

**REGULATORY AMENDMENT 9 TO THE FISHERY MANAGEMENT PLAN  
FOR THE SNAPPER GROUPE FISHERY OF THE SOUTH ATLANTIC  
REGION**

**INCLUDING AN ENVIRONMENTAL ASSESSMENT**

---

<b>Proposed actions:</b>	Establish trip limits for black sea bass, vermilion snapper, gag, and greater amberjack. Specify split season quotas for the black sea bass fishery and spawning season closure under the current Framework Procedure.
<b>Lead agency:</b>	FMP Amendment – South Atlantic Fishery Management Council EA - NOAA Fisheries Service
<b>For Further Information Contact:</b>	Robert K. Mahood South Atlantic Fishery Management Council 4055 Faber Place, Suite 201 North Charleston, SC 29405 866-SAFMC-10 Robert.mahood@safmc.net  Roy E. Crabtree NOAA Fisheries, Southeast Region 263 13 <sup>th</sup> Avenue South St. Petersburg, FL 33701 727-824-5301

## **ABSTRACT**

Amendments 13C, 16, and 17B to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region implemented harvest reductions, recreational and commercial allocations, recreational and commercial annual catch limits (ACLs), and accountability measures (AMs) for black sea bass, gag, and vermilion snapper, which are undergoing overfishing. ALCs and AMs for greater amberjack are being established in the Comprehensive ACL Amendment for the South Atlantic Region. The current catch limits, in combination with management measures designed to manage these stocks, have the potential to encourage derby style fisheries. As overfishing is ended for black sea bass, gag, and vermilion snapper and biomass increases, their respective ACLs are likely to be met earlier and earlier each fishing season. An increasingly restrictive regulatory environment compounds this problem in the form of effort shifts from other more restricted fisheries into the fisheries for black sea bass, gag, greater amberjack, and vermilion snapper. In order to prevent the progressive shortening of fishing seasons for these species Regulatory Amendment 9 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Regulatory Amendment 9) is being developed to establish trip limits for black sea bass, vermilion snapper, greater amberjack, and vermilion snapper. Regulatory Amendment 9 also includes alternative for split season quotas and a spawning season closure for the black sea bass fishery under the current Framework Procedure for Setting Total Allowable Catch for Snapper Grouper (Framework).

The current Framework allows for adjustments to be made to harvest parameters such as quotas, trip limits, bag limits, size limits, and seasonal or area closures via regulatory amendment. Regulatory amendments require less time to implement than a standard fishery Management Plan amendment, and are effective until modified unlike temporary or emergency rules.

# 1 Introduction

## 1.1 Background

Management of the Federal snapper grouper fishery located off the South Atlantic in the 3-200 nautical mile (nm) U.S. Exclusive Economic Zone (EEZ) is conducted under the Fishery Management Plan (FMP) for the Snapper Grouper Fishery of the South Atlantic Region (SAFMC 1983) (Figure 1-1). The FMP and its amendments are developed under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), other applicable Federal laws, and executive orders (E.O.s) and affect the management of 73 species, listed below (Appendix S. Other Applicable Law).

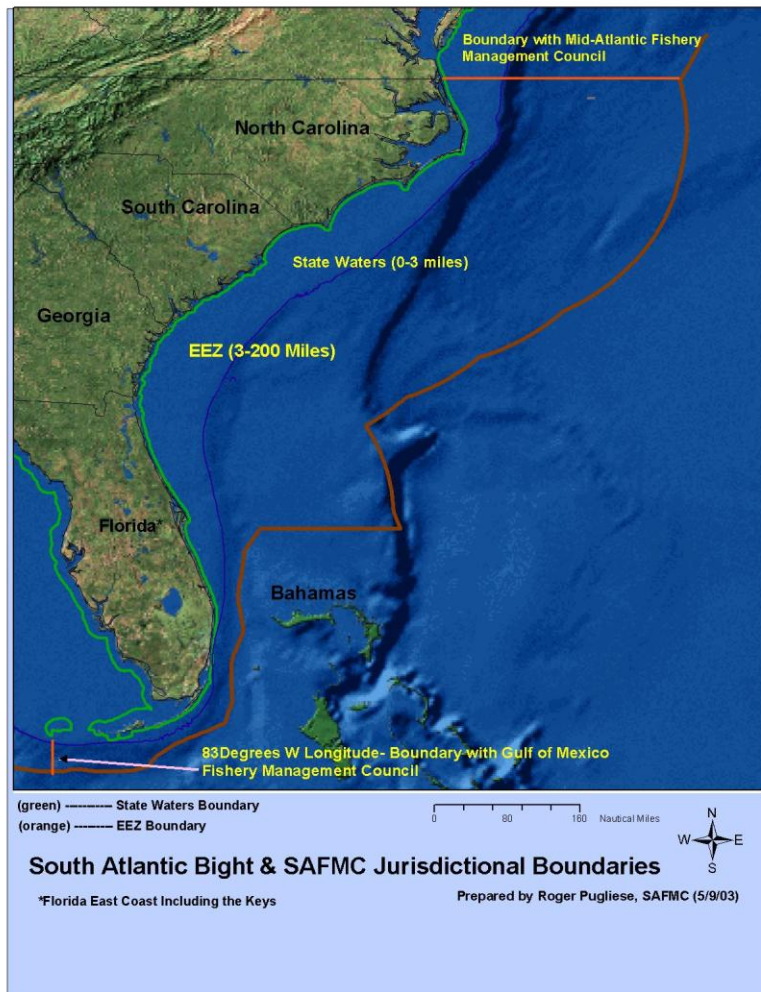


Figure 1-1. Jurisdictional boundaries of the South Atlantic Fishery Management Council.

Almaco jack, *Seriola rivoliana*  
 Atlantic spadefish, *Chaetodipterus faber*  
 Banded rudderfish, *Seriola zonata*  
 Bank sea bass, *Centropristis ocyurus*  
 Bar jack, *Carangoides ruber*  
 Black grouper, *Mycteroperca bonaci*  
 Black margate, *Anisotremus surinamensis*  
 Black sea bass, *Centropristis striata*  
 Black snapper, *Apsilus dentatus*  
 Blackfin snapper, *Lutjanus buccanella*  
 Blue runner, *Caranx crysos*  
 Blueline tilefish, *Caulolatilus microps*  
 Bluestriped grunt, *Haemulon sciurus*  
 Coney, *Cephalopholis fulva*  
 Cottonwick, *Haemulon melanurum*  
 Crevalle jack, *Caranx hippos*  
 Cubera snapper, *Lutjanus cyanopterus*  
 Dog snapper, *Lutjanus jocu*  
 French grunt, *Haemulon flavolineatum*  
 Gag, *Mycteroperca microlepis*  
 Golden tilefish, *Lopholatilus chamaeleonticeps*  
 Goliath grouper, *Epinephelus itajara*  
 Grass porgy, *Calamus arctifrons*  
 Gray (mangrove) snapper, *Lutjanus griseus*  
 Gray triggerfish, *Balistes capriscus*  
 Graysby, *Cephalopholis cruentata*  
 Greater amberjack, *Seriola dumerili*  
 Hogfish, *Lachnolaimus maximus*  
 Jolthead porgy, *Calamus bajonado*  
 Knobbed porgy, *Calamus nodosus*  
 Lane snapper, *Lutjanus synagris*  
 Lesser amberjack, *Seriola fasciata*  
 Longspine porgy, *Stenotomus caprinus*  
 Mahogany snapper, *Lutjanus mahogoni*  
 Margate, *Haemulon album*  
 Misty grouper, *Epinephelus mystacinus*  
 Mutton snapper, *Lutjanus analis*  
 Nassau grouper, *Epinephelus striatus*  
 Ocean triggerfish, *Canthidermis sufflamen*  
 Porkfish, *Anisotremus virginicus*  
 Puddingwife, *Halichoeres radiatus*  
 Queen snapper, *Etelis oculatus*  
 Queen triggerfish, *Balistes vetula*  
 Red grouper, *Epinephelus morio*  
 Red hind, *Epinephelus guttatus*  
 Red porgy, *Pagrus pagrus*  
 Red snapper, *Lutjanus campechanus*  
 Rock hind, *Epinephelus adscensionis*  
 Rock Sea Bass, *Centropristis philadelphica*  
 Sailors choice, *Haemulon parra*  
 Sand tilefish, *Malacanthus plumieri*  
 Saucereye porgy, *Calamus calamus*  
 Scamp, *Mycteroperca phenax*  
 Schoolmaster, *Lutjanus apodus*  
 Scup, *Stenotomus chrysops*  
 Sheepshead, *Archosargus probatocephalus*  
 Silk snapper, *Lutjanus vivanus*  
 Smallmouth grunt, *Haemulon chrysargyreum*  
 Snowy grouper, *Epinephelus niveatus*  
 Spanish grunt, *Haemulon macrostomum*  
 Speckled hind, *Epinephelus drummondhayi*  
 Tiger grouper, *Mycteroperca tigris*  
 Tomtate, *Haemulon aurolineatum*  
 Yellow jack, *Carangoides bartholomaei*  
 Yellowedge grouper, *Epinephelus flavolimbatus*  
 Yellowfin grouper, *Mycteroperca venenosa*  
 Yellowmouth grouper, *Mycteroperca interstitialis*  
 Yellowtail snapper, *Ocyurus chrysurus*  
 Vermilion snapper, *Rhomboplites aurorubens*  
 Warsaw grouper, *Epinephelus nigritus*  
 White grunt, *Haemulon plumierii*  
 Whitebone porgy, *Calamus leucosteus*  
 Wreckfish, *Polyprion americanus*

## **1.2 Purpose of the Proposed Action**

The purpose of the proposed action is to prevent the potential formation of derby fisheries for black sea bass, vermilion snapper, greater amberjack, and gag, through the implementation of trip limits, split season quotas, and spawning season closures.

## **1.3 Need for the Proposed Action**

The need for this action is to comply with the Magnuson-Stevens Fishery Conservation and Management Act's national standards, to ensure equity in harvest opportunities, and promote safety at sea through the prevention of derby style fisheries, while minimizing adverse socioeconomic impacts.

## **1.4 Background**

### *Black Sea Bass*

Black sea bass is undergoing overfishing and being managed under a rebuilding plan. Management measures to rebuild the stock are currently in place, including a commercial quota and recreational allocation, now referred to as annual catch limits (ACLs). Seven other snapper grouper species are also undergoing overfishing. Harvest restrictions placed on those, and other co-occurring species such as vermilion snapper and gag, have led to some effort shifts to fisheries such as black sea bass. Because black sea bass, vermilion snapper, and gag are managed with commercial quotas, which have been reduced in recent years to end overfishing, effort shifts to those fisheries in addition to increased biomass levels, have resulted in their respective quotas being met earlier each year. The June-May fishing year for black sea bass closed on December 20, 2009 and October 6, 2010.

Amendment 13C to the Fishery Management Plan for the Snapper Grouper Fishery of the Southeast Region implemented management measures to reduce harvest of black sea bass by 35%. The total allowable catch (TAC) was reduced to 847,000 lbs whole weight, and of that TAC, 309,000 lbs gutted weight was allocated to the commercial sector as the annual commercial quota. After the quota is met all pots are required to be removed from the water. The fishing season was also changed to from the calendar year to June 1 through May 31. Additionally, the bag limit was reduced from 20 to 15 black sea bass per person per day and the minimum size limit was increased to 12 inches total length.

### *Gag*

Amendment 16 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Amendment 16) implemented a new commercial quota for gag which is 352,940 lbs gutted weight, which was intended to cause an initial 35% reduction in commercial harvest. In addition to reducing the quota for gag, Amendment 16 also includes a management measure that prohibits all harvest of shallow water grouper when the gag quota is met. Amendment 17B, if approved and implemented through rulemaking, would establish a group commercial annual catch limit (ACL) for gag, red grouper, and black grouper, of 662,403 lbs gutted weight, which is equivalent to the expected catch resulting from the implementation of management measures for red grouper and black grouper in Amendment 16 and the gag ACL specified in Amendment 16. Commercial possession of shallow water groupers would be prohibited when either the gag or the gag, black grouper, and red grouper ACL is projected to be

met. The low quota combined with a rebuilding stock, could lead to the quota being met more and more quickly overtime, encouraging a derby style fishery to form.

### *Vermilion Snapper*

Overfishing of vermilion snapper during 1999-2001 was addressed in Amendment 13C. At that time it was unclear if vermilion snapper were overfished in addition to experiencing overfishing based upon the a poorly defined stock recruitment relationship. Therefore, the Council and the Council's Scientific and Statistical Committee (SSC) felt it was best to account for this uncertainty by capping commercial landings at 1,100,000 lbs, which was slightly lower than the commercial portion of optimum yield (1,114,310 lbs gutted weight), until the 2007 stock assessment was completed.

A new aged based assessment for vermilion snapper completed in 2008 verified vermilion snapper was experiencing overfishing but indicated the stock was not overfished. Based on the results of the new assessment, Amendment 16 reduced commercial harvest of vermilion snapper by 29%, and implemented a split season quota 315,523 pounds gutted weight during January through June, and 302,523 pounds gutted weight from July through December. Additionally, recreational harvest of vermilion snapper is prohibited from November through March each year. As the vermilion snapper stock rebuilds there will be more fish available for harvest, increasing the chance that the quotas will be met sooner each year, and could also result in a derby fishery. In 2010, the January through June quota was met on March 19, 2010 and the the July through December on October 7, 2010. The quota closure is expected even earlier in 2011 if no trip limits are implemented to prevent such an event.

### *Greater Amberjack*

Amendment 9 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region established measures for greater amberjack that: reduced the recreational bag limit from 3 to 1 greater amberjack per person per day; maintained the prohibition on harvest and possession in excess of the bag limit during April; established a quota at 63% of 1995 landings (quota=1,169,931 pounds gutted weight); began the fishing year on May 1; prohibited sale of fish harvested under the bag limit when the season is closed; and prohibited coring. Currently, there is a 1,000 pound gutted weight trip limit, which is effective each year until the quota is reached. Since the trip limit was implemented, the commercial quota for greater ameberjack has never been reached. With increased restrictions on other snapper grouper species through Amendments 13C and 16, there has been an interest in increasing the trip limit for greater amberjack.

### *Framework Actions*

The current Framework Procedure for Setting Total Allowable Catch for Snapper Grouper (Framework) allows for adjustments to be made to harvest parameters such as quotas, trip limits, bag limits, size limits, and seasonal or area closures via regulatory amendment. Regulatory amendments are the type of amendment associated with implementing framework actions. Regulatory amendments require less time to implement than a standard Fishery Management Plan amendment, and are effective until modified unlike temporary or emergency rules. Frameworkactions are implemented by the Regional Administrator and require less public and Council participation when compared to the lengthy amendment process. The majority of public participation and Council weigh-in on framework issues typically takes place when the framework procedures are initially drafted during the amendment process. Eliminating these time-consuming factors would enable harvest modifications to be expedited when they are most

needed. The overall harvest limitations for black sea bass, gag, and vermilion snapper were implemented through the amendments mentioned above, which were subjected to many levels of Council and public input. Therefore, establishing trip limit or split season quota within the bounds of the previously set harvest levels fall within the scope of adjustments able to made through regulatory amendment.

### **1.5 History of Management for Black Sea Bass, Gag , Greater Amberjack, and Vermilion Snapper**

The snapper grouper fishery is highly regulated; some of the species included in this Fishery Management Plan (FMP) have been regulated since 1983. A detailed history of management for all species in the snapper grouper fishery management unit may be found in **Appendix T**. Below is an annotated list of FMP amendments that contained actions specifically related to black sea bass, vermilion snapper, and gag.

#### **Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 1983**

The original Fishery Management Plan (FMP) included provisions to prevent growth overfishing in thirteen species in the snapper grouper complex and established a procedure for preventing overfishing in other species; established minimum size limits for red snapper, yellowtail snapper, red grouper, Nassau grouper, and black sea bass, a 4" trawl mesh size to achieve a 12" total length minimum size limit for vermilion snapper; and included additional harvest and gear limitations. Regulatory Amendment 1 (1987) implemented special management zones (SMZ) off South Carolina and Georgia.

#### **Amendment 4 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 1991**

Amendment 4 prohibited the use of various gear, including fish traps, the use of bottom longlines for wreckfish, and powerheads in special management zones off South Carolina; established bag limits and minimum size limits for several species; established income requirements to qualify for permits; and required that all snapper grouper species possessed in South Atlantic Federal waters must have heads and fins intact through landing.

#### **Regulatory Amendment 5 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 1992**

Regulatory Amendment 5 modified the definition of black seabass pots, allowed multi-gear trips, and allowed retention of incidentally caught fish.

#### **Amendment 9 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 1997**

Amendment 9 imposed the following regulatory changes for black sea bass, vermilion snapper, gag, and greater amberjack:

- Increased the black sea bass minimum size limit from 8" TL to 10" TL for both recreational and commercial fishermen, established a recreational bag limit of 20 black sea bass per person per day, ; required escape vents and escape panels with degradable fasteners in black sea bass pots;
- Increased the recreational vermilion snapper minimum size limit from 10" to 11" TL and retained the current 10-fish bag limit;

- Increased the gag minimum size limit from 20" TL to 24" TL for both recreational and commercial fishermen, prohibited harvest and possession of gag in excess of the bag limit during March and April, prohibited purchase and sale of gag during March and April, and specified that within the 5-fish aggregate grouper bag, no more than 2 fish may be gag grouper or black grouper (individually or in combination); and
- Established measures for greater amberjack that reduced the recreational bag limit from 3 to 1 greater amberjack per person per day, maintained the prohibition on harvest and possession in excess of the bag limit during April, established a quota at 63% of 1995 landings (quota=1,169,931 pounds), began the fishing year on May 1, prohibited sale of fish harvested under the bag limit when the season is closed, and prohibited coring.

### **Amendment 11 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 1998**

Amendment 11 amended the FMP to make definitions of maximum sustainable yield (MSY), optimum yield, overfishing, and overfished consistent with "National Standard Guidelines". Amendment 11 also identified and defined fishing communities, addressed bycatch management measures, and defined the red snapper  $F_{MSY}$  SPR proxy as  $F_{30\%SPR}$ .

### **Amendment 13C to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 2006**

Amendment 13C to the Snapper Grouper FMP became effective October 23, 2006. The amendment addresses overfishing for snowy grouper, golden tilefish, black sea bass, and vermilion snapper. The amendment also allows for a moderate increase in the harvest of red porgy as stocks continue to rebuild.

### **Amendment 15A to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 2008**

Amendment 15A to the Snapper Grouper FMP became effective was approved by the Secretary of Commerce on March 14, 2008. The amendment was developed by the Council to: 1) update management reference points for snowy grouper, black sea bass, and red porgy; 2) modify rebuilding schedules for snowy grouper and black sea bass; 3) define rebuilding strategies for snowy grouper, black sea bass, and red porgy; and 4) redefine the minimum stock size threshold for the snowy grouper stock. The amendment was approved March 14, 2008.

### **Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 2009**

The amendment includes measures to end overfishing for gag and vermilion snapper. For **gag** these measures include: 1) define interim allocations based on landings at 51% commercial and 49% recreational; 2) establish a January through April spawning season closure for gag for both commercial and recreational sectors where no fishing for and/or possession of gag would be allowed. In addition, during the closure no fishing for and/or possession of the following species would be allowed - black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper, yellowfin grouper, graysby, and coney; 3) establish a directed commercial quota of 352,940 pounds (gutted weight); 3) reduce the current 5-grouper aggregate recreational bag limit to a 3-grouper aggregate bag limit and reduce the existing bag limit from 2 gag or black grouper to 1 gag or black grouper combined; and 4) exclude the captain and crew on for-hire vessels from possessing a bag limit for groupers. For **vermilion snapper** these measures include: 1) define interim allocations based on landings of 68% commercial and 32% recreational; 2) establish a commercial quota of 315,523 pounds gutted weight January through



June; and 302,523 pounds gutted weight July through December; 3) reduce the recreational bag limit from 10 fish to 5 fish; and 4) establish a recreational closed season November through March.

### **Amendment 17B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 2010**

The amendment will establish Annual Catch Limits (ACLs) and Accountability Measures (AMs) and address overfishing for eight species in the snapper grouper management complex currently listed as undergoing overfishing (golden tilefish, snowy grouper, speckled hind, warsaw grouper, black sea bass, gag, red grouper, and vermilion snapper). Amendment 17B also includes actions for black grouper, which has recently been determined to not be overfished or experiencing overfishing. Measures in Amendment 17B include the establishment of a combined ACL for gag, black grouper, and red grouper of 662,403 lbs (gutted weight) for the commercial fishery, and 648,663 lbs (gutted weight) for the recreational fishery, and establishment of accountability measures as necessary.

### **Amendments 18A and 18B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region 2011**

Amendment 18A currently includes several management alternatives including modifications to the black sea bass pot and golden tilefish fisheries as well as actions to improve data collection. Amendment 18B includes actions to extend the fishery management unit north of the area of current jurisdiction and address essential fish habitat for snapper-grouper species in these areas.

#### *Management Objectives*

Objectives of the Snapper Grouper FMP, as modified through Amendment 17A 2010, are shown below.

1. Prevent overfishing.
2. Collect necessary data.
3. Promote orderly utilization of the resource.
4. Provide for a flexible management system.
5. Minimize habitat damage.
6. Promote public compliance and enforcement.
7. Mechanism to vest participants.
8. Promote stability and facilitate long run planning.
9. Create market-driven harvest pace and increase product continuity.
10. Minimize gear and area conflicts among fishermen.
11. Decrease incentives for overcapitalization.
12. Prevent continual dissipation of returns from fishing through open access.
13. Evaluate and minimize localized depletion.
14. End overfishing of snapper grouper stocks undergoing overfishing.
15. Rebuild stocks declared overfished.

## 2 Actions and Alternatives

Species affected by the proposed actions and alternatives below include black sea bass, vermilion snapper, greater amberjack, and gag. Alternatives the Council considered but eliminated from detailed study during the development of this amendment are described in **Appendix A**.

The environmental assessment (EA) provides relevant background information and in-depth analyses of each action alternative considered by the Council. Thus, the subject EA complies with Section 102 of the National Environmental Policy Act by providing the Secretary of Commerce all the information needed to make a prudent decision regarding approval of the amendment and subsequent implementation through the rulemaking process.

### 2.1 Harvest Management Measures for Black Sea Bass

**Alternative 1 (No Action).** Quota Commercial ACL is 309,000 lbs gutted weight. There is no trip limit.

**Alternative 2.** Establish a commercial trip limit for the black sea bass fishery (all gear)

**Sub- Alternative 2a.** Establish a 500 lb gw (590 lb ww) trip limit.

**Sub- Alternative 2b.** Establish a 750 lb gw (885 lb ww) trip limit.

**Sub- Alternative 2c.** Establish a 1,000 lb gw (1,180 lb ww) trip limit.

**Sub- Alternative 2d.** Establish a 1,250 lb gw (1,475 lb ww) trip limit.

**Sub- Alternative 2e.** Establish a 1,000 lb gw (1,180 lb ww) trip limit; reduce to 500 lbs gutted weight (590 lb ww) when 75% of the quota is met.

**Sub- Alternative 2f.** Establish a 2,000 lb gw (2,360 lb ww) trip limit.

**Sub- Alternative 2g.** Establish a 2,500 lb gw (2,950 lb ww) trip limit. *(added by Council at Sept. 2010 meeting)*

**Sub- Alternative 2gh.** Establish a trip limit that will keep the fishery open all year (340 lbs gw trip limit). *IPT suggests just changing text to 340 lb trip limit since different trip limits would keep the fishery open all year depending on year chosen.*

**Alternative 3.** Establish separate trip limits for the pot and other fisheries (hook and line, spear).

**Alternative 3a.** Establish a 500 lb gw (590 lb ww) trip limit for pot fishery and a 50 lb gw (59 lb ww) trip limit for other fisheries.

**Alternative 3b.** Establish a 750 lb gw (885 lb ww) trip limit for pot fishery and a 75 lb gw (89 lb ww) trip limit for other fisheries.

**Alternative 3c.** Establish a 1,000 lb gw (1,180 lb ww) trip limit for pot fishery and a 100 lb gw (118 lb ww) trip limit for other fisheries.

**Alternative 3d.** Establish a trip limit for the pot (340 lb gw) and other fisheries (17 lb gw) that will keep the fishery open all year. *(Moved to Considered but rejected per Sept. 2010 Council motion)*

**Alternative 3.** Establish a split commercial season for black sea bass.

- ~~Sub-Alternative 3a.~~ Separate commercial ACLs quotas for June-November and December-May based on historical proportions of landings.
- ~~Sub-Alternative 3b.~~ Separate commercial ACLs quotas for June-December and January-May based on historical proportions of landings.
- ~~Sub-Alternative 3c.~~ Carry over unused portion of commercial ACL from first part of fishing year to second portion of season.
- ~~Sub-Alternative 3d.~~ Carry over unused portion of commercial ACL from second part of fishing year to next fishing year.
- ~~Sub-Alternative 3e.~~ Allow fishing for black sea bass with black sea bass pots until all but 100,000 pounds is harvested, and allow hook and line fishing to continue. Start second season for the remainder of the quota on June 1 of every year.
- ~~Alternative 3f.~~ Close the pot portion of the fishery until all but 50,000 lbs of the commercial ACL is left and reopen the commercial pot fishery on January 1. *(added by Council at Sept. 2010 meeting)*
- ~~Alternative 4.~~ Change the black sea bass fishing year (November-October) and establish a split season with November 1<sup>st</sup>-April 30<sup>th</sup> and May 1<sup>st</sup>-October 31<sup>st</sup>. Catch will be apportioned based on average landings from the last 5 years.
- ~~Alternative 5.~~ Change the black sea bass fishing year (January-December) and establish a split season with Jan 1<sup>st</sup>-June 30<sup>th</sup> and July 1<sup>st</sup>-December 31<sup>st</sup>. Catch will be apportioned based on average landings from the last 5 years.

*IPT suggests Alternative 3 be restructured as indicated below for ease of analyses. The Council made a motion that Sub-Alternatives 3c and 3d should be removed from Amendment 18A without stating where they should go. The IPT recommends the Council either formally add these alternatives from Amendment 18A to Reg. Amendment 9, or formally move them the considered but rejected section of Amendment 18A*

**Alternative 3.** Retain the June-May fishing year. Specify separate commercial ACLs for June-November and December-May based on landings from 2006-2009.

**Alternative 4.** Retain the June-May fishing year. Specify commercial ACLs for June-December and January-May based on landings from 2006-2009.

**Alternative 5.** Change the black sea bass fishing year to November-October. Specify separate commercial ACLs for November-April 30 and May 1-October based on landings from 2006-2009.

**Alternative 6.** Change the black sea bass fishing year to January-December. Separate commercial ACLs for January-June and July-December based on landings from 2006-2009.

**Alternative 7.** Under Alternatives 3-6, carry over unused portion of commercial ACL from first part of fishing year to second portion of season.

**Alternative 8.** Under **Alternatives 3-6**, carry over unused portion of commercial ACL from second part of fishing year to next fishing year.

**Alternative 9.** Under **Alternatives 3-6**, close fishing for black sea bass with pots when all but 100,000 pounds is harvested. Fishing with other allowable gear types would occur for the remainder of the sub-season. Start second season for the remainder of the quota for all allowable gear types.

**Alternative 10.** Under **Alternatives 3-6**, close fishing for black sea bass with pots when all but 50,000 pounds is harvested. Fishing with other allowable gear types would occur for the remainder of the sub-season. Start second season for the remainder of the quota for all allowable gear types. (*added by Council at Sept. 2010 meeting*)

**Alternative 11 6.** Close the pot fishery when 90% of the commercial quota is met.

**Alternative 12 6.** Establish a spawning season closure for black sea bass.  
(*the sub-alternatives below were removed from Amendment 18 and incorporated here per Sept. 2010 Council motion*)

**Sub-Alternative 6a12a:** Implement a March 1-April 30th spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Sub-Alternative 6b12b:** Implement an April 1st-May 31<sup>st</sup> spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Sub -Alternative 6e-12c:** Implement a March 1<sup>st</sup>- May 31<sup>st</sup> spawning season closure for black sea bass, would apply to commercial and recreational sectors.

**Sub-Alternative-6d12d:** Implement a May 1<sup>st</sup>- May 31<sup>st</sup> spawning season closure for black sea bass, would apply to commercial and recreational sectors.

#### ***IPT Note***

*The type of control specified by Alternatives 7 and 8 is going to put a lot of pressure on the Center to monitor the quota. As usual, we probably will end up with closing dates that are projected rather than observed. And given that the season is short, the projections might have to be made before the season even begins. If this is the case, then we might as well just specify a fixed season for pot fishing and not worry about monitoring and projections.*

#### ***IPT Suggestion***

*Specify two seasons, one in which all gears may participate, and the other for all gears except pots. Specify the fishing year so that one of the seasons corresponds to the traditional winter pot fishery. The Nov-Oct fishing year probably would fit this objective best. Pot fishing would be allowed from Nov-April only. Realistically, given the low ACL for sea bass, this season probably would close in Dec or Jan, but it would allow pots to fish in the winter when they are most efficient and would allow other gears to fish in winter and summer months.*

## 2.2 Trip Limits for Vermilion Snapper

**Alternative 1 (No Action).** Commercial ACL-quota is 315,523 lbs gw (350,231 lbs ww) during January-June and 302,523 lbs gw (335,800 lbs ww) during July-December. There is no commercial trip limit.

**Alternative 2.** Establish a 1,000 lb gw (1,110 lb ww) commercial trip limit. (Snapper Grouper AP preferred alternative from June 2008).

**Sub-Alternative 2a.** Establish a 1,000 lb gw (1,110 lb ww) commercial trip limit and reduce to 500 lbs gw (555 lbs ww) when 75% of the quota is met. *(IPT needs to which season? The first or second or both for all these alternatives?)*

**Alternative 3.** Establish a 1,500 lb gw (1,665 lb ww) commercial trip limit. *(added by the Council at the Sept. 2010 meeting)*

**Alternative 3a.** Establish a 750 lb gw (833 lb ww) trip limit.

**Sub-Alternative 3a.** Establish a 750 lb gw (833 lb ww) commercial trip limit and reduce to 400 lbs gw (444 lbs ww) when 75% of the quota is met.

**Alternative 5.** Establish a 500 lb gw (555 lb ww) commercial trip limit.

**Alternative 5-6.** Establish a 400 lb gw (444 lb ww) commercial trip limit.

2.2.1

2.3 Trip Limit for Gag

**Alternative 1 (No Action).** Quota is 352,940 lbs gw. Seasonal closure occurs during January-April. There is no trip limit.

**Alternative 2.** Establish a 1,000 lb gw (1,180 lb ww).

**Sub-Alternative 2a.** Establish a 1,000 lb gw (1,180 lb ww) trip limit and reduce to 100 lbs gw (118 lbs ww) when 75% of the quota is met.

**Alternative 3.** Establish a 750 lb gw (885 lb ww) trip limit.

**Sub-Alternative 3a.** Establish a 750 lb gw (885 lb ww) trip limit and reduce to 100 lbs gw (118 lbs ww) when 75% of the quota is met.

2.4 Trip Limit for Greater Amberjack

**Alternative 1. No Action (Status quo).** Retain the current commercial regulations for greater amberjack in the South Atlantic:

**Table 2.x Current Commercial Regulations for Greater Amberjack**

Commercial ACL	Size Limit	Trip Limit	Fishing Season	Other
1,169,931 lb gw	36" FL	1,000 lb gw	Closed April 1-30	No sale in April; purchase and sale prohibited once quota is reached. After quota is met, possession limited to 1/person/day or 1/person/trip, whichever is more restrictive

36" FL size limit; 1,000 lb trip limit, commercial season closed April 1-30; 1,169,931 lb quota (gutted weight). No sale after quota is reached. After the commercial quota is met, all purchase and sale is prohibited and harvest and/or possession is limited to the recreational bag limit. This prohibition does not apply to fish harvested, landed, and sold prior to the quota being reached and held in cold storage by a dealer. No sale in April. Possession limited to 1/person/day or 1/person/trip, which is more restrictive. 1,000 lb trip limit until the commercial ACL is reached.

**Alternative 2.** Change the commercial trip limit for greater amberjack.

**Alternative 2a.** Increase the greater amberjack commercial trip limit to 2,000 lbs.

**Alternative 2b.** Increase the greater amberjack commercial trip limit to 1,500 lbs.

**Alternative 3.** Change the commercial trip limit for greater amberjack to 2,000 lbs gw (2,080 lbs ww) for vessels making multi-day trips north of Cape Canaveral. For all other trips the 1,000 lb trip limit would apply. *(added by the Council at their Sept. 2010 meeting)*

**Alternative 4.** Change the commercial trip limit for greater amberjack to 2,500 lbs gw (2,600 lbs ww) for vessels making multi-day trips north of Cape Canaveral. For all other trips the 1,000 lb trip limit would apply. *(added by the Council at their Sept. 2010 meeting)*

*(The IPT needs a definition of “multi-day”. The current analysis considered multi-day greater than 24 hrs. in duration.)*

### 2.4.1 Comparison of Alternatives

**Alternative 1 (No Action)** would retain the commercial regulations in place for greater amberjack including a 36” fork length minimum size limit, a 1,000 lb gutted weight trip limit, a April 1-30 prohibition on harvest, and a 1,169,931 pound gutted weight quota. SEDAR 15 (2008) indicates the stock is not experiencing overfishing ( $F_{2006}/F_{MSY} = 0.531$ ) and is not overfished ( $SSB_{2006}/SSB_{MSY} = 1.096$ ). Furthermore, the commercial quota has never been met since it was established through Amendment 9 in 1999 (SAFMC 1997). With increased restrictions on other snapper grouper species through Amendments 13C and 16, there has been an interest in increasing the trip limit for greater amberjack.

**Alternative 2** would increase the trip limit for greater amberjack from 1,000 lbs gutted weight to 2,000 lbs gutted weight under **Alternative 2a** and 1,500 lbs gutted weight under **Alternative 2b**. During the 2008 fishing year (May 2008 – April 2009) the estimated landings of greater amberjack from logbook data was 730,854 lbs gutted weight. Based on data from the 2008 fishing year, the commercial quota of 1,169, 931 lb gutted weight quota would not be reached with either the 2,000 lb trip limit proposed under **Alternative 2a** or the 1,500 lb trip limit proposed under **Alternative 2b** (Table 2-x).

Table 2-x. Estimated landings of greater amberjack expected from increased trip limit. Based on data from May 2008-April 2009 from NMFS Logbook.

trip limit (gutted weight)	whole weight	gutted weight
Alternative 1 - 1,000 lbs	760,089	730,854
Alternative 2a - 2,000 lbs	927,529	891,854
Alternative 2b - 1,500 lbs	843,809	811,354

Among the proposed alternatives, status quo (**Alternative 1**) would have the greatest positive biological effect since it would not result in an increased harvest of greater amberjack.

**Alternative 2a**, which would allow for the largest increase in the trip limit would have the greatest negative biological effect on the species. However, the recent assessment indicates the stock is not overfished and is not experiencing overfishing. Based on data from the 2008 fishing year, increasing the trip limit to 2,000 lbs gutted weight would result in landings that are approximately 280,000 lbs less than the quota. Furthermore, incidental mortality of greater

amberjack would be expected to be low if the quota was met due to low a low release mortality rate. Therefore, none of the alternatives are expected to have negative biological effects on the stock of greater amberjack