

Vision Blueprint Recreational Regulatory Amendment 26 for the Snapper Grouper Fishery of the South Atlantic Region

Scoping Document/Decision Document



The Vision Blueprint Recreational Regulatory Amendment 26 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region would address specific action items in the 2016-2020 Vision Blueprint for the Snapper Grouper Fishery of the South Atlantic Region.

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South Atlantic Fishery Management Council
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Award Number FNA15NMF4410010

What is Scoping?

Scoping is the first stage of the process to amend a fishery management plan after an issue has been identified (see steps in the process below). Scoping has two main purposes: (1) to inform you that the Council may propose new regulations or change existing ones and (2) to allow you the opportunity to comment on the issue or identify other issues that may need the Council's attention. You will have more opportunity to provide comments as the amendment is developed; however, scoping is the first and best opportunity to make suggestions for the Council to consider before an amendment is developed.

Council Process – *FMP/Plan Amendment*



Background

The 2016-2020 Vision Blueprint for the Snapper Grouper Fishery is the long-term strategic plan for managing the fishery. The Council began developing the strategic plan in 2012 through the Visioning project, which included extensive outreach to stakeholders throughout the region and across both sectors in the fishery. The Vision Blueprint identifies the goals, objectives, strategies, and actions that support the strategic plan for the snapper grouper fishery and centers around four goal areas - Science, Management, Communication, and Governance. During 2015, the Council prioritized action items that would be addressed through amendments to the Snapper Grouper Fishery Management Plan over the next 5 years. The Council is considering the following items for inclusion in Vision Blueprint Recreational Regulatory Amendment 26:

- Re-consideration of the aggregate bag limits

- Re-evaluation of the shallow-water grouper closure
- Modification of the minimum size limit for black sea bass
- Removal of recreational minimum size limits for deep-water species (silk snapper, queen snapper, and blackfin snapper)
- Modification of the minimum size limit for gray triggerfish off east Florida (Note: this item was added just prior to scoping hearings in 2017).

Additional action items from the Vision Blueprint are being considered in Amendment 43 (red snapper management and recreational reporting) including a recreational fishing season and options to improve reporting among private recreational anglers. Scoping for that amendment is also being conducted at this time.

Recreational Aggregate Bag Limits

Bag limits to manage recreational use of the snapper grouper resource is addressed under Strategy 2.1 of the Vision Blueprint – *Support development of management approaches that address retention of snapper grouper species*. Priority actions under this strategy are to consider bag limit and trip limit adjustments for the recreational and commercial sectors, respectively; and re-evaluate the grouper aggregate and manage based on area.

The current aggregate limits are as follows:

Aggregate Snapper Bag Limit: Ten (10) snapper per person/day including the following species: lane, yellowtail, gray, mutton, queen, blackfin, cubera (<30 inches; max. 2 per person but no more than 2 per vessel > 30 inches TL off Florida), and silk. The following exceptions apply: red snapper harvest is closed to both commercial and recreational harvest.

Aggregate Grouper Bag Limit: Three (3) groupers per person/day including: gag¹, black¹, snowy², misty, red, scamp, yellowedge, yellowfin, yellowmouth, blueline tilefish³, sand tilefish, golden tilefish⁴, coney, graysby, red hind, and rock hind.

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

²Maximum of 1 snowy grouper per VESSEL per day (May-Aug only; closed Sept-Apr)

³May-Aug only; closed Sept-Apr

⁴Maximum of 1 golden tilefish per person per day

Aggregate for Species Without Bag Limit: Twenty (20) fish per person/day includes: whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup (south of Cape Hatteras, 35° 15.0321' N. Latitude), gray triggerfish, bar jack, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice, and spadefish.

How do you think the aggregate limits should be changed?

Below are six options that the Council could consider:

1. For deep-water species: establish a x-fish aggregate bag limit including: snowy grouper, yellowedge grouper, misty grouper, queen snapper, blackfin snapper, silk snapper, golden tilefish, blueline tilefish, and sand tilefish.
 - Current restrictions would remain in place for golden tilefish (maximum of 1 per person per day), snowy grouper (maximum of 1 per vessel per day May-August) and blueline tilefish (only open May-August).
 - Harvest only allowed May through August for all deep-water species?
 - How many fish in the aggregate?
2. Establish an aggregate bag limit for shallow-water groupers (gag, black grouper, scamp, yellowfin grouper, yellowmouth grouper, red grouper, red hind, rock hind, graysby, and coney).
 - How many fish in the aggregate?
3. Modify the 20-fish aggregate to **also** include species in the current 10-snapper aggregate. Species included would be: whitebone porgy, jolthead porgy, knobbed porgy, saucereye porgy, scup (south of Cape Hatteras, 35° 15.0321' N. Latitude), gray triggerfish, bar jack, almaco jack, banded rudderfish, lesser amberjack, white grunt, margate, sailor's choice, spadefish, lane snapper, yellowtail snapper, gray snapper, mutton snapper, *queen snapper*, *blackfin snapper*, cubera snapper (<30 inches; max. 2 per person but no more than 2 per vessel > 30 inches TL off Florida), and *silk snapper*.
 - NOTE: An amendment that would reduce the recreational bag limit for mutton snapper to 5 fish per person per day within the aggregate is under review (Amendment 41).
 - Species in italics (queen snapper, blackfin snapper, and silk snapper are deep-water species)
4. Specify individual bag limits within the aggregate for the following species (if so, what should the bag limits be?)
 - Gray triggerfish (10 to 15 fish?)
 - Jacks Complex (almaco jack, banded rudderfish, lesser amberjack)
 - Atlantic spadefish
 - Include vermilion snapper in the aggregate?

Snapper Grouper Advisory Panel Comments & Recommendations (Fall 2016):

- Remove almaco jack from Jacks Complex and assign its own bag limit – possible issues with fish identification with other jacks.
- The species composition of the Jacks Complex may not be appropriate – consider separate bag limit for banded rudderfish. The AP recommends removing the Jacks Complex altogether (commercial and recreational).
- For both the 20- and 10-fish aggregates, specify that no more than 5 fish can be of any one species.
- Recommend removing gray triggerfish from the 20-fish aggregate and specifying a lower bag limit -- consider 10 to 15 fish.
- Consider specification of single-hook rigs for the deep-water species beyond 240 feet.
- Consider limiting retention of deep-water species to 1 fish per vessel.
- Consider requiring descending devices to fish for snapper grouper species.
- Promote education on use of descending devices, perhaps couple with issuance of recreational stamp/permit.
- Consider revising the bag limit for red grouper, scamp, and gag grouper (suggestion of 1 fish/person/day; suggestion to reduce the aggregate to 2 fish and only 1 of each species, etc.)

Motion: Do not change the composition of the aggregate bag limits at this time but require use of descending devices (of proper design) in order to harvest or possess snapper grouper species.

Summary of Public Scoping Comments:

- Do not change the 10 snapper aggregate limit or the 20 fish aggregate.
- Retain the 20-fish aggregate limit as is.
- Bag limits for triggerfish, spadefish, vermilion, jacks, and sailor's choice should not be changed.
- Aggregate limits are really confusing to a lot of recreational fishermen.
- Consider decreasing the 20-fish aggregate to fifteen.
- Leave gray triggerfish in the 20-fish aggregate and add species in the ten snapper bag limit to the aggregate.
- Modify the 20-fish aggregate to also include species in the current 10-snapper aggregate with: Triggerfish - 10, Jacks – 20, Spadefish – 10, and Vermillion – 10.
- Suggest individual bag limits for gray triggerfish and spadefish (10 per person for each), and vermilion (8-10 per person).
- Remove spadefish out of any aggregate, as only 4% of ACL was caught.
- Gray triggerfish & almaco jack – support for individual limits instead of being in the aggregate group. Concern about ACLs being reached early for those species due to liberal bag limits. Suggest 10 triggerfish per person per day.

- Lower bag limit on gray triggerfish to 10 per person on the recreational sector and increase the bag limit on vermilion to a similar level (maybe 7) since those species are caught together.
- Leave vermilion snapper out of the recreational 10-snapper aggregate.
- The 10-fish aggregate should specify that no more than 5 fish could be of any one species.
- Support for establishing a deep-water species aggregate bag limit, but no season.
- Aggregate deep-water species bag limit should be three, with existing restriction for snowy grouper.
- Establish a 10 fish aggregate bag limit for deep-water species.
- Deep-water species - remove the size limits and manage by fishing season, bag limits, and ACLs, and require the use of single-hook rigs beyond 240 feet.
- The 1-fish/vessel limit on snowy grouper is causing excessive discards. Consider a limit of 50 lbs.
- Targeting golden tilefish from January through April contributes to discards of blueline tilefish and snowy grouper (on a typical deep drop fishing trip at least 10 snowy groupers and 25 blueline tilefish are caught for each golden tilefish). Seasons should be aligned.
- Establish a year-round 3-fish aggregate bag limit for deep-water species including: snowy grouper, yellowedge grouper, misty grouper, queen snapper, blackfin snapper, silk snapper, golden tilefish, blueline tilefish, and sand tilefish. Keep current restrictions in place for golden tilefish, snowy grouper and blueline tilefish.
- For deep-water species, a two-fish limit would be more appropriate as few anglers are able to target multiple deep-water species concurrently. Require descending devices for deep-water species.
- Current deep-water species seasons should be adjusted to Feb 1st - September 1st for the recreational sector and maintain current bag limits.
- Deep-water species: Consider a 3-bag aggregate of 1 each, 2 maximum for golden tilefish & snowy grouper.
- Adjust the grouper aggregate to allow no more than 2 snowy grouper or 2 golden tilefish.
- The grouper aggregate should remain at 3 fish but should only include 1 fish per species.
- Support establishing an aggregate bag limit for shallow-water grouper, and that would be three fish.
- Gag grouper - recreational fishermen have not been participating adequately in that fishery when compared to the commercial sector. Increase the recreational bag limit to two fish.
- Revise the bag limit for red grouper, scamp, and gag grouper by reducing the aggregate to two fish.
- Allow retention of one red snapper or one grouper. The two species feed on the same prey at the same depths and this option would result in less discards.
- Suggestions of 5-fish and 3-fish aggregate bag limit for shallow-water groupers. Consider 2 gags within the shallow-water grouper aggregate.
- Adjusting aggregate bag limits to reflect harvest depth instead of species composition would simplify regulations and maximize species conservation by reducing discards.

COMMITTEE ACTIONS:

- APPROVE/DISAPPROVE INCLUSION OF ACTION TO MODIFY AGGREGATE BAG LIMITS IN VISION BLUEPRINT REGULATORY AMENDMENT 26
- PROVIDE GUIDANCE ON A RANGE OF ALTERNATIVES FOR ANALYSIS

Shallow-water Grouper Closure

The use of seasonal closures to manage the snapper grouper fishery is addressed under the Vision Blueprint's Strategy 1.3 - *Consider use of alternative sub-regional management strategies that are not quota-based*. The first priority under this strategy is to use staggered spawning season closures to address latitudinal differences in spawning activity. In addition, under "Hot Topic" items, the Vision Blueprint identifies adjusting the seasonal spawning closure for shallow-water groupers. The Council is considering making modifications to the shallow-water grouper closure for the commercial sector in Visioning Blueprint Commercial Regulatory Amendment 27.

The annual closure on the possession (commercial and recreational) of shallow-water groupers from January through April was established in 2009 in response to needed modifications to end overfishing of gag and to protect spawning fish. Species included in the closure are: gag, black grouper, scamp, yellowfin grouper, red grouper, red hind, rock hind, yellowmouth grouper, graysby, and coney. This action was taken prior to implementation of ACLs; avoiding overfishing of gag is now achieved with the ACLs. However, the annual closure protects gag and other shallow-water groupers during important spawning times.

The current regulation is as follows: During January through April each year, no person may fish for, harvest, or possess in or from the South Atlantic EEZ any South Atlantic shallow-water grouper (gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney). In addition, for a person on board a vessel for which a valid Federal charter vessel/headboat permit for South Atlantic snapper grouper has been issued, the provisions of this closure apply in the South Atlantic, regardless if fish are caught in state or Federal waters.

At their April 2015 meeting, the Snapper Grouper AP made the motions below regarding the shallow-water grouper closure.

Motion: AP recommends Alternative 1, no action, on removing the spawning season closure for shallow-water groupers.

*Motion: the AP recommends that the Council move forward with identifying spawning areas for shallow-water groupers that may be appropriate, at some point, to designate as spawning SMZs. ***intent is to eventually remove the spawning season closure once spawning areas are identified and protected*****

Do you think the shallow-water grouper closure should be changed?

The Council would like your input on red grouper and scamp, in particular, as stakeholders have expressed concern over the status of those species. How should the seasonal closure be modified for those species?

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1. Retain the annual prohibition on recreational harvest and possession of shallow-water groupers from January 1 through April 30 but exclude one or more species. If so, which species should be excluded?
2. Prohibit recreational harvest and possession of shallow-water grouper species annually but adjust the closure by area. For example:
 - East Florida: closure applies January – February (or some other time period?)
 - Georgia and South Carolina: closure applies March – April (or some other time period?)
 - North Carolina: closure applies May – June (or some other time period?)

NOTE: Sub-alternatives would be refined based on scientifically determined spawning seasons of affected species.

NOTE: Options below were suggested during development of the Joint South Florida Draft Amendment in 2013 (the amendment was not completed).

3. Remove the annual prohibition on recreational harvest and possession of shallow-water groupers for all affected grouper species south of 28° North latitude (approximately off Palm Bay, Florida).
4. Modify the timing of the annual prohibition on recreational harvest and possession of shallow-water groupers for all affected grouper species south of 28° North latitude (approximately off Palm Bay, Florida).
 - January – March
 - February – March
 - February – April
 - February – May
5. Exclude black grouper from the annual prohibition on recreational harvest and possession of shallow-water groupers and establish a separate seasonal closure for black grouper.
 - January – March
 - January
 - February
 - March
6. Exclude gag from the annual prohibition on recreational harvest and possession of shallow-water groupers south of 28° North latitude (approximately off Palm Bay, Florida).
7. Exclude gag from the annual prohibition on recreational harvest and possession of shallow-water groupers south of 28° North latitude (approximately off Palm Bay, Florida) and establish a separate seasonal closure for gag in that area.
 - January – March

- January
 - February
 - March
 - March – April
8. Exclude red grouper and scamp from the annual prohibition on recreational harvest and possession of shallow-water groupers south of 31° North latitude (approximately off St. Andrew Sound, Georgia).
 9. Exclude red grouper from the annual prohibition on recreational harvest and possession of shallow-water groupers south of 31° North latitude (approximately off St. Andrew Sound, Georgia) and establish a separate seasonal closure for red grouper in that area.
 - February – April
 - February – May
 - March – April
 - March – May

Are there other options the Council should consider?

Snapper Grouper Advisory Panel Comments & Recommendations (Fall 2016):

- Shallow-water grouper closure is working fine as it is.
- AP acknowledges there are specific needs for South Florida.

Motion: AP recommends taking no action on removing or modifying the shallow-water grouper closure.

Summary of Public Scoping Comments:

- Most support for retaining the shallow-water grouper closure as is.
- Consider taking no action on modifying or removing the shallow-water grouper closure.
- Do not make changes to the shallow-water grouper closure until there is scientific evidence to warrant a change.
- The shallow-water grouper closure from Jan 1- April 30 is the only sensible fishery management action happening right now. It should remain unchanged for both sectors. The closure should not be adjusted by area and should remain in effect for the entire South Atlantic area. No adjustment is need for black grouper. Creating a separate system for blacks will make things even more complicated.
- Rolling seasonal closures make sense for North Carolina, certainly in February or March or even parts of April.
- The closure should correspond to when the fish are spawning in the various areas of the coast. Some of the shallow-water groupers in North Carolina are not in spawning condition during the closure.

- Some support for prohibiting recreational harvest of shallow-water grouper species annually but adjusting the closure by area.
- Adjusting the shallow-water grouper closure to better reflect the spawning seasons in each state would increase harvest opportunities. However, additional review of this option is necessary to determine whether the resulting increase in landings would impact the ACL or cause seasonal closures due to quota overages.
- Consider a rolling 8-10 week shallow-water grouper closure.
- Leave the shallow-water grouper closed for the time they are spawning, which is typically a single moon cycle not four months. There is also data that support the closure by specific zones for these spawning cycles (30-60 days) not 120 days.
- Consider extending the closure into May or June for scamp and red grouper, because these stocks appear to be suffering, and to eliminate take during their spawning.
- Remove red grouper from the current closure as they spawn on the Nov and Dec moon cycles (Florida) and have already dispersed from aggregating sites.
- Red grouper are spawning and full of eggs in April and May off the NC coast. Suggest allowing harvest during the winter when it is currently closed and suggest a spawning season closure in April and May.
- Remove the shallow-water grouper closure off Georgia. Fishermen are not seeing shallow-water grouper during these months but this would simplify regulations.

COMMITTEE ACTIONS:

- APPROVE/DISAPPROVE INCLUSION OF ACTION TO MODIFY THE ANNUAL SHALLOW-WATER GROUPER CLOSURE IN VISION BLUEPRINT REGULATORY AMENDMENT 26
- PROVIDE GUIDANCE ON A RANGE OF ALTERNATIVES FOR ANALYSIS

Removal of Size Limits for Deep-water Species

Removal of size limits for deep-water species is addressed in the Vision Blueprint Strategy 4.2 (in Appendix B) -- *Consider management approaches that address the impact of depth on bycatch of snapper grouper species.*

Three species currently included in the Deep-water Complex – silk snapper, queen snapper, and blackfin snapper – have a 12-inch total length minimum size limit in federal waters. These size limits were put in place long ago, before estimates of discard mortality were available and long before the creation of the various Complexes. Species in the Deep-water Complex are typically associated with high discard mortality. To curb discard losses, the Council is considering action to eliminate minimum size limit requirements for these deep-water species.

Do you think the recreational minimum size limits for deep-water species should be removed?

1. Remove the 12” TL recreational minimum size limit for queen snapper.
2. Remove the 12” TL recreational minimum size limit for silk snapper.
3. Remove the 12” TL recreational minimum size limit for blackfin snapper.

Snapper Grouper Advisory Panel Comments & Recommendations (Fall 2016):

Motion: AP recommends removing the minimum size limit on all three species.

Summary of Public Scoping Comments:

- Retain the minimum size limit for silk, queen, and blackfin snappers at twelve inches.
- Strong support for removing minimum size limits for deep-water species to minimize discards.

COMMITTEE ACTIONS:

- APPROVE/DISAPPROVE INCLUSION OF ACTION TO REMOVE THE RECREATIONAL MINIMUM SIZE LIMIT FOR DEEP-WATER SPECIES IN VISION BLUEPRINT REGULATORY AMENDMENT 26
- PROVIDE GUIDANCE ON A RANGE OF ALTERNATIVES FOR ANALYSIS

Modification of the Recreational Minimum Size Limit for Black Sea Bass

Modifying minimum size limits is not an explicit action in the Vision Blueprint; however, adjustments to minimum size limits are an effective means to manage fishery resources to prevent overfishing or reduce regulatory discards.

Black sea bass are discarded in the recreational fishery primarily due to the size limit. Analysis showed that, on average (using 2013 and 2014 data), 92.5% of the black sea bass caught on recreational trips (private, charter and headboat) in the South Atlantic were discarded due to being undersized (**Table 1**). On average, recreational anglers are discarding 12 times more black sea bass than they are landing. This prompted the Council to examine modifications to the recreational minimum size limit to reduce discards of black sea bass.

The recreational minimum size limit for black sea bass is 13 inches total length (TL) south of Cape Hatteras, NC in federal waters of the South Atlantic (Note: The commercial minimum size limit is 11 inches TL).

Table 1. Landings and total discards of black sea bass on all recreational trips in 2013 and 2014 (from Snapper Grouper Regulatory Amendment 25)

Year	Catch All Trips			% Catch All Trips	
	Landed	Discarded	Total	Landed	Discarded
2013	325,013	3,552,391	3,877,404	8.38%	91.62%
2014	415,910	5,579,806	5,995,716	6.94%	93.06%
Avg.	370,461	4,566,098	4,936,560	7.50%	92.50%

Do you think the recreational minimum size limit for black sea bass should be changed?

1. Decrease the recreational minimum size limit for black sea bass in Federal waters of the South Atlantic Region to:
 - 12 inches TL
 - 11 inches TL

Snapper Grouper Advisory Panel Comments & Recommendations (Fall 2016):

Motion: Recommend that the Council consider reducing the recreational minimum size limit of black sea bass.

Summary of Public Scoping Comments:

- Strong support for reducing the recreational minimum size limit of black sea bass to 12

inches. However, evaluate effects on season length and also consider evaluate the effects of an 11-inch minimum size limit for both sectors.

- Suggest keeping the recreational size limit in federal waters at 13 inches, but increasing the commercial minimum size limit to match the recreational.

COMMITTEE ACTIONS:

- APPROVE/DISAPPROVE INCLUSION OF ACTION TO MODIFY THE RECREATIONAL MINIMUM SIZE LIMIT FOR BLACK SEA BASS IN VISION BLUEPRINT REGULATORY AMENDMENT 26
- PROVIDE GUIDANCE ON A RANGE OF ALTERNATIVES FOR ANALYSIS

Modification of the Recreational Minimum Size Limit for Gray Triggerfish

The recreational minimum size limit for gray triggerfish was modified in 2015 through implementation of Snapper Grouper Amendment 29. A recreational minimum size limit of 12 inches fork length (FL) was implemented in the EEZ off North Carolina, South Carolina, and Georgia, and a recreational minimum size limit of 14 inches FL was put in place in federal waters off east Florida. The intent of these regulations was to put in place precautionary measures due to concerns about the status of the gray triggerfish stock in the South Atlantic and to align regulations with those in the Gulf. However, since the new minimum size limit went into effect (on July 1, 2015), stakeholders in Florida have voiced concern to the Florida Fish and Wildlife Conservation Commission (FWC) regarding increasing discards of gray triggerfish in south Florida where the average size of gray triggerfish is smaller than that off northeast Florida. In response, the FWC is working to decrease the recreational minimum size limit to 12 inches FL. This would address the discard issue in South Florida and make the minimum size limit consistent with that in the EEZ off the rest of the South Atlantic states.

Do you think the recreational minimum size limit for gray triggerfish should be changed?

1. Decrease the recreational minimum size limit for gray triggerfish in Federal waters off the east coast of Florida to:
 - 12 inches FL
 - Others?

Note: There is no recommendation from the Snapper Grouper AP as this action was added just prior to scoping hearings.

Summary of Public Scoping Comments:

- Most support for reducing the minimum size limit to 12 inches off east Florida to minimize discards and match the regulations off the rest of the South Atlantic states.
- Suggest increasing the minimum size to 14 inches for all the South Atlantic.
- Do not change the minimum size limit for gray triggerfish.

COMMITTEE ACTIONS:

- APPROVE/DISAPPROVE INCLUSION OF ACTION TO MODIFY THE RECREATIONAL MINIMUM SIZE LIMIT FOR GRAY TRIGGERFISH OFF EAST FLORIDA IN VISION BLUEPRINT REGULATORY AMENDMENT 26
- PROVIDE GUIDANCE ON A RANGE OF ALTERNATIVES FOR ANALYSIS

Proposed Timing

- Scoping webinar hearings – January/February 2017
- Review scoping comments and revise actions/alternatives – March 2017
- Review effects analysis and approve for public hearings – June 2017
- Public hearings – August 2017
- Review public hearing comments & approve all actions/alternatives – September 2017
- Final action to approve for Secretarial review – December 2017