

Snapper Grouper Fishery of the South Atlantic Region Amendment 43



Decision Document

Background

Amendment 43 was developed beginning in June 2016 to adopt recommendations from the SSC based on the results of the SEDAR 41 assessment of the South Atlantic stock of red snapper. The original amendment included 12 actions. Since the original recommendations, the SSC and NMFS have cautioned the Council on using discard estimates to monitor and manage red snapper. After receiving this guidance, the Council reduced the number of actions in Amendment 43 from twelve to one. The actions that were removed will be considered in Amendment 46 with development starting in December 2017. The action remaining in Amendment 43 is to revise the process to establish an annual catch limit for red snapper in the South Atlantic. This action will allow for red snapper mini-seasons beginning in 2018.

Action in this amendment

- **Action 1:** Revise the Process to Determine the Annual Catch Limits (ACL) for Red Snapper.

Objectives for this meeting

- Review public comments.
- Select preferred alternative.
- Approve codified text.
- Approve amendment for Secretarial Review.

Expected amendment timing

June 2017	Council reviewed amendment and voted to send to public hearings.
August 2017	Public hearings for Snapper Grouper Amendment 43.
September 2017	Council reviews public comments, selects preferred alternative, and takes final action on Snapper Grouper Amendment 43.
October 2017	Snapper Grouper Amendment 43 sent in for Secretarial Review.

Purpose and need statement

Purpose for Actions (Revisions are recommended by IPT)

The *purpose* of Snapper Grouper Amendment 43 is to revise annual catch limits for red snapper.

Need for Actions

The *need* for the amendment is to prevent overfishing, and rebuild the red snapper stock, provide access to the red snapper fishery, and, to the extent practicable, avoid adverse social and economic effects.

IPT Recommendations

IPT input is included in the revised wording of the purpose and need. Most of the edits are minor and are made to clarify the purpose and need language.

Purpose for Actions

The *purpose* of Snapper Grouper Amendment 43 is to revise annual catch limits for red snapper **to provide fishing access**.

Need for Actions

The *need* for **Snapper Grouper Amendment 43** ~~the amendment~~ is to prevent overfishing, **and continue to** rebuild the red snapper stock, **and, to the extent practicable, reduce adverse social and economic effects as per the Magnuson Stevens Fishery Conservation and Management Act.** ~~provide access to the red snapper fishery, and, to the extent practicable, avoid adverse social and economic effects.~~

Committee Action:

- DO NOT MAKE MODIFICATIONS TO THE PURPOSE AND NEED STATEMENT

- APPROVE THE IPT'S SUGGESTED EDITS TO THE PURPOSE AND NEED STATEMENT
- PROVIDE OTHER MODIFICATIONS TO THE PURPOSE AND NEED STATEMENT
- OTHER ACTION?

Proposed Actions and Alternatives

Action 1. Revise the Process to Determine the Annual Catch Limits (ACL) for Red Snapper.

Discussion:

- Based on the results of SEDAR 41, red snapper are overfished and overfishing is occurring (terminal year 2014).
- Any annual catch limit will need to prevent overfishing and allow the population to continue to rebuild.
- Recreational bag limit (1 fish per person), commercial trip limit (75 lbs gutted weight), and no size limit would remain in place from Amendment 28.
- Recreational season would start second Friday in July (July 13, 2018) and commercial season would start second Monday in July (July 9, 2018).
- Annual catch limits in **Alternatives 2-5** included in Action 1 were developed to enable mini-seasons beginning in 2018. The alternative annual catch limits would not include an estimate of discards in determining the annual catch limit for the next year. The annual catch limits would be set at a fixed value.
- Total annual catch limits are specified in number of fish. Commercial annual catch limit is specified in whole weight. Recreational annual catch limit is specified in number of fish. The metric to track each sector's annual catch limit is based on typical reporting method for the sector.
- Annual catch limits in **Alternatives 2-5** were developed using landings data from 2012 to 2104 included in the SEFSC Red Snapper Landings Report presented to the Council each June. **Alternative 2** annual catch limit is the average landings from 2012 to 2014. **Alternative 3** annual catch limit is increased 1.88 times **Alternative 2** annual catch limit based on the change in the chevron trap survey comparing 2012 to 2014 with 2015 to 2016 (see Amendment 43 **Chapter 2.1.1** for more details on the alternatives). **Alternative 4** annual catch limit is the maximum landings from 2012 to 2014 (2014). **Alternative 5** annual catch limit is increased 1.88 times **Alternative 4** annual catch limit.
- Sector allocation used the same allocation developed in the Comprehensive ACL Amendment. 28.07% commercial and 71.93% recreational. See **Appendix K** of Amendment 43 for more details.
- The allocation is different from the draft version presented in June 2017. The June version was mistakenly calculated using landings data in SEDAR 41. Allocation was set in Comprehensive Annual Catch Limit Amendment. Any change to the allocation percent will require an action to change the allocation.
- There are two different landings scenarios provided for each alternative to calculate the season (**Tables 1 and 2**). The predicted landings scenario uses catch rates from 2012 to

2014 and high landings scenario accounts for potential increases in catch rates based on likely increases in the population (see **Chapter 4** and **Appendices N** and **O** for more details).

Table 1. Predicted closure dates (number of open days) for the recreational sector under the different proposed ACL alternatives for 2018. TBD=ACL to be determined at the June Council Meeting each year.

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
ACL	TBD	16,480 Fish	30,982 Fish	29,656 Fish	55,753 Fish
Predicted Landings	TBD	21-Jul (4)	28-Jul (7)	28-Jul (7)	15-Sep (28)
High Landings	TBD	15-Jul (2)	21-Jul (4)	21-Jul (4)	29-Jul (8)

Note: These closure dates assume the recreational sector starts on Friday, July 13, 2018. Under **Alternative 1 (No Action)**, according to preliminary estimates, the fishery has exceeded the ABC in 2017 and the ACL would be set to zero in 2018. See **Appendix O** for more details.

Table 2. Predicted closure dates for the commercial sector under the different proposed ACL alternatives for 2018. TBD= ACL to be determined at the June Council Meeting each year.

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
ACL		69,360 lbs ww	130,396 lbs ww	124,815 lbs ww	234,652 lbs ww
Predicted Landings	TBD	17-Sep	No Closure	No Closure	No Closure
High Landings	TBD	23-Aug	26-Nov	21-Oct	No Closure

Note: These closure dates assume the recreational sector starts on Monday, July 9, 2018. Under **Alternative 1 (No Action)**, according to preliminary estimates, the fishery has exceeded the ABC in 2017 and the ACL would be set to zero in 2018. See **Appendix N** for more details.

Action 1 Alternatives from June 2017 (recommended revisions after):

Alternative 1 (No action). The commercial and recreational ACLs for red snapper are zero. However, if NMFS determines that the previous year's estimated red snapper landings and dead discards are less than the ABC, a limited red snapper harvest and possession may be allowed for the current fishing year and the commercial and recreational ACL values would be determined using the formula established in Amendment 28.

Alternative 2. Remove the process and equation to specify ACL as specified in Amendment 28. Total ACL = 23,623 fish. Sector ACLs are Y and Z (*commercial 30.57% and recreational 69.43% based on weight*)

Alternative 3. Remove the process and equation to specify ACL as specified in Amendment 28. Total ACL = 42,256 fish. Sector ACLs are Y and Z (*commercial 30.57% and recreational 69.43% based on weight*)

Alternative 4. Remove the process and equation to specify ACL as specified in Amendment 28. Total ACL = 42,510 fish. Sector ACLs are Y and Z (*commercial 30.57% and recreational 69.43% based on weight*)

Alternative 5. Remove the process and equation to specify ACL as specified in Amendment 28. Total ACL = 76,041 fish. Sector ACLs are Y and Z (*commercial 30.57% and recreational 69.43% based on weight*)

IPT Recommendations:

IPT input:

- Below is the recommended language from the IPT for the alternatives.

Alternative 1 (No Action). The commercial and recreational ACLs for red snapper are zero. The process and formula established in Amendment 28 to the Fishery Management Plan of the Snapper Grouper Fishery of the South Atlantic Region (Amendment 28) specifies current fishing year annual catch limits if the National Marine Fisheries Service determines that the previous year's estimated red snapper landings and dead discards are less than the acceptable biological catch.

Alternative 2. Remove the process and equation used to determine the red snapper ACL as specified in Snapper Grouper Amendment 28. Specify a total annual catch limit equal to 23,623 fish. Commercial annual catch limit equals 69,360 pounds (whole weight) and recreational annual catch limit equals 16,480 fish.

Alternative 3. Remove the process and equation used to determine the red snapper ACL as specified in Snapper Grouper Amendment 28. Specify a total annual catch limit equal to 44,411 fish. Commercial annual catch limit equals 130,396 pounds (whole weight) and recreational annual catch limit equals 30,982 fish.

Alternative 4. Remove the process and equation used to determine the red snapper ACL as specified in Snapper Grouper Amendment 28. Specify a total annual catch limit equal to 42,510 fish. Commercial annual catch limit equals 124,815 pounds (whole weight) and recreational annual catch limit equals 29,656 fish.

Alternative 5. Remove the process and equation used to determine the red snapper ACL as specified in Snapper Grouper Amendment 28. Specify a total annual catch limit equal to 79,919 fish. Commercial annual catch limit equals 234,652 pounds (whole weight) and recreational annual catch limit equals 55,753 fish.

Note: In Alternatives 2 through 5, the sector annual catch limits were calculated using the Council's established allocation from the Comprehensive Annual Catch Limit (ACL) Amendment to the Fishery Management Plan of the Snapper Grouper Fishery of the South Atlantic Region (Comprehensive ACL Amendment, SAFMC 2011b). The allocation is 28.07% commercial and 71.93% recreational.

NMFS would announce the pre-determined commercial and recreational fishing year start dates. The commercial red snapper season would close when the commercial sector ACL is met or projected to be met. The end of the recreational red snapper season would be projected and announced before the start of the recreational season. The NMFS Regional Administrator has the authority to delay the opening of red snapper fishing seasons in the event of a tropical storm or hurricane affecting the South Atlantic Council's area of authority.

- Recommended changing the number of fish in **Alternatives 3 and 5** from the June 2017 draft version based on recommended changes in the survey abundance estimation method.

SSC/Advisory Panel Recommendations:

SSC Input (April 2017):

- Based on the results of SEDAR 41, the red snapper stock is overfished and overfishing was occurring in 2014. The level of overfishing is unknown.
- SSC was not able to provide an ABC to monitor and manage red snapper.
- SSC noted there was significant uncertainty in estimates of discards.

Snapper Grouper AP input (April 2017):

- Regarding a possible commercial trip limit, the AP stated that specifying it in numbers of fish might lead to high grading. If the allowable harvest results in a low trip limit, then don't consider a size limit.
- Because of the depths where commercial harvest takes place, there shouldn't be a minimum size limit requirement. Consider full retention for the commercial sector.
- Red snapper should continue to be managed as a bycatch fishery in the commercial sector.
- Consider initially allowing a recreational harvest two days per week to make it easier for fishermen to plan trips and for enforcement.

Law Enforcement AP input (May 2017):

- For small trip limit amounts (i.e., 25 pounds) it would be easier to specify trip limit in numbers of fish
- High grading is a concern and not easy to prevent; using numbers instead of weight would be useful for enforcement.

Public Comments:

For the webinar public hearings, there were 70 attendees on the webinars and 6 commented verbally while at the meeting. Of the commenters, 4 identified themselves as commercial and 2 recreational.

Summary of Verbal Comments from August Public Hearings:

- Three of the six commenters were in favor of Alternative 5.

- Most indicated fishermen would like to have a season for red snapper.
- The ACL should be set to prevent a decline in the red snapper population.
- An open season in July does make much sense because it is overlapping with red snapper spawning.
- The amendment is moving too fast and needs to have additional review by the SSC.
- There should be education for descending devices and venting tools: including how to use them and when to use them.
- There needs to be a requirement for descending devices.
- A tagging program should be started through the Citizen Science Program.
- There is concern about fishermen high-grading.
- A slot limit might be beneficial to consider.
- The fishery has been closed essentially 8 years except mini-seasons. This should have allowed fish to get older.
- The fishery should not have been closed.
- There are larger and older red snapper in the stock than predicted in the stock assessment model.
- Red snapper population has expanded and can be found from Cape Hatteras to Key West.

Summary of Written Comments from July 20, 2017 to August 15, 2017:

There were 107 comments ([online comment forum](#)) submitted for Amendment 43 from July 20, 2017 through August 15, 2017, including 6 written comments (provide at end of Attachment 5a_AM43_PublicComments.pdf) that were not included in the summary comments. The comments start at entry 80 of the online comment forum. The comments are loosely organized based on the subject of the comment. The tally of comment support for alternatives only included comments that expressly mentioned an alternative.

- Red snapper should be managed by state agencies.
- The abundance of red snapper is increasing.
- There are more, larger fish out there.
- Red snapper have recovered and are everywhere.
- Red snapper are being caught from 60 to 300 ft.
- Red snapper should have never been closed.
- The closure was needed but now snapper have recovered.
- Red snapper are one of the most commonly fish caught.
- Red snapper are one of the most commonly seen fish when diving.
- Fishermen are catching greater than 10 red snapper per trip. There is no shortage.
- Red snapper are impacting black sea bass populations and baitfish.
- It is hard to catch other species such as black sea bass or triggerfish and other reef fish due to the number of red snapper.
- Red snapper should be opened and grouper closed.
- Red snapper should be opened one weekend per month with a one fish per vessel limit.
- Allow 1 boat limit per month.
- Don't open red snapper during the spawning season.

- Do not open the season if there is a small craft advisory.
- Spread season out over several weeks instead of back to back.
- A six-day season is not long enough.
- Short openings will lead to a derby style fishery.
- Create a snapper grouper season in shallow water to minimize barotrauma
- Allow the next generation of fishermen a chance to catch red snapper.
- Opening the season now will shift the burden of stock recovery to future fishing generations.
- Regulate red snapper with a short season similar to snook, redfish, and trout with a slot limit and restrictive bag limits.
- Commercial harvest should remain closed.
- Commercial trip limit should be 50 to 100 pounds per trip.
- Reduce commercial catches.
- Management needs to be more restrictive on commercial boats.
- Discards should not be used to determine season.
- Discards and discard mortality should be considered in management.
- Require crew on for-hire vessels to monitor catches to “per-head” limit.
- Require party boat captains to move when limit is reached.
- Captain and crew on for-hire trips should not be allowed to keep their bag limit.
- Do not allow other bottom or reef species to be harvested if red snapper are harvested
- One fish per person could reduce dead discards.
- Recreational bag limit should be 1 fish per person.
- Recreational bag limit should be 1 or 2 fish per person.
- Recreational bag limit should be 1 fish per vessel and spread out the season.
- Recreational bag limit of 1 fish per person with a 20 inch size limit and spawning season closure.
- Recreational size limit and 1 fish per person or x fish per vessel.
- Do not have a size limit.
- There should be a slot limit.
- Set a minimum size limit at 18-20 inches.
- If overages occur, subtract it from the next year’s annual catch limit.
- Climate change is increasing uncertainties.
- The estimate of discard mortality should be less than 10% not the current 28%.
- The discards are wasting red snapper.
- Some fish die even after they are vented.
- Venting increases the survival of released red snapper.
- Red snapper release mortality rate is extremely high.
- Sharks and barracuda are eating red snapper on the way up and when they are released.
- Education is needed on proper release techniques
- Education classes should be required for proper release techniques.
- Some fishermen have switched from hook and line fishing to dive fishing to avoid catching red snapper.
- Enforce the circle hook requirement.

- Have the science advisors review the catch levels to ensure we won't have multi-year closures after a mini-season.
- Use caution when setting the limits and opening the season.
- People are harvesting red snapper illegally.
- Continue to develop best fishing practices and data improvements in Amendment 46.
- Have a mechanism to improve data collection if the season opens.
- Identify data gaps prior to opening the season and have collection programs established to provide sound scientific data to managers.
- Fishermen are frustrated.
- Fishermen are choosing to fish in other regions or countries due to overly restrictive management.
- Gillnetting is impacting red snapper.
- The amendment does not include information to help make informed recommendations on the annual catch limits.
- Management is corrupt.
- Managers are not listening to the fishermen.
- One in support of Alternative 1.
- One in support of Alternative 3.
- Six in support of Alternative 5.

Committee Action:

- DO NOT MODIFY THE WORDING OF THE ACTION OR ALTERNATIVES
- APPROVE THE IPT'S SUGGESTED EDITS TO ACTION/ALTERNATIVES
- PROVIDE OTHER MODIFICATIONS TO THE WORDING OF THE ACTION OR ALTERNATIVES
- ADD OR REMOVE ALTERNATIVES (would result in delays to the timing of Amendment 43)
- SELECT PREFERRED ALTERNATIVE
- OTHERS?

Amendment 43 Approval

Committee Action:

- **APPROVE SNAPPER GROUPER AMENDMENT 43 FOR SECRETARIAL REVIEW, AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.**