



March 1, 2016

Dr. Michelle Duval  
Chairman, South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
Charleston, SC 29405

Re: Snapper-Grouper Amendment 36 and the South Atlantic For-Hire Reporting Amendment

Dear Dr. Duval,

On behalf of The Pew Charitable Trusts, please accept these comments for consideration ahead of the March 7-11, 2016 Council meeting regarding Snapper-Grouper Amendment 36 (Spawning Special Management Zones) and the South Atlantic For-Hire Reporting Amendment. Both proposed measures provide an opportunity to enhance and improve fishery management in the region by developing new tools that address the unique needs and resources of our fisheries better than existing ones. Specifically, we recommend the following actions:

1. Approve Snapper-Grouper Amendment 36 for Secretarial Review.
2. Articulate plans for addressing the following in the development of the For-Hire Reporting Amendment :
  - a. An explanation of the three major phases of moving toward electronic reporting in the for-hire sector: regulation (this Amendment), implementation, and evaluation;
  - b. The short- and long-term management goals and objectives of this amendment;
  - c. Specific strategies for achieving these goals and objectives, and an explanation of the trade-offs associated with more timely and accurate data;
  - d. Lessons learned from pilot programs in the Gulf of Mexico; and
  - e. A comprehensive outreach plan to communicate the above information to stakeholders and actively engage them in the design and implementation of an electronic logbook program.

### **Recommendation 1: Approve Snapper-Grouper Amendment 36 for Secretarial Review**

We continue to support the Council's plan to protect spawning deep water snapper and grouper species through the designation of five new spawning Special Management Zones (sSMZs) in Amendment 36. Protecting special places where fish spawn is critical to the protection of long-lived and slow to mature species<sup>1</sup>, many of which have experienced chronic overfishing in the region<sup>2</sup>. These species often gather in higher concentrations to

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<sup>1</sup> Felicia C. Coleman *et al.* (2000), *Long-lived reef fishes: the grouper-snapper complex*, Fisheries 25: 14-20

<sup>2</sup> South Atlantic red snapper, speckled hind, warsaw grouper and snowy grouper all experienced overfishing or are overfished in every national assessment from 1998 through 2014, while gag grouper, black sea bass, red grouper, vermilion snapper, golden tilefish and black grouper

spawn at specific times along unique bathymetric formations on the edge of the continental shelf.<sup>3</sup> These predictable spawning periods and locations make them highly susceptible to being caught in large numbers, both as target species and as bycatch.<sup>4</sup> Such life history and behavioral characteristics require the use of careful management approaches to ensure healthy populations in the short and long-term.

Detailed plans for sSMZ research, monitoring, outreach, and enforcement will be critical to measuring their success. We are pleased with Council staff's considerable work in developing the system management plans for the existing Marine Protected Areas (MPAs) and proposed sSMZs. We are also encouraged by the Council's commitment and enthusiastic approach to the use of citizen science to monitor these areas. Well-planned cooperative research projects can play an important role in Amendment 36 by stretching limited resources and bringing together fishermen, scientists, managers, and the NGO community to improve our understanding of protected areas. We have been discussing such research to secure baseline data ahead of the Amendment's implementation with state, federal, and private partners and look forward to financially supporting this work at the three natural bottom areas later this year.

We applaud the careful consideration and hard work that have gone into developing this amendment, and urge you vote for final approval at this meeting.

## **Recommendation 2: Articulate the goals, objectives, timing, and pathway for the For-Hire Reporting Amendment and engage affected stakeholders in program design**

Developing data collection and monitoring tools that take advantage of 21<sup>st</sup> century technology are essential in helping managers make informed decisions to ensure the long-term sustainability of South Atlantic species. Fisheries-dependent data, which is typically collected from fishermen at the docks or from their reporting, provides a foundation for stock assessments. Reducing the uncertainty associated with catch estimates is a major factor in determining scientifically acceptable annual catch limits (ACL) for federally managed species.

Accurate and timely data is also necessary to reduce the likeliness of ACL overages. Currently, the Marine Recreational Information Program (MRIP) data are processed in 2 month waves and there is an approximately 45-day lag time after the end of the wave before data are available. In 2014, recreational landings exceeded the ACL for Atlantic spadefish, gray triggerfish, hogfish, porgies, snappers, and snowy grouper.<sup>5</sup> In 2015, preliminary recreational landings suggest the ACL has been exceeded for blueline tilefish, cobia, golden tilefish, and hogfish.<sup>6</sup> Such overages can result in seasonal closures and/or reduced annual catch limits the following season, both of which can create hardships for fishermen, particularly charter operators who book clients in advance. For example, recreational cobia landings from Georgia to New York reached 245% of

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experienced overfishing in 80-94% of those years. Source: NMFS Status of U.S. Fish Stocks, 1998-2014. Annual reports available at: [http://www.nmfs.noaa.gov/sfa/fisheries\\_eco/status\\_of\\_fisheries/](http://www.nmfs.noaa.gov/sfa/fisheries_eco/status_of_fisheries/).

<sup>3</sup> George R. Sedberry et al. (2006), Spawning Locations for Atlantic Reef Fishes off the Southeastern U.S., GCFI 57: 465-514. Kobara, S. and W.D. Heyman. 2010. Sea bottom geomorphology of multi-species spawning aggregation sites in Belize. *Mar. Ecol. Prog. Ser.* 405:243-254.

<sup>4</sup> C.C. Koenig and F.C. Coleman (2011), Protection of Grouper and Red Snapper Spawning in Shelf-Edge Marine Reserves of the Northeastern Gulf of Mexico: Demographics, Movements, Survival and Spillover Effects, MARFIN Project Final Report, Project Number: NAO7NMF4330120

<sup>5</sup> [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/recreational\\_historical/sa\\_recreational\\_historical/2014/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/recreational_historical/sa_recreational_historical/2014/index.html)

<sup>6</sup> [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/acl\\_monitoring/recreational\\_sa/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/recreational_sa/index.html)

the ACL, likely resulting in a shortened 2016 season.<sup>7</sup> More timely data from all elements of the fishery would support in-season management decisions and may prevent such overages. This Amendment will improve catch monitoring and as such is an important step in that direction.

Discards are also a significant management problem in the South Atlantic. For example, according to MRIP data for 2011 – 2015, 85% of the total catch of black sea bass, 79% of the total catch of red grouper, 40% of the total catch of cobia, and 29% of the total catch of greater amberjack was discarded. In 2014 the total removals allowable for red snapper was 106,000 fish, but an estimated 205,859 fish were caught. To address the impact of this huge overage, there was no 2015 fishing season, which resulted in widespread frustration.<sup>8</sup> A new red snapper stock assessment is nearing completion, but more accurate discard data could reduce uncertainty, and in turn reduce the size of the buffers needed when setting future ACLs for this and other popular species. Without improved discard data, including location, amount and disposition of discarded fish, it is difficult for managers to develop targeted strategies to reduce bycatch mortality and increase the amount of fish available to be caught and kept.

Designed appropriately, and with strong validation and support for compliance within the fleet, electronic reporting can be an important tool in improving the timeliness and accuracy of catch data. We support the intent of this amendment and request that you further flesh out the goals and objectives and map out the steps necessary for full implementation at the March 2016 meeting. Specifically, we offer the following recommendations:

- 1. Explain the three major phases of moving toward electronic reporting in the for-hire the sector: regulation (this Amendment), program design, and program evaluation**

A clear explanation is needed of the role of electronic logbooks (ELBs) in recreational fisheries management in the South Atlantic as well as how ELBs can benefit the for-hire industry. Connecting these pieces will help to define the path forward and build community support. Developing the Amendment is an important first phase, but implementation and evaluation of an ELB program are also necessary before this information can be used to support management decisions. Steps involved should be clearly laid out to manage stakeholder expectations, especially with respect to how soon these data may be used in stock assessments. One important step is defining the program's technical aspects, such as the platform for data collection, a secure server for data storage, and the plan for validating the data. Additionally, the Council has noted its desire to remove charter boats from the MRIP reporting system, but using these data to augment or replace MRIP is a long process that requires stringent validation and careful calibration.

- 2. Identify Short- and Long-Term Management Goals and Objectives**

We encourage the Council to consider the specific management goals and needs that are driving this Amendment, and to state explicitly how this Amendment fits into a longer-term strategy for improving data collection in the region, including what constitutes

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<sup>7</sup> [http://safmc.net/sites/default/files/meetings/pdf/Council/2016/03\\_2016/Mack/Att7c\\_Rev\\_AtlCobia\\_PotentialFramework\\_021716.pdf](http://safmc.net/sites/default/files/meetings/pdf/Council/2016/03_2016/Mack/Att7c_Rev_AtlCobia_PotentialFramework_021716.pdf)

<sup>8</sup> [http://sero.nmfs.noaa.gov/sustainable\\_fisheries/s\\_atl/sg/2015/red\\_snapper/index.html](http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/2015/red_snapper/index.html)

“better” data. Clear articulation of these goals should help to manage expectations among stakeholders regarding improved data, timeliness, and faster management responses. While electronic reporting can increase the timeliness of data availability, data will not be available in “real-time”, nor will it include data from state-licensed charter boats or private anglers, according to the current plan. Thus, availability of overall estimates of recreational catch for federally managed species will continue to be tied to the timeline on which catch data are available via MRIP. Although electronic logbooks for the charter sector can provide an “early-warning system” for potential quota overruns, until the timing of catch reporting for all portions of the recreational fishing sector is aligned with the program proposed via this Amendment, its utility for in-season management may be limited. Defining the specific goals of the Amendment is essential in designing the overall program and clarifying what electronic reporting will provide that the MRIP does not currently provide.

### **3. Articulate specific strategies for achieving these goals and objectives and an explanation of the trade-offs associated with more timely and accurate data**

Once the goals are identified, they should then be used to inform decisions regarding specific reporting requirements, such as frequency of reporting, mechanism for reporting, and data elements reported. There are tradeoffs associated with decisions regarding each of these factors that must be carefully considered and analyzed. Given the importance of discard mortality, recording bycatch is essential. This should include depth information, measurement and condition of released fish, and information on their disposition to allow for more targeted strategies to reduce bycatch mortality in the future.

It is important to maintain perspective on the tradeoffs with the ELB requirements to balance the improvements and efficiencies gained with the added burden, complexities, and associated costs. Some of these include:

- a) The extent to which electronic reporting will improve data is related to the level of program support and compliance from the participants;
- b) To achieve high compliance and increased accuracy with ELBs will require more investment in validation methods;
- c) Trip level reporting offers the best means for accurate and timely data by greatly reducing “recall bias” and accidental misreporting, but may have higher costs for validation and administration and is more work for the for-hire operators;
- d) Trip or daily level reporting does not mean catch estimates will be updated on a daily basis. The lag in data availability for in-season management is associated with any frequency of reporting, which depends on the overall design and implementation of the program.
- e) Catch and effort data needs may be different for managing various species. This should be a major consideration in designing data validation programs to maximize efficiencies and available funding.

#### **4. Incorporate Lessons Learned from Pilot Program in the Gulf of Mexico**

The South Atlantic can benefit from the recently completed Gulf of Mexico for-hire pilot study. This study indicated, for example, that enforcement regulations and voluntary compliance were not sufficient. Results also highlighted the importance of recording trip information daily, whether or not the data is submitted daily or weekly. Logbook data was subject to recall bias and inaccuracies, suggesting that the frequency of reporting should not be less than weekly. This pilot program also demonstrated that individual logbooks were not always in agreement with dockside sampling values, suggesting that implementation should be phased in at a smaller regional scale. Finally, it illustrated that a concerted outreach effort is important.<sup>9</sup>

#### **5. Develop a comprehensive outreach plan to communicate the above information to stakeholders and actively engage them in the design and implementation of an electronic logbook program**

Buy-in from the for-hire industry is essential to the success of this Amendment. The Council should actively engage affected stakeholders in designing and implementing an ELB program to the extent possible. As part of an outreach plan, we suggest a series of port-style meetings throughout the South Atlantic to increase communication, gather feedback, and improve understanding of how ELBs will benefit the charter fishing community. Our participation in the February 2016 public hearings on this issue indicates a general lack of understanding about the purpose of this Amendment, the need for better data, and what constitutes better data. One way this could be addressed is through port-style meetings that follow up to and complement the public hearings to increase communication between the Council and stakeholders regarding the proposed program. Ideally, these would be conducted prior to finalizing the Amendment to allow for participants to be part of the program design.

Thank you for considering these recommendations. We look forward to working with you and other stakeholders to promote healthier fish populations in the South Atlantic.

Sincerely,



Leda A. Dunmire  
Manager, U.S. Oceans, Southeast

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<sup>9</sup> Donaldson, D., G. Bray, B. Sauls, S. Freed, B. Cermack, P. Campbell, A. Best, K. Doyle, A. Strelcheck, and K. Brennan. 2013. For-hire electronic logbook study in the Gulf of Mexico: final report. Submitted to NMFS, Marine Recreational Information Program Operations Team. 63 pp.