

**Regulatory Amendment 14
to the Fishery Management Plan for the Snapper
Grouper Fishery
of the South Atlantic Region**

SUMMARY DOCUMENT FOR SSC

APRIL 2012

Regulatory Amendment 14 to the Fishery Management Plan of the Snapper Grouper Fishery of the South Atlantic Region (Regulatory Amendment 14) was initially intended to address management of five species within the snapper grouper fishery management unit. The South Atlantic Fishery Management Council (Council) identified additional management measures regarding greater amberjack, mutton snapper, gray triggerfish, black sea bass, and vermilion snapper at the Council meeting in June 2012. The Council provided further guidance on actions and alternatives to include in the amendment at their September and December 2012 meetings. That guidance included moving some of the actions pertaining to the management of vermilion snapper to a different amendment (Regulatory Amendment 18), removing actions pertaining to gray triggerfish until after the stock assessment for that species is completed in 2013, removing actions pertaining to mutton snapper, and removing actions addressing red porgy in light of the stock assessment update results for that species.

Why is the South Atlantic Council taking Action?

The South Atlantic Council is considering several actions that would enhance socio-economic benefits to fishermen and fishing communities in the South Atlantic region that utilize the snapper grouper fishery. A brief background section that explains the Council's reasoning for considering action accompanies each action presented below.

Purpose for Actions

The purpose for the actions is to: (1) modify the fishing year for greater amberjack; (2) change the measurement method for gray triggerfish; (3) increase the minimum size limit for hogfish; (4) modify the commercial and recreational fishing years for black sea bass; (5) change the commercial fishing season for vermilion snapper; (6) modify the aggregate grouper bag limit; and (7) revise the AMs for gag and vermilion snapper.

Need for Actions

The need for the actions is to: (1) modify management measures for greater amberjack, gray triggerfish, hogfish, black sea bass, and grouper to enhance socioeconomic benefits to fishermen and fishing communities that utilize the snapper grouper fishery; and (2) modify accountability measures for gag and vermilion snapper for consistency and accuracy.

List of Proposed Actions

There are 9 actions in Regulatory Amendment 14. The *actions* have a range of *alternatives*, including a “no action alternative”. The Council has not yet selected a “preferred alternative” for any of the actions.

Action 1. Modify the fishing year for greater amberjack

Action 2. Change the measurement method for gray triggerfish to have consistency between state and federal waters

Action 3. Increase the minimum size limit for hogfish

Action 4. Modify the fishing year for the black sea bass recreational sector

Action 5. Modify the fishing year for the black sea bass commercial sector

Action 6. Modify the commercial fishing seasons for vermilion snapper

Action 7. Modify the aggregate grouper bag limit

Action 8. Modify the accountability measure for the commercial sector for gag

Action 9. Modify the recreational accountability measure for vermilion snapper

Proposed Actions and Rationale for Consideration

Action 1. Modify the fishing year for greater amberjack

Alternative 1 (No Action). The current commercial fishing year begins on May 1 and ends on April 30.

Alternative 2. Modify the fishing year for greater amberjack to begin on January 1 and end on December 31.

Alternative 3. Modify the fishing year for greater amberjack to begin on March 1 and end on February 28.

Background

Greater amberjack is on the Southeast Data, Assessment, and Review (SEDAR) schedule for 2014.

Prior to implementation of the Comprehensive ACL Amendment and Regulatory Amendment 9, the commercial quota was 1,169,931 pounds gw and trip limit was 1,000 pounds gw. The Comprehensive ACL Amendment decreased the commercial quota to 800,163 pounds ww and Regulatory Amendment 9 to the Snapper Grouper FMP increased the commercial trip limit to 1,200 pounds.

Fishermen from the Florida Keys requested the South Atlantic Council consider changing the start date of the fishing year for greater amberjack from May 1 to Jan 1. They claim that greater amberjack migrate out of the Florida Keys by mid-May. Also, it is important to them that the month of March remain open because it is prior to Lent and also a very productive month for fishing. Alternately, some fishermen indicated the Council could consider a reduction of the current trip limit (1,200 pounds gw). However, the majority of fishermen that voiced their opinion to the Council stated their preference for a change in the fishing year instead of a reduction in the trip limit.

In November 2012, the Snapper Grouper AP recommended Alternative 1 (No Action).

Action 2. Change the measurement method for gray triggerfish to have consistency between state and federal waters

Alternative 1 (No Action). Currently, the minimum size limit for gray triggerfish is specified in inches total length (TL) in federal waters off east Florida only. In Florida state waters, the minimum size for gray triggerfish is specified in inches fork length (FL). The minimum size limit is 12 inches TL in federal waters off Florida and 12 inches TL in Florida state waters.

Alternative 2. Specify a minimum size limit for gray triggerfish of 12 inches FL in federal waters off east Florida.

Alternative 3. Specify a minimum size limit for gray triggerfish of 12 inches FL in federal waters off North Carolina, South Carolina, Georgia, and east Florida.

Background

This action is being considered at the request of the state of Florida. Inconsistency in the manner gray triggerfish are measured between state and federal waters creates confusion and makes enforcement efforts difficult.

Action 3. Increase the minimum size limit for hogfish

Alternative 1 (No Action). Currently, the minimum size limit for hogfish is 12 FL in federal waters of the South Atlantic Region, and state waters of South Carolina, North Carolina, and Florida. There is no minimum size limit for hogfish in state waters of Georgia.

Alternative 2. Increase the minimum size limit for hogfish in federal waters to 13 inches FL.

Alternative 3. Increase the minimum size limit for hogfish in federal waters to 14 inches FL.

Background

In 2012, the Snapper Grouper Advisory Panel recommended that the Council consider increasing the size minimum size limit of gray triggerfish and hogfish to 14 inches. The Council chose to delay consideration of changes gray triggerfish management until after the completion of the stock assessment in 2013.

Action 4. Modify the fishing year for the black sea bass recreational sector

Alternative 1 (No Action). The recreational fishing year for black sea bass begins on June 1 and ends on May 31.

Alternative 2. Modify the recreational fishing year for black sea bass to begin on January 1 and end on December 31.

Alternative 3. Modify the recreational fishing year for black sea bass to begin on April 1 and end on March 31.

Alternative 4. Modify the recreational fishing year for black sea bass to begin on October 1 and end on September 30.

Alternative 5. Modify the recreational fishing year for black seas bass to begin on May 1 and end on April 30.

Background

In 2010, the Snapper Grouper AP made the following recommendations:

CONSIDER A SEPARATE BSB ALLOCATION FOR POT FISHERY FOR THE STATE OF FLORIDA (ADDITIONAL, SEPARATE QUOTA). COUNCIL SHOULD DIRECT STAFF TO COME UP WITH ALTERNATIVES TO CONSIDER THE ABOVE.

AP SUPPORTS A SPAWNING CLOSURE FOR BSB (COMMERCIAL AND RECREATIONAL).

In 2011, the Snapper Grouper AP made the following recommendations:

CHANGE THE RECREATIONAL FISHING YEAR FOR BLACK SEA BASS TO BEGIN APRIL 1ST

REQUEST THAT THE COUNCIL ONCE AGAIN CONSIDER REGIONAL APPROACHES TO RECREATIONAL MANAGEMENT AS APPROPRIATE

ALLOCATE THE BLACK SEA BASS COMMERCIAL ACL TO HOOK & LINE AND POT SECTORS AT THE HISTORICAL LEVELS. THE PERCENTAGE THAT THE DISQUALIFIED POT FISHERMEN WOULD HAVE LANDED IS ADDED TO THE HOOK AND LINE FISHERY

CONSIDER ESTABLISHING SPAWNING SEASON CLOSURES FOR BSB BY REGIONS UNTIL THE STOCK IS REBUILT

Right whale calving season in the South Atlantic is November through April. Interactions with commercial black sea bass pots are a concern. However, Amendment 18A implemented measures to limit participation and reduce effort in the commercial fishery. When ABC increases as the stock rebuilds, fishing with pots during the November-April calving season could be a concern.

The black sea bass fishing year north of Cape Hatteras, North Carolina is the calendar year. Black sea bass are managed by the Mid-Atlantic Fishery Management Council north of Cape Hatteras, North Carolina.

Amendment 18A became effective on June 1, 2012 and implemented the following regulations:

Commercial Sector:

(1) An endorsement program for the commercial black sea bass pot segment of the snapper-grouper fishery; (2) an appeals process for the endorsement program; (3) modifications to commercial AMs; (4) a limit of 35 black sea bass pot tags issued to each endorsement holder each permit year; (5) a requirement to bring black sea bass pots back to shore at the end of each trip; (6) a 1,000 pounds gw (1,180 pounds ww) commercial trip limit for the black sea bass commercial sector; and (7) an increase to the commercial minimum size limit for black sea bass from 10 inches TL to 11 inches TL.

*The commercial fishing season for black sea bass in the 2012-2013 fishing year opened July 1, 2012.

Recreational Sector:

(1) An increase to the recreational minimum size limit for black sea bass from 12 inches TL to 13 inches TL; (2) modifications to recreational AMs; and (3) a requirement for selected for-hire vessels to report landings information electronically on a weekly or daily basis.

In November 2012, the Snapper Grouper AP approved the following motion:

THE AP RECOMMENDS THAT THE COUNCIL CONSIDER A RECREATIONAL SPLIT SEASON FOR BLACK SEA BASS.

Action 5. Modify the fishing year for the black sea bass commercial sector

Alternative 1 (No Action). The commercial fishing year for black sea bass begins on June 1 and ends on May 31.

Alternative 2. Modify the commercial fishing year for black sea bass to begin on July 1 and end on June 30.

Alternative 3. Open the black sea bass commercial season only to the hook and line sector on January 1, with a trip limit of 50 pounds. The trip limit ends with the opening of the black sea bass pot season.

Alternative 4. Open the black sea bass commercial season only to the hook and line sector on May 1, with a trip limit of 50 pounds. The trip limit ends with the opening of the black sea bass pot season.

Alternative 5. Consider a closed season for the black sea bass pot fishery from November 15 through April 15.

Alternative 6. Modify the commercial fishing year for black sea bass to begin on May 1 and end on April 30.

Background

Changing the fishing year for black sea bass is being considered in response to fishermen's requests to better "line up" the availability of black sea bass and vermilion snapper. However, Regulatory Amendment 18 is considering changes to the start of the second vermilion snapper commercial season and removal of the recreational closed season.

In November 2012, the Snapper Grouper AP recommended the following: **CONSIDER MODIFYING THE COMMERCIAL FISHING YEAR FOR BLACK SEA BASS TO BEGIN ON MARCH 1.**

Action 6. Modify the commercial fishing seasons for vermilion snapper

Alternative 1 (No Action). The commercial fishing year for vermilion snapper is split into two seasons of equal duration, each with its own ACL. The first season begins on January 1 and ends on June 30 (6 months). The second season begins on July 1 and ends on December 31 (6 months). The commercial ACL is split equally between the two seasons.

Note: The figures with the new commercial ACLs, assuming Alternative 2 is chosen for Action 1, split by the current seasons (Alternative 1, No Action) are shown in Table 2.3.1.

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC-approved ABC control rule.

Year	ABC ww	Total ACL ww	Comm ACL ww	Comm ACL Jan-June ww	Comm ACL July-Dec ww
2013	1,372,000	1,372,000	932,960	466,480	466,480
2014	1,312,000	1,312,000	892,160	446,080	446,080
2015	1,289,000	1,289,000	876,520	438,260	438,260
2016	1,269,000	1,269,000	862,920	431,460	431,460

Alternative 2. The commercial fishing year for vermilion snapper is split into two seasons, each with its own ACL. 100% of the new ACL implemented through Regulatory Amendment 18 is applied to the second season.

Sub-alternative 2a. Second season start date remains at July 1.

Sub-alternative 2b. Second season start date begins on June 1.

Sub-alternative 2c. Second season start date begins on May 1.

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC-approved ABC control rule. 100% of increased ACL applied to second season. Previous total ACL was 653,045 lbs ww.

Year	ABC ww	Total ACL ww	Comm ACL ww	Season 1	Season2
2013	1,372,000	1,372,000	932,960	326,527	606,433
2014	1,312,000	1,312,000	892,160	326,527	565,633
2015	1,289,000	1,289,000	876,520	326,527	549,993
2016	1,269,000	1,269,000	862,920	326,527	536,393

Alternative 3. The commercial fishing year for vermilion snapper is split into two seasons, each with its own ACL. 25% of the new ACL implemented through Regulatory Amendment 18 is applied to the first season and 100% of the new ACL implemented through Regulatory Amendment 18 is applied to the second season.

Sub-alternative 3a. Second season start date remains at July 1.

Sub-alternative 3b. Second season start date begins on June 1.

Sub-alternative 3c. Second season start date begins on May 1.

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC-approved ABC control rule. 25% of the increased ACL is applied to the first season and 75% of increased ACL applied to second season. Previous total ACL was 653,045 lbs ww.

Year	ABC ww	Total ACL ww	Comm ACL ww	Season 1	Season 2
2013	1,372,000	1,372,000	932,960	396,504	536,457
2014	1,312,000	1,312,000	892,160	386,304	505,857
2015	1,289,000	1,289,000	876,520	382,394	494,127
2016	1,269,000	1,269,000	862,920	378,994	483,927

Background

This action is being considered at the request of fishermen to better “line up” the fishing seasons for vermilion snapper and black sea bass in order to minimize discards and maximize profits.

The action to consider changing the commercial fishing seasons for vermilion snapper was originally included in Regulatory Amendment 18. In March 2013 the Council discussed additional alternatives for modifying the fishing seasons and their desire to consider the black sea bass and vermilion snapper fishing seasons together. However, the Council recognized that adding any new alternatives would delay completion of Regulatory Amendment 18. Rather than delaying the increase in the vermilion snapper ACL, the Council chose to take no action in this amendment and directed staff to add this action, with additional alternatives, to Regulatory Amendment 14. Moving this action to Regulatory Amendment 14 will allow the Council to consider changes to the black sea bass and vermilion snapper fishing seasons jointly.

Action 7. Modify the aggregate grouper bag limit

Alternative 1 (No Action). The current aggregate grouper bag limit is 3 fish per person per day. Within this limit, only one fish can be a gag or black grouper.

Alternative 2. Modify the aggregate grouper bag limit.

Sub-alternative 2a. Increase the aggregate grouper bag limit from 3 to 4 fish. Within this limit, two fish can be gag. The bag limit for black grouper will remain at one fish.

Sub-alternative 2b. Increase the aggregate grouper bag limit from 3 to 4 fish. Within this limit, 1 fish can be a gag. The bag limit for black grouper will remain at one fish.

Alternative 3. Do not increase the aggregate grouper bag limit, but allow for retention of 2 gag. Maintain black grouper at 1 fish within that aggregate.

Alternative 4. Do not increase the aggregate grouper bag limit, but allow for retention of 2 gag. Maintain black grouper at 1 fish within that aggregate. If at the end of any season, it is determined that the recreational sector has exceeded its gag ACL, the bag limit will be reduced to 1 fish.

Background

In April 2012, the Snapper Grouper AP recommended the following: MOTION: RECOMMEND THAT THE COUNCIL CONSIDER INCREASING THE GAG/BLACK GROUPER BAG LIMIT FROM 1 TO 2 AND THE AGGREGATE GROUPER LIMIT FROM 3 TO 4 (2 GAG AND/OR 2 BLACK GROUPER).

In November 2012, the Snapper Grouper AP approved the following motion: KEEP THE BAG LIMIT FOR GAG AT 1 FISH (STATUS QUO).

Action 8. Modify the accountability measure for the commercial sector for gag

Alternative 1 (No Action). If gag commercial landings reach or are projected to reach the ACL, the AA will file a notification with the Office of the Federal Register to close the commercial fishery for gag for the remainder of the fishing year.

Alternative 2. Modify the commercial AM for gag. Reduce the trip limit to 300 lbs when 75% of the gag commercial ACL is landed.

Alternative 3. Conduct the necessary analysis to arrive at an appropriate date to trigger the trip limit step down. Consider a range of trip limit options.

Note: A trip limit analysis is being conducted to determine date when 75% of the commercial ACL is expected to be met, and the trip limit that would allow gag to remain open for the rest of the year.

Background

Fishermen have requested that the Council consider a step-down to the trip limit in order to extend the season. In 2012, the Snapper Grouper AP made the following recommendation:

MOTION: CONSIDER AN ACCOUNTABILITY MEASURE THAT THE TRIP LIMIT BE REDUCED TO 300 POUNDS WHEN 75% OF THE GAG COMMERCIAL QUOTA IS LANDED.

Action 9. Modify the recreational accountability measure for vermilion snapper

Alternative 1 (No Action). If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL of 307,315 lb gw, and vermilion snapper are overfished, the AA will file a notification to close the recreational fishery for the remainder of the fishing year. Without regard to overfished status, if vermilion snapper recreational landings exceed the ACL, the AA will file a notification at or near the beginning of the next fishing year, to reduce the ACL for that fishing year by the amount of the overage.

Alternative 2. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL the AA will file a notification to close the recreational fishery for the remainder of the fishing year. If vermilion snapper recreational landings exceed the ACL, the AA will file a notification at or near the beginning of the next fishing year, to reduce the ACL for that fishing year by the amount of the overage.

Alternative 3. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL the AA will file a notification to close the recreational fishery for the remainder of the fishing year.

Alternative 4. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL, the AA will file a notification to close the recreational fishery for the remainder of the

fishing year. Payback of a recreational overage would only take place if vermilion snapper are overfished and the Total ACL is exceeded.

Background

There is immediate need to address changes to the vermilion snapper recreational AM. Regulatory Amendment 18 proposes to increase the vermilion snapper ACL and remove the annual recreational closure. If approved, and because vermilion snapper is no longer overfished, there would be no in-season AM to ensure the recreational ACL is not exceeded. Regulatory Amendment 18 was approved for formal review at the March 2013 meeting.