ms. Patterson. Motion passes with 1 abstention (NOAA Fisheries).

On behalf of the Shad and River Herring Board, move to send a letter to NOAA fisheries to request that shad be made a higher sampling priority, particularly for genetic stock composition sampling, to improve our understanding of the impacts of mixed-stock fisheries on system-specific stocks, as recommended by the 2020 Assessment and Peer Review and the Technical Committee.

Motion made by Mr. Armstrong. Motion passes with 2 abstentions (NOAA Fisheries and USFWS).

Motion to adjourn.

Motion made by Mr. Bowman and second by Mr. Haymans. Motion passes.



MAFMC

December 2020 Council Meeting Summary

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's meeting December 14-17, 2020. This meeting was conducted by webinar due to the ongoing COVID-19 pandemic. Presentations, briefing materials, motions, and webinar recordings are available at <http://www.mafmc.org/briefing/december-2020>.

During this meeting, the Council:

- Discussed the impact of COVID-19 on recreational data collection and recreational catch estimates for 2021*
- Approved status quo recreational scup and black sea bass management measures in state and federal waters in 2021*
- Approved the use of regional conservation equivalency for the recreational summer flounder fishery in 2021*
- Approved status quo recreational bluefish measures for 2021*
- Approved a public hearing document for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment*
- Selected alternatives related to federal management of the black sea bass state allocations but postponed final action on the Black Sea Bass Commercial State Allocation Amendment/Draft Addendum XXXIII until the next joint meeting*
- Received an update on the Recreational Reform Initiative and discussed a proposal to address some recreational reform topics through a technical guidance document*
- Approved a 2021 Implementation Plan
- Review three case study proposals and selected the Research Set-Aside Program proposal for further development by the Scientific and Statistical Committee Economic Work Group
- Received an update on habitat projects and offshore wind activities
- Received an update on right whale issues and, including preliminary 2019 population estimates and the development of ropeless fishing technology
- Received an informational presentation regarding the Council recusal process
- Agreed to send a letter to NMFS requesting clarified guidance on the use of the Ecosystem Component species designation
- Approved a letter to the Secretary of Interior regarding the inclusion of squid fishery products in the U.S. Fish and Wildlife Service inspection and user fee system for monitoring wildlife imports and exports

** Items denoted with an asterisk (*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board; Bluefish Management Board; or ISFMP Policy Board.*

Summer Flounder, Scup, Black Sea Bass, and Bluefish 2021 Recreational Management Measures

The Council met jointly with the Atlantic States Marine Fisheries Commission's (Commission) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and Bluefish Management Board to develop recreational management measures for summer flounder, scup, black sea bass, and bluefish for 2021.

During the meeting, the Council and Board discussed the impact of COVID-19 on recreational data collection and fisheries management. In a typical year, preliminary data from the Marine Recreational Information Program (MRIP) for waves 1-4 (January through August) are used to project catch and harvest through the rest of the year. These projections are then compared to the recreational harvest limit (RHL) for the upcoming year to evaluate

how harvest may need to be adjusted to prevent RHL overages. However, this year, recreational data collection was severely limited by restrictions related to COVID-19. As a result, projections of 2020 harvest could not be generated for any recreational species.

Scup and Black Sea Bass

The Council and Board agreed to maintain status quo recreational management measures for scup and black sea bass in state and federal waters in 2021. For scup, federal waters measures include a 9-inch total length minimum fish size, a 50 fish possession limit, and an open season of January 1 - December 31. For black sea bass, federal waters measures include a minimum size limit of 12.5 inches, a 15 fish possession limit, and open seasons of Feb 1-28 and May 15-Dec 31. The Council and Board discussed the lack of preliminary 2020 recreational catch and harvest estimates as well as the ongoing challenges with incorporating the new MRIP estimates into management. Some Council and Board members voiced concerns regarding the potential to exceed the RHL for these species; however, they ultimately agreed with the Monitoring Committee recommendation to keep status quo measures given the data uncertainties related to COVID-19. The Council and Board emphasized that, similar to last year, this is a short-term approach to address a unique situation and allow for more time to consider how management should adapt to the revised recreational harvest estimates from MRIP. They agreed that it is essential to continue to make progress on the Commercial/Recreational Allocation Amendment for these species as well as actions associated with the Recreational Reform Initiative to ensure that recreational catch is appropriately constrained to meaningful catch limits.

Summer Flounder

The Council and Board agreed to maintain status quo recreational management measures for summer flounder in 2021 to achieve, but not exceed, the 2021 RHL of 8.32 million pounds. This includes the use of regional conservation equivalency with the same regions used in 2020. Conservation equivalency allows individual states or multi-state regions to develop customized measures that, in combination, will achieve but not exceed the coastwide RHL. Regional measures under conservation equivalency in 2021 will be the same as in 2020, with the exception of possible minor adjustments to season start and end dates in some states. While the RHL increased by 8% between 2020 and 2021, the Council and Board agreed with the Monitoring Committee recommendation to keep status quo measures given uncertainty associated with the lack of 2020 recreational data.

The Council and Board also maintained the status quo non-preferred coastwide measures, which will be waived in favor of state regulations once conservation equivalency is approved by the National Marine Fisheries Service (NMFS). These measures include a 4-fish possession limit, a 19-inch total length minimum size, and an open season of May 15 – September 15. The Council and Board also made no changes to the current 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 would be implemented in any state or region that does not adopt measures consistent with the conservation equivalency guidelines.

Bluefish

The Council and Bluefish Board agreed to maintain status quo recreational management measures for bluefish in state and federal waters in 2021. These measures include a coastwide 3-fish and 5-fish bag limit for the private and for-hire anglers, respectively. The Council and Bluefish Board discussed the lack of preliminary 2020 recreational catch and harvest estimates, the timing of when the current bag limits went into effect (mid-2020), as well as the ongoing issues surrounding incorporating the new MRIP estimates into management. Additionally, the Council and Bluefish Board acknowledged that bluefish is entering a rebuilding plan and is scheduled for a management track assessment in June 2021. Given these uncertainties and future bluefish developments, the Council and Bluefish Board agreed with the Monitoring Committee recommendation to maintain status quo measures for 2021.

Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment

The Council and Board reviewed the Council's public hearing document and the Commission's draft amendment document for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. They approved both documents for public comment with minor modifications. They also discussed the timeline for this amendment relative to other ongoing actions, including the Recreational Reform Initiative. Some Council and Board members preferred prioritizing the Recreational Reform Initiative while others felt that a response to the revised MRIP estimates through this commercial/recreational allocation amendment should be the higher priority. Ultimately, the Council and Board decided to move forward with public hearings for this allocation amendment. Virtual public hearings for this action will be scheduled to begin in late January or early February 2021.

Black Sea Bass Commercial State Allocation Amendment and Draft Addendum XXXIII

The Council and Board reviewed a Council amendment and Commission Draft Addendum XXXIII, both of which consider modifications to the state allocations of the commercial black sea bass quota, as well as whether the state allocations should be included in the Council's Fishery Management Plan (FMP). After considering public comments, input from the Advisory Panel, and draft impacts of the management options, the Council and Board agreed to only select alternatives related to federal management of the black sea bass state allocations at this meeting. They voted to postpone a decision on the state allocation percentages to the next joint meeting hosted by the Commission, likely in February 2021.

The Council and Board voted to include the state allocations of the commercial black sea bass quota in the Council's FMP. As they were previously included only in the Commission's FMP, this change means future changes to the allocations will now be considered through a joint action between the Council and Board. If approved, NMFS will be responsible for monitoring state landings and approving interstate transfers. The two bodies also agreed to modify the regulations for federal in-season closures such that the entire commercial fishery will close in-season for all federally permitted vessels and dealers once landings are projected to exceed the coastwide quota plus an additional buffer of up to 5%. The Council and Board will agree to the appropriate buffer for the upcoming year through the specifications process. The additional buffer helps minimize negative economic impacts of coastwide closures on states that have not fully harvested their allocations.

The Council and Board will consider changes to the state allocation percentages at their next joint meeting, which is expected to take place during the Commission's Winter Meeting in February 2021. Given the complexity of the proposed approaches for modifying the state allocation percentages, as well as additional challenges related to COVID-19, the Council and Board felt additional time was needed for deliberation on how and whether to modify the state allocation percentages.

Recreational Reform Initiative

The Council met jointly with the Commission's Policy Board to receive an update on the Recreational Reform Initiative and discuss next steps. The Recreational Reform Initiative considers improvements to management of the recreational fisheries for summer flounder, scup, black sea bass, and bluefish. At their last meeting in October, the Council and Policy Board initiated two actions associated with recreational reform: (1) a joint amendment to address recreational sector separation and catch accounting, and (2) a joint framework/addendum to address several other recreational management topics. During this meeting, staff presented a recommendation to address three of the topics originally planned for the framework/addendum through a technical guidance document instead. This would allow the Council and Commission to more efficiently address the various recreational issues associated with the Recreational Reform Initiative. They also reviewed draft timelines for development of the technical guidance document, framework/addendum, and amendment. After discussing considerations related to

staff workload, the Council and Policy Board agreed to further discuss the Recreational Reform Initiative during their next joint meeting, likely in February 2021.

2021 Implementation Plan

The Council reviewed and approved its 2021 Implementation Plan. An implementation plan is developed each year as a tool for planning and prioritizing activities for the upcoming year within the broader context of the Council's longer-term goals and objectives. The 2021 Implementation Plan identifies the specific activities, amendments, frameworks, specifications, and other projects the Council expects to initiate, continue, or complete during the year.

After some discussion, the Council voted to add initiation of an action to implement a possession limit for frigate and bullet mackerel in the Mid-Atlantic to the list of 2021 deliverables. The goal of this action would be to prevent expansion of unmanaged fisheries for these species which are important prey for predators such as wahoo, blue marlin, yellowfin tuna, and dolphin. Further consideration regarding the appropriate type of management action and the specific options that will be considered will take place in 2021.

SSC Economic Work Group Report

In August 2020, the Council supported the development of a Scientific and Statistical Committee (SSC) Economic Work Group to provide timely economic direction and information to the Council. Using the Council's draft 2021 Implementation Plan, the Work Group developed three case study proposals for Council consideration, one of which would be further developed over the course of 2021. These case study proposals illustrated the value of focused economic analyses for future actions and identify a process(es) for continued engagement between the Council and the SSC on important economic topics. The three case study proposals included: a review of the river herring/shad catch cap in the Atlantic mackerel fishery, the redevelopment of the Research Set-Aside (RSA) program, and a white paper evaluating the economic implications of modifying the federal spiny dogfish trip limits. After reviewing potential benefits and anticipated outcomes associated with each proposal, the Council selected the RSA redevelopment case study. As identified in the RSA redevelopment proposal, the Work Group will provide input and analysis on selecting candidate fisheries and research projects to be funded, approaches to maximize funding available for research projects, and consideration for enforcement and monitoring of the program. There will be continual engagement between the Work Group and the entire Council, Research Steering Committee, full SSC, and staff throughout 2021 as the case study is developed.

Update on Habitat Activities

Council staff provided updates on several regional habitat activities, including the Northeast Regional Marine Fish Habitat Assessment, the New England Council's development of Habitat Policies/Backgrounders, and the Mid-Atlantic Council's involvement in wind organizations such as Responsible Offshore Science Alliance (ROSA) and Responsible Offshore Development Alliance (RODA). In addition, Karen Green and Peter Burns, from NMFS Habitat and Ecosystem Services Division, provided updates on several regional projects of interest, with a focus on offshore energy and aquaculture.

Update on Right Whale Issues

The Council received an update from Colleen Coogan (GARFO) and Sean Hayes (NEFSC) on North Atlantic right whale issues, including preliminary 2019 population estimates, the status of ongoing Atlantic Large Whale Take Reduction Plan modifications, and the development of ropeless fishing technology for pot/trap gear. A proposed rule containing measures to reduce right whale mortality in the Northeast lobster and Jonah crab fishery is in review and is expected to publish soon. Publication of the rule will be followed by remote informational public meetings and remote public comment meetings on the proposed measures. The Atlantic Large Whale Take Reduction Team is expected to meet in Spring 2021 to address measures for other fixed gear fisheries in the Mid-Atlantic and New England.

Ropeless fishing technology is being field tested and explored for potential use as an alternative to full area closures as right whale entanglements have increased. Multiple exempted fishing permits are currently in place allowing experimentation with ropeless gear in the commercial lobster fishery, although there are several remaining obstacles to widespread adoption of this technology.

Other Business

Council Recusal Process

The Council received a presentation on financial disclosure and recusal requirements from John Almeida (NOAA Office of General Counsel, Northeast).

Letter to NMFS: Ecosystem Component Species Designation

The Council agreed to send a letter to NMFS requesting clarified guidance on the use of the Ecosystem Component species designation, particularly how measures intended to protect the ecosystem roles of such species may be implemented across jurisdictions and fishery management plans.

Letter to Secretary of Interior: USFWS Squid Export Regulations

The Council reviewed and approved a letter to Secretary of Interior David Bernhardt regarding the inclusion of squid fishery products in the U.S. Fish and Wildlife Service (USFWS) inspection and user fee system for monitoring wildlife imports and exports. The letter requests that USFWS revise its definition of *shellfish* and/or *fishery product* to include squid in the exemption from USFWS wildlife import/export regulations. This issue was identified as a priority in the Council's response to Executive Order 13921 earlier this year.

Next Meeting

The next meeting of the full Council will be held via webinar on **February 9-11, 2021**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.

Mid-Atlantic Fishery Management Council

December 14-17, 2020

Webinar Meeting

MOTIONS

Monday, December 13, 2020

2021 Implementation Plan

Move to add to the 2021 workplan initiation of an action to implement a possession limit for frigate and bullet mackerel in the Mid-Atlantic.

DiLernia/deFur (12/8/0)

Motion carries

Move to approve the 2021 Implementation Plan with the revisions approved today.

deFur/Duval (18/2/0)

Motion carries

Tuesday, December 15, 2020

SSC Economic Work Group Report

Move to recommend proceeding with the river herring/shad catch cap SSC Economic Work Group project as proposed for development in 2021.

deFur/Winslow

Move to substitute to use the RSA Redevelopment Workshop as the case study.

Nowalsky/Pentony (15/4/1)

Motion to substitute carries

Substitute motion becomes the main motion:

Move to recommend proceeding with the RSA Redevelopment Workshop SSC Economic Work Group project as proposed for development in 2021.

(19/0/1)

Motion carries

Scup 2021 Recreational Specifications

Move to maintain status quo state and federal waters recreational measures for scup in 2021, including a federal waters minimum size limit of 9 inches, a 50 fish federal waters possession limit, and open federal waters season of January 1 through December 31.

Board: Fote/Meserve (Motion carries by consent without abstention)

Council: Cimino/Risi (19/0/0)

Motion carries

Black Sea Bass 2021 Recreational Specifications

Move to maintain status quo state and federal waters recreational measures for black sea bass in 2021, including a federal waters minimum size limit of 12.5 inches, a 15 fish federal waters possession limit, and open federal waters seasons of Feb 1-28 and May 15-Dec 31.

Council: Lenox/Bolen (18/0/1)

Board: Fote/Clark (10/0/0/1)

Motion carries

Summer Flounder 2021 Recreational Specifications

Move to adopt status quo management based on conservation equivalency, utilizing the same regional management structure and measures established for 2020, for 2021 summer flounder recreational management, with non-preferred coastwide measures including a 19-inch minimum size, 4 fish possession limit, and open season from May 15-September 15. In addition, the precautionary default measures would include a 20-inch minimum size, 2 fish possession limit, and open season from July 1-August 31.

Board: Hasbrouck/Borden (Motion carries by consent without abstention)

Council: Davidson/Cimino (20/0/0)

Motion carries

Bluefish 2021 Recreational Specifications

Move to maintain status quo state and federal waters recreational measures for bluefish in 2021, including a 3-fish and 5-fish bag limit for private and for-hire anglers, respectively. This includes conservation equivalency measures for Georgia state waters, which includes a 15 fish bag limit, minimum size of 12 inches, and a closed season of March 1st through April 30th.

Board: Davis/Clark (14/0/0/0)

Council: Pentony/Risi (16/2/0)

Motion carries

Wednesday, December 16, 2020

Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment

Move to approve the Commercial/Recreational Allocation Amendment public hearing document and Commission draft amendment document for public comment as modified today.

Council: DiLernia/Duval (15/5/0)

Board: Meserve/Davis (10/2/0/0)

Motion carries

Black Sea Bass Commercial State Allocation Amendment and Draft Addendum XXXIII

Move that the Council and Board adopt option B under 3.2.2 as the preferred alternative (coastwide federal in-season closure at quota plus a buffer of up to 5%).

Council: Pentony/DiLernia (18/0/0)

Board: Borden/Meserve (11/0/0/0)

Motion carries

Move to adopt option B under 3.2.1 (allocations in both FMPs) and sub-option B1 (states only pay back overages if coastwide quota is exceeded).

Council: Cimino/Hughes

Board: Cimino/Batsavage

Move to postpone until the February 2021 Commission meeting.

Board: Gilmore/Fote

Council: deFur/DiLernia (10/10/0)

Motion to postpone fails for lack of Council majority

Move to substitute option A (allocations remain only in Commission FMP) for option B under 3.2.1.

Board: Reid/Hasbrouck

Council: Farnham/Pentony (5/15/0)

Motion to substitute fails for lack of Council majority

Return to the main motion:

Move to adopt option B under 3.2.1 (allocations in both FMPs) and sub-option B1 (states only pay back overages if coastwide quota is exceeded).

Council: (15/5/0)

Board: (6/5/0/0)

Motion carries

Move to postpone further action until the next joint meeting hosted by the Commission.

Council: Bolen/deFur (20/0/0)

Board: Davis/Fote (Motion carries by consent without abstention)

Motion carries

Thursday, December 17, 2020

Continuing and New Business

I move that the Council send a letter to NOAA Fisheries recommending the agency clarify guidance on the use of the Ecosystem Component species designation, particularly how measures intended to protect the ecosystem roles of such species may be implemented across jurisdictions and fishery management plans.

Duval/DiLernia

Motion carries by consent with abstention by NMFS



SAFMC



South Atlantic Fishery Management Council

News Release

FOR IMMEDIATE RELEASE
December 14, 2020

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Management Measures for Dolphin and Wahoo Approved for Public Hearings

Council to consider changes to annual catch limits, accountability measures, bag limits and other actions

Members of the South Atlantic Fishery Management Council met via webinar last week and approved a list of proposed management measures for the Dolphin and Wahoo fisheries for public hearings. The hearings will be scheduled in early 2021. The measures, proposed in Amendment 10 to the Dolphin Wahoo Fishery Management Plan, would revise catch levels and annual catch limits for both Dolphin and Wahoo, modify allocations between recreational and commercial sectors, and modify accountability measures designed to help prevent exceeding annual catch limits. These measures are proposed in response to revised recreational data estimates from the NOAA Fisheries Marine Recreational Information Program (MRIP) and recalibration of numbers used to establish Acceptable Biological Catches for each species.

The amendment also includes management alternatives to reduce recreational bag limits and vessel limits for Dolphin and Wahoo, eliminate a requirement for Operator Cards in the for-hire and commercial fisheries, address retention of Dolphin and Wahoo onboard permitted commercial vessels with specified gear onboard, and allow filleting of Dolphin at sea on board charter or headboat vessels in waters north of the Virginia/North Carolina line.

Both Dolphin and Wahoo are economically important species, often targeted by private recreational anglers and charter captains. The annual catch limit for Dolphin is currently allocated 90% recreational and 10% commercial. The species are managed by the Council in federal waters (greater than 3 nautical miles) along the entire Atlantic coast of the U.S. through the Dolphin Wahoo Fishery Management Plan.

Council members have received comments, primarily from charter captains in the Florida Keys, expressing concerns about the Dolphin fishery in South Florida. Fishermen report catching fewer fish, particularly the larger “bull” Dolphin and have requested the Council consider reductions in recreational bag limits or vessel limits. Concerns have also been expressed about the commercial longline fishery for Dolphin and possible impacts to the stock. The Council agreed to consider an additional amendment to the Dolphin Wahoo Fishery Management Plan in 2021 to address the longline fishery.

Public hearings for Dolphin Wahoo Amendment 10 will be held in early 2021 via webinar. Written public comments will also be accepted. The Council will review the public comments during its March meeting and is currently scheduled to approve Amendment 10 when it meets again in June 2021.

(Continued)

Management Measures for Dolphin and Wahoo (*continued*)

Other Business:

The Council also approved three items for public scoping. Scoping is used to obtain stakeholder input early in the decision-making process and help guide the Council for actions to consider.

- **Shrimp Fishery Access Area**
Coral Amendment 10 includes options to establish a shrimp fishery access area along the eastern boundary of the Oculina Bank Coral Habitat Area of Particular Concern. Located off the central east coast of Florida, the area is designated to help protect deepwater Oculina coral. The options are being considered at the request of fishermen involved in the commercial rock shrimp fishery. After considering input from its Coral Advisory Panel, Deepwater Shrimp Advisory Panel, and the Habitat and Ecosystem-Based Management Advisory Panel, the Council selected a preferred alternative for the proposed boundary area. Public scoping will occur in conjunction with the Council's March 2021 meeting.
- **Wreckfish ITQ Modernization**
The Council will continue to solicit input on measures proposed to modernize the current Individual Transferable Quota (ITQ) program used in the commercial fishery for Wreckfish, a deepwater grouper harvested by a limited number of vessels. Wreckfish shareholders and wholesale dealers met in October to provide guidance to the Council on recommended improvements to the program, including electronic reporting. The Council will hold a scoping meeting for proposed measures during its March 2021 meeting.
- **Red Porgy**
In response to a recent stock assessment for Red Porgy, the Council is developing Amendment 50 to the Snapper Grouper Fishery Management Plan to address overfishing, rebuild the stock and revise allocations. Despite having rebuilding plans in place for decades, the Red Porgy stock has not improved in the region. Under the Magnuson-Stevens Act the Council must implement measures to revise the rebuilding plan and end overfishing within the next two years. Proposed measures include reductions in commercial trip limits, recreational bag limits and seasonal closures. The Council reviewed input from its Snapper Grouper Advisory Panel and acknowledged that declining abundance and poor recruitment may be due to factors other than fishing. Public scoping will take place in early 2021 via webinar.

Additional information about the December Council meeting, including a meeting [Story Map](#), final committee reports, and briefing book materials is available from the Council's website at: <https://safmc.net/safmc-meetings/council-meetings/>. The next meeting of the South Atlantic Fishery Management Council is scheduled for March 1-5, 2021.

<p>The South Atlantic Fishery Management Council, one of eight regional councils, conserves and manages fish stocks from three to 200 miles offshore of North Carolina, South Carolina, Georgia and east Florida.</p>
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South Atlantic Fishery Management Council
SUMMARY MOTIONS
December 7-10, 2020

This is a summary of the motions approved by the Council. Motions addressing actions and alternatives for FMP amendments are followed by text showing the result of the approved motion. Complete details on motions and other committee recommendations are provided in the Committee Reports available on the SAFMC website.

Snapper Grouper Committee

MOTION 1: APPROVE SNAPPER GROUPE AMENDMENT 48 FOR SCOPING DURING THE MARCH 2021 COUNCIL MEETING.

APPROVED BY COUNCIL

MOTION 2: SELECT ALTERNATIVE 2 UNDER ACTION 2 AS PREFERRED.

Action 2. Revise the Red Porgy total annual catch limit and optimum yield

Alternative 2. Revise the annual catch limit and optimum yield for Red Porgy to equal the updated acceptable biological catch based on the results of the latest stock assessment (SEDAR 60 2020). The 2026 annual catch limit would remain in place until modified.

APPROVED BY COUNCIL

MOTION 3: DIRECT STAFF TO DO THE FOLLOWING:

- Include action to evaluate species for need of conservation and management under the Snapper Grouper FMP in a future unassessed species amendment. Work with SEFSC on possible approach for setting a single ACL with an (assessed) indicator species for data-poor species.
- Prepare the Wreckfish ITQ Modernization Amendment (Amendment 48) for scoping during the March 2021 Council meeting.
- Start an amendment in cooperation with the Gulf Council to set a new ACL for Yellowtail Snapper.
- Refer to guidance under YTS to create workgroup.
- Conduct scoping hearings for the Red Porgy Amendment (Amendment 50) in winter 2021 and bring back comments to the Committee at the March 2021 meeting
- Schedule online public seminar: Red Snapper diet composition using DNA barcoding of fish prey (MARMAP)
- Prepare Greater Amberjack Amendment (Amendment 49) draft scoping document for the Committee to consider during the March 2021 meeting.
- Continue AM 44 for Yellowtail Snapper

APPROVED BY COUNCIL

Mackerel Cobia Committee

MOTION 1: APPROVE COASTAL MIGRATORY PELAGICS FRAMEWORK AMENDMENT 10 FOR SCOPING

APPROVED BY COUNCIL

DIRECTION TO STAFF:

- Provide landings from the Mid-Atlantic region. Include alternatives to consider 5%, 10%, 15%, and 20% buffer between ABC and ACL.
- Review sector allocations in light of the revised MRIP numbers. Include alternatives that would maintain the current poundage for the commercial sector. Feedback from the IPT on other alternative options.
- Consider an increase in bag limit for Florida (3pp), consider modifying the size limit (including removal), consider cut fish regulations for the rec sector including state and le concerns.

MOTION 2: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Continue work on CMP Framework Amendment 10 and prepare a draft for discussion and scoping at the March 2021 meeting.
2. Continue working with Gulf Council staff to develop CMP Amendment 32 for additional review at the March 2021 meeting.

APPROVED BY COUNCIL

Dolphin Wahoo Committee

MOTION 1: APPROVE THE IPT'S SUGGESTED PURPOSE AND NEED STATEMENTS IN AMENDMENT 10.

The purpose of Dolphin Wahoo Amendment 10 is to revise the catch levels [acceptable biological catch (ABC) and annual catch limits (ACL)], sector allocations, accountability measures, and management measures for dolphin and wahoo. Management measures address authorized gear and the operator card requirement in the dolphin and wahoo fisheries, as well as recreational vessel limits and allowing fillets at sea onboard for-hire vessels in the dolphin fishery.

The need for Dolphin Wahoo Amendment 10 is to base conservation and management measures on the best scientific information available and increase net benefits to the Nation, consistent with the Magnuson-Stevens Fishery Conservation and Management Act and its National Standards.

APPROVED BY COUNCIL

MOTION 2: APPROVE THE IPT'S SUGGESTED EDITS IN ACTION 3.

Action 3. Revise sector allocations and sector annual catch limits for dolphin

Note: The revised total annual catch limit in Alternatives 1 (No Action) through 4 reflects Preferred Alternative 2 in Action 1 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Alternative 3. Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

Alternative 4. Allocate 92.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 8.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

APPROVED BY COUNCIL

MOTION 3: SELECT ALTERNATIVE 3 AS THE PREFERRED ALTERNATIVE IN ACTION 3.

Action 3. Revise sector allocations and sector annual catch limits for dolphin

Alternative 3. Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

APPROVED BY COUNCIL

MOTION 4: APPROVED THE IPT'S SUGGESTED EDITS IN ACTION 4.

Action 4. Revise sector allocations and sector annual catch limits for wahoo

Note: The revised total annual catch limit in Alternatives 1 (No Action) through 4 reflects Preferred Alternative 2 in Action 2 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as

per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Alternative 4. Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of wahoo available to either sector.

APPROVED BY COUNCIL

MOTION 5: SELECT ALTERNATIVE 4 AS THE PREFERRED ALTERNATIVE IN ACTION 4.

Action 4. Revise sector allocations and sector annual catch limits for wahoo

Alternative 4. Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of wahoo available to either sector.

APPROVED BY COUNCIL

MOTION 6: CHOOSE ALTERNATIVE 5 AS PREFERRED IN ACTION 5.

Action 5. Revise the trigger for the post-season recreational accountability measures for dolphin.

Alternative 5. Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

APPROVED BY COUNCIL

MOTION 7: ADD ALTERNATIVES 5, 6, AND 7 TO ACTION 6.

Action 6. Revise the post-season recreational accountability measures for dolphin
Alternative 5. In the following fishing year monitor landings and if landings are projected to meet the sector ACL, reduce the bag limit and/or the vessel limit (Sub-alternatives 5a and/or 5b) first and if needed reduce the length of the recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded. However, the vessel limit, bag limit, and/or recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Sub-alternative 5a. Reduce the bag limit by the amount necessary but not below X fish per person per day (Council to fill in the number).

Sub-alternative 5b. Reduce the vessel limit by the amount necessary but not below X fish per vessel per day (Council to fill in the number).

Alternative 6. In order to prevent the annual catch limit from being exceeded in the following fishing year, reduce the bag limit first, and, if necessary, shorten the length of the recreational fishing season. The bag limit will not be reduced below X fish per person per day (Council to fill in the number). However, the bag limit, and/or recreational fishing season, will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 7. In order to prevent the annual catch limit from being exceeded in the following fishing year, reduce the vessel limit first, and, if necessary, shorten the length of the recreational fishing season. The vessel limit will not be reduced below X fish per vessel per day (Council to fill in the number). However, the vessel limit, and/or recreational fishing season, will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COUNCIL

MOTION 8: SELECT ALTERNATIVE 5 AS PREFERRED IN ACTION 6.

Action 6. Revise the post-season recreational accountability measures for dolphin

Alternative 5. In the following fishing year monitor landings and if landings are projected to meet the sector ACL, reduce the bag limit and/or the vessel limit (Sub-alternatives 5a and/or 5b) first and if needed reduce the length of the recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded. However, the vessel limit, bag limit, and/or recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Sub-alternative 5a. Reduce the bag limit by the amount necessary but not below X fish per person per day (Council to fill in the number).

Sub-alternative 5b. Reduce the vessel limit by the amount necessary but not below X fish per vessel per day (Council to fill in the number).

APPROVED BY COUNCIL

MOTION 9: MOVE ALTERNATIVE 6 AND 7 IN ACTION 6 TO THE CONSIDERED BUT REJECTED SECTION.

APPROVED BY COUNCIL

MOTION 10: SELECT ALTERNATIVE 2 AS PREFERRED IN ACTION 7.

Action 7. Revise the trigger for the post-season recreational accountability measures for wahoo

Alternative 2. Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

APPROVED BY COUNCIL

MOTION 11: SELECT ALTERNATIVE 2 AS PREFERRED IN ACTION 8.

Action 8. Revise the post-season recreational accountability measures for wahoo

Alternative 2. Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COUNCIL

MOTION 12: ACCEPT THE IPT'S EDITS TO ACTION 9.

Action 9. Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo

Alternative 1 (No Action). The following are the only authorized commercial gear types in the fisheries for dolphin and wahoo in the Atlantic Exclusive Economic Zone: automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic Exclusive Economic Zone that has on board gear types (including trap, pot, or buoy gear) other than authorized gear types may not possess a dolphin or wahoo. The current commercial trip limit for wahoo is 500 pounds. The current trip limit for dolphin is 4,000 pounds once 75 percent of the commercial sector annual catch limit is reached. Prior to reaching 75 percent of the commercial sector annual catch limit, there is no commercial trip limit for dolphin.

Alternative 2. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain dolphin caught by rod and reel while in possession of such gears. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in

the fishery for dolphin may not possess a dolphin. Dolphin retained by such a vessel shall not exceed:

Sub-alternative 2a. 250 pounds gutted weight

Sub-alternative 2b. 500 pounds gutted weight

Sub-alternative 2c. 750 pounds gutted weight

Sub-alternative 2d. 1,000 pounds gutted weight

Alternative 3. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain wahoo caught by rod and reel while in possession of such gear types. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for wahoo may not possess a wahoo. The wahoo commercial trip limit will be 500 pounds.

APPROVED BY COUNCIL

MOTION 13: SELECT SUB-ALTERNATIVE 2B AND ALTERNATIVE 3 AS PREFERRED
IN ACTION 9.

Action 9. Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo

Alternative 2. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain dolphin caught by rod and reel while in possession of such gears. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fishery for dolphin may not possess a dolphin. Dolphin retained by such a vessel shall not exceed:

Sub-alternative 2b. 500 pounds gutted weight

Alternative 3. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain wahoo caught by rod and reel while in possession of such gear types. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for wahoo may not possess a wahoo. The wahoo commercial trip limit will be 500 pounds.

APPROVED BY COUNCIL

MOTION 14: SELECT ALTERNATIVE 2 AND ALTERNATIVE 3 AS PREFERRED IN ACTION 10.

Action 10. Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery

Alternative 2. Neither a vessel operator nor any crewmember is required to have an Operator Card for an Atlantic Charter/Headboat for Dolphin/Wahoo Permit to be valid.

Alternative 3. Neither a vessel operator nor any crewmember is required to have an Operator Card for an Atlantic Dolphin/Wahoo Commercial Permit to be valid.

APPROVED BY COUNCIL

MOTION 15: ADD A SUB-ALTERNATIVE UNDER ALTERNATIVE 3 IN ACTION 11 OF 30 FISH PER VESSEL.

Action 11. Reduce the recreational vessel limit for dolphin

Alternative 3. In Florida only, the recreational daily bag limit is 10 dolphin per person, not to exceed:

APPROVED BY COUNCIL

MOTION 16: ADD A SUB-ALTERNATIVE UNDER ALTERNATIVE 2 IN ACTION 11 OF 30 FISH PER VESSEL.

Action 11. Reduce the recreational vessel limit for dolphin

Alternative 2. The recreational daily bag limit is 10 dolphin per person, not to exceed:

APPROVED BY COUNCIL

MOTION 17: ADD AN ALTERNATIVE THAT IS THE SAME AS ALTERNATIVE 3 IN ACTION 11, BUT INCLUDES GEORGIA, SOUTH CAROLINA, AND FLORIDA.

APPROVED BY COUNCIL

MOTION 18: SELECT ALTERNATIVE 1 IN ACTION 12 AS THE PREFERRED ALTERNATIVE.

Action 12. Allow filleting of dolphin at sea on board charter or headboat vessels in the Atlantic Exclusive Economic Zone north of the Virginia/North Carolina border.

Alternative 1 (No Action). Dolphin possessed in the Atlantic Exclusive Economic Zone must be maintained with head and fins intact, with specific exceptions for fish lawfully

harvested in the Bahamas. Such fish harvested from the Atlantic Exclusive Economic Zone may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition.

APPROVED BY COUNCIL

MOTION 19: APPROVE ALL ACTIONS IN DOLPHIN WAHOO AMENDMENT 10, AS MODIFIED, FOR PUBLIC HEARINGS TO TAKE PLACE BEFORE THE MARCH 2021 MEETING.

APPROVED BY COUNCIL

MOTION 20: APPROVE THE FOLLOWING TIMING AND TASKS:

- Conduct public hearings for amendment 10 before the march 2021 meeting.
- Continue work on amendment 10 for review at the march 2021 meeting.

APPROVED BY COUNCIL

Habitat Protection and Ecosystem Based Management Committee

MOTION 1: MOVE THAT WE CHOOSE OPTION 2A AS PREFERRED.

APPROVED BY COUNCIL

MOTION 2: APPROVE CORAL AMENDMENT 10 FOR SCOPING AT THE MARCH 2021 COUNCIL MEETING.

APPROVED BY COUNCIL

MOTION 3: COUNCIL ESTABLISH A HABITAT AND ECOSYSTEM BLUEPRINT DEVELOPMENT TEAM

APPROVED BY COUNCIL

MOTION 4: ADOPT THE FOLLOWING TIMING AND TASKS:

- Prepare Coral Amendment 10 for scoping during the March 2021 Council meeting with the intent to approve in June 2021.
- Work with SSC Chair to establish membership of the SSC Ecosystem Model Workgroup.
- Coordinate with SSC Chair, the SA EwE Model Team and the SSC Ecosystem Model Workgroup to complete Ecosim review and schedule webinars/workshop and timing necessary to complete 1-2 priority applications of model by October 2021.
- Facilitate SA EwE Model Team initial parameterization of SA Ecospace component of SA EwE with future review and guidance provided by the SSC Ecosystem Model Workgroup.

- Staff provide guidance and priorities on mapping/characterization of South Atlantic deepwater coral ecosystems.
- Staff facilitate scheduling (based on Council input) for online public seminar on NOAA Deep Sea Coral Research and Office of Exploration and Research Mapping and Geomorphic Characterization of Deep Sea Coral Ecosystems in the South Atlantic Region. – AFTER MARCH 2021

APPROVED BY COUNCIL

MOTION 5: MOVE OVERSIGHT OF EWE MODEL DEVELOPMENT TO THE SSC AND SUPPORT A WORKSHOP TO EXPLORE APPLYING IT TO THE QUESTIONS OF INTEREST

APPROVED BY COUNCIL

Executive Committee

MOTION 1: APPROVE THE FINAL 2020 OPERATIONAL BUDGET AS PRESENTED.

APPROVED BY COUNCIL

MOTION 2: APPROVE THE DRAFT 2021 OPERATIONAL BUDGET AS PRESENTED AND MODIFIED.

APPROVED BY COUNCIL

Citizen Science Committee

MOTION 1: ADOPT THE REVISED CITIZEN SCIENCE PROGRAM VISION, MISSION, GOALS, OBJECTIVES, STRATEGIES, AND INDICATORS WITH MODIFICATIONS AS NEEDED.

APPROVED BY COUNCIL

Advisory Panel Committee

MOTION 1: REAPPOINT CHRIS BURROWS, BOB FREVERT, RICHARD HARRIS, GLEN HOPKINS, JON REYNOLDS, AND TIM SCALISE TO THE DOLPHIN WAHOO ADVISORY PANEL.

APPROVED BY COUNCIL

MOTION 2: APPOINT ROM WHITAKER III, JAMES “CHIP” BERRY AND RICHARD DELIZZA TO THE DOLPHIN WAHOO AP.

APPROVED BY COUNCIL

MOTION 3: APPOINT THE INDIVIDUALS LISTED IN TABLE 1 TO THE OUTREACH AND COMMUNICATION ADVISORY PANEL.

Table 1. Recommended Appointments to the Outreach and Communications Advisory Panel.

New Structure: 21 Seats
State Seats
4 Sea Grant Seats (+ 3 Seats)
NC Sea Grant: Scott Baker
SC Sea Grant: Graham Gaines
GA Sea Grant: Bryan Fluech
FL Sea Grant: Shelly Krueger
4 State Agency Seats
NCDMF: Patricia Smith
SCDNR: Erin Weeks
GADNR: Tyler Jones
MyFWC: Melissa Crouch
Fishermen Seats
For-Hire Seat : Mark Phelp
Commercial Seat : Cinthia Sandoval
Private Recreational Seat: George Patane
At-Large Fishermen's Seat: Robert Todd
Other Seats
Media Seat Steve: Dougherty
Peer & Agency Seats
Gulf Council: Emily Muehlstein
Caribbean Council: Diana Martino
Mid-Atlantic Council: Mary Clark Sabo
ASMFC: Tina Berger
Agency Seats
SERO: Sean Meehan
At-Large Seat: Katie Latanich
At-Large Seat: Bebe Dalton Harrison
United States Coast Guard: Lt. James Bruce

APPROVED BY COUNCIL

Full Council II

MOTION 1: DIRECT STAFF TO DO THE FOLLOWING:

- Prepare ABC Control Rule Amendment options language for the Council to consider during the March 2021 meeting.
- Coordinate the ORCS Working Group to develop recommendations for consideration in the ABC Control Rule Amendment.

APPROVED BY COUNCIL

FINAL
SUMMARY REPORT
CITIZEN SCIENCE COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Via Webinar
December 10, 2020

The Committee approved the December 2020 Citizen Science (CitSci) Committee meeting agenda and the minutes from the June 2020 meeting.

Citizen Science Program Planning

Staff and Rick Bonney gave a brief overview of the program and evaluation planning activities conducted by the CitSci Operations Committee during 2020. These activities included revision and development of the Program's vision, mission, goals, objectives, strategies, and indicators, as well as, identifying audiences and potential evaluation questions.

The goals, objectives, strategies, and indicators were initially reviewed by the Council at their June 2020 meeting. Since this meeting, the Ops Committee has drafted revised vision and mission statements and identified two new indicators. The Council reviewed and discussed these items in the revised Program Planning document and made two suggestions:

- Add clarifying language to note the new indicator about research priorities is focused on the diversity of research priorities that have been addressed.
- Add language to the new indicator about endorsement letters clarifying that these may only be solicited for external projects.

The following motion was made:

MOTION #1: ADOPT THE REVISED CITIZEN SCIENCE PROGRAM VISION, MISSION, GOALS, OBJECTIVES, STRATEGIES, AND INDICATORS WITH MODIFICATIONS AS NEEDED.

APPROVED BY COMMITTEE
APPROVED BY COUNCIL

NOTE: The revised vision, mission, goals, and objectives will be incorporated and updated in the Citizen Science SOPPS. The strategies and indicators will be housed in documents outside of the SOPPS.

Program Evaluation Proposal

Evaluating the SAFMC's Citizen Science Program will require determining whether its mission, vision, and goals are being realized after a set period of time. Because many of the program's goals will take years to accomplish, overall evaluation results will not be evident for many years. However, a comprehensive program evaluation should be adopted early on because baseline data must be collected against which change over time can be measured.

Work to address the Program's first three goals (developing, implementing, and maintaining a program framework; facilitating development of individual projects; and ensuring project data are accessible, robust, and fit for purpose) is underway. Evaluating whether these goals are being achieved can be done after project results are in and can be examined. The fourth goal (fostering learning, collaboration, and engagement) will be much harder to measure. To address this goal, we will need baseline information on the knowledge, attitudes, collaborations, engagement, and trust levels of the various stakeholders. The baseline data can be compared with information about these attributes after the stakeholders have engaged with the program for longer periods of time.

Rick Bonney and staff presented an overview of the draft Citizen Science Program Evaluation Proposal which is focused on collecting this baseline information. The proposal was informed by the Citizen Science Ops Committee's discussions and has been reviewed by Ops Committee members. The proposal includes a three-phase approach consisting of interviews and the development and implementation of a survey. The suggested approach is to address phases one and two in 2021 using funds designated for the 2020 Citizen Science Ops meeting and consider phase 3 in 2022.

Overall the Committee was supportive of the proposal. Council members were asked to help identify potential interview participants. Potential interviewees would ideally be identified by January 2021. Staff can provide background information, as needed, to help recruit potential participants.

Citizen Science Program Update

The Committee received an update from staff on the Citizen Science Program, highlighting program and project activities that have occurred since the September 2020 Council meeting. A brief summary of the programmatic activities is below.

- Program evaluation plan development
- CitSci Advisory Panel Meetings: Operations Committee met Oct. 2020 and Projects Advisory Committee met Nov 2020
- FISHstory project included in FY19-20 NOAA CitSci Report to Congress
- Bioscience manuscript submitted with revisions and accepted for publication
- Continued outreach efforts: citsci social media, bimonthly emails, quarterly newsletter articles

The Committee also received updates on projects and collaborations in progress and under development. Updates were given on the two pilot projects in progress: SAFMC Scamp Release and FISHstory, as well as a The Nature Conservancy led project focused on promoting Gray's reef through engaging Georgia anglers.

The projects and collaborations under development include a project to collect data on rare species observations to potentially serve as an early warning system for shifting species; a project to collect diver observations on data limited species; potential collaboration to expand the NEFSC's eMOLT (Environmental Monitoring of Lobster Traps and Large Trawls) project; and a potential collaboration with the Dolphinfish Research Program to expand their tagging efforts. Additionally the Program has continued the collaboration with the SEFSC to coordinate a series of Dolphin Wahoo participatory workshops.

Other Business

No further business was brought before the Committee.

**Full Council Session 1
December 7, 2020 (Closed Session)
Advisory Panel Selection
FINAL REPORT**

The Council met in Closed Session on Monday, December 7, 2020 to review applications for open seats on the Dolphin Wahoo Advisory Panel, Law Enforcement Advisory Panel and the newly restructured Outreach and Communications Advisory Panel.

The Council also reviewed updates and edits to the Council's Advisory Panel Policy and the structure of the Mackerel Cobia Advisory Panel. **The Council provided the following recommendations during Council Session 1 for Council consideration during Council Session III (Open Session).**

Advisory Panel Appointments

Dolphin Wahoo Advisory Panel

REAPPOINT CHRIS BURROWS, BOB FREVERT, RICHARD HARRIS, GLEN HOPKINS, JON REYNOLDS, AND TIM SCALISE TO THE DOLPHIN WAHOO ADVISORY PANEL.
APPROVED BY COUNCIL

APPOINT ROM WHITAKER III, JAMES "CHIP" BERRY AND RICHARD DELIZZA TO THE DOLPHIN WAHOO AP.
APPROVED BY COUNCIL

Outreach and Communications Advisory Panel

The Council provided the following recommendations for appointments to the Outreach and Communications Advisory Panel. Table 1 provides a summary of the recommendations.

APPOINT SCOTT BAKER, GRAHAM GAINES, BRYAN FLUECH, AND SHELLY KRUEGER AS SEA GRANT REPRESENTATIVES ON THE OUTREACH AND COMMUNICATIONS AP.

APPOINT PATRICIA SMITH, ERIN WEEKS, TYLER JONES AND MELISSA CROUCH AS STATE AGENCY REPRESENTATIVES ON THE OUTREACH AND COMMUNICATIONS AP.

APPOINT EMILY MUEHLSTEIN, DIANA MARTINO, AND MARY CLARK SABO AS REPRESENTATIVES OF THE GULF OF MEXICO FISHERY MANAGEMENT COUNCIL, CARIBBEAN FISHERY MANAGEMENT COUNCIL AND MID-ATLANTIC FISHERY MANAGEMENT COUNCIL AND TINA BERGER AS A REPRESENTATIVE FOR THE ATLANTIC STATES MARINE FISHERIES COMMISSION TO THE OUTREACH AND COMMUNICATIONS ADVISORY PANEL.

APPOINT SEAN MEHAN AS THE NOAA FISHERIES REPRESENTATIVE AND LT. JAMES BRUCE AS THE USCG REPRESENTATIVE TO THE OUTREACH AND COMMUNICATIONS AP.

APPOINT MARK PHELPS (FOR-HIRE) AND CINTHIA SANDOVAL (COMMERCIAL) TO THE OUTREACH AND COMMUNICATIONS AP.

APPOINT GEORGE PATANE (PRIVATE RECREATIONAL SEAT) TO THE OUTREACH AND COMMUNICATIONS AP.

APPOINT STEVE DOUGHERTY (MEDIA SEAT) ON THE OUTREACH AND COMMUNICATIONS AP.

APPOINT BEBE DALTON HARRISON (AT-LARGE SEAT) TO THE OUTREACH AND COMMUNICATIONS AP.

APPOINT KATIE LATANICH (AT-LARGE SEAT) TO THE OUTREACH AND COMMUNICATIONS AP.

MOTION: APPOINT THE INDIVIDUALS LISTED IN TABLE 1 TO THE OUTREACH AND COMMUNICATION ADVISORY PANEL.

APPROVED BY COUNCIL

Table 1. Appointments to the Outreach and Communications Advisory Panel.

New Structure: 21 Seats
State Seats
4 Sea Grant Seats (+ 3 Seats)
NC Sea Grant: Scott Baker
SC Sea Grant: Graham Gaines
GA Sea Grant: Bryan Fluech
FL Sea Grant: Shelly Krueger
This designation eliminated (-1 seat)
<i>Shelly moved to FL Sea Grant above.</i>
4 State Agency Seats
NCDMF: Patricia Smith
SCDNR: Erin Weeks
GADNR: Tyler Jones
MyFWC: Melissa Crouch
Fishermen Seats
For-Hire Seat (MARK PHELPS)
Commercial Seat (CINTHIA SANDOVAL)
Private Recreational Seat (+1 Seat) (GEORGE PATANE)

At-Large Fishermen's Seat (+1 Seat) (ROBERT TODD)
Other Seats
This seat eliminated (-1 seat)
Media Seat (STEVE DOUGHTERY)
Peer & Agency Seats
4 Peer Seats (+ 2 seats)
Gulf Council: Emily Muehlstein
Caribbean Council: Diana Martino
Mid-Atlantic Council – Mary Clark Sabo
ASMFC – Tina Berger
Agency Seats
SERO Seat
Sean Meehan
At-Large Seat (KATIE LATANICH)
At-Large Seat (BEBE DALTON HARRISON)
United States Coast Guard
Lt. James Bruce

DIRECTION TO STAFF:

- Readvertise the open seat on the Dolphin Wahoo Advisory Panel (target commercial replacement) for consideration at the Council's June 2021 meeting.
- Contact the Law Enforcement Advisory Panel for recommendations for commercial applicants.
- Develop recommendations for consideration in March that address allowing ad-hoc or liaison members from other APs to participate on the Law Enforcement AP. (Note that a policy will not be in place to allow a Wreckfish ITQ Shareholder be included as part of the Law Enforcement AP meeting in February 2021 as recommended.)
- Incorporate edits to the Advisory Panel Policy as discussed and review again at the March 2021 Council meeting.

- Develop a “white paper” addressing a joint ASMFC and SAFMC Spanish Mackerel Advisory Panel for presentation to the Council at the March 2021 meeting.

FINAL
SUMMARY REPORT
FULL COUNCIL II
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
DECEMBER 2020

(MEETING HELD VIA WEBINAR)

The Council met via webinar on December 7, 2020.

ABC Control Rule Amendment

Council staff gave a presentation describing development of the Acceptable Biological Catch (ABC) Control Rule Amendment, including actions and alternatives considered to this point. Amendment development was paused awaiting guidance from NMFS, which was issued in July 2020. The Scientific and Statistical Committee (SSC) also further discussed their recommendations on the amendment at their October 2020 meeting. Genny Nesslage, SSC Chair, presented the SSC's recommendations, including the formation of an SSC Work Group to investigate current literature on Only Reliable Catch Stocks (ORCS) and adjust application of the ABC control rule to ORCS as appropriate through this amendment.

The Council asked about whether development of this amendment has been with consultation of other Councils to help align language and application principles, where possible. Control rules from other regions were referenced and parts were considered during development of the amendment, but there has not been direct interaction with other Councils or SSCs. The Council directed staff to coordinate with other Councils as the amendment is further developed. The Council also supported the formation of the ORCS Working Group to further develop that aspect of the ABC control rule. The Council did note that the amendment's timeline may need to be adjusted to account for the Working Group's needs. The Council discussed problematic mixing of scientific uncertainty assessment with the Council's management risk decisions and directed further consideration of how these processes could be separated within the ABC control rule. The SSC agrees with this approach, and a potential method used by the Caribbean Council (detailed in Ralston et al.) was suggested.

Draft Amendment 14 to the HMS FMP

Guy' DuBeck, NOAA Fisheries Highly Migratory Species Management Division staff, delivered a presentation to the Council on Draft Amendment 14 to the 2006 Consolidated Highly Migratory (HMS) Species Fishery Management Plan (FMP). The amendment will create a new framework for the establishment of ABCs and annual catch limits (ACLs) for Atlantic shark fisheries, consistent with the National Standard 1 guidelines. Specifically, the preferred management options in Amendment 14 for Atlantic sharks will create a tiered ABC control rule, allow consideration of phase-in ABC control rules, actively manage all sector ACLs, establish an ACL for each Atlantic shark management group without commercial ACL quota linkages, allow carry-over for underharvest of commercial quotas, and compare a three-year average of fishing mortality estimates to the overfishing limit to determine overfishing status. The Council provided feedback on the amendment in addition to expressing ongoing concerns over the effects that increased shark predation is having on Council-managed fisheries.

Timing and Tasks:

MOTION: DIRECT STAFF TO DO THE FOLLOWING:

- Prepare ABC Control Rule Amendment options language for the Council to consider during the March 2021 meeting.
- Coordinate the ORCS Working Group to develop recommendations for consideration in the ABC Control Rule Amendment.

APPROVED BY COUNCIL

**SUMMARY REPORT
DOLPHIN WAHOO COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Webinar
December 9, 2020**

The Committee approved amended minutes from the September 2020 meeting and the agenda.

Status of Amendments under Formal Review

The Committee was updated on the status of Dolphin Wahoo Amendment 12 that adds bullet mackerel and frigate mackerel to the Dolphin Wahoo Fishery Management Plan and designates them as Ecosystem Component species. This amendment was submitted to the NMFS Southeast Regional Office on December 3, 2020 and is undergoing rule making.

Summary report for the October 2020 Dolphin Wahoo Advisory Panel meeting

The Dolphin Wahoo Advisory Panel (AP) met on October 28, 2020 via webinar to discuss items pertaining to the dolphin wahoo fishery. Christopher Burrows, the AP Chair, delivered the report to the Committee. The AP received updates on recent Council actions, developing amendments, and other relevant topics. In addition, the AP provided input for a Fishery Performance Report on wahoo.

Revise Dolphin and Wahoo Management Measures: Amendment 10

Amendment 10 includes actions that accommodate updated recreational data from the Marine Recreational Information Program by revising the annual catch limits and sector allocations for dolphin and wahoo. The amendment also contains actions that implement various other management changes in the fishery including revising recreational accountability measures, accommodating possession of dolphin and wahoo on vessels with certain unauthorized gears onboard, removing the operator card requirement, reducing the recreational vessel limit for dolphin, and allowing filleting of dolphin at sea onboard for-hire vessels North of the Virginia/North Carolina border.

The Committee discussed the amendment and provided the following guidance as well as made the following motions:

MOTION #1: APPROVE THE IPT'S SUGGESTED PURPOSE AND NEED STATEMENTS IN AMENDMENT 10.

The *purpose* of Dolphin Wahoo Amendment 10 is to revise the catch levels [acceptable biological catch (ABC) and annual catch limits (ACL)], sector allocations, accountability measures, and management measures for dolphin and wahoo. Management measures address authorized gear and the operator card requirement in the dolphin and wahoo fisheries, as well as recreational vessel limits and allowing fillets at sea onboard for-hire vessels in the dolphin fishery.

The *need* for Dolphin Wahoo Amendment 10 is to base conservation and management measures on the best scientific information available and increase net benefits to the Nation, consistent

with the Magnuson-Stevens Fishery Conservation and Management Act and its National Standards.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #2: APPROVE THE IPT'S SUGGESTED EDITS IN ACTION 3.

Action 3. Revise sector allocations and sector annual catch limits for dolphin

Note: The revised total annual catch limit in Alternatives 1 (No Action) through 4 reflects Preferred Alternative 2 in Action 1 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Alternative 3. Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

Alternative 4. Allocate 92.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 8.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #3: SELECT ALTERNATIVE 3 AS THE PREFERRED ALTERNATIVE IN ACTION 3.

Action 3. Revise sector allocations and sector annual catch limits for dolphin

Alternative 3. Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of dolphin available to either sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #4: APPROVED THE IPT'S SUGGESTED EDITS IN ACTION 4.

Action 4. Revise sector allocations and sector annual catch limits for wahoo

Note: The revised total annual catch limit in Alternatives 1 (No Action) through 4 reflects Preferred Alternative 2 in Action 2 in Amendment 10 to the Fishery Management Plan for Dolphin and Wahoo of the Atlantic. The revised total annual catch limit includes recreational landings from Monroe County, Florida, and incorporates recreational data as per the Marine Recreational Information Program using the Fishery Effort Survey method, as well as updates to commercial and for-hire landings.

Alternative 4. Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of wahoo available to either sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #5: SELECT ALTERNATIVE 4 AS THE PREFERRED ALTERNATIVE IN ACTION 4.

Action 4. Revise sector allocations and sector annual catch limits for wahoo

Alternative 4. Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the Council's intent to explore alternatives for sector allocations that would not result in a decrease in the current pounds of wahoo available to either sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #6: CHOOSE ALTERNATIVE 5 AS PREFERRED IN ACTION 5.

Action 5. Revise the trigger for the post-season recreational accountability measures for dolphin

Alternative 5. Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #7: ADD ALTERNATIVES 5, 6, AND 7 TO ACTION 6.

Action 6. Revise the post-season recreational accountability measures for dolphin

Alternative 5. In the following fishing year monitor landings and if landings are projected to meet the sector ACL, reduce the bag limit and/or the vessel limit (*Sub-alternatives 5a and/or 5b*) first and if needed reduce the length of the recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded. However, the vessel limit, bag limit, and/or recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Sub-alternative 5a. Reduce the bag limit by the amount necessary but not below X fish per person per day (*Council to fill in the number*).

Sub-alternative 5b. Reduce the vessel limit by the amount necessary but not below X fish per vessel per day (*Council to fill in the number*).

Alternative 6. In order to prevent the annual catch limit from being exceeded in the following fishing year, reduce the bag limit first, and, if necessary, shorten the length of the recreational fishing season. The bag limit will not be reduced below X fish per person per day (*Council to fill in the number*). However, the bag limit, and/or recreational fishing season, will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 7. In order to prevent the annual catch limit from being exceeded in the following fishing year, reduce the vessel limit first, and, if necessary, shorten the length of the recreational

fishing season. The vessel limit will not be reduced below X fish per vessel per day (*Council to fill in the number*). However, the vessel limit, and/or recreational fishing season, will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #8: SELECT ALTERNATIVE 5 AS PREFERRED IN ACTION 6.

Action 6. Revise the post-season recreational accountability measures for dolphin

Alternative 5. In the following fishing year monitor landings and if landings are projected to meet the sector ACL, reduce the bag limit and/or the vessel limit (*Sub-alternatives 5a and/or 5b*) first and if needed reduce the length of the recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded. However, the vessel limit, bag limit, and/or recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Sub-alternative 5a. Reduce the bag limit by the amount necessary but not below X fish per person per day (*Council to fill in the number*).

Sub-alternative 5b. Reduce the vessel limit by the amount necessary but not below X fish per vessel per day (*Council to fill in the number*).

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #9: MOVE ALTERNATIVE 6 AND 7 IN ACTION 6 TO THE CONSIDERED BUT REJECTED SECTION.

Action 6. Revise the post-season recreational accountability measures for dolphin

Alternative 6. In order to prevent the annual catch limit from being exceeded in the following fishing year, reduce the bag limit first, and, if necessary, shorten the length of the recreational fishing season. The bag limit will not be reduced below X fish per person per day (*Council to fill in the number*). However, the bag limit, and/or recreational fishing season, will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 7. In order to prevent the annual catch limit from being exceeded in the following fishing year, reduce the vessel limit first, and, if necessary, shorten the length of the recreational fishing season. The vessel limit will not be reduced below X fish per vessel per day (*Council to fill in the number*). However, the vessel limit, and/or recreational fishing season, will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

DIRECTION TO STAFF FOR ACTION 6:

- Examine a vessel limit of 10, 20, and 30 fish.
- Examine a bag limit of 2, 3, 4, and 5 fish.
- Examine combinations of bag limit and vessel limits whichever is less (emphasis on most restrictive measure).

MOTION #10: SELECT ALTERNATIVE 2 AS PREFERRED IN ACTION 7.

Action 7. Revise the trigger for the post-season recreational accountability measures for wahoo

Alternative 2. Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

DIRECTION TO STAFF FOR ACTION 7:

- Revisit geometric vs arithmetic mean and provide examples.

MOTION #11: SELECT ALTERNATIVE 2 AS PREFERRED IN ACTION 8.

Action 8. Revise the post-season recreational accountability measures for wahoo

Alternative 2. Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #12: ACCEPT THE IPT'S EDITS TO ACTION 9.

Action 9. Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo

Alternative 1 (No Action). The following are the only authorized commercial gear types in the fisheries for dolphin and wahoo in the Atlantic Exclusive Economic Zone: automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic Exclusive Economic Zone that has on board gear types (including trap, pot, or buoy gear) other than authorized gear types may not possess a dolphin or wahoo. The current commercial trip limit for wahoo is 500 pounds. The current trip limit for dolphin is 4,000 pounds once 75 percent of the commercial sector annual catch limit is reached. Prior to reaching 75 percent of the commercial sector annual catch limit, there is no commercial trip limit for dolphin.

Alternative 2. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and the necessary state and/or valid federal commercial permits for required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 are is authorized to retain dolphin and wahoo caught by rod and reel while in possession of such gears. The wahoo commercial trip limit will remain at 500 pounds. A person aboard a vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries fishery for dolphin and wahoo may not possess a dolphin or wahoo. Dolphin retained by such a vessel on trips when trap, pot, or buoy gear are on board shall not exceed: (Sub-alternatives 2a through 2d)

Sub-alternative 2a. 250 pounds gutted weight

Sub-alternative 2b. 500 pounds gutted weight

Sub-alternative 2c. 750 pounds gutted weight

Sub-alternative 2d. 1,000 pounds gutted weight

Alternative 3. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain wahoo caught by rod and reel while in possession of such gear types. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for wahoo may not possess a wahoo. The wahoo commercial trip limit will be 500 pounds.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #13: SELECT SUB-ALTERNATIVE 2B AND ALTERNATIVE 3 AS PREFERRED IN ACTION 9.

Action 9. Allow properly permitted commercial fishing vessels with trap, pot, or buoy gear on board that are not authorized for use in the dolphin wahoo fishery to possess commercial quantities of dolphin and wahoo

Alternative 2. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain dolphin caught by rod and reel while in possession of such gears. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fishery for dolphin may not possess a dolphin. Dolphin retained by such a vessel shall not exceed:

Sub-alternative 2b. 500 pounds gutted weight

Alternative 3. A vessel in the Atlantic Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and valid federal commercial permits required to fish trap, pot, or buoy gear or is in compliance with permit requirements specified for the spiny lobster fishery in 50 C.F.R. §622.400 is authorized to retain wahoo caught by rod and reel while in possession of such gear types. A vessel in the Atlantic Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for wahoo may not possess a wahoo. The wahoo commercial trip limit will be 500 pounds.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #14: SELECT ALTERNATIVE 2 AND ALTERNATIVE 3 AS PREFERRED IN ACTION 10.

Action 10. Remove the requirement of vessel operators or crew to hold an Operator Card in the Dolphin Wahoo Fishery

Alternative 2. Neither a vessel operator nor any crewmember is required to have an Operator Card for an Atlantic Charter/Headboat for Dolphin/Wahoo Permit to be valid.

Alternative 3. Neither a vessel operator nor any crewmember is required to have an Operator Card for an Atlantic Dolphin/Wahoo Commercial Permit to be valid.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #15: ADD A SUB-ALTERNATIVE UNDER ALTERNATIVE 3 IN ACTION 11 OF 30 FISH PER VESSEL.

Action 11. Reduce the recreational vessel limit for dolphin

Alternative 3. In Florida only, the recreational daily bag limit is 10 dolphin per person, not to exceed:

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #16: ADD A SUB-ALTERNATIVE UNDER ALTERNATIVE 2 IN ACTION 11 OF 30 FISH PER VESSEL.

Action 11. Reduce the recreational vessel limit for dolphin

Alternative 2. The recreational daily bag limit is 10 dolphin per person, not to exceed:

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #17: ADD AN ALTERNATIVE THAT IS THE SAME AS ALTERNATIVE 3 IN ACTION 11, BUT INCLUDES GEORGIA, SOUTH CAROLINA, AND FLORIDA.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #18: SELECT ALTERNATIVE 1 IN ACTION 12 AS THE PREFERRED ALTERNATIVE.

Action 12. Allow filleting of dolphin at sea on board charter or headboat vessels in the Atlantic Exclusive Economic Zone north of the Virginia/North Carolina border.

Alternative 1 (No Action). Dolphin possessed in the Atlantic Exclusive Economic Zone must be maintained with head and fins intact, with specific exceptions for fish lawfully harvested in the Bahamas. Such fish harvested from the Atlantic Exclusive Economic Zone may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION #19: APPROVE ALL ACTIONS IN DOLPHIN WAHOO AMENDMENT 10, AS MODIFIED, FOR PUBLIC HEARINGS TO TAKE PLACE BEFORE THE MARCH 2021 MEETING.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

OTHER DIRECTION TO STAFF FOR AMENDMENT 10:

ADD AN ACTION TO REVISE BAG AND VESSEL LIMITS FOR WAHOO (WITH UNDERSTANDING THAT ANALYSES MAY NOT BE READY FOR PUBLIC HEARINGS AND STAFF SEND DRAFT LANGUAGE TO COUNCIL CHAIR AND VICE CHAIR AND COMMITTEE CHAIR AND VICE CHAIR BEFORE PUBLIC HEARINGS)

- INCLUDE 1 FISH PER PERSON BAG LIMIT
- RANGE OF VESSEL LIMITS FROM 2-8 FISH

Other Business

There were no items discussed under other business.

Timing and Tasks:

MOTION #20: APPROVE THE FOLLOWING TIMING AND TASKS:

- CONDUCT PUBLIC HEARINGS FOR AMENDMENT 10 BEFORE THE MARCH 2021 MEETING.
- CONTINUE WORK ON AMENDMENT 10 FOR REVIEW AT THE MARCH 2021 MEETING.

APPROVED BY COUNCIL

FINAL
SUMMARY REPORT
EXECUTIVE COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
DECEMBER 2020

(MEETING HELD VIA WEBINAR)

The South Atlantic Council's Executive Committee met via webinar on December 10, 2020. The Committee approved the agenda and minutes from September 2020.

Executive Director Annual Performance Evaluation – CLOSED SESSION

The Committee met in a closed session to conduct the annual performance evaluation of the Executive Director. The Committee also received a legal briefing during this session.

2021 Draft Budget Review

The Committee approved the final 2020 budget and the draft 2021 budget during a meeting held on November 12, 2020. Budget motions from that meeting will be brought before the Council for consideration during the Full Council session of this meeting. An updated budget, including guidance from the November 12 meeting, was reviewed at this meeting.

The Committee received a request from the Southeast Regional Office (SERO) to allow SERO to hold back some of the 2021 Council funding to support additional permit system upgrades. This is considered a means of transferring unspent travel funds, resulting from COVID impacts on Council operations, to SERO to support the permit system. Members noted that the Council has many unmet needs that have built up over past years due to budget shortcomings, and that the Council imposed significant funding restrictions over the last few years to stay within its budget. It was also noted that, because no funding for 2021 has been received and the federal budget has yet to be approved, the Council does not know the funding situation for 2021. The Committee recommended that it could not support a funding transfer at this time.

Kelly Klasnick went over revisions to the 2021 Activity Schedule. The revisions provide greater detail in the 'other meetings' section, including items such as Liaisons to other Councils, CCC activities, and Council workgroups.

The motions below were approved by The Committee at its November 2020 meeting:

MOTION 1: APPROVE THE FINAL 2020 OPERATIONAL BUDGET AS PRESENTED.

APPROVED BY COUNCIL

MOTION 2: APPROVE THE DRAFT 2021 OPERATIONAL BUDGET AS PRESENTED AND MODIFIED.

APPROVED BY COUNCIL

2021 FMP Workplan

The Committee was provided an updated workplan that addresses the excessive workload expected to start in March 2021. The overload was resolved primarily by refining the expected discussion time at 2021 meetings and adjusting the timelines by skipping consideration of some amendments at some Council meetings. The skipped meetings allow time for SSC and AP discussions on the amendments.

The revised workload includes opportunities for new items to be added to the workplan. Placeholders were added for projects to start in September 2021, March 2022, and September 2022. The Committee proposed starting a Dolphin Wahoo amendment to address the longline fishery in September 2021. Other priorities added to the list for future consideration include addressing the Mutton Snapper assessment in 2022 and considering changes in Wahoo possession and vessel limits. Further discussion will be held at Full Council to determine how best to address the Wahoo changes. The Council will continue to review this workplan at each meeting and revise as necessary, based on progress toward completing ongoing amendments and addressing other activities that arise.

FINAL
SUMMARY REPORT
HABITAT PROTECTION AND ECOSYSTEM BASED MANAGEMENT COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Via Webinar
December 8, 2020

The Committee approved a revised agenda and minutes from the March 2020 meeting.

Coral Amendment 10

Roger Pugliese provided an overview of the Coral Amendment 10 options paper on possible establishment of a Shrimp Fishery Access Area (SFAA) along the eastern boundary of the northern extension of the Oculina Bank CHAPC to address a previous request from the rock shrimp fishery to provide access to historic fishing grounds. Anne Deaton, Habitat Ecosystem AP Chair; Jocelyn Karazsia, Coral AP Chair; and Mike Merrifield, Deep-Water Shrimp AP Chair, provided comments and recommendations on options for scoping Coral Amendment 10. The Committee approved the following motions:

MOTION 1: MOVE THAT WE CHOOSE OPTION 2A AS PREFERRED.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Option 2. Create a Shrimp Fishery Access Area (SFAA) along eastern edge of northern extension of Oculina CHAPC.

Option 2. Alternative 2a.

SFAA boundaries based on coordinates presented by fishermen as part of March 2014 public comment.

Alternative 2a SFAA (2014)		
Point	Latitude	Longitude
1	29.725	-80.2634
2	29.58102	-80.2502
3	29.56872	-80.2644
4	29.49025	-80.2544
5	29.29213	-80.1728
6	29.183	-80.1442
7	29.05973	-80.1246
8	28.90697	-80.0898
9	28.81013	-80.0728
10	28.5	-80.017

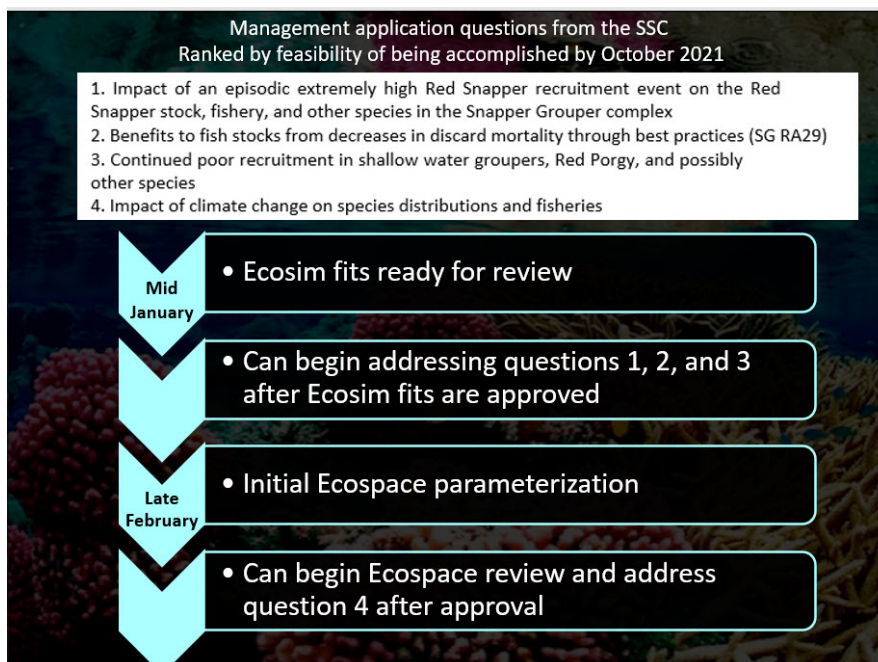
MOTION 2: APPROVE CORAL AMENDMENT 10 FOR SCOPING AT THE MARCH 2021 COUNCIL MEETING.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Ecopath with Ecosim (EwE) Model Development and Review

Luke McEachron, FWRI, provided an introduction on the development of an EwE model (and Ecospace) and application to support fishery management. Roger Pugliese introduced the development of the South Atlantic EwE model and Lauren Gentry, FWRI, provided an overview of the South Atlantic EwE model, potential application to SA issues and possible timing. Anne Deaton, highlighted Habitat and Ecosystem AP member comments and recommendations. Genny Nesslage, SSC Chair, presented the South Atlantic EwE model review and SSC recommendations from the October 2020 meeting. The SSC endorsed the review as presented and including the recommendation to establish a standing Ecosystem Model Workgroup to support future model development and application. The Committee expressed support for the SA EwE Model Team to work with the SSC Ecosystem Model Workgroup to complete Ecosim review and, working with the SSC Chair, establish a process to address 1 or 2 of the priority questions noted below (the priority questions were presented to the SSC and ranked by the SA EwE Model Team).



Habitat and Ecosystem Program Blueprint

Staff provided an overview of Council habitat and ecosystem mandates, Habitat Protection and Ecosystem Based Management Advisory Panel responsibilities and function, conservation and management action supporting habitat conservation, regional partner coordination, online information including the FEP II Dashboard and tools supporting long-term conservation and Ecosystem Based Fishery Management in the region. The Committee discussed development of a Habitat and Ecosystem Blueprint and establishment of a Habitat and Ecosystem Blueprint Development Team to discuss scope of and process to develop an overarching document.

MOTION 3: COUNCIL ESTABLISH A HABITAT AND ECOSYSTEM BLUEPRINT DEVELOPMENT TEAM
APPROVED BY COMMITTEE
APPROVED BY COUNCIL

Habitat and Ecosystem Advisory Panel Reports

Anne Deaton provided an overview of over-arching agenda items covered over multiple meetings (October 2019, April 2020, and October 2020) of the Habitat Protection and Ecosystem Based Management Advisory Panel. Major areas addressed included:

- Coordination with BOEM representative on the AP on energy development focusing on supporting renewable energy and the developing Kitty Hawk wind project.
- Updates on ongoing research and newly mapped and characterized deep water coral ecosystems and support for presentation on comprehensive research activities and support for an ecosystem approach in future conservation efforts to protect newly discovered resources.
- Technical presentations characterizing sand shoal habitats, the science behind established dredge windows and recent research on impacts of beach renourishment to support climate-informed revision to the Council's Policy Statement on Beach Dredge and Fill, Renourishment and Large-Scale Coastal Engineering.
- Provided input to NOAA researchers developing NOAA's SEFSC South Atlantic Climate Vulnerability Assessment and the South Atlantic Ecosystem Status Report. The Panel was encouraged with the recent progress and supports completion of the drafts so additional guidance can be provided to support the Councils' needs.
- Continued support for implementation of FEP II and input on state, federal and local efforts supporting actions in the FEP II Roadmap update.

The Habitat and Ecosystem Panel, during in-person meetings, routinely engage members informally through breakout sessions and other in person activities which are affected with the necessary move to the present meeting format.

FEP II Roadmap Update

Review and discussion of the FEP II Roadmap was deferred to the next Committee meeting.

Timing and Task(s)

MOTION 4: ADOPT THE FOLLOWING TIMING AND TASK(S):

1. Prepare Coral Amendment 10 for scoping during the March 2021 Council meeting with the intent to approve in June 2021.
2. Work with SSC Chair to establish membership of the SSC Ecosystem Model Workgroup.
3. Coordinate with SSC Chair, the SA EwE Model Team and the SSC Ecosystem Model Workgroup to complete Ecosim review and schedule webinars/workshop and timing necessary to complete 1-2 priority applications of model by October 2021.
4. Facilitate SA EwE Model Team initial parameterization of SA Ecospace component of SA EwE with future review and guidance provided by the SSC Ecosystem Model Workgroup.
5. Staff provide guidance and priorities on mapping/characterization of South Atlantic deepwater coral ecosystems.

6. Staff facilitate scheduling (based on Council input) for online public seminar on NOAA Deep Sea Coral Research and Office of Exploration and Research Mapping and Geomorphic Characterization of Deep Sea Coral Ecosystems in the South Atlantic Region. – AFTER MARCH 2021

APPROVED BY COUNCIL

MOTION: MOVE OVERSIGHT OF EWE MODEL DEVELOPMENT TO THE SSC AND SUPPORT A WORKSHOP TO EXPLORE APPLYING IT TO THE QUESTIONS OF INTEREST

APPROVED BY COUNCIL

FINAL
SUMMARY REPORT
MACKEREL COBIA COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Webinar
December 9, 2020

The Committee approved minutes from the June 2020 meeting and the agenda.

CMP Framework Amendment 10 - King mackerel catch levels

At the June 2020 meeting the Council directed staff to begin work on an options paper that would include consideration of sector allocations and catch level adjustments based on SSC recommendations the recent stock assessment update. The Committee reviewed a draft options paper, Mackerel Cobia Advisory Panel recommendations, and considered potential topics to include in the amendment.

The following motion was approved:

**MOTION #1: APPROVE COASTAL MIGRATORY PELAGICS FRAMEWORK
AMENDMENT 10 FOR SCOPING.
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

DIRECTION TO STAFF:

- PROVIDE LANDINGS FROM THE MID-ATLANTIC REGION. INCLUDE ALTERNATIVES TO CONSIDER 5%, 10%, 15%, AND 20% BUFFER BETWEEN ABC AND ACL.
- REVIEW SECTOR ALLOCATIONS IN LIGHT OF THE REVISED MRIP NUMBERS. INCLUDE ALTERNATIVES THAT WOULD MAINTAIN THE CURRENT POUNDAGE FOR THE COMMERCIAL SECTOR. FEEDBACK FROM THE IPT ON OTHER ALTERNATIVE OPTIONS.
- CONSIDER AN INCREASE IN BAG LIMIT FOR FLORIDA (3PP), CONSIDER MODIFYING THE SIZE LIMIT (INCLUDING REMOVAL), CONSIDER CUT FISH REGULATIONS FOR THE REC SECTOR INCLUDING STATE AND LE CONCERNS.

CMP Amendment 32 – Gulf cobia catch levels

Gulf Council staff presented draft management measures to end overfishing of Gulf cobia. The options include updating the Gulf cobia OFL, ABC, and ACL to incorporate the adjustment of recreational catch to the MRIP-FES. Additional management measures for consideration include modifications to bag limits, vessel limits, and size limits. Since Gulf Cobia is jointly managed with the Gulf of Mexico Fishery Management Council, options also include updating the CMP framework procedures to clarify the language about the responsibilities of each Council. The Committee reviewed the draft options and provide the following guidance on the range of alternatives to include in CMP Amendment 32:

- It would be beneficial to have consistency in regulations between the Gulf zone and the Florida east coast zone.
 - Include alternatives that would allow the Florida east coast zone and Gulf zone regulations to be consistent with regulations currently in place in Gulf state waters off Florida.
- A minimum size limit above 36-in FL may not be ideal because larger cobia can be challenging to handle once caught and are often gaffed which may have an impact on mortality.
- A minimum size limit of 33-in FL may be ideal because fish have reached reproductive maturity. Alternatively, a minimum size limit of 36-in FL may increase spawning potential.
- The alternatives addressing modifications to the framework procedure are unclear. The document should include more detail on each council's responsibility and examples.

Mackerel Cobia Advisory Panel Report

The Mackerel Cobia Advisory Panel met on November 2, 2020 in Charleston, SC. Ira Laks, AP Chair, provided a summary of the Advisory Panel discussion and recommendations on CMP Framework Amendment 10, CMP Amendment 32, the Citizen Science Program, Spanish mackerel, and advisory panel membership.

Note: Council staff drafts the timing and task motion based on Committee action. If points require clarification, they will be added to the draft motion. The Committee should review this wording carefully to be sure it accurately reflects their intent prior to making the motion.

Timing and Task(s)

MOTION #2: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Continue work on CMP Framework Amendment 10 and prepare a draft for discussion and scoping at the March 2021 meeting.
2. Continue working with Gulf Council staff to develop CMP Amendment 32 for additional review at the March 2021 meeting.

APPROVED BY COUNCIL

FINAL
SUMMARY REPORT
SNAPPER GROUPE COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
DECEMBER 2020

(MEETING HELD VIA WEBINAR)

The Committee met via webinar on December 7 and 8, 2020. The Committee approved the minutes from the September 2020 meeting and the agenda for the December 2020 Committee meeting.

Status of Amendments under Formal Review

NMFS SERO staff updated the Committee on the status of amendments under review or recently submitted:

Snapper Grouper Regulatory Amendment 34 – Proposed rule published 11/16/20 with a comment period through 12/16/2020.

Yellowtail Snapper Stock Assessment

Chris Swanson, Florida Fish and Wildlife Conservation Commission (FWC) delivered a presentation to the Committee on the Yellowtail Snapper stock assessment (SEDAR 64). The Gulf and South Atlantic SSCs met jointly on October 30, 2020 to provide an ABC recommendation. Genny Nessler, Scientific and Statistical Committee (SSC) Chair, delivered the SSCs' recommendations to the Committee. The following direction to staff is recommended:

1. Start a joint Amendment to set a new ACL for Yellowtail Snapper.
2. Ask the leadership of the two SSCs (Gulf and South Atlantic) to develop a game plan, that the Councils will review, for how to deal with developing ABCs for jointly managed stocks with two different Council ABC control rules.
 - a. This problem was surfaced during the Yellowtail Snapper assessment, but it will come up again with future assessments, such as with the Mutton Snapper assessment.
 - b. This group should also address how to deal with the differences in the Stock Synthesis (SS3) and Beaufort Assessment Model (BAM) when applying the ABC control rules.

Additional rationale and direction below were provided at Full Council:

- Engage staff from SEFSC and FRWI modeling staff who were conducting comparison between the two models (BAM and SS3).
- Issues between models are based on modeling styles.
- SSCs to discuss jointly (sub-set of SSCs initially and eventually whole SSCs) and then bring input back to Councils.
- A workgroup would:
 - Develop procedures to address stocks crossing jurisdictional boundaries. Guidance is needed for SSCs to move forward with addressing species that overlap jurisdictions but are managed under separate FMPs and control rules.
 - Develop best practices for resolving use of different control rules.

Evaluating the Need for Conservation and Management for 9 Snapper Grouper Species

Council staff facilitated discussion of whether Blackfin Snapper, Coney, Cubera Snapper, Margate, Misty Grouper, Silk Snapper, Saucereye Porgy, Yellowedge Grouper, and Yellowfin Grouper need continue to need conservation and management or merit designation as ecosystem component species. Jimmy Hull, Snapper Grouper Advisory Panel (AP) Chair, presented the AP's recommendations on this topic. Committee members stated that Misty Grouper, Saucereye Porgy, and Blackfin Snapper are important in some species areas of the South Atlantic and provided the following direction to staff:

- Do not consider Margate, Yellowedge Grouper, Yellowfin Grouper, Silk Snapper and Cubera Snapper for removal from the Snapper Grouper FMP.
- Include possible action to evaluate species for need of conservation and management under the Snapper Grouper FMP in a future unassessed species amendment. Work with SEFSC on possible approach for setting a single ACL with an (assessed) indicator species for data-poor species.

Wreckfish ITQ Modernization (Amendment 48)

The Committee discussed an options paper and reviewed input from Wreckfish ITQ shareholders. In addition, the Committee received a presentation from SERO staff on how other ITQ Programs are administered in the Gulf of Mexico and on the usefulness of the current Wreckfish Permit. The Committee provided the following direction to staff:

- Retain the current goals and objectives for the Wreckfish ITQ Program without modification. The Committee recommended no substantial changes to the program other than modernizing existing systems.
- Include an action that would consider the following recreational allocations: *de minimis*, 1%, and a percentage between 1% and 5%. Corresponding commercial allocations would be 100%, 99%, and between 99% and 95%. The no action alternative would retain the 95% commercial and 5% recreational allocation.
- Develop actions and alternatives to transition from the current paper-based system to an electronic reporting system.
- Develop actions and alternatives to modify the commercial fishing year (currently from April 15-April 14 with a January 16 to April 14 closure) and include an alternative for a calendar fishing year to alleviate potential administrative issues associated with resetting the IFQ computing systems.
- Obtain input on offloading requirements from the Law Enforcement AP, perhaps with additional input from a shareholder representative, and develop an action and alternatives to modify the current offloading time and site protocols.
- Develop an action with alternatives to address issues with wreckfish permit.
- Develop an action to address economic data collection (if the SEFSC is able to stratify the current snapper grouper economic data collection to ensure that all wreckfish shareholders are included, this action may not be needed).
- Develop actions to implement a cost recovery program to include where all participants would follow the same timing for payment.

Included in this amendment are the Snapper Grouper FMP Goals and Objectives that were approved in the Vision Blueprint but have yet to be adopted for the FMP.

The Committee made the following motion:

MOTION 1: APPROVE SNAPPER GROUPER AMENDMENT 48 FOR SCOPING DURING THE MARCH 2021 COUNCIL MEETING.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Red Porgy (Amendment 50)

Council staff presented an overview of a decision document including preliminary analyses and recommendations from the Snapper Grouper AP. The Committee discussed that decades of management measures have not helped improve the status of Red Porgy in the region and recruitment has continued to be poor. It was acknowledged that the stock's condition may be due to factors unrelated to fishing. It was also stated that it is possible there have been changes in the environment that have caused low recruitment, but scientists do not know the timescale of that change and for how long it will persist into the future. Also, projections tend to be optimistic because they assume that discards are decreasing at the same rate as landings, so part of the reason recovery has been elusive could be because the projections have been too optimistic.

The Committee provided the following guidance and made the motions below:

MOTION 2: DO NOT SELECT A PREFERRED ALTERNATIVE PRIOR TO SCOPING

SUBSTITUTE MOTION: SELECT ALTERNATIVE 2 UNDER ACTION 2 AS PREFERRED

Action 2. Revise the Red Porgy total annual catch limit and optimum yield

Alternative 2. Revise the annual catch limit and optimum yield for Red Porgy to equal the updated acceptable biological catch based on the results of the latest stock assessment (SEDAR 60 2020). The 2026 annual catch limit would remain in place until modified.

SUBSTITUTE MOTION BECOMES MAIN MOTION

MAIN MOTION APPROVED BY COMMITTEE

APPROVED BY COUNCIL

Direct staff/IPT to:

- Examine the following range of trip limits for the commercial sector:
 - 15, 20, 30, and 45 fish in season 1 (Jan-Apr)
 - 15, 20, 30, 45, and 60 fish in season 2 (May-Dec)
 - Do not consider a spawning season closure for the commercial sector
- Prepare analyses to examine the effects of closing the recreational fishery for red porgy in synchrony with the shallow water grouper spawning season closure (January-April)
- Prepare analyses to examine the effects of closing the recreational fishery for red porgy in waves 3 and 4.
- Prepare analyses to examine the effects of reducing the red porgy bag limit to:
 - 1 fish per angler per trip;
 - 2 fish per angler per trip;
 - 3 fish per angler per trip; (no action) and

- examine the combined effects of bag limit reductions with closures above.
- Prepare analyses to examine a recreational fishing season occurring in wave 3 or wave 4.
- Prepare analyses with a range of recreational vessel limits (if there are adequate data for such analyses).
- Include options for modifications to accountability measures.

Greater Amberjack (Amendment 49)

At the June 2020 meeting, the Council directed staff to begin work on an amendment to adjust catch limits and allocations based on information from SEDAR 59 (2020) and SSC recommendations. At this meeting, staff presented an overview of the drafted options paper and requested guidance from the Committee on possible actions and a range of alternatives to develop for consideration at the March 2021 meeting. A draft timeline was presented that would complete development of this amendment in 2022. The Committee requested information on how the fishing year has evolved throughout the recent management history. The Committee also requested that the IPT explore a range of optimum yield values separate from the total ACL and additional allocation options. Finally, the Committee requested the AP discuss and provide input on potential changes to management measures that could be incorporated into Amendment 49. The AP is currently scheduled to meet next in April 2021.

Snapper Grouper AP Recommendations not covered in previous items

The Committee did not discuss additional input or recommendations from the Snapper Grouper Advisory Panel due to time constraints.

Other Business

There was no Committee discussion under Other Business.

Timing and Tasks:

MOTION 3: DIRECT STAFF TO DO THE FOLLOWING:

- Include action to evaluate species for need of conservation and management under the Snapper Grouper FMP in a future unassessed species amendment. Work with SEFSC on possible approach for setting a single ACL with an (assessed) indicator species for data-poor species.
- Prepare the Wreckfish ITQ Modernization Amendment (Amendment 48) for scoping during the March 2021 Council meeting.
- Start an amendment (in cooperation with the Gulf Council) to set a new ACL for Yellowtail Snapper. Direction to continue this work in SG Am 44 (which had been suspended).
- Refer to guidance under item above addressing Yellowtail Snapper to create workgroup.
- Conduct scoping hearings for the Red Porgy Amendment (Amendment 50) in winter 2021 and bring back comments to the Committee at the March 2021 meeting.
- Schedule online public seminar: Red Snapper diet composition using DNA barcoding of fish prey (MARMAP).
- Prepare Greater Amberjack Amendment (Amendment 49) draft scoping document for the Committee to consider during the March 2021 meeting.

APPROVED BY COUNCIL



HMS



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

JOHN G. BATHERSON
Acting Director

January 29, 2021

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Steve Poland, Executive Assistant for Councils & Highly Migratory Species
Lead

SUBJECT: Highly Migratory Species Update

Issue

Highly Migratory Species activity update.

Action Needed

For informational purposes only, **no action is needed at this time.**

Overview

The Highly Migratory Species (HMS) Advisory Panel (AP) met on December 7th, 2020 via webinar. The Advisory Panel discussed Draft Amendment 14 to the consolidated Atlantic HMS FMP, Atlantic billfish management, and the HMS Electronic Technologies Plan.

Amendment 14

Draft [Amendment 14 to the Consolidated Atlantic HMS FMP](#) proposes modifying the framework procedures to address changes to the National Standard guidelines and establish new procedures for determining the acceptable biological catch (ABC) and annual catch limits (ACL) for the Atlantic shark fisheries. The AP expressed a desire to include actions that establish a quota reserve, much like the Bluefin tuna reserve category, for sharks so more tonnage can be added towards the end of a fishing season if landings appear to be approaching the quota. Staff with the HMS Division said that this would be difficult given that shark landings are not reported in a timely manner like Bluefin tuna and would result in significant delays in quota transfers.

Atlantic Billfish Management

Staff with the HMS Division provided the AP an [overview of Atlantic billfish management](#) including a history of the development of management measures and potential responses to the 2020 overage of the recreational landings quota. The International Commission for the Conservation of Atlantic Tunas (ICCAT) have designated blue marlin as overfished with overfishing occurring (2018) with white marlin and round scale spearfish being overfished with no overfishing occurring (2019). In 2001, the HMS Division negotiated with ICCAT for the quota of 250 marlins (blue, white, and round scale spearfish combined) for the U.S. fishery. Under the [Consolidated Atlantic HMS FMP](#), all sales of marlin are prohibited and all landings are considered

recreational with any over harvest subtracted from the quota the following year. The size limits for blue marlin are 99-inches lower jaw fork length (LJFL) and 66-inches LJFL for white marlin and round scale spearfish with no bag limit (NC Marine Fisheries Commission Rule 15A NCAC 03M .0507 establishes a one fish per day aggregate bag limit). The FMP includes a provision that allows for size limits to be altered within a range of 117-inches to 138-inches for blue marlin and 70-inches to 79-inches for white marlin and round scale spearfish.

After the September AP meeting, NOAA Fisheries announced that the recreational landings limit for Atlantic blue marlin, white marlin, and round scale spearfish had been exceeded. NOAA Fisheries published a [notice](#) on September 10th prohibiting the retention on these species for the remainder of the fishing year. At the time of the December AP meeting, landings totals were 72 blue marlin, 95 white marlin, and 66 round scale spearfish. A reporting mistake led to an erroneous 276 billfish being landed. After this was discovered and appropriate adjustments and corrections were made, the current landings total for 2020 stands at 233 fish. However, the HMS Division decided to keep the retention prohibition in place through December 31, 2020 because the reported total was so close to the quota. Four additional fish were reported landed between the time of the notice and effective date of the retention limit. The AP discussed if possible actions needed to be considered to reduce the landings of billfish in the following year to ensure there is no overage. Staff from HMS reported that an increase in third quarter landings compared to 2019 contributed to the high landings totals, with tournaments having a 42% increase in landings in 2020. It was reported that the sizes of the billfish landed were close the federal minimum size limits.

HMS Electronic Technologies Plan

Staff presented a summary of the HMS Divisions draft [Electronic Technologies Implementation Plan](#) for AP review and discussion. The AP had a general discussion of current applications that involve HMS permits and the need to streamline all federal reporting requirements into a single application or as few applications as possible. Comments included fisherman on the AP stating they no longer report online if it can be avoided because of the complexity of the electronic reporting systems.



PROTECTED RESOURCES UPDATE



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

JOHN G. BATHERSON
Acting Director

January 28, 2021

MEMORANDUM

TO: North Carolina Marine Fisheries Commission

FROM: Barbie Byrd, Biologist Supervisor
Protected Resources Program, Fisheries Management Section

SUBJECT: Protected Resources Program Update

Issue

Summary information is provided from the division's Protected Resources Program for the most recent Incidental Take Permit (ITP) seasonal report (fall) provided to the National Marine Fisheries Service (NMFS). The fall (September – November) 2020 season begins the new ITP year (September 1, 2020 – August 31, 2021).

Action Needed

For informational purposes only, **no action is needed at this time.**

Overview

Fall 2020 Seasonal Report

The fall 2020 seasonal report for the Sea Turtle ITP is provided from the division's Protected Resources Program. A seasonal report is not required for the Atlantic Sturgeon ITP. However, individual reports of Atlantic Sturgeon interactions are provided to the National Marine Fisheries Service (NMFS). During fall 2020, there were three observed Atlantic sturgeon interactions (all alive) from large mesh gill nets and zero from small mesh gill nets.

Due to protective measures to help prevent the spread of COVID-19, the Protected Resources Program received a waiver from the NMFS on March 24, 2020 for maintaining observer coverage until further notice. Observers and Marine Patrol officers have continued to conduct alternative platform observations to limit potential COVID-19 exposure between fishermen and observers. During the fall 2020 flounder large mesh gill net fishery, the program mobilized resources from other Fisheries Management programs to build enough alternative platform teams to observe the fishery at a projected 10% coverage level.

There were 17 observed sea turtle interactions from large mesh gill nets and zero from small mesh gill nets during the fall (12 alive green sea turtles, three dead green sea turtles, one alive loggerhead sea turtle, and one alive Kemp's ridley sea turtle). There also were nine green sea turtles (all alive) self-reported in large mesh gill nets during the fall.

The fall 2020 seasonal report can be found at the following link:

[Fall 2020 Seasonal Sea Turtle ITP Report](#)

2020 Fall Seasonal Progress Report
Incidental Take Permit No. 16230
September 1 – November 30, 2020



John McConnaughey
Protected Species Biologist
North Carolina Division of Marine Fisheries

January 8, 2021

TABLE OF CONTENTS

List of Tables	4
List of Figures.....	5
Summary.....	6
Tables	8
Figures.....	15

LIST OF TABLES

Table 1. For large mesh gill nets, estimated percent observer coverage calculated from observer trips (≥ 4 inch) and projected and reported fishing trips from the Trip Ticket Program (≥ 5 inch) by management unit for fall 2020 (September - November).	8
Table 2. For small mesh gill nets, estimated percent observer coverage calculated from observer trips (< 4 inch) and projected and reported fishing trips from the Trip Ticket Program (< 5 inch) by management unit for fall 2020 (September - November).	8
Table 3. Openings and closings of management units by date and regulation change from the fall 2020 season (September - November) for anchored large and small mesh gill nets for ITP Year 2021.	9,10
Table 4. Summary of observed sea turtle interactions in anchored large and small mesh gill nets from the fall 2020 season (September - November) for ITP Year 2021. No interactions were observed in small mesh gill nets.	11
Table 5. Summary of reported sea turtle interactions in anchored large mesh gill nets from the fall 2020 season (September - November) for ITP Year 2021.....	11
Table 6. Summary of estimated and/or observed cumulative sea turtle interactions during the fall 2020 season (September - November) by management unit for anchored large mesh gill nets for ITP Year 2021.	12
Table 7. Categories and descriptions of fishermen responses for the Observer Program's contact logs used for analysis.....	13
Table 8. Contacts made ($n = 465$) by observers to schedule trips listed by month and categorized by response type (0-15). Number of contacts are provided by total number (top), percent for total season (middle), and percent for each month (bottom) for the fall 2020 season (September - November) of ITP Year 2021	14

LIST OF FIGURES

Figure 1. Map for proclamation FF-25-2020. See Table 3 for full proclamation description.....	15
Figure 2. Map of ITP management areas.....	16
Figure 3. Map of observed sea turtle interactions across management units (A, B, C, D1, D2, E) in anchored large mesh gill nets (n = 17) by species and disposition (alive/dead) for the 2020 fall season (September - November) of ITP Year 2021 (September 1, 2020 – August 31, 2021).	17
Figure 4. Map of reported sea turtle interactions across management units (A, B, C, D1, D2, E) in anchored large mesh gill nets (n = 9) by species and disposition (alive/dead) for the 2020 fall season (September - November) of ITP Year 2021 (September 1, 2020 – August 31, 2021). No coordinates were obtained for one reported interaction in management unit E.	18

SUMMARY

This report summarizes activities of the Observer Program during the fall season (September 1 - November 30, 2020) of Incidental Take Permit (ITP) Year 2021 (September 1, 2020 – August 31, 2021) for ITP No. 16230. Throughout this document, all references to gill nets are for anchored gill nets only.

Significant regulatory changes similar to fall 2019 remained in effect during the fall 2020 large mesh gill net fishery for southern flounder (*Paralichthys lethostigma*). These regulations were included in Amendment 2 of the Southern Flounder Fishery Management Plan adopted by the North Carolina Marine Fisheries Commission on August 23, 2019. This action was taken because the most recent southern flounder stock assessment indicated that the stock is overfished and overfishing is occurring. North Carolina state law requires management actions be taken to end overfishing within 2 years and recover the stock from an overfished condition within 10 years.

To reduce harvest in the large mesh gill-net fishery, the state was divided into 3 flounder management areas; Northern, Central, and Southern (Figure 1). Each area was scheduled an exact open and close date for fishing effort. The Northern area was open from September 15, 2020 through October 6, 2020, the Central area was open from October 1, 2020 through October 19, 2020, and the Southern area was open from October 1, 2020 through November 2, 2020. Gill net activity was still subject to conditions put forth by federally issued ITPs for sea turtle and sturgeon incidental takes, and areas could be closed by proclamation should allowable take numbers be approached or exceeded.

In the past, projected observer coverage needed to meet levels required in the ITP were calculated for each mesh size category and management unit using the average reported trips from the previous five years (e.g., 2015-2019 for the 2020 fall season). These average numbers of reported trips by mesh category and management unit were then used in seasonal reports to estimate observer coverage achieved for a given season. This method was used for the small mesh gill net fishery. Given the significant reductions in the southern flounder fishery, an alternative method was needed to project fishing effort for large mesh gill nets. Instead, reported fishing trips for each of the previous five years were compared to the number of possible fishing days that year separately for each management unit. The resulting average fishing trips/fishing day across the five years was applied to the number of days in fall 2020 that the fishery was open. For this report, we also are comparing the observer coverage estimates using the projected fishing trips outlined above to observer coverage estimates based on preliminary trip ticket data of reported trips for large and small mesh gill nets.

A complete list of anchored gill net proclamations implemented during the 2020 fall season can be found in Table 3. A map showing management unit distribution can be found in Figure 2 and maps for relevant proclamations can be found at:
<http://portal.ncdenr.org/web/mf/2020-proclamations>.

All observed trips during fall 2020 were alternative platform trips due to the COVID-19 pandemic. Due to the need to have two observers on each alternative platform trip, Marine Patrol officers contributed additional effort to ensure that observer coverage requirements were met. Overall observer coverage of the large mesh gill net fishery was similar using projected trips (20.3%) or preliminary reported trips (19.7%) Regardless of method, estimated observer coverage exceeding 10% in all management units. No trips were obtained in Management Unit D1 because the management unit was closed for the entirety of the 2020 fall season (Table 1).

Overall observer coverage of the small mesh gill net fishery was similar using projected trips (4.0%) or preliminary reported trips (4.2%). Regardless of method, estimated observer coverage exceeding 1% in all management units (Table 2).

There were 17 observed sea turtle interactions from large mesh gill nets and zero from small mesh gill nets during the 2020 fall season, (Table 4; Figure 3). The species composition consisted of 12 alive green sea turtles, three dead green sea turtles, one alive loggerhead sea turtle, and one alive Kemp's ridley sea turtle (Table 4). The cumulative estimated and/or observed takes for large mesh gill nets were calculated daily to ensure that authorized takes were not exceeded (Table 6).

There were eight green sea turtles (all alive) reported in large mesh gill nets set in management unit B by a commercial fisherman working with Duke University on a research project testing LED lights as a deterrent for sea turtle bycatch. Additionally, one fisherman self-reported a live sea turtle interaction in a large mesh gill net in management unit E (Table 5; Figure 4).

As per the ITP, the division established a permit in September 2014 to register all fishermen participating in the large and small mesh gill net fisheries (Estuarine Gill Net Permit – EGNP). Permits are renewed on an annual basis, based on the fiscal year for licenses. Contact information associated with the EGNPs are used by observers to call fishermen to schedule trips. Observers also attempt to contact fishermen in person at boat ramps and on the water when possible. Each contact attempt by phone or in-person was logged into a database with categories of the response (e.g., left voicemail, booked trip) (Table 8). During fall 2020, observers logged 465 contacts with only seven of them resulting in a booked trip (Table 9).

TABLES

Table 1. For large mesh gill nets, estimated percent observer coverage calculated from observer trips (≥ 4 inch) and projected and reported fishing trips from the Trip Ticket Program (≥ 5 inch) by management unit for fall 2020 (September - November).

Management Unit ¹	Trips			Coverage (%)	
	Projected Trips	Reported Trips ²	Observed	Projected Trips Coverage (%)	Reported Trips Coverage (%)
A	555	929	111	20.0	11.9
B	337	310	71	21.1	22.9
C	190	103	42	22.1	40.8
D1 ³	n/a	n/a	n/a	n/a	n/a
D2	180	111	37	20.6	33.3
E	321	178	61	19.0	34.3
Total	1,583	1,631	322	20.3	19.7

¹ Table 3 contains all of the openings and closings for each management unit

² Preliminary trips from Trip Ticket data September - November 2020

³D1 closed to large mesh for entire 2020 fall season

Table 2. For small mesh gill nets, estimated percent observer coverage calculated from observer trips (< 4 inch) and projected and reported fishing trips from the Trip Ticket Program (< 5 inch) by management unit for fall 2020 (September - November).

Management Unit ¹	Trips			Coverage (%)	
	Projected Trips	Reported Trips ²	Observed	Projected Trips Coverage (%)	Reported Trips Coverage (%)
A	263	317	10	3.8	3.2
B	812	1,016	27	3.3	2.7
C	137	183	2	1.5	1.1
D1 ³	45	1	1	2.2	100.0
D2	199	130	11	5.5	8.5
E	430	154	24	5.6	15.6
Total	1,886	1,801	75	4.0	4.2

¹ Table 3 contains all openings and closings for each management unit

² Preliminary trips from Trip Ticket data September - November 2020

Table 3. Openings and closings of management units by date and regulation change from the fall 2020 season (September - November) for anchored large and small mesh gill nets during ITP Year 2021.

Year	Date(s)	Regulation change
2020	September 4	This proclamation supersedes Proclamation M-10-2020 dated April 28, 2020. In Management Unit A, it maintains small mesh gill net attendance requirements. It expands the portion of Management Unit A to include the Chowan River that allows the use of run-around, strike, drop, and trammel gill nets with a stretched mesh length of 5 ½ inches through 6 ½ inches to harvest blue catfish. (M-13-2020)
2020	September 15	This proclamation supersedes Proclamation M-13-2020 dated September 2, 2020. It opens the previously closed Management Unit A to the use of gill nets for the purpose of harvesting flounder in accordance with Amendment 2 to the N.C. Southern Flounder Fishery Management Plan and the Sea Turtle ITP. It maintains the exempted areas in MUA open to the use of run-around, strike, drop, and trammel gill nets to harvest blue catfish. It also maintains small mesh gill net attendance requirements in the entirety of Management Unit A. (M-14-2020)
2020	September 15	This proclamation supersedes Proclamation FF-34-2019, dated September 12, 2019. It establishes commercial flounder season dates for Internal Coastal Waters by Flounder Management Area. It maintains a 15-inch total length minimum size limit. It also maintains the regulation making it unlawful to possess flounder taken from anchored large mesh gill nets with a stretched mesh length less than 6 inches. It makes it unlawful for a commercial fishing operation to possess flounder from the Atlantic Ocean Waters taken by any method other than trawls. This action is being taken to comply with the requirements of Amendment 2 to the N.C. Southern Flounder Fishery Management Plan. (FF-25-2020)
2020	September 30	This proclamation supersedes Proclamation M-6-2020 dated April 8, 2020. This proclamation opens Management Units B (subunits only), C, D2 and E to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with Amendment 2 to the N.C. Southern Flounder Fishery Management Plan. (M-15-2020)

Cont. Table 3

2020	October 6	This proclamation supersedes proclamation M-14-2020 dated September 10, 2020. It closes Management Unit A to the use of large mesh gill nets with overnight soaks for the purpose of harvesting flounder. It maintains the exempted portion of Management Unit A that allows the use of run-around, strike, drop, and trammel gill nets with a stretched mesh length of 5 ½ inches through 6 ½ inches to harvest blue catfish. It maintains small mesh gill net attendance requirements in the entirety of Management Unit A. (M-16-2020)
2020	October 1	This proclamation supersedes proclamation M-15-2020 dated September 25, 2020. This proclamation closes Management Unit B (subunits SGNRA 1-4, MGNRA and portions of CGNRA) and Management Unit C to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.). It maintains openings in Management Units D2 and E. These actions are being taken in accordance with Amendment 2 to the N.C. Southern Flounder Fishery Management Plan. (M-19-2020)
2020	November 2	This proclamation supersedes proclamation M-19-2020 dated October 16, 2020. This proclamation closes all management units south of Management Unit A to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with Amendment 2 to the N.C. Southern Flounder Fishery Management Plan. (M-20-2020)

Table 4. Summary of observed sea turtle interactions in anchored large mesh gill nets from the fall 2020 season (September - November) for ITP Year 2021. No interactions were observed in small mesh gill nets.

Date	Management Unit	Latitude	Longitude	Species	Disposition	Curved Carapace (mm)	
						Length	Width
10/1/2020	B	35.03800	76.11700	Green	alive	279	241
10/1/2020	B	35.03600	76.12000	Green	alive	343	259
10/1/2020	B	35.00119	76.16446	Green	alive	332	281
10/2/2020	B	35.35800	75.56500	Green	alive	n/a	n/a
10/2/2020	E	34.17600	77.84500	Green	alive	342	330
10/6/2020	B	35.36000	75.56000	Green	alive	304	266
10/6/2020	B	35.36000	75.56000	Green	alive	317	279
10/6/2020	B	35.45300	75.51400	Green	alive	304	254
10/6/2020	B	35.36000	75.56000	Green	dead	330	273
10/7/2020	B	35.33092	75.59394	Green	alive	357	306
10/7/2020	B	35.45100	75.51200	Green	alive	330	279
10/7/2020	B	35.33328	75.58375	Green	dead	284	245
10/8/2020	B	34.81448	76.37898	Loggerhead	alive	422	412
10/9/2020	E	34.44000	77.54000	Green	alive	n/a	n/a
10/13/2020	E	34.70000	77.10000	Kemps	alive	n/a	n/a
10/15/2020	B	34.89843	76.31883	Green	dead	354	316
10/22/2020	E	34.42300	77.57600	Green	alive	330	254

Table 5. Summary of reported sea turtle interactions in anchored large mesh gill nets from the fall 2020 season (September - November) for ITP Year 2021.

Date	Management Unit	Latitude	Longitude	Species	Disposition	Curved Carapace (mm)	
						Length	Width
10/7/2020	B	34.93213	76.32092	Green	Alive	355	300
10/13/2020	B	34.95613	76.37484	Green	Alive	350	310
10/22/2020	B	34.90899	76.33775	Green	Alive	323	271
10/23/2020	B	34.93697	76.32745	Green	Alive	334	286
10/23/2020	B	34.93689	76.32862	Green	Alive	301	270
10/23/2020	B	34.93689	76.32862	Green	Alive	n/a	n/a
10/27/2020	E	n/a	n/a	Green	Alive	n/a	n/a
10/28/2020	B	34.92282	76.33705	Green	Alive	350	296
10/29/2020	B	34.92284	76.35858	Green	Alive	323	294

Table 6. Summary of estimated and/or observed cumulative sea turtle interactions during the fall 2020 season (September - November) by management unit for anchored large mesh gill nets for ITP Year 2021.

Management Unit	Green		Kemp's ridley		Loggerhead		Unknown	
	Alive	Dead	Alive	Dead	Alive	Dead	Alive	Dead
A	0	0	0	0	0	0	0	0
B	20.3	9	0	0	*1	0	0	0
C	0	0	0	0	0	0	0	0
D1	0	0	0	0	0	0	0	0
D2	0	0	0	0	0	0	0	0
E	10.2	0	4.3	0	0	0	0	0
Total	30.5	9	4.3	0	1	0	0	0

*Indicates observed takes

Table 7. Categories and descriptions of fishermen responses for the Observer Program's contact logs used for analysis.

Categories	Category description
1	Left message with someone else
2	Not fishing general
3	Fishing other gear
4	Not fishing because of weather
5	Not fishing because of boat issues
6	Not fishing because of medical issues
7	Booked trip
8	Hung up, got angry, trip refusal
9	Call back later time/date
10	Saw in person
11	Disconnected
12	Wrong number
13	No answer
14	No answer, left voicemail
15	Not fishing because of natural disaster (e.g., hurricane)

Table 8. Contacts made (n = 465) by observers to schedule trips listed by month and categorized by response type (0-15). Number of contacts are provided by total number (top), percent for total season (middle), and percent for each month (bottom) for the fall 2020 season (September - November) of ITP Year 2021.

	Categories ¹ (# Per Month)															Total
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
September	2	63	27	5	2	1	3	2	10	2	31	1	110	73	0	332
October	6	27	4	1	2	2	4	6	7	0	6	0	30	29	0	124
November	0	1	2	0	0	1	0	0	0	1	0	0	4	0	0	9
Total	8	91	33	6	4	4	7	8	17	3	37	1	144	102	0	465

	Categories ¹ (% Per Month)															Total
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
September	0.6	19.0	8.1	1.5	0.6	0.3	0.9	0.6	3.0	0.6	9.3	0.3	33.1	22.0	0.0	100.0
October	4.8	21.8	3.2	0.8	1.6	1.6	3.2	4.8	5.6	0.0	4.8	0.0	24.2	23.4	0.0	100.0
November	0.0	11.1	22.2	0.0	0.0	11.1	0.0	0.0	0.0	11.1	0.0	0.0	44.4	0.0	0.0	100.0
Total	1.7	19.6	7.1	1.3	0.9	0.9	1.5	1.7	3.7	0.6	8.0	0.2	31.0	21.9	0.0	100.0

	Categories ¹ (% Total Season)															Total
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
September	0.4	13.5	5.8	1.1	0.4	0.2	0.6	0.4	2.2	0.4	6.7	0.2	23.7	15.7	0.0	71.4
October	1.3	5.8	0.9	0.2	0.4	0.4	0.9	1.3	1.5	0.0	1.3	0.0	6.5	6.2	0.0	26.7
November	0.0	0.2	0.4	0.0	0.0	0.2	0.0	0.0	0.0	0.2	0.0	0.0	0.9	0.0	0.0	1.9
Total	1.7	19.6	7.1	1.3	0.9	0.9	1.5	1.7	3.7	0.6	8.0	0.2	31.0	21.9	0.0	100.0

¹ Contact type categories: 1) Left message with someone else 2) Not fishing general 3) Fishing other gear 4) Not fishing because of weather 5) Not fishing because of boat issues 6) Not fishing because of medical issues 7) Booked trip 8) Hung up, got angry, trip refusal 9) Call back later time/date 10) Saw in person 11) Disconnected 12) Wrong number 13) No answer 14) No answer, left voicemail 15) Not fishing because of natural disaster (e.g., hurricane)

FIGURES

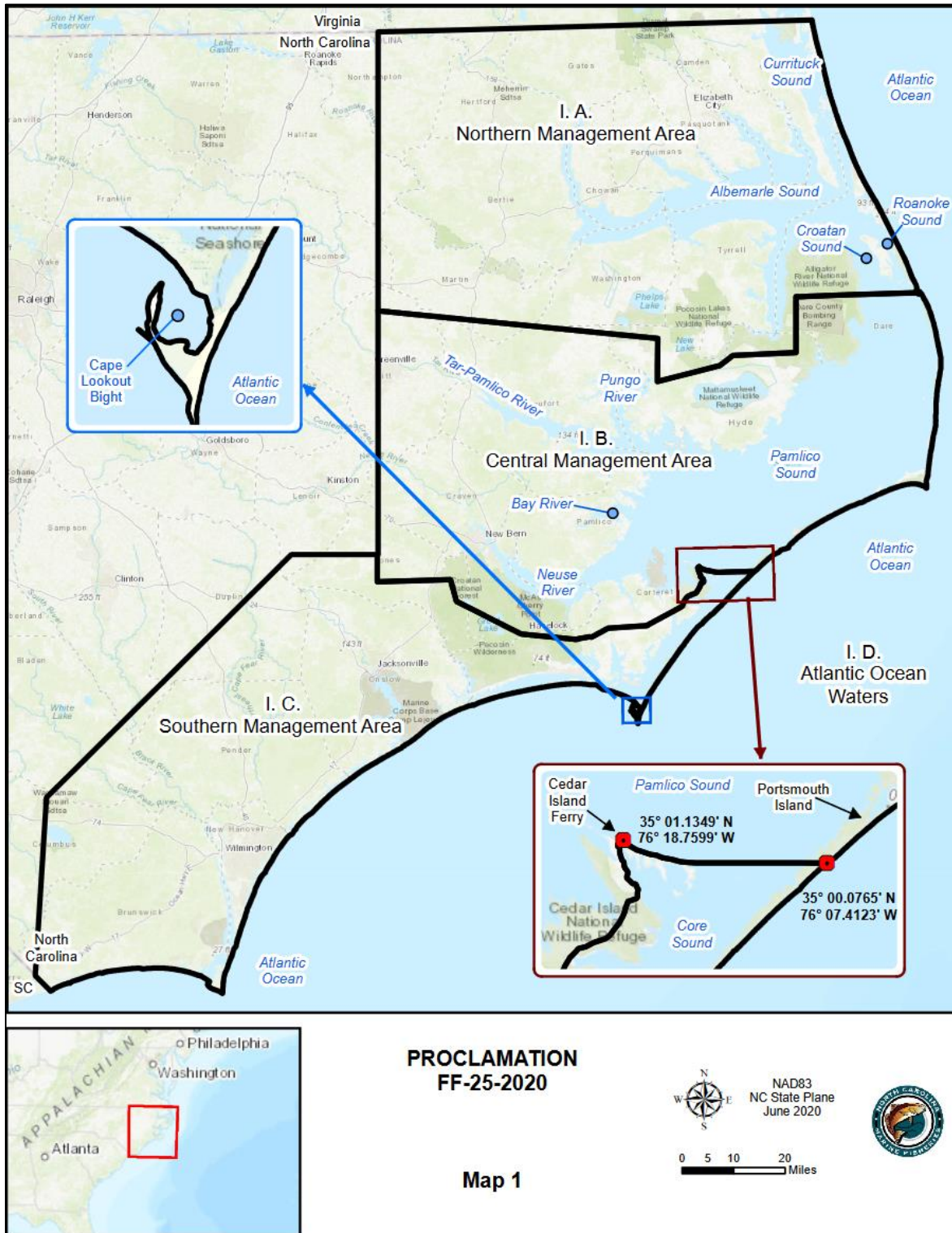


Figure 1. Map for proclamation FF-25-2020. See Table 3 for full proclamation description.

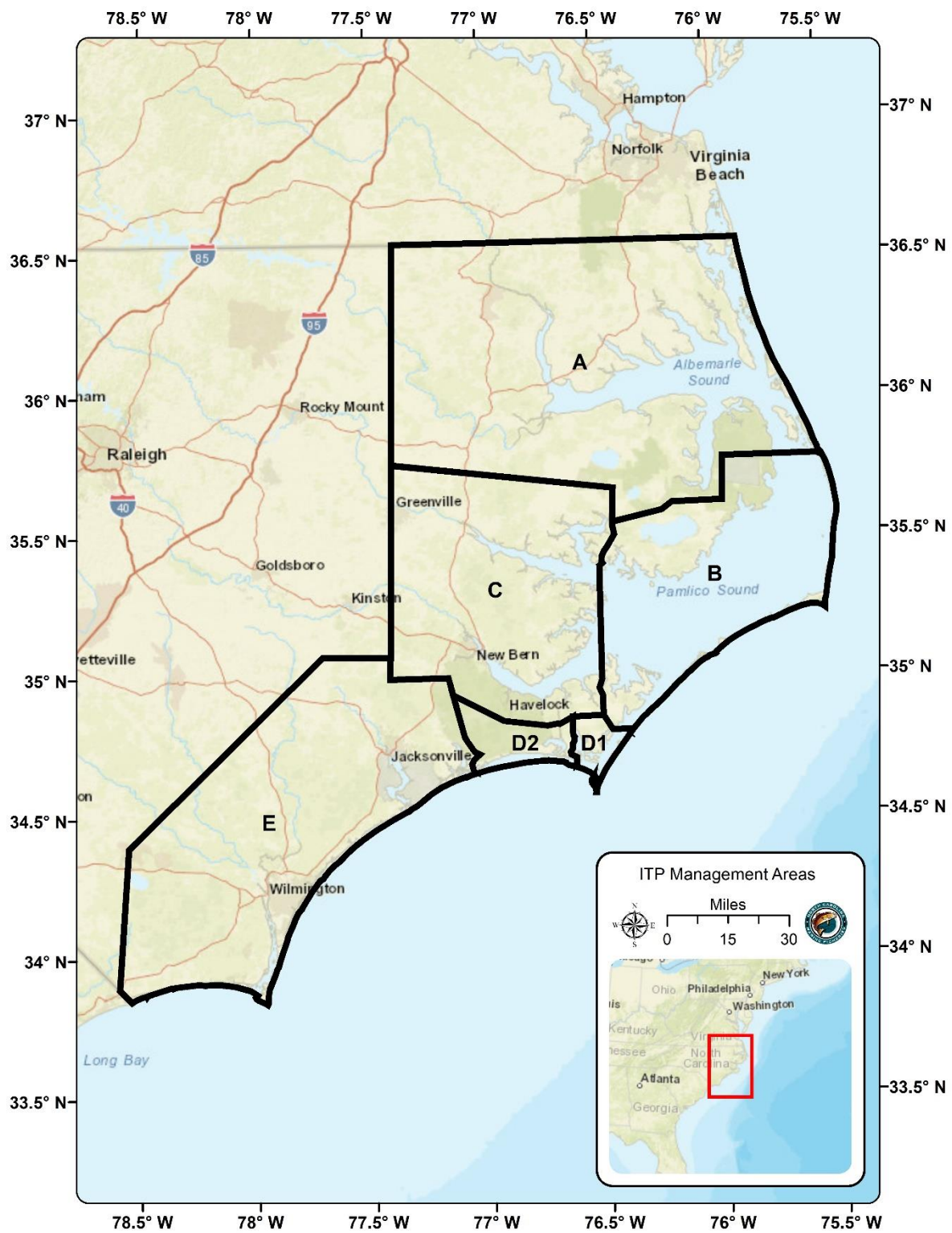


Figure 2. Map of ITP management areas.

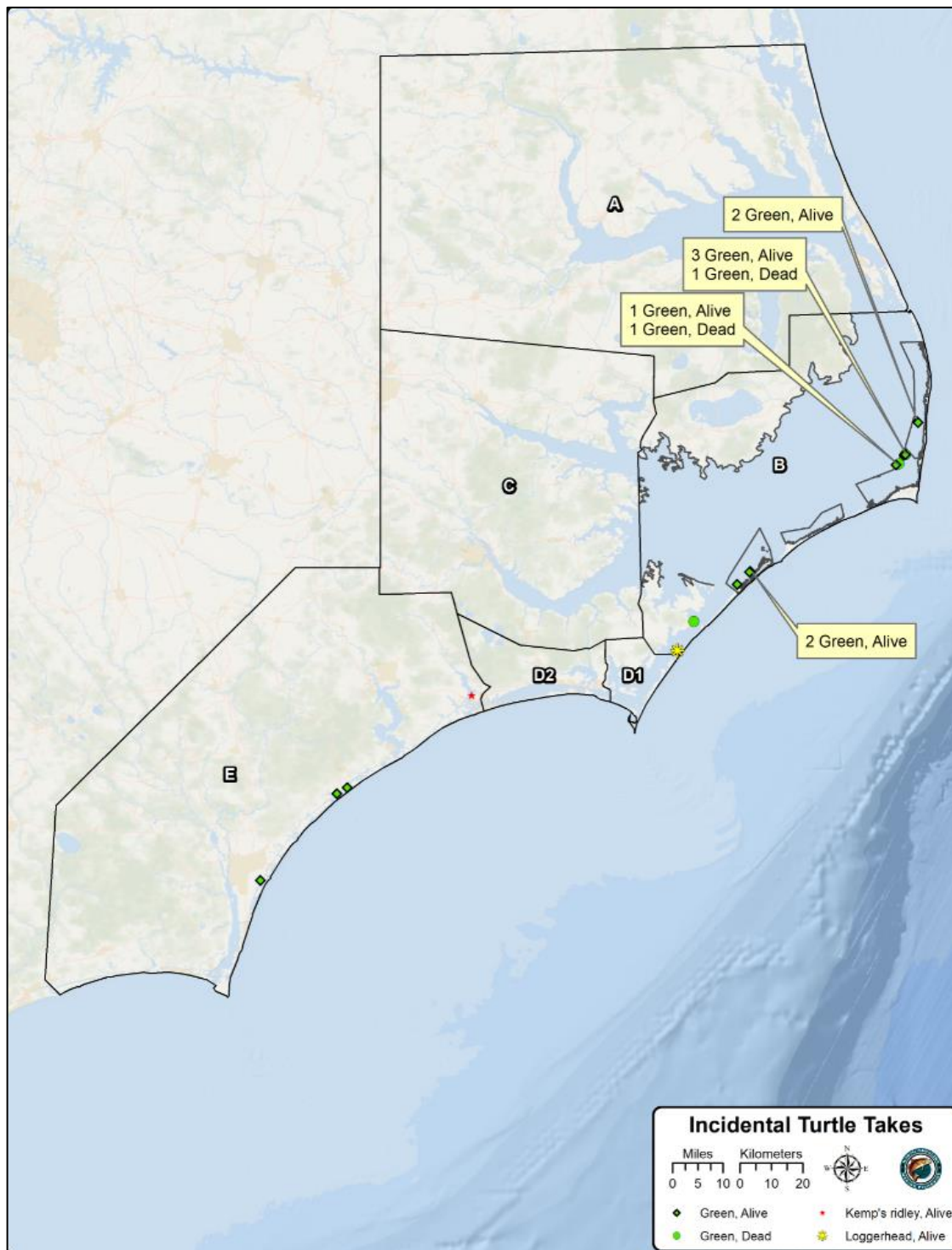


Figure 3. Map of observed sea turtle interactions across management units (A, B, C, D1, D2, E) in anchored large mesh gill nets (n = 17) by species and disposition (alive/dead) for the 2020 fall season (September - November) of ITP Year 2021 (September 1, 2020 – August 31, 2021).

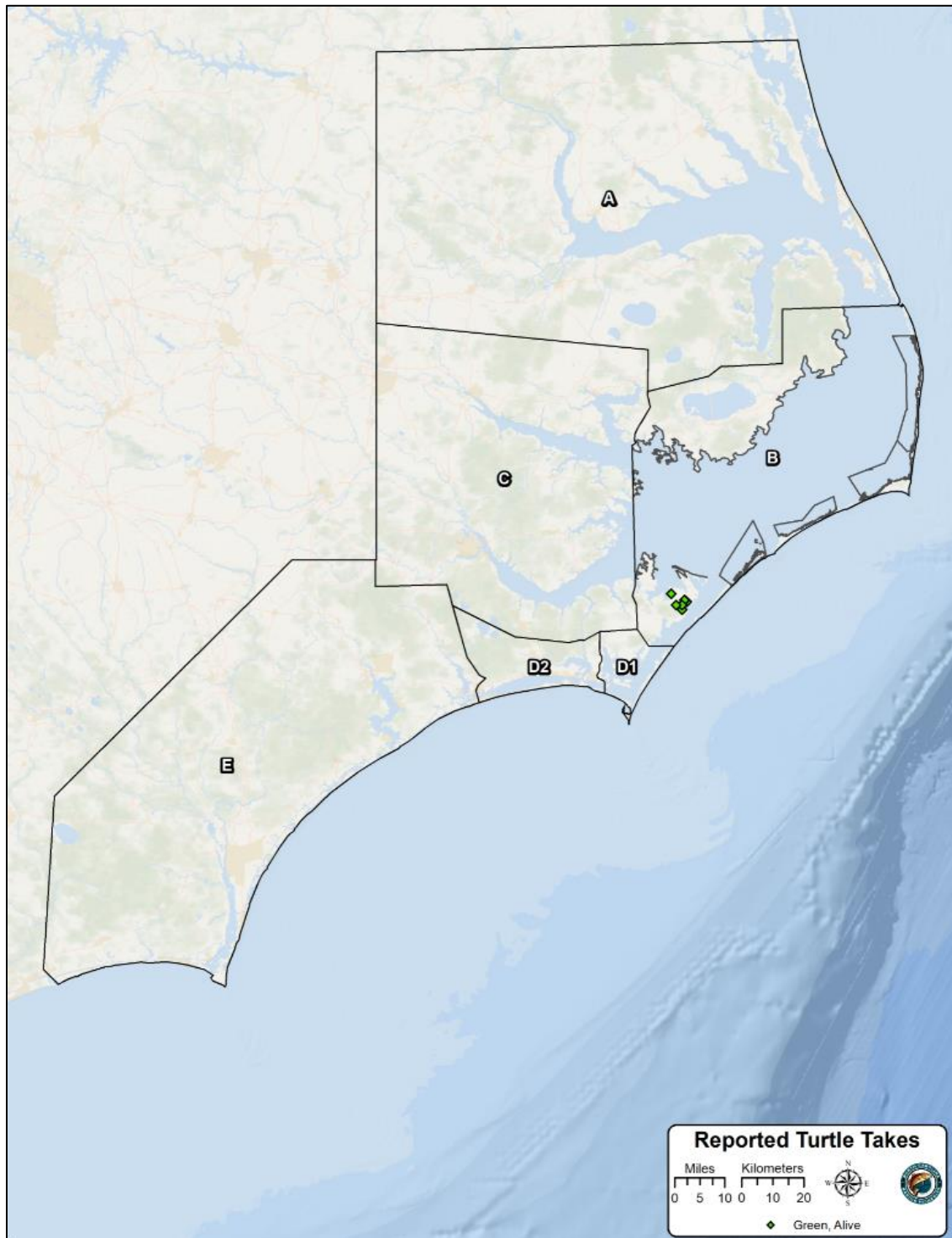


Figure 4. Map of reported sea turtle interactions across management units (A, B, C, D1, D2, E) in anchored large mesh gill nets ($n = 9$) by species and disposition (alive/dead) for the 2020 fall season (September - November) of ITP Year 2021 (September 1, 2020 – August 31, 2021). No coordinates were obtained for one reported interaction in management unit E.



LANDINGS UPDATE FOR RED DRUM & SOUTHERN FLOUNDER

Red Drum Landings 2019-2020

Landings are complete through January 26, 2021.

2019 landings are final. 2020 and 2021 landings are preliminary.

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2019	9	Red Drum	1,508	28,991	35,003
2019	10	Red Drum	8,080	43,644	63,659
2019	11	Red Drum	5,357	14,318	27,646
2019	12	Red Drum	1,763	3,428	2,197
2020	1	Red Drum	1,853	5,885	1,700
2020	2	Red Drum	1,322	3,448	3,996
2020	3	Red Drum	1,040	5,699	3,971
2020	4	Red Drum	2,425	7,848	6,528
2020	5	Red Drum	4,473	13,730	9,661
2020	6	Red Drum	5,890	12,681	6,985
2020	7	Red Drum	6,839	13,777	15,618
2020	8	Red Drum	13,627	21,252	15,846

FY20 Fishing Year (Sept 1, 2019 - Aug 31, 2020) Landings 54,177

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2020	9	Red Drum	31,745	28,991	35,003
2020	10	Red Drum	56,119	43,644	63,659
2020	11	Red Drum	24,887	14,318	27,646
2020	12	Red Drum	11,105	3,428	2,197
2021	1	Red Drum	0	5,885	1,700
2021	2	Red Drum			
2021	3	Red Drum			
2021	4	Red Drum			
2021	5	Red Drum			
2021	6	Red Drum			
2021	7	Red Drum			
2021	8	Red Drum			

FY21 Fishing Year (Sept 1, 2020 - Aug 31, 2021) Landings 123,856


*partial trip ticket landings only

***landings are confidential

Year	Month	Species	Pounds	Dealers	Trips	Average (2007-2009)
2017	1	SOUTHERN FLOUNDER	1,677	38	122	7,713
2017	2	SOUTHERN FLOUNDER	2,758	55	215	4,617
2017	3	SOUTHERN FLOUNDER	8,254	67	874	23,512
2017	4	SOUTHERN FLOUNDER	9,591	83	787	68,389
2017	5	SOUTHERN FLOUNDER	33,105	105	1,121	122,514
2017	6	SOUTHERN FLOUNDER	74,785	115	1,904	154,090
2017	7	SOUTHERN FLOUNDER	74,879	108	1,755	170,387
2017	8	SOUTHERN FLOUNDER	102,751	116	2,364	201,862
2017	9	SOUTHERN FLOUNDER	235,915	128	2,849	396,301
2017	10	SOUTHERN FLOUNDER	548,740	142	3,971	781,717
2017	11	SOUTHERN FLOUNDER	302,286	123	2,003	392,150
2017	12	SOUTHERN FLOUNDER	166	7	8	37,303
2018	1	SOUTHERN FLOUNDER	610	14	43	7,713
2018	2	SOUTHERN FLOUNDER	1,833	34	154	4,617
2018	3	SOUTHERN FLOUNDER	2,815	43	387	23,512
2018	4	SOUTHERN FLOUNDER	8,142	74	769	68,389
2018	5	SOUTHERN FLOUNDER	18,342	90	951	122,514
2018	6	SOUTHERN FLOUNDER	42,501	105	1,407	154,090
2018	7	SOUTHERN FLOUNDER	57,273	117	1,495	170,387
2018	8	SOUTHERN FLOUNDER	72,495	121	1,916	201,862
2018	9	SOUTHERN FLOUNDER	109,125	114	1,776	396,301
2018	10	SOUTHERN FLOUNDER	363,339	109	3,062	781,717
2018	11	SOUTHERN FLOUNDER	226,832	89	1,352	392,150
2018	12	SOUTHERN FLOUNDER	471	5	5	37,303
2019	1	SOUTHERN FLOUNDER	524	25	74	7,713
2019	2	SOUTHERN FLOUNDER	558	23	69	4,617
2019	3	SOUTHERN FLOUNDER	1,412	44	216	23,512
2019	4	SOUTHERN FLOUNDER	5,966	66	448	68,389
2019	5	SOUTHERN FLOUNDER	36,666	92	1,038	122,514
2019	6	SOUTHERN FLOUNDER	61,035	109	1,437	154,090
2019	7	SOUTHERN FLOUNDER	59,404	109	1,554	170,387
2019	8	SOUTHERN FLOUNDER	95,588	109	1,778	201,862
2019	9	SOUTHERN FLOUNDER	51,734	59	551	396,301
2019	10	SOUTHERN FLOUNDER	327,291	119	2,333	781,717
2019	11	SOUTHERN FLOUNDER	159,595	58	537	392,150
2020	3	SOUTHERN FLOUNDER	***	***	***	23,512
2020	4	SOUTHERN FLOUNDER	***	***	***	68,389
2020	8	SOUTHERN FLOUNDER	143	3	5	201,862
2020	9	SOUTHERN FLOUNDER	86,644	31	792	396,301
2020	10	SOUTHERN FLOUNDER	340,281	138	2,613	781,717
2020	11	SOUTHERN FLOUNDER	52,642	27	71	392,150
2021	3	SOUTHERN FLOUNDER	***	***	***	23,512

*2020 and 2021 data are preliminary. 2017-2019 data are complete.

***Data are confidential



RULE

SUSPENSIONS



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

JOHN G. BATHERSON
Acting Director

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Kathy Rawls, Fisheries Management Section Chief

SUBJECT: Temporary Rule Suspension

Issue

In accordance with the North Carolina Division of Marine Fisheries Resource Management Policy Number 2014-2, Temporary Rule Suspension, the North Carolina Marine Fisheries Commission will vote on any new rule suspensions that have occurred since the last meeting of the commission.

Findings

No new rule suspensions have occurred since the November 2020 meeting.

Action Needed

For informational purposes only, no new action is needed at this time.

Overview

In accordance with policy, the division will report current rule suspensions previously approved by the commission as non-action, items. The current rule suspensions previously approved by the commission are as follows:

NCMFC RULE 15A NCAC 03M .0301 (b)(2) and (3)(A)(B) King Mackerel

Suspension of portions of this rule is for a time certain. This rule suspension allows the division to increase the recreational possession limit of King Mackerel in accordance with action taken by the South Atlantic Fishery Management Council to address economic losses to the recreational fishing communities and industries. This suspension was implemented in proclamation FF-37-2020 and will expire at 11:59 P.M. on March 16, 2021.

NCMFC RULE 15A NCAC 03M .0511 Bluefish

Suspension of this rule is for an indefinite period. Suspension of this rule allows the division to reduce bluefish creel limits in compliance with the requirements of the Mid-Atlantic Fishery Management Council/Atlantic States Marine Fisheries Commission Bluefish Fishery Management

Plan to reduce recreational harvest of bluefish. This suspension was implemented in proclamation FF-1-2020.

NCMFC Rule 15A NCAC 03J .0103 (h) Gill Nets, Seines, Identification, Restrictions

Suspension of a portion of this rule is for an indefinite period. Suspension of this rule allows the division to implement year around small mesh gill net attendance requirements in certain areas of the Tar, Pamlico and Neuse River systems. This action was taken as part of a department initiative to review existing small mesh gill net rules to limit yardage and address attendance requirements in certain “hot spot” areas of the state. This suspension continues in proclamation M-12-2020.

NCMFC Rule 15A NCAC 03R .0110 (4)(5) Crab Spawning Sanctuaries

Suspension of portions of this rule is for an indefinite period. Suspension of this rule allows the division to revise the boundaries for the Drum Inlet and Barden Inlet crab spawning sanctuaries in accordance with Amendment 3 to the N.C. Blue Crab Fishery Management Plan. This suspension was implemented in proclamation M-7-2020.

NCMFC Rules 15A NCAC 03L .0201 (a)(b) Crab Harvest Restrictions, 03L .0203 (a) Crab Dredging and 03J .0301 (a)(1), (g)(h) Pots

Suspension of portions of these rules is for an indefinite period. Suspension of these rules allows the division to implement requirements for the blue crab fishery in accordance with Amendment 3 to the N.C. Blue Crab Fishery Management Plan. These suspensions were continued in proclamation M-1-2021.

NCMFC Rule 15A NCAC 03L .0103 (a)(1) Prohibited Nets, Mesh Lengths and Areas

Continued suspension of portions of this rule is for an indefinite period. This allows the division to adjust trawl net minimum mesh size requirements in accordance with the May 2018 Revision to Amendment 1 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in proclamation SH-3-2019.

NCMFC 15A NCAC 03M .0516 Cobia

Continued suspension of this rule is for an indefinite period. This allows the division to manage the commercial and recreational cobia fisheries in accordance with management actions taken by the commission and in accordance with the Atlantic States Marine Fisheries Commission’s Interstate Cobia Fishery Management Plan. This suspension was continued in proclamation FF-8-2021.

NCMFC Rule 15A NCAC 03J .0501 Definitions and Standards for Pound Nets and Pound Net Sets

Continued suspension of portions of this rule is for an indefinite period. This allows the division to increase the minimum mesh size of escape panels for flounder pound nets in

accordance with Amendment 2 of the North Carolina Southern Flounder Fishery Management Plan. This suspension was implemented in proclamation M-34-2015.

NCMFC Rule 15A NCAC 03M .0519 Shad & 03Q .0107 Special Regulations: Joint Waters

Continued suspension of portions of these rules is for an indefinite period. This allows the division to change the season and creel limit for American shad under the management framework of the North Carolina American Shad Sustainable Fishery Plan. These suspensions were continued in Proclamation FF-8-2021.