



**Amendment 38 to the Fishery Management
Plan for the Snapper Grouper Fishery of the
South Atlantic Region
(Blueline Tilefish)**

Options Paper
(revised 6/2/15)



June 2015

Background

A stock assessment for the blueline tilefish stock off the U.S. east coast was conducted through the Southeast Data, Assessment, and Review (SEDAR) process in 2013 (SEDAR 32 2013). The assessment used data through 2011 and found the stock of blueline tilefish in the Atlantic to be overfished and undergoing overfishing. At their December 2013 meeting, the South Atlantic Council initiated development of Amendment 32 and voted to request emergency action to reduce overfishing of blueline tilefish immediately while Amendment 32 was being developed. The emergency rule, which was effective on April 17, 2014, set the blueline tilefish ACL at the yield at $75\%F_{MSY} = 224,100$ pounds whole weight (lbs ww). Amendment 32 was approved and implemented on March 30, 2015. The amendment set the ACL for the South Atlantic region at 98% of the recommended ABC based on projections at the recommended P* level according to the South Atlantic Council's ABC Control Rule; the remaining 2% was set aside to account for landings north of North Carolina based on average landings at the time. ACLs for 2015 through 2018 are shown in **Table 1**.

Table 1. Commercial and recreational annual catch limits (lbs ww) for blueline tilefish as implemented through Amendment 32.

| Year | Blueline Tilefish ACL (lbs ww) | | |
|--------------------------------------|-----------------------------------|------------|--------------|
| | Total | Commercial | Recreational |
| 2015 | 35,632 | 17,841 | 17,791 |
| 2016 | 53,457 | 26,766 | 26,691 |
| 2017 | 71,469 | 35,785 | 35,685 |
| 2018 and beyond until modified | 87,974 | 44,048 | 43,925 |

Although the blueline tilefish stock is currently treated as one unit along the entire East Coast, the new regulations only apply to vessels in the South Atlantic Council's area of jurisdiction. Concerns about rapidly increasing commercial and party/charter landings of blueline tilefish north of the NC/VA boundary (**Table 2**), particularly in New Jersey, prompted the Mid-Atlantic Fishery Management Council in February to request emergency action to implement a commercial trip limit of 300 pounds (whole weight) and a recreational possession limit of 7 fish per person within its jurisdiction. Commercial landings from Virginia and farther north increased on average from 11,000 pounds to 217,000 pounds in 2014 and party/charter vessel landings increased on average from 2,400 fish per year to over 10,000.

Table 2. Commercial and recreational landings and ACLs for blueline tilefish.

| | 2014 | 2015 | 2016 | 2017 | 2018* |
|------------------------------|----------------------|---------|--------|--------|---------|
| Maine-Florida | | | | | |
| OFL | 224,100 ¹ | 54,612 | 77,289 | 98,970 | 117,863 |
| ABC | 224,100 ¹ | 36,359 | 54,548 | 72,928 | 89,769 |
| Commercial Landings | 375,859 | | | | |
| Recreational Landings | 187,499 | | | | |
| Total Landings | 563,358 | | | | |
| Maine-Virginia | | | | | |
| ACL (2% of ABC) | --- | 727 | 1,091 | 1,459 | 1,795 |
| Commercial Landings | 216,947 | 79 | | | |
| Recreational Landings | 79,215 ² | N/A | | | |
| Total Landings | 296,162 | | | | |
| NC-Florida | | | | | |
| ACL (98% of ABC) | 224,100 ¹ | 35,632 | 53,457 | 71,469 | 87,974 |
| Commercial ACL | 112,207 ¹ | 17,841 | 26,766 | 35,785 | 44,048 |
| Commercial Landings | 158,912 | 107,723 | | | |
| Recreational ACL | 111,893 ¹ | 17,791 | 26,691 | 35,685 | 43,925 |
| Recreational Landings | 107,943 ³ | 32,722 | | | |
| Total Landings | 266,855 | | | | |

*New assessment results and potential changes could be implemented in early to mid-2018.

¹ ACLs for 2014 implemented through emergency action that expires April 17, 2015

² Only includes for-hire landings in Mid-Atlantic region based on Vessel Trip Reports. Pounds were derived from numbers of fish using 5 pounds as the average weight of an individual fish.

³ Landings are preliminary and include headboat.

Representatives from the Mid-Atlantic Council attended the South Atlantic Council's March 2015 meeting in St. Simons Island, GA and discussed concerns about applying the 2013 blueline tilefish stock assessment results throughout the species' range. The South Atlantic Council approved a motion requesting extension of regulations through the Mid-Atlantic and New England areas contingent on the South Atlantic Council's Scientific and Statistical Committee's (SSC) review of SEDAR 32's applicability to the area north of North Carolina. The South Atlantic Council's SSC, along with participating members from the Mid-Atlantic Council's SSC, reviewed the stock assessment during its April 28-30, 2015 meeting in N. Charleston, SC and determined the SEDAR 32 assessment constituted best available science and should be applicable to the blueline tilefish stock throughout its range along the US east coast. Based on this determination, the South Atlantic Council requested that NMFS take emergency action to apply the Amendment 32 measures to the Mid-Atlantic and New England Councils' areas of jurisdiction north of the NC/VA border (*Attachment 8b*). The final decision to implement emergency actions will be made by the Secretary of Commerce and regulations would be temporary pending development of a plan amendment to put in place long-term management measures. The Mid-Atlantic Council has initiated development of a plan amendment to

include blueline tilefish in their fishery management unit, along with wreckfish, snowy grouper, and other species to manage the portion of the stock within their area of jurisdiction.

Timing

- Amendment 32 was effective on March 30, 2015.
- Next SEDAR Assessment for blueline tilefish scheduled for completion in January 2017, to the South Atlantic Council's SSC in April 2017, to Council June 2017, and changes in regulations effective early to mid 2018.
- Request for temporary emergency action is pending for both the SAFMC and MAFMC.
- If approved, scoping for Amendment 38 could take place in July/August 2015.
- The Council could review scoping comments, modify the amendment, and approve for public hearings in September 2015.
- Public hearings could be held in November 2015.
- The Council could review public hearing comments, finalize the amendment, and send for formal review in December 2015.

Possible Management Actions

1. Northward Extension of the Snapper Grouper Fishery Management Unit

The South Atlantic Council currently has management authority over the entire US east coast for dolphin and wahoo. Spanish mackerel, king mackerel, and cobia are managed by the South Atlantic Council through the Mid-Atlantic Council's area of jurisdiction. The New England Council currently has management authority over red crab along the entire Atlantic Coast. The Mid-Atlantic Council has managed summer flounder, scup, and black sea bass under a single fishery management plan since 1996. The management unit for summer flounder extends from the U.S.-Canadian border to the southern border of North Carolina, while the management units for scup and black sea bass extend from the U.S.- Canadian border to Cape Hatteras, North Carolina. The Mid-Atlantic Council has jurisdiction over management of golden tilefish from Virginia to Maine.

A possible action the South Atlantic Council could take to address fishing mortality of blueline tilefish north of North Carolina is to extend the Snapper Grouper FMU northward. This would address the continued shift of species northward due to climate change. The South Atlantic Council gave this action some consideration in recent years.

In 2010, the South Atlantic Council was developing Amendment 18 to the Snapper Grouper FMP. At that time, the amendment included actions to limit participation and effort in the golden tilefish fishery; modify management of the black sea bass pot fishery; extend the range of the snapper grouper FMP north and designate EFH in new areas; change the golden tilefish fishing year; and improve the accuracy, timing, and quantity of fisheries statistics. The South Atlantic Council ultimately addressed black sea bass actions in Amendment 18A (SAFMC 2012a) and those pertaining to golden tilefish in Amendment 18B (SAFMC 2012b). The action to extend the FMU northward was eventually removed from consideration. However, the South Atlantic Council engaged in lengthy discussions during the September and December 2010 meetings (see **Appendix A** and **Appendix B**, respectively). Below are the actions and alternatives the South Atlantic Council considered at the time:

Action 1: Extend Snapper grouper FMU Northward

Alternative 1 (No Action). Do not change the current management boundaries of the snapper grouper FMU.

Alternative 2. Extend the management boundaries for all species in the Snapper grouper FMU northward to include the Mid-Atlantic Council's jurisdiction (except for black sea bass, golden tilefish, and scup).

Preferred Alternative 3. Extend the management boundaries for all species in the Snapper grouper FMU northward to include the Mid-Atlantic and New England Council's jurisdiction (except for black sea bass, golden tilefish, and scup).

Action 2: Permit requirement for Northern Extension

(Action 2 is relevant if Alternative 2 or Alternative 3 is selected as preferred in Action 1.)

Alternative 1. No Action. Current snapper grouper commercial (two-for-one) permit requirements would apply in the Northern extension.

Alternative 2. Do not require commercial snapper grouper permit in the Northern extension. (SA regulations would need to be revised to provide an exemption to the current permit requirement in the Northern area.)

Alternative 3. Create a new commercial snapper grouper permit for the Northern extension. This permit would be issued by the Southeast Regional Office but apply to fishermen in the Northern extension only.

Action 3: Implementation of Management Measures Protocol

Alternative 1. No action. Do not establish a protocol to implement management measures in the Northern extension.

Alternative 2. SAFMC will specify management measures to limit total mortality to the ACL/ACT specified for the entire South Atlantic jurisdiction, including the proposed Northern expansion.

Alternative 3. SAFMC will specify management measures to limit total mortality to the ACL/ACT specified for the entire South Atlantic jurisdiction, including the proposed Northern expansion, based on recommendations from the MAFMC and NEFMC for their respective regions.

Alternative 4. MAFMC will specify management measures to limit total mortality to the ACL/ACT specified for the MAFMC region.

Alternative 5. NEFMC will specify management measures to limit total mortality to the ACL/ACT specified for the NEFMC region.

In September 2010, the South Atlantic Council opted to split Amendment 18 into 18B (FMU Extension Action and designation of EFH for Snapper Grouper in Northern Extension Area) and 18A (rest of actions). The following motions were approved:

MOTION #2: EXTEND INVITATIONS TO THE NEW ENGLAND FISHERY MANAGEMENT COUNCIL AND MID ATLANTIC FISHERY MANAGEMENT COUNCIL TO PARTICIPATE IN FUTURE SAFMC MEETINGS AS MEMBERS OF THE SNAPPER GROUPE COMMITTEE. Note: This has been done and both Councils have seats on the committee; MA – 2 seats and NE – 1 seat.

MOTION # 3: REQUEST STAFF TO WORK UP ALTERNATIVES TO ADDRESS NORTHERN EXPANSION WITH THE INTENT TO 1) EXEMPT COMMERCIAL FISHERMEN IN NORTHERN ZONE FROM SALES PROHIBITION AND 2) NOT REQUIRE COMMERCIAL PERMIT IN NORTHERN AREAS.

MOTION # 4: DIRECT STAFF TO DEVISE MORE SPECIFIC ALTERNATIVES FOR MANAGEMENT MEASURES PROTOCOL ACTION AND UPDATE NORTHERN DATA IN DOCUMENT.

At the December 2010 meeting, the South Atlantic Council stopped further consideration of expanding the snapper grouper FMU northward and removed the action from Amendment 18B. **Appendix B** provides details of that discussion.

The South Atlantic Council could consider extending management authority north of the North Carolina/Virginia border for the entire Snapper Grouper FMU or for select species in addition to blueline tilefish. One species, blackbelly rosefish, would need to be added to the FMU.

COMMITTEE ACTION:

OPTION 1. DO NOT TAKE ACTION TO EXTEND THE SNAPPER GROUPE FISHERY MANAGEMENT UNIT NORTH OF NORTH CAROLINA.

OPTION 2. DIRECT STAFF TO ADD AN ACTION AND ALTERNATIVES TO AMENDMENT 38 THAT WOULD EXTEND THE SNAPPER GROUPE FISHERY MANAGEMENT UNIT NORTH OF NC BASED ON THOSE PREVIOUSLY CONSIDERED IN AMENDMENT 18.

OPTION 3. DIRECT STAFF TO ADD AN ACTION AND ALTERNATIVES TO AMENDMENT 38 THAT WOULD EXTEND MANAGEMENT AUTHORITY OF SELECT SNAPPER GROUPE SPECIES (E.G., BLUELINE TILEFISH) NORTH OF NC BASED ON THOSE PREVIOUSLY CONSIDERED IN AMENDMENT 18 AND ADD SPECIES (E.G., BLACK BELLY ROSEFISH) TO THE FMU.

OPTION 4. OTHERS??

COMMITTEE ACTION ON TIMING:

OPTION 1. APPROVE THE FOLLOWING TIMING:

- Approve Amendment 38 for scoping in July/August 2015.
- The Council will review scoping comments, modify the amendment, and approve for public hearings in September 2015.
- Public hearings will be held in November 2015.
- The Council will review public hearing comments, finalize the amendment, and send for formal review in December 2015.

OPTION 2. MODIFY THE TIMING AND APPROVE.

OPTION 3. OTHERS?

2. Revise blueline tilefish ABC & ACL based on revised projections

Subsequent to discussions that took place during the April 28-30 SSC meeting in N. Charleston, SC, the Council Chair requested that the SSC conduct a review of the existing projections for blueline tilefish. The following rationale and Terms of Reference were provided to the SSC:

The Council is concerned that the existing projections may not represent Best Scientific Information Available. Reasons for this concern include questions regarding the reliability of assumed recruitment levels and the impact of an assessment terminal data year of 2011 on current and future recruitment assumptions, landings exceeding assumed

and projected levels in the years since the assessment was conducted and the possibility of continued changes in the timing and range of the directed fishery.

Terms of Reference for the review are as follows:

- Review blueline tilefish stock projections.*
- Identify uncertainties and discuss their impact on projection results and fishing level recommendations and management.*
- Determine whether projection assumptions such as interim year landings are met, and comment on the consequences of this determination for fishing level recommendations and management.*
- Determine whether existing projections represent Best Scientific Information Available, and whether they are adequate to support fishing level recommendations for both the current and future years.*
- Provide guidance for revised projections, if necessary.*
- Provide revised Fishing Level Recommendations, including ABC and OFL, if appropriate.*

The SSC is scheduled to meet via webinar from 1-3 p.m. on June 3, 2015. Results will be presented to the Council during the June 8-12, 2015 meeting. The Council may consider taking action to revise the current ABC and ACL based on results of the SSC determinations.

COMMITTEE ACTION ON REVISIONS TO ABC & ACL:

OPTION 1. DO NOT CHANGE THE EXISTING ABC AND ACL LEVELS FOR BLUELINE TILEFISH.

OPTION 2. INCLUDE AN ACTION AND ALTERNATIVES IN AMENDMENT 38 TO CONSIDER MODIFICATIONS TO THE BLUELINE TILEFISH ABC AND ACL. INCLUDE ALTERNATIVES TO ALLOCATE A PORTION OF THE ACL TO THE AREA NORTH OF NORTH CAROLINA.

OPTION 3. OTHERS?

Options for jurisdictional allocation between the SAFMC and MAFMC & NEFMC

Alternative 1 (No Action). There is no jurisdictional allocation of the blueline tilefish total ACL between the Mid-Atlantic & New England Fishery Management Councils and the South Atlantic Fishery Management Council. The South Atlantic ACL for blueline tilefish is 98% of the Acceptable Biological Catch (ABC; established using average landings from 2008 to 2012). The South Atlantic Council intended for the remaining 2% of the ABC to account for landings from the Mid-Atlantic and New England Councils' areas. The South Atlantic Council intended to evaluate and adjust the percentage allocated to the Mid-Atlantic and New England areas and/or other measure as needed in the future.

Alternative 2. Revise the current allocation using average landings from 2008-2012 to include all available landings data (i.e., confidential, etc).

Alternative 3. Establish a jurisdictional allocation of the blueline tilefish total ACL between the Mid-Atlantic & New England Fishery Management Councils and the South Atlantic Fishery Management Council based on one of the following methods:

Sub-alternative 3a. South Atlantic = xx% of total ACL (=ABC=OY) and Mid-Atlantic & New England = yy% of total ACL (Established by using average landings from 2012-2013).

Sub-alternative 3b. South Atlantic = xx% of total ACL (=ABC=OY) and Mid-Atlantic & New England = yy% of total ACL (Established by using 50% average landings from 2008-2012 + 50% average landings from 2012-2013).

Sub-alternative 3c. South Atlantic = xx% of total ACL (=ABC=OY) and Mid-Atlantic & New England = yy% of total ACL (Established by using 50% average landings from 2008-2012* + 50% average landings from 2012-2013).
*excluding 2011 due to 240-foot closure.

NOTE: A closure of the Deepwater Complex (including blueline tilefish) occurred on 9/8/2012.