

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

Options Paper



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

December 2016

Background

The 2016-2020 Vision Blueprint for the Snapper Grouper Fishery constitutes the long-term strategic plan for managing the fishery. The Council began developing the strategic plan through the Visioning project, which included extensive outreach to stakeholders throughout the region and across all sectors in the fishery. The Vision Blueprint identifies the goals, objectives, strategies, and actions that support the vision 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 short-term (within 5 years). Through a series of surveys, Council members selected several items, which were identified to improve management of the recreational and commercial sectors. The following items were selected for inclusion in Vision Blueprint Recreational Regulatory Amendment 26 to the Snapper Grouper Fishery Management Plan:

- 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 deepwater species (silk snapper, queen snapper, and blackfin snapper)

Recreational Aggregate Bag Limits

The use of 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 Council has used aggregate bag limits since 1991 (Amendment 4) to manage the recreational sector of the snapper grouper fishery. The regulations resulting from that amendment specified a 10-snapper aggregate bag limit, excluding vermilion snapper, and where no more than 2 fish could be red snapper. The levels of fishing mortality at that time were “jeopardizing the biological integrity of the snapper grouper resource” in the South Atlantic Region, with 13 species considered to be undergoing overfishing as indicated by a spawning stock ratio (SSR) of less than 30%. Moreover, another 14 species with unknown SSRs were thought to be overfished and additional species were considered likely to be overfished or experience overfishing in the future. Hence, the Council took action to reduce fishing mortality “on overfished species and thereby prevent overfishing” and specified management measures to achieve the target SSR of 30% for vermilion snapper and established an aggregate bag limit for other snappers to “provide additional protection from overfishing, assist in achieving the target level of 30% SSR, and spread out the harvest within the recreational sector.”

The aggregate grouper limit was also specified in Amendment 4 (1991). Again, the intent of the Council’s actions at that time was to achieve the target SSR level to prevent overfishing. The

amendment described that a minimum size limit of 20 inches would result in reaching the target SSR level for some groupers that were thought to be overfished but for which SSRs were unknown. The 5-grouper aggregate, excluding Nassau and Goliath, was established to achieve the same objectives as the 10-snapper aggregate.

The Council has made some modifications to the aggregate bag limits over the years and established a 20-fish aggregate for species without bag limits (excluding tomtate and blue runner, which was later removed from the management unit) in Amendment 9 (SAFMC 1998). 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.

Possible actions and alternatives

Evaluate and modify the composition of the recreational aggregate bag limits

Alternative 1 (No Action). There is a 10-snapper per person/day aggregate bag limit, a 3-grouper per person/day aggregate limit, and a 20-fish per person/day limit for all snapper grouper species without a bag limit. The following limitations and exclusions apply: red snapper harvest is closed to both commercial and recreational harvest; maximum of 2 cubera snapper per person (not to exceed 2 per/vessel) for fish 30" total length or larger off Florida; maximum of 1 gag or black grouper (but not both) per person/day; maximum of 1 snowy grouper per vessel per day (May-Aug); blueline tilefish harvest only allowed May-Aug; maximum of 1 golden tilefish per person per day; and tomtate are excluded from all bag limits.

Alternative 2. Establish an aggregate bag limit for deepwater species 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).

Sub-alternatives would be developed based on range of bag limits the Council wishes to consider. Given the limited productivity of deepwater species and the unlimited number of recreational anglers, the bag limit would need to be low.

Alternative 3. 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).

Sub-alternatives would be developed based on range of bag limits the Council wishes to consider. Given the moderate productivity of shallow water groupers and the unlimited number of recreational anglers, the bag limit would need to be low.

Alternative 4. Modify the 20-fish aggregate for snapper grouper species without a bag limit to XX (*Given the moderate productivity of these species and the unlimited number of recreational anglers, the bag limit would need to be low.*) fish per person per day and exclude the following from the bag limit:

Sub-alternative 4a. gray triggerfish

Sub-alternative 4b. almaco jack, banded rudderfish, lesser amberjack (Jacks Complex)

Sub-alternative 4c. Others?

Alternative 5. Modify the 10-snapper per person/day aggregate bag limit (lane, yellowtail, gray, mutton, queen, blackfin, cubera, and silk)

Sub-alternatives would be developed based on range of bag limits the Council wishes to consider. Given the moderate to high productivity of these snappers and the unlimited number of recreational anglers, the bag limit would need to be low.

Alternative 6. Establish a new 10-fish aggregate that would include species in the current 10-snapper aggregate and the 20-fish 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.

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.
- JACKS COMPLEX MAY NOT BE APPROPRIATE – CONSIDER SEPARATE BAG LIMIT FOR BANDED RUDDERFISH. 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 10-15 FISH
- CONSIDER SPECIFICATION OF SINGLE-HOOK RIGS FOR THE DEEPWATER SPECIES BEYOND 240 FEET
- CONSIDER LIMITING RETENTION OF DEEPWATER SPECIES TO 1 FISH PER VESSEL
- CONSIDER REQUIRING DESCENDING DEVICES TO FISH FOR SNAPPER GROUPEL SPECIES
- EVALUATE LANDINGS OF DEEPWATER SPECIES TO DETERMINE COMPOSITION OF THE CATCH
- SUGGEST PROMOTING EDUCATION ON USE OF DESCENDING DEVICES, PERHAPS COUPLE WITH ISSUANCE OF RECREATIONAL STAMP/PERMIT

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 GROUPEL SPECIES

APPROVED BY AP

- CONSIDER REVISING THE BAG LIMIT FOR RED GROUPEL, SCAMP AND GAG GROUPEL (SUGGESTION OF 1 FISH/PERSON/DAY; SUGGESTION TO REDUCE THE AGGREGATE TO 2 FISH AND ONLY 1 OF EACH SPECIES, ETC.)

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.

Implementation of Amendment 16 to the Snapper Grouper FMP (effective July 29, 2009) established an annual closure on the possession (commercial and recreational) of shallow water groupers from January through April in response to needed modifications to end overfishing of gag and to protect spawning fish. Species included in the closure were: gag, black grouper, scamp, tiger grouper, yellowfin grouper, red grouper, red hind, rock hind, yellowmouth grouper, graysby, and coney. This action was taken prior to implementation of Annual Catch Limits (ACLs); avoiding overfishing of gag is now achieved with the ACLs. However, the closure during spawning does increase reproduction of gag and other shallow water groupers. The Council removed tiger grouper from the Fishery Management Unit in 2012 (Comprehensive ACL Amendment).

Rationale from Amendment 16 (SAFMC 2009 and references therein):

"Off the southeastern United States, gag spawn from December through May, with a peak in March and April (McGovern et al. 1998). There is some evidence that spawning may occur earlier off Florida than areas north. Gag probably make annual late-winter migrations to specific locations to form spawning aggregations and many of these locations are known by fishermen. McGovern et al. (2005) found gag were capable of extensive movement and suggested movement may be related to spawning. Gilmore and Jones (1992) indicated gag may be selectively removed from spawning aggregations because they are the largest and most aggressive individuals and the first to be taken by fishing gear.

*In 1998, the Council took action to reduce fishing mortality and protect spawning aggregations of gag and black grouper. Actions included a March-April spawning season closure for the commercial sector. While a March-April commercial closure may offer some protection to spawning aggregations including the selective removal of males, a January-April spawning season closure (**Preferred Alternative 2**) would provide greater protection. Although gag spawn during December through May, aggregations are in place before and after spawning activity (Gilmore and Jones 1992). Therefore, males can be removed from spawning aggregations early in the spawning season and this could affect the reproductive output of the aggregation if there were not enough males present in an aggregation for successful fertilization of eggs. **Preferred Alternative 2** would also close the fishery for other shallow water groupers including black grouper, red*

grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney, which are also known to spawn during January-April (see Section 3.2.1). (Note: Red grouper and black grouper are listed as overfishing in the Stock Status Report to Congress.)

Like gag, the other shallow water grouper species are vulnerable to overfishing because they change sex, many are long lived, and some species (e.g., gag, black grouper, scamp, red hind, and tiger grouper) are known to form spawning aggregations at locations known to fishermen (Section 3.2.1). Therefore, extending the spawning season closure to other shallow water groupers could have positive biological effects including protecting spawning aggregations, increasing the percentage of males, enhancing reproductive success, and increasing the magnitude of recruitment.

In September 2007, the Snapper Grouper Advisory Panel (AP) recommended a January to March spawning closure, during which harvest and possession be prohibited. Their rationale was there is some spawning during January off Florida and gag form aggregations before spawning. Therefore, an earlier closure would help to protect males before they begin to spawn. There was some discussion during the AP meeting about adding two weeks on both ends of the current March/April closure.

The AP also felt any closure should be applied the commercial and recreational sectors. Extending the spawning season closure to the recreational sector would have positive biological benefits since approximately half of the gag are landed by recreational fishermen. Although recreational fishermen generally catch gag in shallower water than commercial fishermen, it is likely some spawning locations of gag are being targeted by recreational fishermen. Furthermore, gag are reported to form pre-spawning aggregations in shallow water before moving offshore to spawn, which would make them available to recreational fishermen. In addition to protecting gag while aggregated and during the spawning season, a seasonal closure could prevent high harvest rates during periods of cold water intrusion. During 2003, cold water upwelling may have caused gag to move inshore en masse where they may have become susceptible to harvest in large numbers by divers.

*Gag are part of a multispecies fishery. Therefore, some bycatch of gag would be expected during a seasonal closure when fishermen target co-occurring species such as vermilion snapper, scamp, greater amberjack, red grouper, and others. However, since **Preferred Alternative 2** would close all shallow water groupers during January through April, bycatch of gag would likely be decreased since fishermen would not be targeting other co-occurring grouper species.”*

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 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*

Possible Actions and Alternatives

Modify the annual recreational prohibition on harvest and possession of shallow water groupers

Alternative 1 (No Action). 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 of where such fish are harvested, i.e., in state or Federal waters.

Alternative 2. Retain the annual prohibition on recreational harvest and possession of shallow water groupers from January 1 through April 30 but exclude the following species (*CAN CHOOSE MULTIPLE PREFERRED SUB-ALTERNATIVES*):

- Sub-alternative 2a.** gag
- Sub-alternative 2b.** black grouper
- Sub-alternative 2c.** red grouper
- Sub-alternative 2d.** scamp
- Sub-alternative 2e.** red hind
- Sub-alternative 2f.** rock hind
- Sub-alternative 2g.** yellowmouth grouper
- Sub-alternative 2h.** yellowfin grouper
- Sub-alternative 2i.** graysby
- Sub-alternative 2j.** coney

Alternative 3. Prohibit recreational harvest and possession of shallow water grouper species annually from:

- Sub-alternative 3a.** January – February off east Florida
- Sub-alternative 3b.** March – April off Georgia and South Carolina
- Sub-alternative 3c.** May – June off North Carolina

NOTE: sub-alternatives presented here for discussion purposes only. Sub-alternatives would be refined based on scientifically determined spawning periodicity of affected species

NOTE: Alternatives below modeled after those in the Joint South Florida Draft Amendment.

Alternative 4. 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)

Alternative 5. 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).

Sub-alternative 5a. January – March

Sub-alternative 5b. February – March

Sub-alternative 5c. February – April

Sub-alternative 5d. February – May

Alternative 6. 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.

Sub-alternative 6a. January – March

Sub-alternative 6b. January

Sub-alternative 6c. February

Sub-alternative 6d. March

Alternative 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).

Alternative 8. 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.

Sub-alternative 8a. January – March

Sub-alternative 8b. January

Sub-alternative 8c. February

Sub-alternative 8d. March

Sub-alternative 8e. March – April

Alternative 9. 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).

Alternative 10. 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.

Sub-alternative 10a. February – April

Sub-alternative 10b. February – May

Sub-alternative 10c. March – April

Sub-alternative 10d. March – May

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 SWG CLOSURE
APPROVED BY AP**

Removal of Size Limits for Deepwater Species

Removal of size limits for deepwater 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.*

Numerous snapper grouper species were placed in Complexes through the Comprehensive ACL Amendment, which implemented ACLs for all unassessed snapper grouper species. Complexes were formed based on a suite of criteria, including biological factors and co-occurrence with other species. Species in the Deepwater Complex are typically associated with high discard mortality. Three species currently included in the Deepwater Complex – silk snapper, queen snapper, and blackfin snapper – have a 12-inch total length minimum size limit. 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. To curb discard losses, the Council would consider action to eliminate minimum size limit requirements for these deepwater species.

Florida has a 12-inch size limit (rec and commercial) for blackfin, silk, and queen snappers in Atlantic and Gulf state waters. Species are included in the recreational 10-snapper daily aggregate. South Carolina and North Carolina also have 12” size limit and they are include in the 10-snapper aggregate. These regulations were developed to be consistent with federal regulations. If federal regulations change the Council would recommend the states change their regulations accordingly.

Possible Actions and Alternatives

Remove recreational minimum size limits for deepwater species

Alternative 1 (No Action). The recreational minimum size limit for silk snapper, queen snapper, and blackfin snapper is 12 inches total length in Federal waters of the South Atlantic Region.

Alternative 2. Remove the 12” TL minimum size limit for queen snapper.

Alternative 3. Remove the 12” TL minimum size limit for silk snapper.

Alternative 4. Remove the 12” TL minimum size limit for blackfin snapper.

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

**MOTION: AP RECOMENDS REMOVING THE MINIMUM SIZE LIMIT ON ALL THREE SPECIES
APPROVED BY AP**

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 growth overfishing (i.e., when fish are harvested at an average size that is smaller than the size that would produce the maximum yield per recruit) and reduce regulatory discards.

The South Atlantic Council took action to increase the black sea bass recreational bag limit from 5 per person/day to 7 per person/day for black sea bass in Regulatory Amendment 25. The new bag limit went into effect on August 12, 2016 in federal waters of the South Atlantic Region. However, the analyses conducted to inform development of Regulatory Amendment 25 showed that an increase in the bag limit would have a negligible impact on the recreational landings of black sea bass. Instead, the analysis suggested that the large numbers of black sea bass being discarded were directly related to the minimum size limit. Moreover, the analysis showed that, on average (using 2013 and 2014 data), about 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 has prompted the South Atlantic Council to examine modifications to the recreational minimum size limit to reduce discards of black sea bass.

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%

Possible Actions and Alternatives

Modify the recreational minimum size limit for black sea bass

Alternative 1 (No Action). 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.)

Alternative 2. Modify the minimum size limit for black sea bass in Federal waters of the South Atlantic Region:

- Sub-alternative 2a.** 12 inches TL
- Sub-alternative 2b.** 11 inches TL
- Sub-alternative 2c.** Others?

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

**MOTION: RECOMMEND THE COUNCIL CONSIDER REDUCING THE RECREATIONAL MINIMUM SIZE LIMIT OF BLACK SEA BASS
APPROVED BY AP**

Proposed Timing

- Guidance to prepare amendment – June 2016
- Review options paper and provide guidance on actions/alternatives and timing – September 2016
- Review and approve for scoping – December 2016
- 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