SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SAVANNAH, GEORGIA

MARCH 9, 2012

SUMMARY OF APPROVED COUNCIL MOTIONS

SNAPPER GROUPER

The Council approved the following motions relative to Snapper Grouper:

Amendment 18A

MOTION #1: DIRECTED STAFF TO PREPARE A DOCUMENT TO ALLOW FOR TRANSFERABILITY OF ENDORSEMENTS AND ADDRESS THE RENEWAL OF ENDORSEMENTS SEPARATELY FROM THE SNAPPER GROUPER PERMIT AND BRING THIS TO THE COUNCIL FOR FINAL ACTION AT THE JUNE 2012 MEETING.

****Intent is to include addressing issue of renewal of expired vs non-expired endorsements****

MOTION #2: DEVELOP AN EMERGENCY RULE TO DELAY THE OPENING OF THE COMMERCIAL BSB SEASON UNTIL AMENDMENT 18A IS IN PLACE BUT NO LATER THAN JULY 1, 2012.

Regulatory Amendment 12 (Golden Tilefish)

MOTION #3: ADOPT ALTERNATIVE 5 UNDER ACTION 1 AS THE PREFERRED ALTERNATIVE.

Action 1. Revise Annual Catch Limit (ACL) and Optimum Yield (OY) for Golden Tilefish.

Alternative 5. ACL = OY = yield at 75%FMSY when stock is at equilibrium (625,000 pounds ww).

MOTION #4: DO NOT SET AN ACT FOR THE COMMERCIAL SECTOR GOLDEN TILEFISH ACL.

MOTION #5: REQUEST THAT NMFS REOPEN THE GOLDEN TILEFISH COMMERCIAL FISHERY ON SEPTEMBER 1, 2012.

MOTION #6: RECONSIDER THE MOTION TO OPEN THE GOLDEN TILEFISH COMMERCIAL FISHERY ON SEPTEMBER 1, 2012.

MOTION #7: REQUEST THAT NMFS REOPEN THE GOLDEN TILEFISH COMMERCIAL FISHERY IN LATE AUGUST 2012.

MOTION #8: APPROVE REGULATORY AMENDMENT 12 FOR FORMAL REVIEW BY SECRETARY OF COMMERCE.

MOTION #9: DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE.

MOTION #10: GIVE THE STAFF AND COUNCIL CHAIR EDITORIAL LICENSE TO MAKE CHANGES AND CORRECTIONS TO THE DOCUMENT AND CODIFIED TEXT AS NECESSARY.

Amendment 18B/EA (Golden Tilefish)

MOTION #11: ACCEPT THE IPT'S RECOMMENDATIONS FOR THE NEW PURPOSE AND NEED (AS FOLLOWS):

Purpose for Action: *The purpose of Amendment 18B is to limit participation in the golden tilefish portion of the snapper grouper fishery through establishment of longline endorsements, changes to the fishing year, allocation of the Annual Catch Limit (ACL) between gear groups, and modifications to golden tilefish trip limits. The actions proposed in this amendment will address issues that have arisen as a result of a more stringent regulatory regime in the South Atlantic region.*

Need for Action: *The need for action in Amendment 18B is to reduce overcapacity in the golden tilefish portion of the snapper grouper.*

MOTION #12: ACCEPT THE IPT'S RECOMMENDATIONS TO CHANGE LANGUAGE IN ACTION 1, SELECT ALTERNATIVE 2 (AS WELL AS SUB-ALTERNATIVE 2A) AS THE PREFERRED ALTERNATIVES, AND REMOVE CONSIDERATION OF A HOOK-AND LINE ENDORSEMENT FOR THE GOLDEN TILEFISH FISHERY.

Action 1. Limit Participation in the Golden Tilefish Component of the Snapper Grouper Fishery.

Alternative 2 (preferred). Limit golden tilefish effort through a golden tilefish gear endorsement program: Distribute golden tilefish gear specific endorsements for snapper grouper permit holders that qualify under the eligibility requirements stated below. Only snapper grouper permit holders with a golden tilefish longline endorsement or a golden tilefish hook-and-line endorsement associated with their snapper grouper permit will be allowed to possess golden tilefish.

Sub-alternative 2a(preferred). Individuals that meet the qualifying criteria for both hook-and-line and longline endorsements may receive both endorsements.

MOTION #13: GIVE STAFF DIRECTION TO CHANGE THE LANGUAGE IN ACTION 1 (ABOVE) TO REFLECT THE COUNCIL'S INTENT TO LOOK AT ESTABLISHING AN ENDORSEMENT PROGRAM FOR THE GOLDEN TILEFISH LONGLINE FISHERY.

MOTION #14: MOVE ACTION 2 TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 2. Establish Initial Eligibility Requirements for a Golden Tilefish Hook and Line Endorsement

MOTION #15: ADD A NEW SUB-ALTERNATIVE UNDER ACTION 3 AS FOLLOWS: TO RECEIVE A GOLDEN TILEFISH LONGLINE ENDORSEMENT, THE INDIVIDUAL MUST HAVE AN AVERAGE OF 5,000 POUNDS GW GOLDEN TILEFISH CAUGHT (WITH LONGLINE GEAR) FOR THE BEST 3 YEARS WITHIN THE PERIOD 2006 THROUGH 2010.

Action 3. Establish Initial Eligibility Requirements for a Golden Tilefish Longline Endorsement

MOTION #16: ADD TWO ALTERNATIVES SIMILAR TO ABOVE (ONE WITH 5,000 POUNDS AND ONE WITH 10,000 POUNDS) BUT ALSO INCLUDE 2011.

MOTION #17: GIVE EDITORIAL LICENSE TO STAFF TO CLEAN UP ALTERNATIVES UNDER ACTION 5 TO REFLECT THE ADOPTION OF AN ACT IN REGULATORY AMENDMENT 12. (*Ultimately there was not an ACT included in Regulatory Amendment 12).*

Action 5. Allocate Commercial Golden Tilefish Quota Among Gear Groups.

MOTION #18: MOVE ALTERNATIVE 3 UNDER ACTION 6 TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 6. Allow for Transferability of Golden Tilefish Endorsements.

Alternative 3. A valid or expired hook-and-line golden tilefish endorsement can be transferred between any two individuals or entities that hold, or simultaneously obtain, a valid or renewable unlimited Federal commercial snapper grouper permit.

Sub-alternative 3a. Transferability allowed upon program implementation.

Sub-alternative 3b. Transferability not allowed during the first 2 years of the program.

MOTION #19: MOVE ALTERNATIVE 4 UNDER ACTION 6 TO THE CONSIDERED BUT REJECTED APPENDIX.

~~*Alternative 4. A valid or expired hook and line and longline golden tilefish endorsement can be transferred between any two individuals or entities that hold, or simultaneously obtain, a valid or renewable unlimited Federal commercial snapper grouper permit, regardless of the gear endorsement category.*~~

~~*Sub-alternative 4a. Transferability allowed upon program implementation.*~~

~~*Sub-alternative 4b. Transferability not allowed during the first 2 years of the program.*~~

MOTION #20: DIRECT STAFF TO CHANGE THE TITLE OF ACTION 9 AND EDIT ALTERNATIVES ACCORDINGLY.

Action 9. Establish Trip Limits for Fishermen Who Do Not Receive a Golden Tilefish Endorsement.

MOTION #21: CHANGE THE PREFERRED ALTERNATIVE UNDER ACTION 9 TO ALTERNATIVE 4.

Alternative 4 (preferred). Establish trip limits of 500 pounds gw for the golden tilefish hook-and-line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook-and-line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit.

MOTION #22: MOVE ACTION 10 TO THE CONSIDERED BUT REJECTED APPENDIX.

Action 10. Establish Trip Limits for Fishermen Who Receive a Golden Tilefish Hook-and-Line Endorsement.

MOTION #23: MOVE ACTION 11 TO THE CONSIDERED BUT REJECTED APPENDIX *(This action was approved in Regulatory Amendment 12).*

Action 11. Revise the Annual Catch Limit (ACL) and Optimum Yield (OY) for Golden Tilefish.

MOTION #24: MOVE ACTION 12 TO THE CONSIDERED BUT REJECTED APPENDIX *(This action was approved in Regulatory Amendment 12)..*

Action 12. Revise Accountability Measures (AMs) for Golden Tilefish.

Amendment 20B (Wreckfish ITQ)

MOTION #25: POSTPONE ACTION ON AMENDMENT 20B UNTIL 2013 OR LATER.

ECOSYSTEM-BASED MANAGEMENT

The Council approved the following motions relative to Ecosystem-Based Management:

MOTION #1: MOVE THE RECREATIONAL TAG PROGRAM MEASURE TO CE-BA 4 AND MOVE THE DESIGNATION OF THE SNAPPER LEDGE AS AN MARINE PROTECTED AREA TO CE-BA 5 OR FUTURE AMENDMENT.

MOTION #2: DROP AFRICAN POMPANO FROM FURTHER CONSIDERATION.

MOTION #3: WAIT TO CONSIDER MEASURES FOR HOGFISH AND GRAY TRIGGERFISH UNTIL AFTER THE 2013 ASSESSMENTS.

MOTION #4: INCLUDE ITEMS 1, 3, AND 9 IN CE-BA 3 AND APPROVE THE DISTRIBUTION OF WORK TO COMMITTEES AS SHOWN IN THE ACTIONS BELOW.

Action 1. Expand Coral HAPCs - Ecosystem Committee.

Action 3. Establish MPAs across the mid-shelf and designate HAPCs for speckled hind and Warsaw grouper - Snapper Grouper Committee.

Action 9. Modify permits and data reporting (commercial and for-hire) to ensure ACLs are not exceeded - Data Collection Committee.

MOTION #5: INCLUDE THE RANGE OF ALTERNATIVES PRESENTED FOR THE NORTHERN EXTENSION OF OCULINA HAPC, INCLUDING THE CORAL AP RECOMMENDATION.

The current northern boundary of the Oculina HAPC (28° 30'N) would extend to 29° 43.5'W. The west and east boundaries would follow the:

- *60 meter and 100 meter depth contour lines*
- *70 meter and 90 meter depth contour lines*
- *70 meter and 100 meter depth contour lines*
- *60 meter and 90 meter depth contour lines*

MOTION #6: ADOPT THE CORAL AP RECOMMENDATION FOR EXTENDING THE OCULINA WESTERN BOUNDARY AS AN ALTERNATIVE.

From 28° 4.5'N to the north boundary of the current Oculina HAPC (28° 30'N). The east boundary would coincide with the current western boundary of the Oculina HAPC (80° W). The west boundary would follow the 60 meter contour line.

MOTION #7: INCLUDE A TRANSIT PROVISION AS AN ALTERNATIVE AS DEFINED BY THE LAW ENFORCEMENT AP.

- *Consult 622.35 (i)(2) CFR reference for stowing gear and transit provision*
- *The Law Enforcement AP favors using stowing of gear instead of corridors for transiting closed areas in addition to speed restrictions (i.e., no less than 5 knots)*
- *In the event minimal speed is not sustainable, vessel must communicate to appropriate contact*

MOTION #8: FOR THE STETSON-MIAMI TERRACE HAPC, INCLUDE THE CORAL AP RECOMMENDATION AS AN ALTERNATIVE, THE STAFF RECOMMENDATION AS AN ALTERNATIVE, AND NO ACTION ALTERNATIVE.

Coral AP recommendation: Area west of the existing Stetson-Miami Coral HAPC bounded approximately by the 200 meter depth contour between latitude 30°45.0' to the north and latitude 29°52.0' to the south.

Staff recommendation: Modify the Coral AP recommendation by including the area of mapped habitat within the proposed extension of Stetson-Miami Terrace Coral HAPC, and excluding the areas of royal red fishery activity based on VMS data (Figure 5 in CE-BA 3 Decision Document).

MOTION #9: ACCEPT STAFF RECOMMENDATION (FOR EXTENSION OF CAPE LOOKOUT HAPC) AND NO ACTION AS ALTERNATIVES FOR ADVISORY PANEL INPUT AND IPT ANALYSIS.

Extend the northern boundary of Cape Lookout Coral HAPC to encompass the area identified by the following coordinates:

Latitude	*Longitude*
34°24.6166'	*75°45.1833'*
34°23.4833'	*75°43.9667'*
34°27.9'	*75°42.75'*
34°27.0'	*75°41.5'*

GOLDEN CRAB

The Council approved the following motions relative to golden crab:

MOTION #1: DELETE ITEM #7 OF PURPOSE AND NEED.

Item 7. Promote management regimes that minimize gear and area conflicts among fishermen;

MOTION #2: CHANGE THE PREFERRED ALTERNATIVE UNDER ACTION 2 TO ALTERNATIVE 5 AND ELIMINATE THE TWO SUB-ALTERNATIVES 5A AND 5B.

Action 2. Initial apportionment of catch shares.

Alternative 5 (preferred). Distribute 25% of initial catch shares equally among eligible participants and distribute 75% of initial catch shares among eligible participants based on the aggregate annual golden crab landings from logbooks associated with their current permit(s) during the time period 1997 through 2010,

~~*Sub-alternative 5a. To receive catch shares distributed equally among eligible participants, aggregate golden crab logbook landings from 1997 through 2010 associated with an eligible participant's current permit must equal or exceed 25,000 pounds.*~~

~~*Sub-alternative 5b. To receive catch shares distributed equally among eligible participants, aggregate golden crab logbook landings from 1997 through 2010 associated with an eligible participant's current permit must equal or exceed 50,000 pounds.*~~

MOTION #3: ADD A NEW ALTERNATIVE 7 UNDER ACTION 2 AS FOLLOWS: ACTION 7 - DISTRIBUTE INITIAL APPORTIONMENT OF CATCH SHARES THROUGH AN AUCTION. ALL ELIGIBLE ENTITIES AS DETERMINED IN ACTION 1 WOULD BE ABLE TO PARTICIPATE.

MOTION #4: SELECT ALTERNATIVES 2 AND 2D UNDER ACTION 3 AS THE PREFERRED ALTERNATIVES AND ADD THE FOLLOWING LANGUAGE "IF THE AMOUNT OF SET-ASIDE FOR APPEALS IS EXCEEDED, THEN THE SHARES AND ANNUAL POUNDS OF ALL IFQ SHAREHOLDERS WOULD BE PROPORTIONATELY ADJUSTED".

Action 3. Establish criteria and structure of an appeals process.

Alternative 2 (preferred). A percentage of the golden crab shares for the initial fishing year under the program will be set-aside to resolve appeals for a period of 90-days starting on the effective date of the final rule. The Regional Administrator (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. The RA will determine the outcome of appeals based on NMFS' logbooks. If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to support their appeal. If the amount of set-aside for appeals were exceeded, then the shares and annual pounds of all IFQ shareholders would be proportionately adjusted. After the appeals process has been terminated, any amount remaining from the set-aside will be distributed back to remaining shareholders according to the redistribution method selected under Action 2.

Sub-alternative 2d (preferred). Two percent of golden crab shares will be set aside for appeals.

MOTION #5: ADD THE WORD "VALID" BEFORE "GOLDEN CRAB PERMIT" IN ALTERNATIVES 2 & 3; ADD THE FOLLOWING TO ALTERNATIVES 2 AND 3: "PARTICIPANTS CANNOT POSSESS SHARES OR ALLOCATION WITHOUT A VALID GOLDEN CRAB PERMIT"; AND DESIGNATE ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE UNDER ACTION 4.

Action 4. Establish criteria for transferability.

Alternative 2 (preferred). Shares or annual pounds can only be transferred to "valid" golden crab permit holders. "Participants cannot possess shares or allocation without a valid golden crab permit".

Alternative 3. Shares or annual pounds can only be transferred to "valid" golden crab permit holders during the first five years of the catch share program and all U.S. citizens and permanent resident aliens thereafter. "Participants cannot possess shares or allocation without a valid golden crab permit".

MOTION #6: REWORD ALTERNATIVES 2 AND 3 UNDER ACTION 6, ADD A NEW ALTERNATIVE 4 AS PER STAFF RECOMMENDATIONS AND CHOOSE ALTERNATIVES 4 AND 4A AS THE PREFERRED ALTERNATIVES.

Action 6. Use it or lose it policy.

Alternative 2. Shares that remain inactive for 3 consecutive years will be revoked and redistributed proportionally among the remaining shareholders.
Sub-alternative 2a. Inactive is defined as landings less than 10% of a shareholder's annual pounds allocated in sum over a 3-year running average.
Sub-alternative 2b. Inactive is defined as landings and/or transfer of annual pounds less than 10% of a shareholder's annual pounds allocated in sum over a 3-year running average.

Alternative 3. Shares that remain inactive for 3 consecutive years will be revoked and redistributed proportionally among the remaining shareholders.
Sub-alternative 3a. Inactive is defined as landings less than 30% of a shareholder's annual pounds allocated in sum over a 3-year running average.
Sub-alternative 3b. Inactive is defined as landings and/or transfer of annual pounds less than 30% of a shareholder's annual pounds allocated in sum over a 3-year running average.

Alternative 4 (preferred). Shares that remain inactive for 3 consecutive years will be revoked and redistributed proportionally among the remaining shareholders.
Sub-alternative (preferred) 4a. Inactive is defined as landings less than 20% of a shareholder's annual pounds allocated in sum over a 3-year running average.
Sub-alternative 4b. Inactive is defined as landings and/or transfer of annual pounds less than 20% of a shareholder's annual pounds allocated in sum over a 3-year running average.

MOTION #7: IF AN INDIVIDUAL DOES NOT LAND AT LEAST 20% OF THEIR SHARES, THE PERCENTAGE SHORT OF 20% WOULD BE RETURNED TO THE POOL TO BE DISTRIBUTED TO THE OTHER PERMIT HOLDERS PROPORTIONALLY ACCORDING TO THE INITIAL DISTRIBUTION, NOT INCLUDING THE PERSON THAT IS LOSING THE PERCENTAGE OF THEIR SHARES. *(wording of this motion to be revisited by the IPT and Council).*

MOTION #8: UNDER ACTION 7, CHANGE THE PREFERRED ALTERNATIVE FROM 2B TO 2A AND SELECT ALTERNATIVES 2, 3 & 4 AS PREFERRED ALTERNATIVES.

Action 7. Cost recovery plan

Alternative 2 (preferred). Cost recovery fees would be calculated at time of sale at a registered dealer:
Sub-alternative 2a. Cost recovery fees would be based on actual ex-vessel value of landings.
Sub-alternative 2b. Cost recovery fees would be based on standard ex-vessel value of landings, as calculated by NMFS.

Alternative 3 (preferred). Fee collection and submission shall be the responsibility of the:
Sub-alternative 3a. Shareholder.
Sub-alternative 3b (preferred). Dealer.

Alternative 4 (preferred). Fees submitted to NMFS:
Sub-alternative 4a (preferred). Quarterly
Sub-alternative 4b. Monthly
Sub-alternative 4c. Annually

MOTION #9: UNDER ACTION 8, APPROVE THE IPT RECOMMENDATION: RENAME THIS ACTION FROM "ESTABLISH BOAT LENGTH LIMIT RULE" TO "REVISE BOAT LENGTH LIMIT RULE"; ADD A NEW ALTERNATIVE 3 FROM THE ADVISORY PANEL; AND CHOOSE THE NEW ALTERNATIVE 3 AS THE PREFERRED ALTERNATIVE.

Action 8. ~~Establish boat length limit rule~~ Revise boat length limit rule.

Alternative 3 (preferred). To obtain a permit for the middle or southern zone via transfer, the documented length overall of the replacement vessel may not exceed the documented length overall, or aggregate documented lengths overall, of the replaced vessel(s) by more than 35 percent.

MOTION #10: MAKE ALTERNATIVE 2 THE PREFERRED ALTERNATIVE UNDER ACTION 9.

Action 9. ~~Restrictions on where permitted vessels can fish for golden crab.~~ Modify regulations on golden crab fishing zones.

Alternative 2 (preferred). Participants can use quota in any zone for which they possess a permit.

MOTION #11: CHANGE THE NAME OF ACTION 9 TO "MODIFY REGULATIONS ON GOLDEN CRAB FISHING ZONES."

MOTION #12: REVISE THE NO ACTION ALTERNATIVE AS RECOMMENDED BY THE IPT AND DESIGNATE ALTERNATIVE 2 IN ACTION 10 AS THE PREFERRED ALTERNATIVE.

Action 1. No action

Alternative 1. No Action. ~~Do not eliminate the small vessel sub-zone within the southern zone that was originally established to protect against very large vessels fishing in the sub-zone.~~ Do not modify the small vessel sub-zone restriction. The small vessel sub-zone was originally established to protect against very large vessels fishing in the sub-zone. In the small vessel sub-zone within the southern zone, no vessel with a documented length overall greater than 65 ft (19.8 m) may fish for golden crab. The small vessel subzone is bounded on

the north by 24°15' N. lat., on the south by 24°07' N. lat., on the east by 81°22' W. long., and on the west by 81°56' W. long.

Alternative 2 (preferred). Eliminate the small vessel sub-zone within the southern zone that was originally established to protect against very large vessels fishing in the subzone.

MOTION #13: ADOPT THE IPT'S RECOMMENDED LANGUAGE CHANGES AS FOLLOWS: RENAME ACTION 11 AS "MODIFY 'ONE VESSEL, ONE PERMIT' POLICY FOR GOLDEN CRAB"; CHANGE THE ALTERNATIVES AS RECOMMENDED BY THE IPT (DELETE ALTERNATIVE 3); AND CHOOSE ALTERNATIVE 2, SUB-ALTERNATIVE 2B AS THE PREFERREDS.

Action 11. Modify 'one vessel, one permit' policy for golden crab.

Alternative 1. No Action. Do not modify 'one vessel, one permit' policy for golden crab.

Alternative 2 (preferred). Allow multiple permits to be issued to one vessel so that any zones for which the vessel has a permit can be fished in one trip.
Sub-alternative 2a. Two permits per vessel
Sub-alternative 2b (preferred). Three permits per vessel

~~*Alternative 3. Allow an unlimited amount of golden crab permits on a single vessel so that any zones for which the vessel has a permit can be fished in one trip.*~~

MOTION #14: SELECT ALTERNATIVE 2, SUB-ALTERNATIVE 2C AS THE PREFERREDS UNDER ACTION 12.

Action 12. Monitoring and enforcement.

Alternative 2 (preferred). Require all fishing vessels engaged in the golden crab catch share program to be equipped with VMS. The purchase, installation, and maintenance of VMS equipment must conform to the protocol established by NMFS in the Federal Register.
Sub-alternative 2c (preferred). The purchase of VMS equipment will be reimbursed by the National OLE VMS reimbursement account if funding is available. Installation, maintenance, and communication costs will be paid for or arranged by the shareholder.

MOTION #15: MOVE ACTION 13 TO CONSIDERED BUT REJECTED APPENDIX (OLD AND NEW WORDING).

Action 13. Establish criteria for new entrants program.

MOTION #16: SELECT ALTERNATIVE 3 UNDER ACTION 14 AS THE PREFERRED ALTERNATIVE (AS PER THE ADVISORY PANEL'S RECOMMENDATION).

Action 14. Annual pounds overage.

Alternative 3 (preferred). A person on board a vessel with the shareholder's only remaining golden crab annual pounds may exceed, by up to 20%, the shareholder's annual pounds remaining on the last fishing trip of the year. Shareholders who incur an overage will be required to pay back the annual pounds overage in the subsequent fishing year.

MOTION #17. SELECT ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE WITH THE CURRENT SUB-ALTERNATIVE 2A AS THE PREFERRED SUB-ALTERNATIVE.

Action 15. Approved landing sites.

Alternative 2 (preferred). Establish approved landing sites for the golden crab catch share program. All participants must land at an approved landing site to participate in the program:

Sub-alternative 2a (preferred). Approved landing sites will be selected by fishermen but must be approved by NMFS Office of Law Enforcement (OLE) in consultation with the appropriate state law enforcement agency prior to use.

MOTION #18: ACCEPT THE FOLLOWING WORDING CHANGE: REVISING THE WORDING FROM "VALID GOLDEN CRAB PERMIT" TO "VALID OR RENEWABLE GOLDEN CRAB PERMIT" IN ACTIONS 1 AND 4.

MOTION #19: ADD THE FOLLOWING ACTION (DEFINE ANNUAL POUNDS OWNERSHIP CAPS) INTO AMENDMENT 6 AND SELECT ALTERNATIVE 2 AS A PREFERRED ALTERNATIVE.

Action 13 (new Action 13). Define annual pounds ownership caps.

Alternative 1. No Action. Do not identify annual pounds ownership caps

Alternative 2 (preferred). Set the annual pounds cap equal to the corresponding share cap as defined in the "Define quota share ownership caps" action (Action 5) times the annual quota. For any single fishing year, no person shall possess annual pounds in an amount that exceeds the annual pounds cap. Anyone receiving annual pounds in excess of the annual pounds ownership cap would not be able to purchase additional annual pounds. Anyone receiving annual pounds that were less than the annual pounds ownership cap could purchase additional annual pounds up to the amount of the annual pounds ownership cap.

Alternative 3. Set the annual pounds cap equal to:

Sub-alternative 3a. The share cap specified in Action 5 plus 1% times the annual quota.
Sub-alternative 3b. The share cap specified in Action 5 plus 5% times the annual quota.
Sub-alternative 3c. The share cap specified in Action 5 plus 10% times the annual quota.

MOTION #20: IN ORDER FOR A PERMIT HOLDER TO QUALIFY TO EXPRESS THEIR INTEREST IN AMENDMENT 6, THEIR PERMIT MUST HAVE LANDINGS IN 2 0F THREE YEARS (2008 THROUGH 2010); QUALIFYING PERMITS (HOLDERS) ARE

ALLOWED TO EXPRESS THEIR INTEREST ONCE FOR EACH QUALIFYING PERMIT THEY HOLD; THE COUNCIL WILL SEND A LETTER AND THE INDIVIDUALS ARE TO PROVIDE INPUT PRIOR TO MAY 18, 2012.

MOTION #21: THE STATUS OF GOLDEN CRAB PERMITS (IN MOTION #20 ABOVE) TO BE CONSIDERED AS OF YESTERDAY (3/8/12).

MACKEREL

The Council approved the following motion relative to mackerel:

Amendment 19

MOTION #1: APPROVE THE AMENDMENT 19 SCOPING DOCUMENT, WITH THE CHANGES BELOW, TO TAKE OUT TO PUBLIC SCOPING.

Action 1. Permits for Coastal Migratory Pelagic (CMP) species.
Option 1. No Action. Retain a single commercial king mackerel permit and a single commercial Spanish mackerel permit. Retain Gulf and South Atlantic Coastal Migratory Pelagic (CMP) charter/headboat permits.
Option 2. Create a single commercial cobia permit.
Added Options 3 & 4 as follows:
Option 3. Modify the Spanish mackerel permit to be a Spanish mackerel/cobia permit.
Option 4. Allow individuals with the following permits to sell cobia: king & spanish mackerel/reeffish/snapper grouper/dolphin wahoo
(Directed staff to clarify whether the income requirements would be used.)

Action 2. Potential No Sale Provisions.
(Modified Options 4 & 5 to read):
Option 4. For a person aboard a vessel to be eligible to sell cobia in or from the EEZ of the Atlantic or Gulf of Mexico, a commercial vessel cobia permit must have been issued to the vessel and must be on board.
Option 5. Allow commercial sale of cobia with either a king mackerel or Spanish mackerel commercial permit.

Action 3. Future participation in the commercial king and Spanish mackerel fisheries.
3.1 Elimination of latent permits.
3.1.1 In the Gulf group king mackerel gillnet sector - no change.
3.1.2 In the king mackerel hook-and-line sector - no change.

Action 4. Federal Regulatory Compliance - no change.

Action 5. Modify or Eliminate Income Requirements for Gulf and South Atlantic Commercial Coastal Migratory Pelagic Permits - no change.

Action 6. Spanish mackerel gillnet endorsement.

(Directed staff to add the No Action alternative).

Amendment 20

MOTION #2: UNDER ACTION 6, ADD AN OPTION 5 AS FOLLOWS: ESTABLISH A COMMERCIAL QUOTA FOR THE MID-ATLANTIC COUNCIL AREA FOR KING & SPANISH MACKEREL AND COBIA.

MOTION #3: APPROVE THE AMENDMENT 20 SCOPING DOCUMENT, AS MODIFIED, FOR SCOPING.

SPINY LOBSTER

The Council approved the following motions relative to spiny lobster:

MOTION #1: APPROVE THE AREA MODIFICATIONS FOR AREAS 2, 15 AND 30 UNDER ACTION 1.

Modifications: The areas were split into smaller areas that encompass identified coral colonies, but reduce the amount of non-coral habitat within the closure. The updated waypoints and maps are included in Spiny Lobster Amendment 11.

MOTION #2: SEND AMENDMENT 11 TO THE SECRETARY OF COMMERCE FOR REVIEW AND APPROVAL; DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE; AND GIVE STAFF AND COUNCIL CHAIR EDITORIAL LICENSE TO MAKE CHANGES AS NECESSARY.

CATCH SHARES

The Council approved the following motions relative to catch shares:

The Council disapproved the first motion made, which was to initiate the development of an amendment to institute a voluntary IFQ program based on the proposal offered by the South Atlantic Fisherman's Association.

MOTION #1: THE COUNCIL INITIATE ANALYSIS OF THE SAFA'S PROPOSAL FOR A VOLUNTARY IFQ PROGRAM.

DATA COLLECTION

The Council approved the following motions relative to data collection:

MOTION #1: ADOPT REVISED WORDING FOR THE PURPOSE.

Revised wording: To change the current reporting requirements for those individuals or organizations that purchase species contained in fishery management plans managed by the Gulf of Mexico and South Atlantic Fishery Management Councils.

MOTION #2: ADOPT REVISED WORDING FOR NEED BY ADDING "AND FISHERMEN".

To ensure landings of managed fish stocks are below annual catch limits, improvements are needed to the accuracy, completeness, consistency, and timeliness of data submitted by federally-permitted seafood dealers. This action will aid in achieving the optimum yield from each fishery while reducing (1) undue socioeconomic harm to dealers AND FISHERMEN and (2) administrative burdens to fishery agencies.

MOTION #3: UNDER ACTION 1, ADOPT THE IPT RECOMMENDATION TO DELETE OPTION 2A UNDER ALTERNATIVE 2.

Alternative 2. Establish one universal Federal dealer permit.

Option 2a. Require a universal dealer permit to purchase species that currently require dealer permits. The universal dealer permit would be required to purchase species in the following fishery management plans:

- *Atlantic Dolphin-Wahoo*
- *Gulf of Mexico Reef Fish*
- *South Atlantic Golden Crab*
- *South Atlantic Rock Shrimp*
- *South Atlantic Snapper Grouper (including wreckfish)*

MOTION #4: REMOVE SOUTH ATLANTIC CORAL AND SARGASSUM FROM OPTIONS 2B & 2C.

Alternative 2. Establish one universal Federal dealer permit.

Option 2b. Require a universal dealer permit to purchase all federally managed species. The universal dealer permit would be required to purchase species in the following fishery management plans:

- *Atlantic Dolphin-Wahoo*
- *Gulf of Mexico Reef Fish*
- *South Atlantic Golden Crab*
- *South Atlantic Rock Shrimp*
- *South Atlantic Snapper Grouper (including wreckfish)*
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Coral and Coral Reefs*

- *Gulf of Mexico Red Drum*
- *Gulf of Mexico Shrimp*
- ~~*South Atlantic Coral, Coral Reef, and Live/Hardbottom*~~
- ~~*South Atlantic Sargassum*~~
- *South Atlantic Shrimp*
- *Gulf of Mexico Shrimp*

Option 2c. Require a universal dealer permit to purchase all federally-managed species, except shrimp species. The universal dealer permit would be required to purchase species in the following fishery management plans:

- *Atlantic Dolphin-Wahoo*
- *Gulf of Mexico Reef Fish*
- *South Atlantic Golden Crab*
- *South Atlantic Rock Shrimp*
- *South Atlantic Snapper Grouper (including wreckfish)*
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Coral and Coral Reefs*
- *Gulf of Mexico Red Drum*
- ~~*South Atlantic Coral, Coral Reef, and Live/Hardbottom*~~
- ~~*South Atlantic Sargassum*~~

MOTION #5: ADOPT THE IPT RECOMMENDATION TO DELETE ALTERNATIVE 3, OPTION 3A AND TO REMOVE SOUTH ATLANTIC CORAL AND SARGASSUM FROM OPTIONS 3B & 3C.

~~*Alternative 3. Establish separate Gulf of Mexico and South Atlantic Federal dealer permits.*~~

~~*Option 3a. Require dealer permits to purchase species that currently require dealer permits. Dealer permits would be required to purchase species in the following fishery management plans:*~~

- ~~*Atlantic Dolphin-Wahoo*~~
- ~~*Gulf of Mexico Reef Fish*~~
- ~~*South Atlantic Golden Crab*~~
- ~~*South Atlantic Rock Shrimp*~~
- ~~*South Atlantic Snapper Grouper (including wreckfish)*~~

Option 3b. Require dealer permits to purchase all federally managed species. Dealer permits would be required to purchase species in the following fishery management plans:

- *Atlantic Dolphin-Wahoo*

- *Gulf of Mexico Reef Fish*
- *South Atlantic Golden Crab*
- *South Atlantic Rock Shrimp*
- *South Atlantic Snapper Grouper (including wreckfish)*
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Coral and Coral Reefs*
- *Gulf of Mexico Red Drum*
- *Gulf of Mexico Shrimp*
- ~~*South Atlantic Coral, Coral Reef, and Live/Hardbottom*~~
- ~~*South Atlantic Sargassum*~~
- *South Atlantic Shrimp*
- *Gulf of Mexico Shrimp*

Option 3c. Require dealer permits to purchase all federally-managed species, except shrimp species. Dealer permits would be required to purchase species in the following fishery management plans:

- *Atlantic Dolphin-Wahoo*
- *Gulf of Mexico Reef Fish*
- *South Atlantic Golden Crab*
- *South Atlantic Rock Shrimp*
- *South Atlantic Snapper Grouper (including wreckfish)*
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Coral and Coral Reefs*
- *Gulf of Mexico Red Drum*
- ~~*South Atlantic Coral, Coral Reef, and Live/Hardbottom*~~
- ~~*South Atlantic Sargassum*~~

MOTION #6: UNDER ACTION 2, REWORD ALTERNATIVES 2 & 3, OPTIONS 2C & 3C TO READ "FORMS MUST BE SUBMITTED EITHER WEEKLY OR DAILY AS DETERMINED BY THE SRD".

Alternative 2. Require forms be submitted via fax or electronically.

Option 2c. Weekly or daily. Forms must be submitted once a week, with the ability to increase to daily as determined by the SRD as landings approach the ACL. FORMS MUST BE SUBMITTED EITHER WEEKLY OR DAILY AS DETERMINED BY THE SRD.

Alternative 3. Require forms be submitted electronically.

Option 3c. Weekly or daily. Forms must be submitted once a week, with the ability to increase to daily as determined by the SRD as landings approach the ACL. FORMS MUST BE SUBMITTED EITHER WEEKLY OR DAILY AS DETERMINED BY THE SRD.

MOTION #7: MODIFY ALTERNATIVES 2 & 3, OPTIONS 2E & 3E TO READ "FORMS MUST BE SUBMITTED EITHER BI-WEEKLY OR WEEKLY AS DETERMINED BY THE SRD".

Alternative 2. Require forms be submitted via fax or electronically.

Option 2e. FORMS MUST BE SUBMITTED EITHER BI-WEEKLY OR WEEKLY AS DETERMINED BY THE SRD.

Alternative 3. Require forms be submitted electronically.

Option 3e. FORMS MUST BE SUBMITTED EITHER BI-WEEKLY OR WEEKLY AS DETERMINED BY THE SRD.

MOTION #8: CHANGE THE TITLE OF ACTION 3 TO "REQUIREMENTS TO MAINTAIN A DEALER PERMIT".

Action 3. ~~Penalties for Failure to Report.~~ Requirements to maintain a dealer permit.

MOTION #9: ADD AN ALTERNATIVE TO ACTION 3 THAT STATES "FOR THE FIRST INFRACTION A FINE IN ACCORDANCE WITH NOAA GC PENALTY SCHEDULE IS ADMINISTERED".

MOTION#10: ADD AN ALTERNATIVE TO ACTION 3 TO READ: A DEALER WOULD ONLY BE AUTHORIZED TO RECEIVE COMMERCIALLY HARVESTED SPECIES IF THE DEALER'S PREVIOUS REPORTS HAVE BEEN SUBMITTED BY THE DEALER AND RECEIVED BY NMFS IN A TIMELY MANNER. ANY DELIQUENT REPORTS. WOULD NEED TO BE SUBMITTED BY THE DEALER AND RECEIVED BY NMFS BEFORE A DEALER COULD RECEIVE COMMERCIALLY HARVESTED SPECIES FROM A FEDERALLY PERMITTED U.S. VESSEL.

MOTION#11: REMOVE ALTERNATIVE 4 UNDER ACTION 3.

Alternative 4. "No purchase forms" must be submitted at the same frequency, via the same process, and for the same species as specified for "purchased forms" in Actions 1 and 2. If neither a "form" nor a "no purchase form" is submitted, NOAA Fisheries shall repeal a dealer permit after the first reporting violation.

MOTION #12: APPROVE THE DOCUMENT AS MODIFIED FOR THE GULF COUNCIL TO TAKE TO SCOPING.

MOTION#13: DIRECT STAFF TO DEVELOP THE FOLLOWING ITEMS FURTHER FOR COMPREHENSIVE ECOSYSTEM-BASED AMENDMENT 3 AND BRING THEM BACK TO THIS COMMITTEE AT THE JUNE COUNCIL MEETING.

Action 1. Items to be addressed

Option 1. For-Hire Vessel Reporting

No Action

Modify as per Attachment 4

Others??

Option 2. Commercial Vessel Reporting

No Action

Modify similar to alternatives in SG Amendment 18A

Others??

Option 3. Bycatch and Discard Reporting

No Action

Implement ACCSP

Option 4. Others???

SHRIMP

The Council approved the following motions relative to shrimp:

MOTION #1: INCLUDE AN ALTERNATIVE IN ACTION 1 THAT ALLOWS A STATE TO REQUEST A CONCURRENT CLOSURE WITH INFORMATION DEMONSTRATING A DECREASE IN SHRIMP ABUNDANCE OR INFORMATION THAT WATER TEMPERATURE HAS BEEN BELOW A SPECIFIC TEMPERATURE FOR AT LEAST ONE WEEK, WITH OPTIONS FOR 7, 8, AND 9 DEGREES CENTIGRADE FOR WATER TEMPERATURE.

MOTION #2: Appoint Aaron Podey to the Shrimp Review Panel.

MOTION #3: Appoint Trish Murphey to the Shrimp Review Panel.

COUNCIL SESSION (OTHER MOTIONS)

The Council approved the following motions:

MOTION #1: ALL MATERIALS AND PRESENTATIONS TO BE PRESENTED TO THE COUNCIL MUST BE RECEIVED BY STAFF PRIOR TO THE 2ND BRIEFING BOOK DEADLINE, UNLESS APPROVED BY THE COUNCIL CHAIR.

MOTION #2: THE COUNCIL SEND A LETTER TO SEFSC REQUESTING THEY GET WITH SERO ON A PLAN TO DEAL WITH DELINQUENT LOGBOOK REPORTS AND PRESENT RESULTS AT THE JUNE COUNCIL MEETING