

# Snapper Grouper amendments recently submitted and under development

March 2018

## Amendments Recently Implemented or Submitted:

### *Mutton Snapper (Amendment 41)*

In June 2015, the Council directed staff to begin development of a new amendment to revise the biological parameters, catch levels, and management measures for mutton snapper. The amendment **revised the commercial and recreational catch limits, increased the commercial and recreational minimum size limits from 16 to 18 inches total length, established a commercial trip limit of 500 pounds whole weight during January through March and July through December; established a commercial trip limit during the April through June spawning season of five mutton snapper per person per day, or five mutton snapper per person per trip, whichever is more restrictive; and decreased the recreational bag limit within the ten-snapper aggregate to five mutton snapper per person per day.** The proposed rule published in the Federal Register on October 24, 2017 and the final rule published on January 11, 2018 and regulations became effective on February 10, 2018.

### *Red Snapper Annual Catch Limit (Amendment 43)*

At their June 2017 meeting, the Council directed staff to finalize development of Amendment 43 with only one action: **to remove the process currently in place to set ACLs (established through Amendment 28) and set an ACL for red snapper for 2018 and beyond in order to allow limited harvest.** The remainder of the actions in Amendment 43 would continue to be developed in Amendment 46 in 2017-2018. The Council obtained public input and approved Amendment 43 for formal review at their September 2017 meeting. The amendment was submitted for formal review on November 20, 2017.

### *Red Grouper Annual Catch Limit (Abbreviated Framework 1)*

During the June 2017 meeting, the Council discussed options for addressing the overfished and overfishing determinations for red grouper and staff explained that the projections delivered with the assessment were based on management starting in 2017. The Council passed a motion to request projections based on management starting in 2018, under both high and low recruitment scenarios for exploitations levels of 75%  $F_{MSY}$  and  $F_{MSY}$ . The SSC convened on October 24-26, 2017 and reviewed the red grouper projections and recommended an ABC based on the low- recruitment scenario to manage the red grouper stock over the short-term. In September 2017, the Council directed staff to develop an abbreviated framework amendment to **adjust the red grouper ACL based on an ABC using the low recruitment scenario.** The abbreviated framework was submitted for formal review on December 21, 2017.

### *South Atlantic For-Hire Electronic Reporting Amendment*

The For-Hire Amendment includes Amendment 39 to the Fishery Management Plan for the Snapper Grouper Fishery, Amendment 9 to the Dolphin Wahoo FMP and Amendment 27 to the Coastal Migratory Pelagics Fishery Management Plan of the Gulf of Mexico and Atlantic Regions.

The amendment proposes mandatory weekly electronic reporting for charter vessel operators with a federal for-hire permit in the snapper grouper, dolphin wahoo, or coastal migratory pelagic fisheries; reduces the time allowed for headboat operators to complete their electronic reports; and proposes requiring location reporting by charter vessels with the same detail now required for headboat vessels. The amendment was submitted for formal review in March 2017. NMFS published a Notice of Availability on March 14, 2018. The agency is accepting public comment until May 13, 2018.

## **Amendments Approved for Public Hearings:**

### ***Recreational Management Measures (Vision Blueprint Regulatory Amendment 26)***

The Council reviewed analyses and approved the amendment for public hearings at their March 2018 meeting. The Snapper Grouper AP discussed and provided input on this amendment at previous meetings. **The Decision Document from the March 2018 Council meeting may be accessed [here](#).** Public hearings will be held via webinar and listening stations on May 8-10, 2018. The amendment proposes the following 5 actions and sub-actions for snapper grouper species in the South Atlantic Region:

#### ***Action 1. Modify the species composition of the recreational aggregates***

**Preferred Alternative 2.** Modify existing Snapper Grouper aggregates to establish a Deep-water Species Aggregate, Shallow-water Grouper Aggregate, and Other Shallow-water Species Aggregate.

Deep-water Species Aggregate: queen snapper, blackfin snapper, silk snapper, snowy grouper, misty grouper, yellowedge grouper, blueline tilefish, golden tilefish, wreckfish

Shallow-water Grouper Aggregate: gag, black grouper, red grouper, scamp, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, and coney.

Other Shallow-water Species Aggregate: whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice, tomtate, Atlantic spadefish, gray triggerfish, bar jack, lane snapper, yellowtail snapper, gray snapper, mutton snapper, cubera snapper, and sand tilefish.

**Note:** The Council has not yet selected a preferred from the choices below

**Sub-alternative 2a.** Include black sea bass, vermilion snapper, greater amberjack, hogfish, and red porgy in the Other Shallow-Water Species Aggregate.

**Sub-alternative 2b.** Exclude black sea bass, vermilion snapper, greater amberjack, hogfish, and red porgy from the Other Shallow-Water Species Aggregate.

#### ***Action 2. Specify recreational management measures for the deep-water species aggregate***

##### **Sub-Action 2.1. Specify the recreational season for the deep-water species aggregate**

**Preferred Alternative 2.** Allow recreational fishing and possession of species in the deep-water aggregate annually (blueline tilefish, snowy grouper, wreckfish, queen snapper, blackfin snapper, silk snapper, misty grouper, yellowedge grouper, and golden tilefish):

**Preferred Sub-alternative 2b.** May 1 through August 31.

**Sub-Action 2.2. Remove the recreational minimum size limits for certain deep-water species**

**Preferred Alternative 2.** Remove the 12-inch total length recreational minimum size limit for queen snapper, silk snapper, and blackfin snapper in the South Atlantic Exclusive Economic Zone.

**Sub-Action 2.3. Specify the aggregate bag limit for the deep-water species aggregate**

**Preferred Alternative 2.** Specify the aggregate bag limit for the **deep-water species aggregate** (blueline tilefish, snowy grouper, wreckfish, queen snapper, blackfin snapper, silk snapper, misty grouper, yellowedge grouper, and golden tilefish)

**Preferred Sub-alternative 2f.** Three fish per person per day with existing restrictions on golden tilefish, snowy grouper, and wreckfish.

**Sub-Action 2.4. Specify gear requirements for the deep-water species aggregate**

**Preferred Alternative 2.** Require single-hook rigs when targeting deep-water species (blueline tilefish, snowy grouper, golden tilefish, queen snapper, silk snapper, blackfin snapper, misty grouper, yellowedge grouper, and wreckfish).

**Action 3. Specify management measures for the shallow-water grouper aggregate**

**Sub-action 3.1. Modify the seasonal prohibition for red grouper in the exclusive economic zone off South Carolina and North Carolina**

**Preferred Alternative 2.** Maintain the annual January 1 to April 30 prohibition on recreational possession of shallow-water groupers harvested in the South Atlantic exclusive economic zone, except for red grouper. Modify the prohibition on recreational fishing for, harvesting or possessing **red grouper** harvested from the exclusive economic zone off North Carolina and South Carolina.

**Preferred Sub-alternative 2a.** January – May (five months).

**Sub-action 3.2. Specify the aggregate bag limit for the shallow-water grouper aggregate**

**Preferred Alternative 2.** Specify the aggregate bag limit for the **shallow-water grouper aggregate**

**Preferred Sub-alternative 2g.** Three fish per person per day with no more than one fish of any one species in the aggregate.

**Action 4. Specify management measures for the other shallow-water species aggregate**

**Sub-action 4.1. Reduce the recreational minimum size limit for gray triggerfish in the exclusive economic zone off east Florida**

**Preferred Alternative 2.** Reduce the recreational minimum size limit for gray triggerfish in the exclusive economic zone off east Florida to 12 inches fork length.

**Sub-action 4.2. Specify the aggregate bag limit for the other shallow-water species aggregate**

**The Council has not yet selected a preferred alternative for this sub-action**

**Currently:** The following recreational aggregate bag limits are in place in the South Atlantic Region:

**Snapper Aggregate Bag Limit:** Ten snapper per person per day: lane snapper, yellowtail snapper, gray snapper, mutton snapper<sup>1</sup>, cubera snapper<sup>2</sup>, queen snapper, blackfin snapper, and silk snapper. The following species are excluded from the aggregate: vermilion snapper.

<sup>1</sup>Maximum of five mutton snapper per person per day

<sup>2</sup>Maximum of two cubera snapper measuring 30 inches (76.2 cm), TL, or larger, per person or per *vessel* per day in the South Atlantic EEZ off Florida

Grouper Aggregate Bag Limit: Three groupers per person per day: gag<sup>1</sup>, black grouper<sup>1</sup>, red grouper, scamp, yellowfin grouper, yellowmouth grouper, red hind, rock hind, graysby, coney, sand tilefish, snowy grouper<sup>2</sup>, misty grouper, yellowedge grouper, blueline tilefish, and golden tilefish<sup>3</sup>.

<sup>1</sup>Maximum of one gag or black grouper (but not both) per person per day

<sup>2</sup>Maximum of one snowy grouper per *vessel* per day

<sup>3</sup>Maximum of one golden tilefish per person per day

Species Without Bag Limit Aggregate: 20 fish per person per day: whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup, gray triggerfish, bar jack, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice, and Atlantic spadefish.

Individual species' bag limits are as follows:

Black sea bass – seven per person per day

Vermilion snapper – five per person per day

Greater amberjack – one per person per day

Red porgy – three per person per day or three per trip, whichever is more restrictive

Hogfish –one per person per day off East Florida, two per person per day off GA, SC and NC

Wreckfish – one per vessel per day

There is no bag limit for tomtate.

***Action 5. Specify the aggregate bag limit for the snapper grouper species aggregate***

Note: This action would only apply if the Council were to select Alternative 4 under Action 1 as preferred. Currently the Council has selected Alternative 3 under Action 1 as preferred.

***Commercial Management Measures (Vision Blueprint Regulatory Amendment 27)***

The Council revised alternatives at their September 2017 meeting and approved the same timeline for development as that for the recreational amendment (see above). The Council reviewed analyses and approved the amendment for public hearings at their March 2018 meeting. Public hearings will be held via webinar and listening stations on May 8-10, 2018. The amendment proposes the following 10 actions for snapper grouper species in the South Atlantic Region:

***Action 1. Establish a commercial split season and modify the commercial trip limit for blueline tilefish***

**Alternative 3.** Retain the January 1 through December 31 commercial fishing year for blueline tilefish in the South Atlantic exclusive economic zone. Modify the commercial trip limit for blueline tilefish:

**Preferred Sub-alternative 3a.** 100 pounds gutted weight from January 1 through April 30 and 300 pounds gutted weight from May 1 through December 31.

***Action 2. Establish a commercial split season for snowy grouper***

**Preferred Alternative 3.** Specify two commercial fishing seasons for snowy grouper. Allocate the snowy grouper commercial annual catch limit into two quotas: 70% to the period January 1 through June 30 and 30% to the period July 1 through December 31. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward.

***Action 3. Establish a commercial split season and modify the commercial trip limit for greater amberjack***

**Alternative 2.** Specify two commercial fishing seasons for greater amberjack. Allocate the commercial annual catch limit for greater amberjack into two quotas: 50% to the period March 1 through August 31 and 50% to the period September 1 through the end of February. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. During April each year, no person may sell or purchase a greater amberjack harvested from the South Atlantic exclusive economic zone.

**Preferred Sub-alternative 2c.** Trip limit equals 1,000 pounds whole weight in both seasons.

***Action 4. Establish a commercial split season and modify the commercial trip limit for red porgy***

**Preferred Alternative 2.** Specify two commercial fishing seasons for red porgy. Allocate the commercial red porgy annual catch limit into two quotas: 30% to the period January 1 through April 30 and 70% to the period May 1 through December 31. Any remaining quota from Season 1 would transfer to Season 2. Any remaining quota from Season 2 would not be carried forward. Remove the sale and purchase prohibition during January 1 to April 30 each year. Retain the commercial trip limit of 120 fish from May 1 through December 31 and specify a commercial trip limit from January 1 through April 30 of:

**Preferred Sub-alternative 2c.** 60 fish

***Action 5. Modify the commercial trip limit for vermilion snapper***

**The Council did not select a preferred alternative**

**Alternative 2.** Retain the commercial trip limit and trip limit reduction in Season 1 (January 1 through June 30). For Season 2 (July 1 through December 31), modify the commercial trip limit to 750 pounds gutted weight and remove the trip limit reduction. Any remaining quota from Season 1 transfers to Season 2. Any remaining quota from Season 2 is not carried forward.

**Alternative 3.** Retain the commercial trip limit and trip limit reduction in Season 1 (January 1 through June 30). For Season 2 (July 1 through December 31), modify the commercial trip limit to 500 pounds gutted weight and remove the trip limit reduction. Any remaining quota from Season 1 transfers to Season 2. Any remaining quota from Season 2 is not carried forward.

**Alternative 4.** Modify the commercial trip limit for both seasons and remove trip-limit reductions:

**Sub-alternative 4a.** 1,000 pounds

**Sub-alternative 4b.** 850 pounds

**Sub-alternative 4c.** 700 pounds

***Action 6. Implement a minimum size limit for almaco jack for the commercial sector***

**Preferred Alternative 2.** Specify a minimum size limit for almaco jack for the commercial sector:

**Preferred Sub-alternative 2a.** 20 inches fork length

***Action 7. Implement a commercial trip limit for the Other Jacks Complex***

**Preferred Alternative 3.** Establish a commercial trip limit for the Other Jacks Complex.

**Preferred Sub-alternative 3a.** 500 pounds gutted weight.

***Action 8. Modify the seasonal prohibition on commercial harvest and possession of red grouper in the exclusive economic zone off South Carolina and North Carolina***

**Preferred Alternative 2.** Maintain seasonal prohibition on sale and purchase of shallow-water groupers annually from January 1 to April 30 in the South Atlantic exclusive economic zone, except for red grouper. Prohibit sale and purchase of red grouper harvested from the exclusive economic zone off North Carolina and South Carolina from:

**Preferred Sub-alternative 2a.** January – May (five months)

**Action 9. Remove the commercial minimum size limit for certain deep-water species**

**Preferred Alternative 2.** Remove the 12-inch total length commercial minimum size limit for queen snapper, silk snapper, and blackfin snapper in the South Atlantic exclusive economic zone.

**Action 10. Reduce the commercial minimum size limit for gray triggerfish in the exclusive economic zone off east Florida**

**Preferred Alternative 2.** Reduce the commercial minimum size limit for gray triggerfish in the exclusive economic zone off the east coast of Florida to 12 inches fork length.

## **Amendments Approved for Scoping:**

### ***Sea Turtle Release Gear and Revisions to Snapper Grouper Framework (Amendment 42)***

The NMFS Release Protocols for protected species were originally published in 2004. Revised editions were released in 2008 and 2010, and a new update is ready for publication. In the pending update, the SEFSC approved three additional turtle release gear types for use in handling and releasing incidentally caught sea turtles when fishing for reef fish. The new gear requires less space on vessels while still providing the necessary functionality; however, fishermen who participate in the snapper grouper fishery cannot use the approved gear until it is listed as acceptable gear in a fishery management plan and made a requirement in the regulations. The Amendment would **include the new gear in the regulations for the snapper grouper fishery and consider modifications to the snapper grouper framework** so the Council may more quickly modify sea turtle and other protected resources release gear and handling requirements in the future. The Council approved the amendment for scoping at their March 2018 meeting.

## **Amendments Under Development (pre-scoping):**

### ***Blueline Tilefish (Amendment 38)***

SEDAR 50 was conducted in 2017 as a joint assessment between the South Atlantic Fishery Management Council (Lead) with the Mid-Atlantic Fishery Management Council (MAFMC) addressing the stock assessment(s) for Atlantic blueline tilefish. The SSC reviewed results of SEDAR 50 at their October 2017 meeting and provided catch level recommendations for blueline tilefish for the area south of Cape Hatteras, NC. As ABC recommendations that match the jurisdictional boundaries of the Mid- and South Atlantic Councils (boundary at the NC/VA state line) were needed to develop fishing levels and management measures, the SSC formed a workgroup whose task was to determine a suitable approach to obtaining an ABC that would be useable under the existing management structure. The MAFMC SSC reviewed results of the workgroup at their March 2018 meeting and the SAFMC SSC will review the results during their May 2018 meeting and provide guidance to the Council. In June 2018, the Committee will review SSC recommendations on setting an ABC for blueline tilefish and discuss options for development of this amendment.

### *Recreational Permit and Reporting (Amendment 46)*

In June 2017, the Council instructed staff to move actions formerly in Amendment 43, except an action to specify a red snapper ACL in 2018, to Amendment 46. At that time, the amendment contained actions to specify OFL/ABC/ACL for red snapper, address recreational permitting and reporting for private recreational fishermen, best fishing practices (also include an option to remove circle hook requirements for snapper grouper fishing), and removing powerhead restrictions in special management zones off South Carolina (action formerly included in the Visioning amendments). In December 2017 the Council directed staff to remove actions pertaining to red snapper from the amendment and focus on recreational reporting and best fishing practices. In March 2018, the Council directed staff to retain actions on **recreational permitting and reporting** in Amendment 46 and develop the remainder of the actions (best fishing practices and powerhead regulations) in a framework amendment (Regulatory Amendment 29).

### *Best Fishing Practices and Powerhead Regulations (Regulatory Amendment 29)*

At their March 2018 meeting, the Council removed actions pertaining to **best fishing practices and powerhead regulations** from Amendment 46 and requested that staff begin development of a framework amendment. The Council was concerned that other actions in Amendment 46 (recreational permitting and reporting) would take significant time to be developed and did not want to delay action on other issues. The Council will review options at their June 2018 meeting.

### *For-Hire Permit Moratorium (Amendment 47)*

The Council has held several discussions in recent years on limiting the number of Atlantic Snapper Grouper Charter/Headboat permits, and potential benefits to the for-hire component from this management approach. In June 2017, the Council instructed staff to begin work on an amendment that would explore a moratorium on the for-hire component of the snapper grouper fishery. The Council discussed options at their December 2017 meeting and provide further guidance to staff on the scope of the amendment and timing. In March 2018, the Council provided detailed input and directed staff to develop a draft scoping document based on their direction to consider at the June 2018 meeting. The Council provided the following guidance to staff for a draft scoping document:

- Expand and improve need for amendment:
  - Add more background information
  - Further develop bullet points under “Why is the Council Considering Action?”, paying extra attention to “logbook reporting compliance”, “professionalizing the for-hire fleet”, “situations of vessel overcapacity”, “reducing fishing pressure on some fish stocks”, and “stabilizing participation in the for-hire fishery, during which time the Council could evaluate the need for establishing limited entry”.
  - Include statement in scoping document that clarifies that the Council is considering a moratorium in order to evaluate whether a limited entry system or other modifications to how the for-hire fleet is managed or operates are desirable.
- Ways to address the regulation that prevents charter vessels with a federal permit from possessing species that are open to harvest in state waters but closed to harvest in federal waters.
- An option to tie a for-hire permit to a person or entity rather than a vessel.
- Add question to get input on how many “New Entrants Permits” should be made available each year.
- Clarify that the USCG inspection is referring to the voluntary program.
- Include requirements of MSA and National Standard Guidelines in scoping document.
- Include question asking for a desirable length of a moratorium (how many years).

- Include research and add information on other moratoriums that have been implemented.

### *Red Grouper Rebuilding (Regulatory Amendment 30)*

The recent red grouper assessment (SEDAR 53) indicated that the stock is undergoing overfishing and is not making adequate progress towards rebuilding, which is supposed to take place by 2020 under the current rebuilding plan. The Council was formally notified of the red grouper stock status via a letter from NMFS dated September 17, 2017. The Council has moved to end overfishing through the revised ABC and ACL for red grouper that will be implemented via Abbreviated Framework Amendment 1 but has not yet revised the red grouper rebuilding plan. Hence, the Council will need to begin development of an amendment to **revise the current rebuilding plan for red grouper** before the next assessment is completed (currently scheduled as a standard assessment in 2021) in order to meet the statutory deadline of September 17, 2019. At their March 2018 meeting, the Council directed staff to begin work on a framework amendment to revise the red grouper rebuilding schedule. The Council will discuss options at their June 2018 meeting.

### *Yellowtail Snapper Accountability Measures (Regulatory Amendment 32)*

In 2016 and early 2017 the Council began developing Snapper Grouper Amendment 44 to consider modifications to jurisdictional and sector allocations as well as commercial trip limits for yellowtail snapper. In March 2017, the Council approved a motion to suspend work on Amendment 44 until revised MRIP data are available. At the June 2017 meeting, the Council approved sending a letter to the Gulf Council to get input on developing a joint amendment to combine ACLs for yellowtail snapper. The Gulf Council discussed the letter at their October 2017 meeting and sent a reply to the South Atlantic Council stating that they are willing to work jointly to develop solutions for yellowtail snapper. In March 2018, the Council directed staff to begin development of an amendment to address short-term management of yellowtail snapper to provide timely relief for commercial fishermen (in light of hurricanes in summer 2017) via a framework amendment. The amendment would **consider changing AMs to remove in-season closures for either sector until the total ACL is met or projected to be met.**

### *Comprehensive Acceptable Biological Catch Control Rule Amendment (Amendment 45)*

In December 2016, the Council directed staff to start work on a plan amendment that would modify the ABC Control Rule to address flexibility allowed under the MSA and revise how uncertainty and risk tolerance are addressed in setting ABCs. **The Amendment includes actions to: 1) revise how the SSC evaluates assessment uncertainty; 2) revise how the risk tolerance is specified; and 3) allow phase-in and carry-over of ABCs.** The SSC will discuss the amendment at their May 2018 meeting and the Council will receive the SSC's recommendations and continue discussion in June 2018.

### *Comprehensive Recreational Accountability Measures Amendment (Regulatory Amendment 31)*

Over the past five years, the Council has requested information on possible approaches to improve recreational landings estimates, particularly for species that are infrequently intercepted in the recreational survey. However, the accuracy of such estimates has not improved enough to allow efficient tracking of recreational annual catch limits and has led to mounting frustration among fishery managers, stock assessment analysts, and recreational anglers. The Council is already working on methods to obtain additional data (e.g., Amendment 46, MyFishCount App) that could eventually be used to improve management of recreational fisheries in the region. A possible avenue to lessen the impact of uncertain recreational data on stakeholders is revision of accountability measures. At their



March 2018 meeting, the Council directed staff to begin development of an amendment that would **revise recreational accountability measures to allow more flexibility in managing recreational fisheries.**