

Summary
Joint Council Committee on South Florida Management Issues and Ad Hoc
Goliath Grouper Joint South Florida Steering Committee
Hilton Key Largo
97000 Overseas Hwy
Key Largo, FL

Tuesday July 22 – Thursday, July 24, 2014

Joint South Florida Committee Members Present:

Gulf Council

Martha Bademan – chair
Doug Boyd
John Sanchez
Roy Williams

South Atlantic Council

Jessica McCawley – chair
Ben Hartig
Michelle Duval
Charlie Phillips

Committee Staff

Luiz Barbieri
Doug Gregory
John Hunt
Bob Mahood

Council Staff

Beth Hager
Ryan Rindone
Carrie Simmons
Amber Von Harten

NMFS Staff

Shepherd Grimes
Jack McGovern

Law Enforcement

David Dipre
David McDaniel

Tuesday and Wednesday, July 22-23, 2014

The Joint Council Committee on South Florida Management Issues (Joint South Florida “Committee”) approved the agenda and the minutes from the January 7-9, 2014 meeting. The Committee decided that when voting, each member would vote separately for their respective Council. Public comment was taken at the end of the discussion each day and is summarized at the end of the report. The report is organized by species and is not in chronological order of the discussion.

Staff presented the Committee with the purpose and goals of the Draft Options Paper (Appendix 1) which are to minimize conflicting regulations for South Florida species in the Gulf of Mexico, South Atlantic, and State of Florida waters. Staff explained the origin of the options and data available in the document. Committee discussions began with Action 1: Modifications to the Fishery Management Units for the following species: black grouper, gray snapper, hogfish, mutton snapper, and yellowtail snapper. The options in Action 1 consider: (1) delegating management to the State of Florida; (2) removing any of the species listed from both the Gulf and South Atlantic Fishery Management Plans and having the State of Florida assume management responsibility; (3 and 4) removing of any of the five species and allowing either the South Atlantic Council or the Gulf Council to be responsible for management.

The Committee considered the structure of the document and alternative methods for addressing management concerns which initiated development of the document. The Committee then reviewed

the species being considered for management as “South Florida” species and debated the merits of including each based on landings information by sector. Committee members expressed little desire to divide the State of Florida by region (e.g., 26° North latitude) because commercial mutton snapper and black grouper are landed outside the South Florida region. The Committee then considered identifying issues for individual species to narrow the scope of discussions.

Staff presented a series of slides detailing the spatial variation in landings throughout the State of Florida by species, sector, and whether recreational landings were from state or federal waters. The landings data presented showed that partitioning the Gulf and the South Atlantic in such a manner as to establish a “South Florida” management zone could be problematic because although the Pinellas County longline fleet catches mutton snapper and black grouper in South Florida they land them in Pinellas County. Other commercial landings of mutton snapper and black grouper extend north through the panhandle of Florida. It was noted commercial harvest by statistical zone were not included in the presentation, instead County landed was grouped into region. Commercial landings by state and federal waters were not included in the supplemental presentation, but could be obtained for the next meeting.

Yellowtail Snapper

Delegation of yellowtail snapper was discussed. Staff explained that even if delegation occurred, federal management and the Magnuson-Stevens Act, including ACLs and accountability measures, would still apply. State of Florida representatives were in favor of the delegation of yellowtail, as almost all landings are in state or federal waters off Florida. Landings from 2008-2012 were 99.9% (commercial) and 100% (recreational) from the State of Florida. However, incidental landings of yellowtail snapper from other Gulf and South Atlantic States could cause a problem for quota monitoring. The Committee suggested adding an option for a “bycatch” allowance similar to what the South Atlantic Council currently has for blueline tilefish for Atlantic States outside its jurisdiction.

The potential specific management measures for delegation to the State of Florida (size, limits, bag limits, trip limits, seasons, fishing year, allowable gear) were discussed. The main reason for considering yellowtail snapper for South Florida management was the potential for either the Gulf or South Atlantic ACL to be met at differing times even though it was a single fishery prosecuted by the same fleet and the stock is healthy (i.e., not overfished, or undergoing overfishing). Committee members saw some merits of delegating management of yellowtail snapper to the State of Florida while recognizing it may not immediately simplify management. The Committee agreed they would like staff to add and continue updating the analysis to consider delegation of yellowtail snapper for both the commercial and recreational sectors to the State of Florida. The following should be added to the document:

Action 1 Alternative 2: To delegate management of both commercial and recreational yellowtail snapper to the State of Florida

- **Councils to determine the commercial / recreational allocations**
 - **Include the South Atlantic Council’s current sector allocation formula**
 - **Include options to address bycatch (1-2%) off the ABC for Yellowtail Snapper in the other Gulf and South Atlantic States**
 - **Include accountability measures relative to the overall ACL across Councils’ jurisdictions**

Specific management items for delegation to the State of Florida for yellowtail snapper.

- **Size Limits**
- **Seasons**
- **Bag Limits**
- **Commercial Trip Limits**
- **Minor modifications to existing allowable gear (Re: circle hook requirement)**
- **Fishing Year**

For Action 2, the Committee discussed allocating ACLs and species by region and sector (commercial and recreational). The South Atlantic Council currently has sector ACLs for yellowtail snapper, while the Gulf Council does not. The Committee agreed upon two approaches for establishing sector ACLs for yellowtail snapper for the next draft of this document. The South Atlantic Council established sector allocations using a method called the bow-tie approach. This is the first approach staff will use for the next iteration of the document which will be to take the Gulf Council's 25% apportionment of yellowtail snapper and apply the bow-tie approach that the South Atlantic uses for sector allocations. Each Council's sector's ACLs would then be added together to have a combined commercial and recreational ACL from each Council's jurisdiction. The second approach the Committee agreed to start with is both Council's agreed upon ABC for yellowtail snapper and use a time series of years to establish options for combined commercial and recreational ACLs across the Gulf and South Atlantic Council jurisdictions for potential delegation to the State of Florida.

Action 2 Alternative 4 – (p5)

- **Allocate the commercial and recreational ACLs for the Gulf and South Atlantic, based on average landings from 2008-2012, into ~~three distinct regional~~ commercial and recreational ACLs for waters off Florida and create a bycatch allowance for the other Gulf States Combined (TX, LA, MS, AL) and other South Atlantic States Combined (GA, SC, NC) for Yellowtail Snapper.**

Circle Hook Requirements

The Committee then discussed Action 6: Changes to Circle Hook Requirements in the Gulf and South Atlantic Jurisdictional Waters. Staff reviewed the current options for removing circle hook requirements for yellowtail snapper when fishing with natural bait. The South Atlantic Council had already removed this requirement for the commercial and recreational sectors in federal waters when fishing with natural bait for all species in the snapper grouper complex south of 28° North latitude.

The Committee discussed the merits of changing regulations on the use of circle hooks, which have been shown to reduce discard mortality in a variety of reef fish including red snapper. It was noted red snapper are undergoing rebuilding in both the Gulf of Mexico and the South Atlantic waters. Allowing the use of J hooks in areas where red snapper and other reef fish are known to be present could increase discard mortality and alter the rebuilding process. Conversely, a study which indicated increased hooking mortality by circle hooks for red snapper was discussed. Staff stated that study had been questioned and subsequently was not used in the latest Gulf red snapper SEDAR assessment. Another reason commercial yellowtail snapper fishermen have requested an exemption from the circle hook requirement in the Gulf of Mexico was because circle hooks reduce fishing efficiency when combined with the use of de-hooking boards that are used when targeting

yellowtail and gray snapper. Based on the benefits of using circle hooks for other reef fish, the Committee recommended the following new alternative be added.

Action 6 (p 27) – Changes to Circle Hook Requirements in Gulf and South Atlantic Jurisdictional Waters – Add Alternative 5: Remove the requirement to use circle hooks when fishing for Yellowtail Snapper south of 26° N latitude in the exclusive economic zone of the Gulf of Mexico

Option 5a: For the recreational fishing sector

Option 5b: For the commercial fishing sector

Mutton Snapper

The Committee agreed to apply the same commercial and recreational delegation options for mutton snapper as those discussed and suggested for yellowtail snapper. State of Florida representatives were in favor of the delegation of mutton snapper, as almost all landings are in state or federal waters off Florida. The table in the document with Florida landings from 2008-2012 accounted for more than 97.5% of the total landings for both sectors. The Committee decided on similar options for incidental landings of mutton snapper from other Gulf and South Atlantic States and noted those should be added to the document and were termed a “bycatch” allowance similar to what the South Atlantic Council had now for blueline tilefish for other Atlantic States outside their jurisdiction.

Action 1 Alternative 2

To delegate management of both commercial and recreational mutton snapper to the State of Florida

- **Councils to determine the commercial / recreational allocations**
 - **Include the South Atlantic Council’s current sector allocation formula**
 - **Include options to address bycatch (1-2%) off the ABC for mutton snapper in the other Gulf and South Atlantic States**
 - **Include accountability measures relative to the overall ACL across Councils jurisdictions**

Mutton Snapper items for delegation to the State of Florida

- **Size Limits**
- **Seasons**
- **Bag Limits**
- **Commercial Trip Limits**
- **Minor modifications to existing allowable gear (~~Re: circle hook requirement~~)**
- **Fishing Year**

For Action 2, the Committee discussed how to allocate ACLs and species by region and sector. Staff noted similar management differences for mutton snapper that exist for yellowtail snapper. For example, the South Atlantic Council currently has sector ACLs, but the Gulf Council does not. The Committee agreed upon two approaches to establish sector ACLs in the next draft of this document for mutton snapper. The South Atlantic Council established sector allocations using a method called the bow-tie approach. This is the first approach staff will use for the next iteration of the document which will be to take the Gulf Council’s 18% apportionment of mutton snapper and apply the bow-tie approach. Each Council’s sector’s ACLs would then be added together to have a combined commercial and recreational ACL from each Council’s jurisdiction. The second method

the Committee agreed to start with is both Council's agreed upon ABC for mutton snapper and use a time series of years to establish options for combined commercial and recreational ACLs across the Gulf and South Atlantic Council jurisdictions for potential delegation to the State of Florida.

Action 2 Alternative 4 – (p5)

Allocate the commercial and recreational ACLs for the Gulf and South Atlantic, based on average landings from 2008-2012, into three distinct regional commercial and recreational ACLs for waters off Florida and create a bycatch allowance for the other Gulf States Combined (TX, LA, MS, AL) and other South Atlantic States Combined (GA, SC, NC) for Mutton Snapper.

Mutton Snapper Bag Limits

Action 4 discusses mutton snapper recreational bag limits and commercial trip limits in Gulf of Mexico and South Atlantic. Mutton snapper bag limit analyses were reviewed from the document, showing that landings were highest during the spawning season for both fishing sectors based on landings information from the last three years. Fishermen had previously indicated that the current high bag limits were unnecessary, and that bag limits could be markedly reduced, especially during the spawning season. Staff were requested to research if the overall size of mutton snapper landed has decreased. Analyses presented illustrated the differences in projected landings under various bag limit reduction scenarios, with most recreational anglers not being affected by reductions from 10 fish/person/day to as low as 4 fish/person/day. Closing the mutton snapper fishery completely during the spawning season was also discussed. It was noted that North Tortugas Reserves, South Tortugas Reserves, and Rileys Hump were established in the Gulf of Mexico to protect spawning aggregations of mutton snapper and that the stock was healthy (not overfished, no overfishing), so a complete closure during spawning did not seem necessary at this time.

The Committee discussed separating the mutton snapper recreational bag limit and commercial trip limit options into two separate actions. For the recreational options the Committee discussed distinguishing between Alternatives 2 and 3 by stating Alternative 2 would remove mutton snapper from the aggregate bag limit and Alternative 3 would retain mutton snapper within the aggregate bag limit. It was noted the snapper species within the aggregate bag limits differ between each Council and there could be potential changes in fishing pressure on other species in the aggregate.

The Committee discussed the commercial trip limit options and analyses. Currently, the average size of mutton snapper landed by the commercial sector in the document was estimated to be 5 pounds; however, a Committee member with commercial fishing experience stated that the average size of mutton snapper landed was about 10-12 pounds. Staff stated they would look at the average size of fishing landed per trip by month and update this information in the document. It was noted the Gulf Council currently does not have a commercial trip limit for mutton snapper, but the South Atlantic Council requires commercial fishermen to abide by recreational bag and trip limits during the spawning months of May and June.

Black grouper

Black grouper was the most problematic species to address from a commercial fishing standpoint due to incompatible permitting programs between the Gulf and South Atlantic; it is part of the Gulf Council's commercial individual quota program (IFQ) and the South Atlantic Council's 2-for-1

snapper-grouper permit system. The Committee discussed the different recreational size limits and closed seasons for black grouper between the Gulf and the South Atlantic. One hurdle is the issue of establishing multiple annual catch limits (ACLs) under any South Florida plan, as the Gulf Council manages black grouper using a commercial IFQ system, and it is part of the shallow-water grouper quota. The South Atlantic Council has explicit commercial and recreational sector ACLs; whereas, the Gulf Council has not established sector quotas, but has sector allocations by default based on the shallow-water grouper quota for the commercial sector. The Committee discussed creating equivalent size limits for recreational fishermen in the Gulf (currently 22 inches total length (TL)) and the South Atlantic (currently 24 inches TL) and viewed this as an attainable goal. It was noted the black grouper don't reach reproductive maturity until 32 inches TL. Based on the permit and management program differences for black grouper, the Committee agreed to only consider delegation of recreational management of black grouper to the State of Florida. Staff noted that the bycatch allowance for other Gulf and South Atlantic states would need to be larger because from 2008-2012 approximately 3% of the recreational landings are landed outside the State of Florida. It was noted the Gulf Council would need to establish sector allocations for black grouper to move forward with these options.

Action 1 Alternative 2

Black Grouper- Consider delegation for recreational sector only using the same items for yellowtail and mutton.

To delegate management of recreational black grouper to the State of Florida

- **Councils to determine the recreational allocation**
 - **Include the South Atlantic Council's current sector allocation formula**
 - **Include options to address bycatch (may need to expand range greater than 1-2%) off the ABC for black grouper in the other Gulf and South Atlantic States**
 - **Include accountability measures relative to the overall ACL across Councils jurisdictions**

Black grouper items for delegation to the State of Florida

- **Size Limits**
- **Seasons**
- **Bag Limits**
- **Minor modifications to existing allowable gear (~~Re: circle hook requirement~~)**
- **Fishing Year**

Manage with Overall ABCs and ACLs

The Committee considered the potential for simplifying quota management between the Council jurisdictions by having each Council agree to management the black grouper, yellowtail snapper and mutton snapper fisheries with a single overall ABC and ACL. With this approach, even if the ABCs and ACLs were partitioned by jurisdiction and sector for monitoring purposes, neither Council would close any sector until the overall ACL was projected to be met, recognizing that these were fisheries generally prosecuted in the South Florida area by the same fleet of fishermen. The Committee discussed the need for establishing sector ACLs for these three species so that landings could be more closely monitored and because the South Atlantic Council was already managing these species by sector ACLs. The Committee agreed with staff that the same range of sector allocation options being considered for delegating to the State of Florida could also be

applied to these new options. The Committee requested the following options be added for black grouper, mutton snapper, and yellowtail snapper.

Action 2 (p 5) Alternative 6: An option to have both Councils agree on an overall ABC and ACL and Councils close jurisdictions only when the overall ACL is met. Each Council would agree to a recreational and commercial ACL split.

Option 6a: black grouper

Option 6b: mutton snapper

Option 6c: yellowtail snapper

The Committee also thought an action should be added to complement the ACL options that would aid in achieving compatible regulations. Specifically, the Committee requested the following Action be added to the document.

Councils should consider implementing compatible bag and size limits for black grouper.

The Committee briefly discussed Action 3: Accountability Measures for South Florida species. Based on the previous discussions and additions to the document, the Committee wanted to simplify the accountability measures and staff will draft accountability measures for a commercial and recreational ACL that would close the fishery for yellowtail snapper and mutton snapper when the total ACL was met; this would not include the bycatch allowance (1-2%) from other Gulf and South Atlantic States. For black grouper, the recreational ACL would close when landings from all jurisdictions had met the ACL.

Hogfish

The Committee discussed the preliminary results of the 2014 hogfish assessment currently under SEDAR review. Based on information in the assessment, it was determined that there were three distinct hogfish stocks (i.e., eastern Gulf, Florida Keys, and North Carolina) and that different management plans may be needed for these three distinct stocks based on the results and review of the final assessment. Based on this information, the Committee decided to remove hogfish from the South Florida document and from any further consideration by the Committee at this time.

Gray Snapper

The Committee discussed gray snapper. The only difference in regulations that exists is between the State of Florida and Councils. Currently, the State of Florida has a smaller minimum size limit (10 inches TL) compared to the Gulf and South Atlantic Councils (12 inches TL). The Committee asked if the State of Florida would consider increasing their minimum size limit to 12 inches TL. It was stated that there would need to be biological analyses completed to do this because there was a biological reason why this minimum size limit had been implemented and there has not been a stock assessment for gray snapper. Alternatively, the Councils would need to conduct an analysis to reduce the minimum size limit for gray snapper to 10 inches TL to be consistent with the State of Florida. The Committee also discussed that a larger percentage of the landings of gray snapper are outside the State of Florida than any other species being considered. Due to reasons outlined above, the Committee decided to remove gray snapper from the South Florida document and from any further consideration by the Committee at this time.

Action 1 (p 2) – Alternative 6: Remove hogfish and gray snapper from further consideration in the joint document.

Removal of Options

The Committee returned to Action 1 to address those options that did not have support. Some members of the Committee felt removing some of the species from the management plan and requesting that the South Atlantic Council be designated the responsible Council would not be practicable for black grouper because of the commercial IFQ program in the Gulf. Further, additional permit and enforcement tools would need to be worked out if one Council was designated responsible for management because the Councils have different permits for both the commercial sector and the for-hire sector. Because a majority of the landings occur in the South Atlantic Council's jurisdiction, the Committee felt the permit issues between the two Councils for yellowtail snapper and mutton snapper could potentially be resolved, and it should remain in the document for future analysis and consideration. Based on the landings data for all five species, the Committee felt it was impracticable for the Gulf Council to be designated the responsible Council. The Committee agreed with the following two recommendations.

Action 1 (p 2) – Alternative 4: Remove Options 4a black grouper, 4b gray snapper, 4c hogfish. Retain Options 4d mutton snapper and 4e yellowtail snapper.

Action 1 (p 2) – Alternative 5: Remove any of the species listed below from the Snapper Grouper Fishery Management Plan of the South Atlantic Council and request the Secretary of Commerce designate the Gulf Council as the responsible Council. Remove this alternative from consideration.

Removal of Species from Federal Management

The Committee also reconsidered Action 1, Alternative 3: Remove any of the species listed from the Reef Fish and Snapper Grouper Fishery Management Plans for the Gulf and South Atlantic Councils, respectively. Under this alternative, the State of Florida would be the responsible management agency for any of the three species under consideration. It was suggested that this might be an easier option than delegation to the State of Florida, which results in a specific set of regulations delegated for management to the State while maintaining federal oversight. In the past, legal staff from NOAA Fisheries and Florida Fish and Wildlife Conservation Commission (Florida FWC) had determined that the State of Florida would not be able to require commercial harvesters to have federal commercial reef fish or snapper grouper permits if the species were no longer federally-regulated. This could result in increased commercial fishing effort for these species. If the state were to create its own permit to control fishing effort on these species and replace the federal permit requirement, it would have to be approved by the Florida FWC and since it would have a fee associated with it, it would have to be approved by the Florida Legislature. This process could take multiple years and could be very challenging to pass through the Legislature. It was agreed this potential problem would be further researched. Another issue that was brought the Committees attention during public testimony was how to eliminate recreational anglers who possessed a Saltwater Products License and Restricted Species Endorsement from selling their bag limits.

Shallow-Water Grouper Closures

The Committee discussed Action 5: Shallow-water grouper species compositions and season closures in the Gulf and South Atlantic. Staff explained the existing shallow-water grouper species compositions for each Council. They also stated the shallow-water grouper closure in the South Atlantic applies to both the commercial and recreational sector; whereas, the Gulf closure only applies to the recreational sector. The Committee felt the current options had a good range of alternatives. South Atlantic Council members felt that the January – April closed season was probably too long a closure for several of the species in the complex. Staff stated they had received complaints from fishermen from the east coast and in South Florida about the four month closure. The Committee felt it was necessary to add an alternative that would establish identical regulations for shallow-water grouper species. Because black grouper was primarily targeted and landed in South Florida, it was suggested that it be removed from the current closures and new options for closed months be considered particularly options that directly coincide with the black grouper spawning season. The Committee thought it would be worthwhile to add bag limit and closed season analyses to try to get the longest fishing season possible. Staff stated this would require removing it from the aggregate bag limit. These alternatives would need to be directly tailored to the recreational and commercial sectors if the Councils moved forward with any of the other management options. The Committee agreed on the following.

Add - Alternative: Establish identical regulations for shallow-water grouper species compositions for the Gulf and South Atlantic jurisdictions: Options a-c

Add - Alternative: Remove black grouper from the shallow-water grouper closures of the recreational season in the Gulf and of the recreational and commercial seasons in the South Atlantic

Add – Alternative: Establish a seasonal closure for black grouper (potential separation between recreational and commercial)

Option a – January - March

Option b – January

Option c – February

Option d – March

Add – Alternative: Establish a one fish recreational bag limit for black grouper in Florida with an optional seasonal closure during:

Option a – January - March

Option b – January - February

Outstanding Data Needs

The data that are still needed are:

- 1- Commercial landings by state and federal waters
- 2- Commercial landings by area fished

Progress Report on Speckled Hind and Warsaw Grouper Working Group

The Committee received a short report on the progress of the Joint Gulf and South Atlantic Speckled Hind and Warsaw Grouper working group. The charge of the group is to explore methods to identify a more informed stock status for warsaw grouper and speckled hind to help justify management discrepancies for these two species. The working group had discussed terms of reference and broad focus areas. One of the terms of reference was to develop a list of research elements to reduce uncertainty; another was to address potential analytical approaches for an assessment. Warsaw grouper and speckled hind are currently undergoing overfishing in the South Atlantic Council; in the Gulf, the status of the stocks is unknown. The overfishing condition in the South Atlantic Council is based on an outdated stock assessment, and the working group is trying to determine if new information is available to conduct some type of data poor method.

Target date for short report on Speckled Hind and Warsaw Grouper end of 2014

Ad Hoc Goliath Grouper Joint South Florida Steering Committee

July 24, 2014

Ad Hoc Goliath Grouper Joint Steering Committee Members Present:

Carrie Simmons- chair

Clay Porch

Luiz Barbieri

Jessica McCawley

John Sanchez

Gregg Waugh

Doug Gregory

Dr. Barbieri presented an overview of ongoing goliath research. He summarized studies on biology and ecology occurring at various universities and agencies and a detailed literature review by Collins (2014). The geographic distribution of the information available on goliath grouper is improving but is minimal outside the State of Florida. He categorized the new information with a report card from A-F for indices of abundance, reproduction, longevity, size-at-age composition, fisheries data, and a large-scale mark-recapture survey. The next steps for a stock assessment were summarized as minor progress had been made on addressing critical assessment data needs. The Councils should decide if an uncertain assessment would be acceptable based on the catch free model and data poor methods implemented if another stock assessment occurs. Ultimately, a new assessment was recommended, but prior to this the terms of reference should be better suited for stocks like goliath grouper. Both Councils have developed reference points; other options besides maximum sustainable yield (MSY) reference points could also be considered. A time series of landings after the 1990s for goliath grouper is not available; therefore, a more comprehensive index of abundance across age ranges and geographic distribution is needed.

Dr. Porch stated that there were several exciting new approaches for genetic tagging, including “next of kin” methods that could be used to get better estimates of the abundance and mortality of various age classes. He thought these methods, if implemented over 2-3 years, could result in valid estimates of the number of adult goliath grouper, which in turn could be used to define potential overfishing limits (OFLs). It would be beneficial if the Councils showed support for this new technology.

One Committee member asked if they move forward with an assessment if it would need to go through the SEDAR process or if Florida FWC could complete the assessment. It was stated that Florida FWC could complete the assessment, and the review process would be conducted through SEDAR. Because the same modeling environment could be used, a Standard Assessment would suffice instead of using the Benchmark process. The Ad Hoc Goliath Grouper Joint South Florida Steering Committee made the following recommendation to the Joint South Florida Committee: **Based on additional research and new technology for indices of abundance that Florida FWC move forward with a stock assessment for goliath grouper and is in full support of the “next of kin” genetic mapping technology to better estimate indices of abundance across age classes.**

The Ad Hoc Goliath Grouper meeting concluded.

Joint Council Committee on South Florida Management Issues

The Joint South Florida Committee reconvened and passed the following motions on goliath grouper.

Motion: Request a standard stock assessment for goliath grouper by FWC with a review by SEDAR

SAFMC – Motion Approved

GMFMC – Motion Approved

The Committee discussed the issue of mercury content in the flesh of goliath grouper. One Committee member stated they typically don't get involved in making such testing and research recommendations. After discussion, the Committee passed the following motion so that it was clearly listed as a research priority and in hopes that this information could be collected at the same time the genetic "next of kin" mapping was being completed on goliath grouper.

Motion: Request that mercury testing be included when tissue samples of goliath grouper are collected

SAFMC – Motion Approved

GMFMC – Motion Approved

The Committee discussed the next steps of the Ad Hoc Goliath Grouper Committee. It was concluded the Ad Hoc Goliath Grouper Committee had met its goals based on the original motion. Therefore, goliath grouper will be retained on the agenda at future Joint South Florida Committee meetings and the Ad Hoc Goliath Grouper Committee could be dissolved.

To be retained as an agenda item during future meetings of the Joint Council Committee on South Florida Issues and dissolve the Ad Hoc Goliath Grouper Committee

The Committee discussed the process and timing of the next meeting. The South Atlantic Council will host the next meeting. It was noted that changes in Council member terms may change the membership of the group before the next meeting. To better address the workload predicted in the upcoming months, the Committee members recommended the creation of a South Florida IPT to address analytical needs. The following dates were proposed for the next meeting:

Proposed timeline – send out poll

Next joint group meeting

Dates – Jan 12, Feb 9, March 9, 2015

Locations –

Key Largo / Islamorada / Key West

Membership may change slightly

Summary of Public Comments July 22-24, 2014:

Bill Kelly: *Florida Keys Commercial Fishermen's Association*

Our most pressing concern is to have uniform rules on both sides of US 1. Most Florida Keys fisheries are in great shape. Management is getting too complex. Commercial fishing closures in the Florida Keys National Marine Sanctuary and Biscayne National Park are both hurting commercial fishing communities. Better communication is needed between these entities and the Councils, so that the sanctuaries know the effects of their actions. These changes in management in the sanctuaries are resulting, or will result in, large socioeconomic costs.

Ira Laks: *For-hire fisherman from Jupiter, FL*

There are great differences between the greater South Atlantic and South Florida. Bag limit sales are allowed in Florida and not elsewhere, resulting in unequal and unfair differences in opportunities to sell fish between properly licensed federal commercial fishermen and State-only licensed recreational fishermen. He was concerned that the State of Florida's recreational leanings will not bode well for commercial fishermen, and for that reason delegation makes him uneasy. Fisheries are expanding, especially the charter-for-hire sector. If the fishery continues to grow without limits, there could be issues. The mutton bag limit should be lowered to 5 fish/person/day, or maybe 3 or 4.

Ernie Piton: *Commercial fisherman from Key Largo, FL*

The total loss of commercial fishing in Biscayne Bay is going to crush the Miami River/Homestead fishery. The Sanctuary is working with outdated data. There are huge baitfish fisheries in Biscayne Bay which support the whole southeastern US. There needs to be more interagency communication. These management moves are hurting historical fishermen. If they close Biscayne Bay to lobstering, where will those lobster fishermen take their traps?

Forrest Young: *Dynasty Marine*

Supports a 1 grouper/person/day bag limit from December, January, February, and March. This is the time of year when charter captains have filled their charter reservations, and gives their customers something to catch. This would allow Keys charter fishermen to earn a living during a critical time of year. Having the grouper season open in May isn't helpful to them because all the big clients are gone. He supports the precautionary management for gags, but feels it shouldn't extend to black grouper or red grouper.

He supports the use of circle hooks for yellowtail snapper hook-and-line fishing because it makes it easier to release fish which are intended to be released. In his experience, circle hooks do a better job of hooking the fish in the jaw and results in better survival. He uses circle hooks to capture fish for live animal trade. Previous experience from his live animal collection is that hooks that are deep in the gut cause mortality 80-90% of the time.

He strongly supports a Keys-wide or South Florida zone which incorporates habitats unique to the Florida Keys. Being stuck between the Councils, HMS, and State of Florida is very confusing, making the operational aspect of fishing very difficult. Different regulations between these agencies are also hard to enforce.

He supports the opening of non-commercial, recreational take of goliath groupers with a 24-48 inches slot limit, or what the Council deems prudent, with a limit of one per vessel and a provision excluding spearfishing and no commercial harvest. Goliath grouper are very easy to approach and spear. He has been looking for small goliath grouper lately for live animal collection and has found them everywhere throughout Florida Bay. It would be prudent to allow limited harvest over about 18-24 months to see where the stock stands. If detriment occurs, then stop all harvest. He feels that the stock can now handle this amount of mortality.

He thinks for the recreational fishery that 5 mutton snapper per person per day during regular season and 2 per person per day during spawning is still too much. He said mutton snapper used to be available on the inshore flats fishery and were considered a premiere fish to catch in 2 feet of water. Now they are mostly found on the exterior reef 150-200 feet of water because that is the last place they are left. He thinks the mutton snapper fishery has been hammered in the last several years because of technological increases and increased effort. A recreational take of 1-2 fish per day is plenty and he suggests closing all recreational mutton harvest during the spawning season.

He asked if it was possible for the Council to request that the SSC establish more reasonable quotas on various bycatch species (i.e., bar jacks, spadefish, porgies etc.) that do not have target fisheries. He thinks that these species have quotas which are far too low for live animal capture where they are displayed in a zoo or aquarium. He noted that these are the places where most of the public education about these species occurs.

Bill Kelly: *FL Keys Commercial Fishermen's Association*

He thinks that public comment times should be fixed. Fishermen are getting ready for the spiny lobster fishing season. Public have other jobs to go to and need to make time for these meetings.

Changes in grouper regulations have made the fishery complicated to follow. Keys fishermen have been suffering, especially the charter fishery. Fishermen were told about spawning closures to protect gag, then black, then all shallow-water species. He feels that this is an unfair spawning closure since it hasn't been modified.

Mutton snapper have a high extraction rate in one area, but the stock is managed as a whole. Mutton spawn year-round and have spawning aggregations up and down the reef tract. Key indicator species (yellowtail snapper, mutton snapper, black grouper, gag, red grouper, and spiny lobster) are all in good health and have been assessed in the last 4-5 years.

No one in the commercial sector is pressing for harvest of goliath grouper. They fully support that information should be gathered on goliath grouper and that could be biological samples in order to use the best science available.

Circle hooks result in a higher mortality rate for yellowtail snapper due to the release method used by commercial fishermen. The South Atlantic Council gave the fishermen a circle hook exemption, which reduced the release mortality of commercially caught yellowtail snapper.

There needs to be better interagency communication between the National Parks, the Councils, and NMFS. A phase-out of commercial fishing in Biscayne National Park would put a great deal of pressure, job loss, and economic impact on the upper and middle Keys.

There needs to be better law enforcement coverage and more funding for law enforcement. There is lots of area to patrol and not nearly enough officers. Lots of lobster poaching has been occurring (examples given). He fully supports Florida FWC enforcement officers work and noted they do all the heavy lifting. He supports the use of drones for law enforcement. Four million dollars are lost annually in lobster trap theft and \$3.2 million annually in stone crab trap theft. VMS is considered old technology and he suggests the use of drones.

The fisheries are all in a sustainable condition. With respect to snowy grouper and speckled hind, harvest is still allowed in the Gulf. They are thought to be one stock between the Gulf and the South Atlantic. If they are closed in one area, they should be closed in the other. Consistency in regulations is what he wants from the very beginning.

Twenty-two gill net king mackerel fishermen fish just north of the Keys, landing over 500,000 pounds of fish in sometimes as little as 72 hours. They have been fishing an underused king mackerel stock and want an increase in the trip limit for the gill netters and an increase in the quota. The issue is that the fishermen are fined for overages over the 25,000 pound trip limit. It is too hard to tell how many pounds of fish you have until you have the net out of the water. He would like to see a trip limit increase to 45,000 pounds to reduce the likelihood of fishermen going over and getting fined and gave examples. He want the Council to do away with the trip limit and payback any overages of the quota. His primary goal is to reduce fines on gill net fishermen once the trip limits have been exceeded. He suggests 40-50,000 pounds per trip based on the 12 vessels of larger size. He thinks the Council should increase the trip limit; if the fishermen is over the trip limit, he proposes selling fish over the trip limit, with the profits from the sale going to support law enforcement and the poundage charged against that year's fishing quota. He suggested overages of the quota would also be paid back the following year. He welcomes the help of NOAA GC on making this happen.

Opposed to any IFQ system for king mackerel.

Gerald Carroll: *Jupiter Dive Center and Palm Beach County Dive Association*

He requests the Councils keep focused on the tourist benefit provided by goliath grouper. He is trying to get dive operators together to hire an economist to determine the "non-consumptive value" of goliath. He understands that the Gulf differs from the Atlantic in terms of goliath abundance and stakeholder interactions. Goliath are not just a fishing issue anymore- ecotourism needs to be considered.

Also, lionfish will impact all South Florida species. Analyses need to account for their impacts on juvenile reef fish populations, and need to be incorporated into stock assessments.

Bill Hartford: *Southeast Fisheries Science Center/University of Miami*

He is a member of the UM team conducting genetic analysis of goliath. This is not a stock structure or connectivity analysis but an estimate of actual adult abundance in the population. They are currently developing proposals to conduct additional work including industry collaboration. They need fishermen, boaters, and dive operators to help conduct research. The cost of genotyping by sequencing per fish is less than \$10 and they need for tissue samples from approximately 1,000 individual fish (500 juveniles and 500 adults) to get population-level abundance.

Skip Comagere: *Four Seas Scuba Center and Palm Beach County Dive Association*

He is becoming more dependent on the economic model developed from diving goliath grouper aggregations. Southeast Florida is becoming a more popular dive attraction, with the goliath grouper at the center of that diving attraction. If only one or two locations protect these fish, then the divers will only go there. It is better if divers can spread out and see goliath anywhere. He understands that the Gulf is a different situation. Opening goliath probably not a good idea. People can't eat them because the mercury is too high. He does not want to see harvest allowed, unless it can be proven that there is an overabundance.

Kurt Coller: *Recreational Diver, Pompano Beach*

Doesn't want goliath to be hunted in shallow waters. If harvest is allowed, allow it where divers don't go, such as below 150 feet. He doesn't want "his pet goliath" to be killed. He understands that the Gulf has a different situation with respect to goliath than the Atlantic.

Don DeMaria: *Diver*

He has spent time working with FSU grouper biologists Chris Koenig, Felicia Coleman, and Jean Michel Cousteau, diving goliath grouper populations in South Florida. There are no big aggregations from Pompano to the Keys. The whole area needs to be protected for goliath. To do any kind of stock assessment, there needs to be fish of all sizes. He can't find fish over 450 pounds now. Can't find the fish to do a good stock assessment. Recreational harvesters constantly complain about goliath, but opening the fishery won't do anything but let off some steam. There needs to be more time spent prosecuting people who are harvesting goliath illegally. Best use of goliath in the Gulf and the Atlantic is as a non-consumptive species. He hears about how the Gulf is different, but it isn't. He is opposed to any harvest for the foreseeable future.

Bill Parks: *Florida Biodiversity Institute*

He didn't appreciate getting an announcement about the meeting only three weeks prior. He supports gene sequencing and analyses and the studies are getting cheaper. It is going to cause a public relations nightmare if people start killing these fish. The problem is GPS which make it too easy to find the fish. Fish learn and are not afraid of humans who are always feeding them. People are fishing these wrecks despite calling goliath nuisance. To get rid of the nuisance problem, people would have to kill every goliath grouper on the wreck. They should just be happy that they have the ability to fish. If they don't like the goliath stealing their fish, they should fish somewhere else.

Spencer Slate: *Tavernier Dive Operator*

He has a history of feeding animals underwater and done thousands of dive trips. He sets divers up in lines underwater and uses bait to coax goliath grouper near dive customers so they can pet the fish. Full goliath grouper dive charters are worth thousands of dollars each. He is not seeing goliath grouper anymore from Key Largo to Tavernier. Goliath are killed illegally by longliners and spearfishers. Law enforcement doesn't have the money to properly enforce goliath regulations. There are too many people want to kill the fish. Don't make any catch rules because folks will kill them. The Councils need to protect these fish. He is opposed to any harvest. Longliners are harvesting fish in shallow water at night and are gone by morning. There needs to be more money to increase enforcement.

Modifications to Gulf Reef Fish and South Atlantic Snapper Grouper Fishery Management Plans



Draft Joint Generic Amendment For Discussion at the Joint Council Committee on South Florida Management Issues

July 2014



This is a publication of the Gulf of Mexico Fishery Management Council Pursuant to National Oceanic and Atmospheric Administration Award No. NA10NMF4410011.

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COVER SHEET

Name of Action

Draft Joint Generic Amendment to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico to the Reef Fish Fishery Management Plan

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CHAPTER 1. INTRODUCTION

1.1 Background

The Joint Council Committee on South Florida Management Issues (Joint Council Committee) was formed in response to a South Atlantic Fishery Management Council (South Atlantic Council) motion in June 2011. The group was first convened in January of 2014 to begin discussing management needs of South Florida species. There were several recommendations from the Joint Council Committee that are considered as a first draft in this document. Prior to the Joint Council Committee meeting, the Florida Fish and Wildlife Commission (FL FWC) held a series of South Florida workshops in August of 2013. The results of these workshops were discussed at the January 2014 Joint Council Committee meeting and the full summaries are in Appendix A.

1.2 Purpose and Goals

The purpose of this document is minimize conflicting regulations for South Florida species in the Gulf of Mexico, South Atlantic, and State of Florida waters. The Gulf of Mexico Fishery Management Council (Gulf Council) and South Atlantic Council initiated this document in coordination with the FL FWC based on ongoing requests from South Florida fishing communities. Currently, some fishing regulations differ between the Gulf and South Atlantic Council waters and in some cases, state and adjacent federal waters. This makes it difficult for fishermen to abide by different regulations in the South Florida area, particularly the Florida Keys, where anglers can fish in multiple jurisdictions within one trip.

The goal of this document and the Joint Council Committee is to determine the best solutions for fisheries management issues that are unique to South Florida. The Joint Council Committee could determine solutions by species, region, and/or sector based on current respective Gulf and South Atlantic Council regulations and management programs.

CHAPTER 2. DRAFT MANAGEMENT ALTERNATIVES

Action 1: Modifications to the Fishery Management Units of the Gulf and South Atlantic Fishery Management Councils

Alternative 1: No action. Retain management of black grouper, gray snapper, hogfish, mutton snapper, and yellowtail snapper in the Reef Fish and Snapper Grouper Fishery Management Plans for the Gulf and South Atlantic Councils, respectively.

Alternative 2: Delegate management of any of the species listed below to the State of Florida.

Option 2a: black grouper

Option 2b: gray snapper

Option 2c: hogfish

Option 2d: mutton snapper

Option 2e: yellowtail snapper

Alternative 3: Remove any of the species listed below from the Reef Fish and Snapper Grouper Fishery Management Plans for the Gulf and South Atlantic Councils, respectively.

Option 3a: black grouper

Option 3b: gray snapper

Option 3c: hogfish

Option 3d: mutton snapper

Option 3e: yellowtail snapper

Alternative 4: Remove any of the species listed below from the Reef Fish Fishery Management Plan of the Gulf Council and request the Secretary of Commerce designate the South Atlantic Council as the responsible Council.

Option 4a: black grouper

Option 4b: gray snapper

Option 4c: hogfish

Option 4d: mutton snapper

Option 4e: yellowtail snapper

Alternative 5: Remove any of the species listed below from the Snapper Grouper Fishery Management Plan of the South Atlantic Council and request the Secretary of Commerce designate the Gulf Council as the responsible Council.

Option 5a: black grouper

Option 5b: gray snapper

Option 5c: hogfish

Option 5d: mutton snapper

Option 5e: yellowtail snapper

Discussion

Black grouper, gray snapper, hogfish, mutton snapper, and yellowtail snapper occur in both the Gulf of Mexico (Gulf) and South Atlantic portions of the Florida Keys. Individuals who fish for these species in South Florida find it confusing to have different management measures including annual catch limits (ACLs) and accountability measures (AMs) for the same species in the jurisdictional areas of the Gulf of Mexico Fishery Management Council (Gulf Council) and the South Atlantic Fishery Management Council (South Atlantic Council). Furthermore, it is difficult for law enforcement personnel to enforce different regulations for the same species in South Florida.

The Councils have suggested modifications to the fishery management units (FMU) in the two areas to help address confusion associated with different regulations in the two areas. Five possible methods to adjust the fishery management units are being considered by the Councils. The Councils could decide to use different options for different species, and not manage each species the same way. When considering the options, the Council would need to consider federal fishery permit and enforcement issues. Different methods to be considered could depend to some degree on the proportion of landings that occur in waters of Florida.

Examination of data in **Tables 1** and **2** shows that commercial and recreational landings of black grouper, mutton snapper, and yellowtail snapper, and recreational landings of hogfish are almost entirely taken off Florida. Most (60%) of hogfish commercial landings are from Florida; however, about 40% of the commercial landings are from the Carolinas. A large portion of gray snapper (87% commercial; 77% recreational) is from Florida; however, about 12% of the commercial and 18% of the recreational landings are from Louisiana.

Alternative 2 would delegate management of any of the five species to the State of Florida. The Councils would retain South Florida species in their existing fishery management plans (FMP) and delegate management of the South Florida species to Florida under section 306(a)(3)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). That section of the Magnuson-Stevens Act requires a state's laws and regulations to be consistent with the FMP(s). This option is less complicated if the species only occurs off Florida.

Alternative 3 considers the removal of species from the FMP for the Reef Fish Resources of the Gulf of Mexico and the FMP for the Snapper Grouper Fishery of the South Atlantic Region, and would let Florida manage Florida registered vessels in the exclusive economic zone off Florida under section 306(a)(3)(A) of the Magnuson-Stevens Act. National Marine Fishery Service (NMFS) guidelines to define fishery management units in FMPs specify that they may be organized around biological, geographic, economic, technical, social, or ecological goals (50 CFR §600.320(d)(1)). NMFS guidelines for determining whether to include species in an FMU for purposes of federal conservation and management direct the Councils to consider the following seven factors (50 CFR §600.340(b)(2)):

1. the importance of the fishery to the Nation and the regional economy;
2. whether an FMP can improve the condition of the stock;
3. the extent to which the fishery could be or already is adequately managed by states;
4. whether an FMP can further the resolution of competing interests and conflicts;

5. whether an FMP can produce more efficient utilization of the fishery;
6. whether an FMP can foster orderly growth of a developing fishery; and
7. costs of the FMP balanced against benefits.

Alternatives 4 and 5 consider allowing either the Gulf Council or South Atlantic Council to manage selected South Florida species in both Councils' jurisdictions. The Councils would decide which Council would manage all, or some of, the South Florida species. The Councils would then request the Secretary of Commerce to extend the authority of the managing Council into the non-managing Council's area of jurisdiction for those species. The managing Council would amend their existing FMP(s) to standardize the management measures. This is similar to what the Councils recently did for Nassau grouper.

Table 1. Mean percent of commercial landings (lb ww) by species and state, 2008-2012.

Species	FL	AL	GA	LA	MS	NC	SC	TX
black grouper	93.6%	0.7%	0.0%	0.5%	0.0%	0.2%	2.0%	3.0%
gray snapper	86.5%	0.3%	0.2%	11.9%	0.5%	0.1%	0.3%	0.2%
hogfish	60.1%	0.0%	0.0%	0.0%	0.0%	13.9%	26.0%	0.0%
mutton snapper	97.5%	0.0%	0.1%	0.0%	0.0%	0.6%	1.7%	0.0%
yellowtail snapper	99.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Table 2. Mean percent of recreational landings (lb ww) by species and state, 2008-2012.

Species	FL	AL	GA	LA	MS	NC	SC	TX
black grouper	96.8%	2.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%
gray snapper	77.4%	2.1%	0.5%	18.1%	0.2%	0.0%	0.1%	1.6%
hogfish	99.4%	0.0%	0.0%	0.0%	0.0%	0.5%	0.1%	0.0%
mutton snapper	99.9%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.1%
yellowtail snapper	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Action 2: Allocate Annual Catch Limits of South Florida Species by Region and Sector

Note: The preferred alternatives selected in Action 1 would determine which alternatives in Action 2 could be selected as preferred. Selecting Alternative 1 (No Action) for Action 1 would allow the Councils to choose Alternatives 2, 3, or 4 in Action 2 for the affected species. Selecting any of Alternatives 2-5 for Action 1 would require the Councils to choose Alternative 1 (No Action) for Action 2 for the affected species.

Alternative 1: No action. Maintain the current commercial and recreational ACLs for black grouper, gray snapper, hogfish, mutton snapper, and yellowtail snapper based on the Reef Fish and Snapper Grouper Fishery Management Plans for the Gulf and South Atlantic Councils, respectively.

Alternative 2: Allocate the total ACL for the Gulf and South Atlantic, based on average landings from 2008-2012, into three distinct regional ACLs for waters off Florida, other Gulf States Combined (TX, LA, MS, AL), and other South Atlantic States Combined (GA, SC, NC) for any of the species below.

Option 2a: black grouper

Option 2b: gray snapper

Option 2c: hogfish

Option 2d: mutton snapper

Option 2e: yellowtail snapper

Alternative 3: Allocate the total ACL for the Gulf and South Atlantic based on average landings from 2008-2012, into two distinct regional ACLs, and specify commercial and recreational ACLs for waters off Florida, and all other Gulf and South Atlantic states combined for any of the species listed below.

Option 3a: black grouper

Option 3b: gray snapper

Option 3c: hogfish

Option 3d: mutton snapper

Option 3e: yellowtail snapper

Alternative 4: Allocate the commercial and recreational ACLs for the Gulf and South Atlantic, based on average landings from 2008-2012, into three distinct regional commercial and recreational ACLs for waters off Florida, other South Atlantic States Combined (GA, SC, NC), and other Gulf States Combined (AL, MS, LA, TX) for any of the species below.

Option 4a: black grouper

Option 4b: gray snapper

Option 4c: hogfish

Option 4d: mutton snapper

Option 4e: yellowtail snapper

Alternative 5: Allocate the total ACLs for the Gulf and South Atlantic into three distinct regional ACLs for waters off Florida south of 26 degrees north latitude (Monroe and Dade or just Monroe), other South Atlantic States Combined (FL East Coast north of 26 degrees latitude, GA, SC, NC) and Other Gulf State Combined (FL West Coast north of 26 degrees latitude, AL, MS, LA, TX) for any of the species below.

Option a: black grouper

Option b: gray snapper

Option c: hogfish

Option d: mutton snapper

Option e: yellowtail snapper

Discussion

This action considers alternatives that would allocate the overall annual catch limit (ACL) for black grouper, gray snapper, hogfish, mutton snapper, and yellowtail snapper into different regions of the Gulf and South Atlantic and by sector for some alternatives. **Tables 1 and 2** reveal that harvest of black grouper, mutton snapper, and yellowtail snapper is almost entirely from Florida. Since such a small portion of the ACL is harvested outside Florida for these species, alternatives that allocate a portion of the ACL to areas outside Florida might not be reasonable for black grouper, mutton snapper, and yellowtail snapper.

Alternative 2 would allocate the total ACL for the selected species in the Gulf and South Atlantic into three distinct regional ACLs for waters off Florida, other Gulf States Combined (TX, LA, MS, AL), and other South Atlantic States Combined (GA, SC, NC; **Table 3**). These percentages differ from **Tables 1 and 2** because the recreational and commercial landings are combined.

Table 3. Proportion of the total ACL allocated among 3 regions for the 5 species based on data from 2008-2012.

Alt 2	FL	Gulf	SA
black grouper	95.3%	3.7%	1.0%
gray snapper	78.6%	20.8%	0.6%
hogfish	92.5%	0.0%	7.5%
mutton snapper	99.4%	0.1%	0.5%
yellowtail snapper	99.9%	0.0%	0.0%

Alternative 3 would allocate the total ACL for the Gulf and South Atlantic based on average landings from 2008-2012, into two distinct regional ACLs, and specify commercial and recreational ACLs for waters off Florida, and all other Gulf and South Atlantic states (**Table 4**).

Table 4. Proportion of the total ACL allocated between 2 regions for the 5 species based on data from 2008-2012.

Alt 3	FL	Other States
black grouper	95.3%	4.7%
gray snapper	78.6%	21.4%
hogfish	92.5%	7.5%
mutton snapper	99.4%	0.6%
yellowtail snapper	99.9%	0.1%

Alternative 4 would allocate sector ACLs for the Gulf and South Atlantic into three distinct regional commercial and recreational ACLs for waters off Florida, other South Atlantic States Combined (GA, SC, NC) and other Gulf State Combined (AL, MS, LA, TX; **Table 5**).

Table 5. Proportion of the sector ACLs allocated among 3 regions for the five species based on data from 2008-2012.

Alt 4	FL		Gulf		SA	
	Comm	Rec	Comm	Rec	Comm	Rec
black grouper	91.0%	96.8%	4.2%	3.2%	4.8%	0.0%
gray snapper	86.3%	77.4%	13.1%	22.0%	0.6%	0.6%
hogfish	59.9%	99.4%	0.0%	0.0%	40.1%	0.6%
mutton snapper	97.7%	99.9%	0.0%	0.1%	2.3%	0.0%
yellowtail snapper	99.9%	100.0%	0.0%	0.0%	0.1%	0.0%

Alternative 5 would allocate the total ACLs for the Gulf and South Atlantic into three distinct regional ACLs for waters off Florida south of 26 degrees north latitude, other South Atlantic States Combined (FL East Coast north of 26 degrees latitude, GA, SC, NC) and Other Gulf State Combined (FL West Coast north of 26 degrees latitude, AL, MS, LA, TX) for any species listed in **Options a** through **e**. Black grouper (**Option a**) are under a commercial individual fishing quota (IFQ) system in the Gulf, with a separate allocation for Gulf recreational fishermen. **Option a** would require the removal of black grouper from the IFQ system for shallow-water groupers, which may have an impact on highliner grouper fishermen in central Florida. A stock assessment of Southeastern U.S. hogfish (**Option c**) is nearing completion. Mutton snapper (**Option d**) are targeted primarily via hook-and-line by commercial and recreational fishermen, with large landings occurring during the spawning season of May and June. Mutton snapper management is being addressed in a separate action in this document. Yellowtail snapper (**Option e**) landings are primarily from Florida waters (>99%), with the majority (>96%) of the commercial and recreational fisheries occurring in Monroe County (Keys) and Southeast Florida (primarily Dade County). Of **Options a** through **e**, only yellowtail snapper (**Option e**) occurs primarily south of 26 degrees latitude north. Also, regulations between the Gulf and South Atlantic Councils, and the State of Florida, differ for all options except **Options c** and **e**.

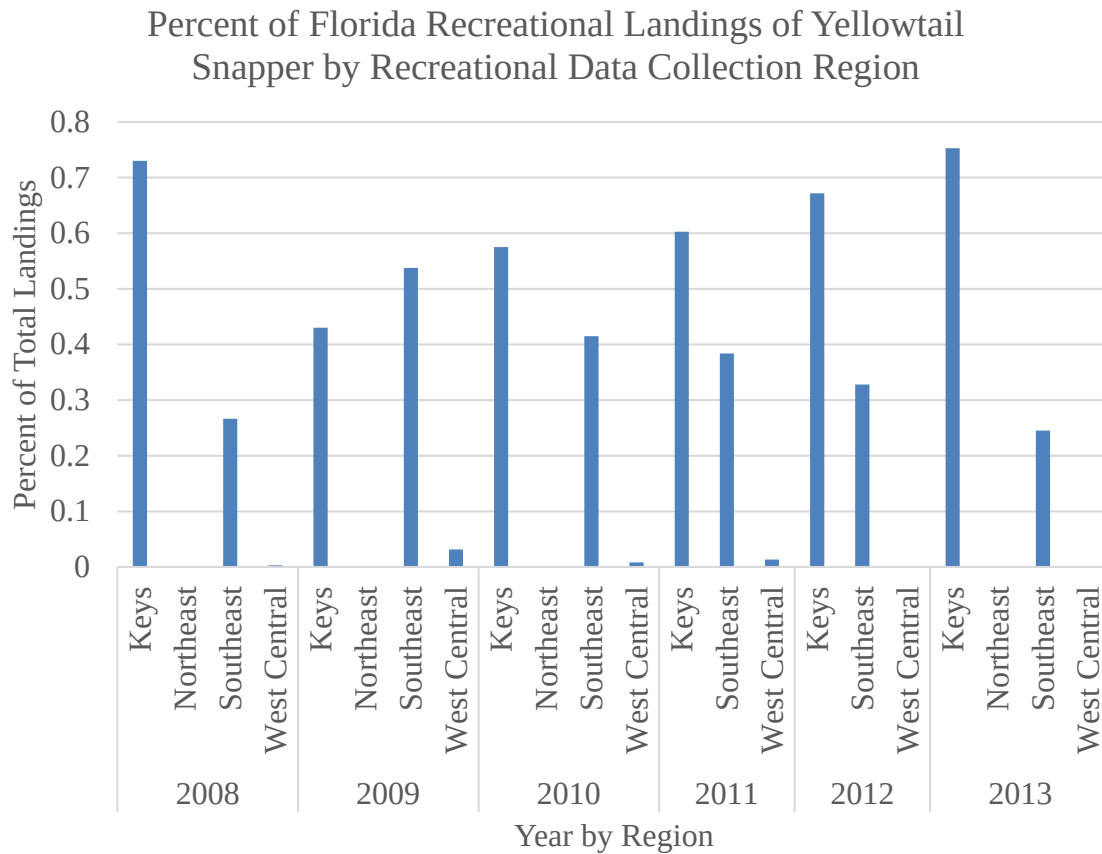


Figure 1. Percent total landings of recreational yellowtail snapper landed in Florida from 2008-2013 by recreational data collection zone. The panhandle is not represented, because there were not reported landings in that zone.

Action 3: Specify Accountability Measures for South Florida Species

Note: Under some circumstances more than one alternative could be selected as preferred.

Alternative 1: No action. Maintain the current recreational and commercial accountability measures (AMs) for black grouper, gray snapper, hogfish, mutton snapper, and yellowtail snapper based on the Reef Fish and Snapper Grouper Fishery Management Plans for the Gulf and South Atlantic Councils, respectively.

South Atlantic: Commercial AM – In-season closure when the ACL expected to be met and ACL reduced in following fishing season if species is overfished and ACL is exceeded.
Recreational AM – if ACL is exceeded, monitor landings in following season for persistence in landings and reduce the length of the following fishing season, if necessary.

Gulf: For gray snapper, mutton snapper, yellowtail snapper, and hogfish if the combined commercial and recreational landings exceed the stock ACL, in-season AMs are in effect for the following year. If the combined landings reach or are projected to reach the stock ACL, both sectors will be closed for the remainder of that fishing year. For black grouper, this AM applies to the ACL for the other shallow-water grouper aggregate (black grouper, scamp, yellowmouth grouper, and yellowfin grouper).

Alternative 2: If the sum of the commercial and recreational landings, exceeds the stock ACL, then during the following fishing year, if the sum of commercial and recreational landings reaches or is projected to reach the stock ACL, the commercial and recreational sectors will be closed for the remainder of that fishing year. On and after the effective date of a closure, all sale or purchase is prohibited and harvest or possession of this species in or from the EEZ is prohibited.

Alternative 3: If commercial landings as estimated by the Science and Research Director reach or are projected to reach the commercial ACL, the Regional Administrator shall publish a notice to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase is prohibited and harvest or possession of this species in or from the EEZ is limited to the bag and possession limit. Additionally,

Option 3a: If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the species is overfished.

Option 3b: If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the total ACL (commercial ACL and recreational ACL) is exceeded.

Option 3c: If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the species is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded.

Alternative 4: If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings.

Option 4a: If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

Option 4b: If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

Option 4c: If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

Alternative 5: If recreational landings reach or are projected to reach the recreational annual catch limit, National Marine Fisheries Service will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year, unless, using the best scientific information available, the Regional Administrator determines that a closure is unnecessary.

Option 5a: If the species is overfished.

Option 5b: Regardless of stock status.

Discussion

Alternative 2 follows the accountability measures (AMs) that are in place for Gulf species; whereas, **Alternatives 3-5** follow AMs that are being considered for snapper grouper species in the Comprehensive AM and Dolphin Allocation Amendment. The South Atlantic Council's Preferred Options include **Options 3c, 4c, and 5b**.

Action 4. Mutton snapper recreational bag limit and commercial trip limit in Gulf of Mexico and South Atlantic

Alternative 1: No action. Mutton snapper is part of the aggregate 10 snapper bag limit in the Gulf of Mexico* and the South Atlantic**. During May-June, the commercial sector in the South Atlantic is restricted to 10 mutton snapper per day or 10 mutton snapper per trip, whichever is more restrictive. There is no bag or trip limit for the commercial sector in the Gulf or South Atlantic during the July-April regular season.

Alternative 2: Change the recreational bag limit for mutton snapper during the regular season (July-April) and during the spawning season (May-June).

Option 2a: 10 fish/person/day in the regular season, 2 fish/person/day during the spawning season

Option 2b: 5 fish/person/day in the regular season, 2 fish/person/day during the spawning season

Alternative 3: Retain mutton snapper within the aggregate 10 snapper bag limit.

Alternative 4: Establish a commercial trip limit for mutton snapper during the regular season (July-April).

Option 4a: 10 fish/person/day

Option 4b: Some higher bag or trip limit.

Alternative 5: Specify a commercial trip limit for mutton snapper during the spawning season (May-June).

Option 5a: 2 fish/person/day

Option 5b: 5 fish/person/day

Option 5c: 10 fish/person/day

Option 5d: No bag or trip limit

* In the Gulf of Mexico, the 10 snapper-per-person aggregate includes all snapper species in the reef fish management unit except red snapper, vermilion snapper, and lane snapper (**Table 7**).

** In the South Atlantic, the 10 snapper-per-person aggregate includes all snapper species in the snapper grouper management unit except red snapper and vermilion snapper (**Table 7**). Cubera snapper less than 30" total length (TL) are included in the 10 fish bag limit. The aggregate 10 snapper bag limit includes a maximum of 2 cubera snapper per person (not to exceed 2 per/vessel) for fish 30" TL or larger off Florida.

Note: State of Florida has the same regulations for the recreational sector as both Councils; however, the commercial sector in state waters is managed using regulations identical to the South Atlantic Council's commercial regulations.

Discussion

According to the most recent stock assessment of mutton snapper in the southeastern United States (SEDAR 15A, 2008), mutton snapper are neither overfished ($SSB_{2006}/SSB_{30\%SPR} = 1.14$) nor experiencing overfishing ($F_{2006}/F_{30\%SPR} = 0.51$). An update stock assessment of mutton snapper is expected to be made available to the Councils by the end of 2014. Despite the healthy status of the mutton snapper stock, there is concern by the public regarding fishing effort on mutton snapper spawning aggregations during the May-June peak spawning season in the Florida Keys. In 2010, the Snapper Grouper Advisory Panel (AP) recommended that the South Atlantic Council consider a spawning area closure or a seasonal closure in May and June of each year. Furthermore, the AP recommended that the mutton snapper bag limit be reduced to 3 fish per person per day.

Currently, mutton snapper is part of the 10 snapper aggregate in the Gulf and South Atlantic (**Table 7**). During May-June, the commercial sector in the South Atlantic is restricted to 10 mutton snapper per day or 10 mutton snapper per trip, whichever is more restrictive. The commercial sector in the Gulf has no bag limit or trip limit restrictions during the mutton snapper peak spawning season. There is no bag or trip limit for the commercial sector in the Gulf or South Atlantic during the July-April regular season. Current regulations for mutton snapper in the Gulf and South Atlantic are shown in **Table 8**.

Table 7. Composition of the 10 snapper aggregate in the Gulf and South Atlantic.

Gulf of Mexico	South Atlantic
Gray snapper	Gray snapper
Mutton snapper	Mutton snapper
Yellowtail snapper	Yellowtail snapper
Cubera snapper	Cubera snapper
Queen snapper	Queen snapper
Blackfin snapper	Blackfin snapper
Silk snapper	Silk snapper
Wenchman	Dog snapper
	Lane snapper
	Mahogany snapper

Table 8. Current fishing regulations in the Gulf of Mexico and the South Atlantic for mutton snapper (June 2014).

Mutton Snapper Management by Region				
Council	Sector	Size Limit	Bag Limit	Notes
Gulf	Recreational	16" TL	10 fish/person/day	Included in 10 snapper aggregate bag limit
	Commercial	16" TL	None	No trip limit
South Atlantic	Recreational	16" TL	10 fish/person/day	Included in 10 snapper aggregate bag limit
	Commercial	16" TL	None during July-April each year; 10 fish/person/day or per trip during May-June	During May-June, restricted to 10 fish/person/day or per trip, whichever is more restrictive

Examination of mutton snapper recreational landings reveals that there was a peak during the May-June spawning season (Wave 3) in the South Atlantic during 2012 and 2013 (**Table 9**). Impacts of various bag limits for 2011-2013 are shown in **Table 10** for the headboat sector and **Table 11** for the private/charter sector. **Alternative 2, Option 2a** considers maintaining the recreational bag limit of 10 fish/person/day during the July-April regular season, and reducing the recreational bag limit to 2 fish/person/day during the spawning season. **Option 2a** would be expected to reduce recreational harvest during the May-June (Wave 3) spawning season by 22% for the headboat sector and 16% for the private/charter sector; however, there would be no reduction in recreational harvest during July-April (**Tables 12 and 13**). **Alternative 2, Option 2b** would specify a 5 fish/person/day for the recreational sector during July-April, and 2 fish/person/day during the May-June spawning season. **Option 2b** would be expected to reduce recreational harvest during the regular season by 6% for the headboat sector, and 1% for the private/charter sectors. A 2 fish/person/day spawning season recreational bag limit would be expected to reduce harvest by 22% and 16% for the headboat and private/charter sectors, respectively during the May-June spawning season (**Tables 12 and 13**). If **Alternative 2** is selected by itself, it would remove mutton snapper from the 10 snapper aggregate in the Gulf and South Atlantic. To retain mutton snapper within the recreational to snapper aggregates, both **Alternatives 2 and 3** would need to be selected as preferred.

Table 9. South Atlantic recreational (private, charter, headboat) mutton snapper landings by wave. Source: http://sero.nmfs.noaa.gov/sustainable_fisheries/acl_monitoring/index.html.

Year	1	2	3	4	5	6	Total
2012	46,282	102,210	182,880	77,015	27,275	34,366	470,028
2013	50,961	36,208	175,774	91,913	90,689	36,186	481,731

Table 10. Percent of status quo harvest remaining under various bag limits for Gulf and South Atlantic **headboat-harvested** mutton snapper.

Year	Status Quo (10)	1	2	3	4	5	6	7	8	9
2011	100%	64%	77%	86%	91%	95%	97%	99%	99%	100%
2012	100%	57%	69%	78%	85%	91%	94%	96%	98%	98%
2013	100%	67%	79%	87%	92%	95%	97%	98%	98%	99%
Mean 11-13	100%	63%	75%	84%	90%	93%	96%	98%	98%	99%

Table 11. Percent of status quo harvest remaining under various bag limits for Gulf and South Atlantic **private/charter-harvested** mutton snapper.

Year	Status Quo (10)	1	2	3	4	5	6	7	8	9
2011	100%	76%	90%	93%	94%	95%	95%	96%	97%	97%
2012	100%	78%	88%	91%	94%	95%	96%	97%	98%	99%
2013	100%	78%	88%	91%	94%	95%	96%	97%	98%	99%
Mean 11-13	100%	77%	89%	92%	94%	95%	96%	96%	97%	98%

Table 12. Percent of status quo harvest remaining under various bag limits for Gulf and South Atlantic **headboat-harvested** mutton snapper for Wave 3 (May-June) during 2011-2013, Waves 1,2,4,5, and 6 combined during 2011-2013, and Waves 1-6 during 2011-2013.

Waves	Status Quo (10)	1	2	3	4	5	6	7	8	9
Wave 3	100%	67%	78%	85%	90%	93%	96%	97%	99%	99%
Waves 1,2,4,5,6	100%	61%	74%	84%	90%	94%	96%	98%	98%	99%
Waves 1-6	100%	63%	75%	84%	90%	93%	96%	98%	98%	99%

Table 13. Percent of status quo harvest remaining under various bag limits for Gulf and South Atlantic **private/charter-harvested** mutton snapper for Wave 3 (May-June) during 2011-2013, Waves 1,2,4,5, and 6 combined, and Waves 1-6 during 2011-2013.

Waves	Status Quo (10)	1	2	3	4	5	6	7	8	9
Wave 3	100%	75%	84%	87%	88%	90%	92%	94%	96%	98%
Waves 1,2,4,5,6	100%	82%	95%	98%	98%	99%	99%	99%	99%	99%
Waves 1-6	100%	77%	89%	92%	94%	95%	96%	96%	97%	98%

The distribution of mutton snapper catch-per-angler (cpa) is shown in **Figure 2** for the headboat sector and **Figure 3** for the private/charter sector. As can be seen, most anglers catch 3 or fewer mutton snapper.

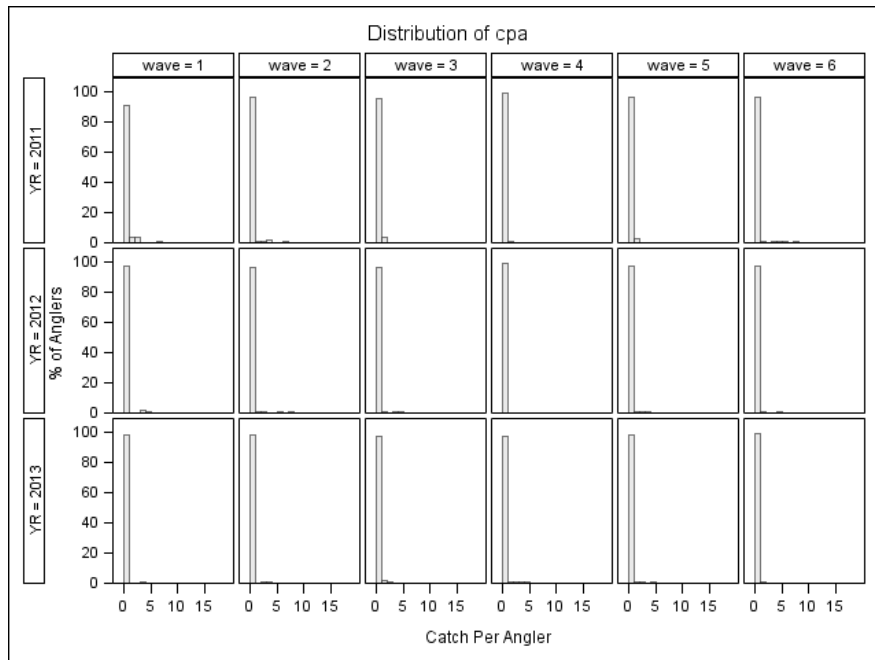


Figure 2. Histogram of the distribution of South Atlantic and Gulf of Mexico mutton snapper headboat catch per angler, by wave.

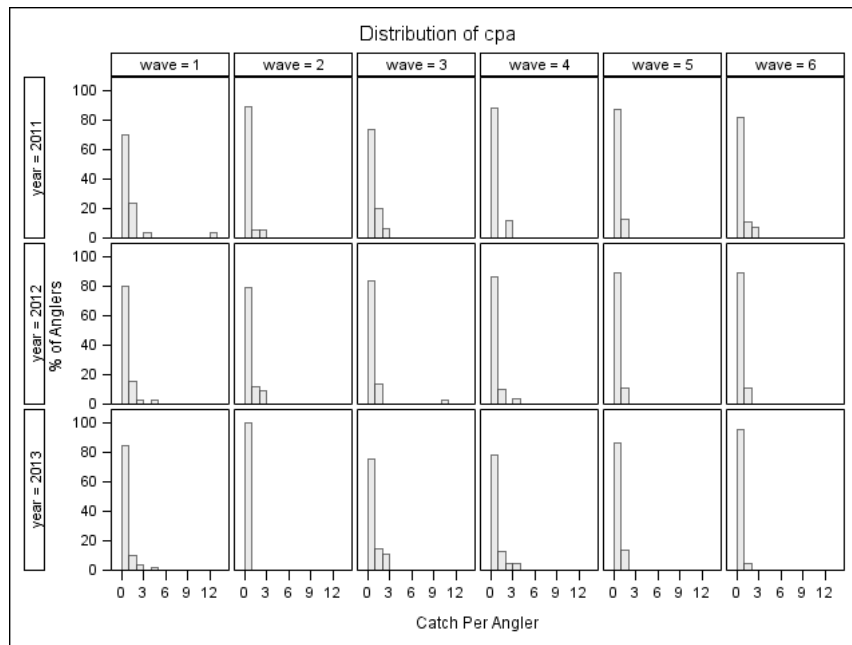


Figure 3. Histogram of the distribution of South Atlantic and Gulf of Mexico Mutton Snapper catch per angler, by **MRFSS** wave.

Figure 4 shows that commercial landings of mutton snapper for all Florida counties are highest during the May-June period of peak spawning. Furthermore, **Figure 5** illustrates that most of the mutton snapper landings are from the Southeast. Overall Florida landings of mutton snapper were highest in 2008 and decreased through 2011. Landings have increased in the last two years

(**Figure 6**). An examination of the monthly distribution of mutton snapper landings from commercial logbook and dealer reports shows similar trends (**Tables 14a** and **14b**). In addition, commercial landings of mutton snapper in the South Atlantic are highest during the May-June spawning season despite the 10 fish/person/day bag limit that is currently in place.

Table 14a. Monthly distribution of mutton snapper landings for commercial logbook in the Gulf and South Atlantic during 2008-2012.

Month	Total	SA	Gulf
1	4.6%	5.2%	4.0%
2	7.5%	6.4%	8.4%
3	6.4%	5.5%	7.1%
4	8.0%	6.7%	9.1%
5	16.6%	20.6%	13.1%
6	13.5%	16.8%	10.6%
7	9.7%	8.6%	10.7%
8	7.8%	8.4%	7.3%
9	7.2%	5.3%	8.8%
10	6.8%	5.7%	7.8%
11	5.1%	5.0%	5.2%
12	6.9%	5.8%	7.9%

Table 14b. Monthly distribution of mutton snapper landings from dealer reported landings (Accumulative Landings System) in the Gulf and South Atlantic during 2008-2012.

Month	Total	SA	Gulf
1	4.6%	5.4%	3.7%
2	7.1%	6.7%	7.6%
3	7.0%	6.1%	7.9%
4	7.7%	6.3%	9.2%
5	16.7%	18.8%	14.6%
6	13.4%	16.4%	10.4%
7	9.0%	8.4%	9.6%
8	7.7%	8.9%	6.6%
9	6.8%	5.9%	7.8%
10	6.5%	5.6%	7.4%
11	5.6%	5.9%	5.2%
12	7.8%	5.7%	9.9%

Alternative 4, Option 4a would establish a commercial trip limit for mutton snapper during the regular season (July-April) of 10 fish/person/day. Currently, there are no commercial bag or trip limits in effect for commercial harvest of mutton snapper during the regular season. Assuming the average weight of a landed mutton snapper is 5 pounds whole weight (lbs ww), a 10 fish/person/day bag limit would correspond to a 50 lbs ww trip limit. About 17% of the

commercial trips landed more than 50 lbs ww per trip but these trips represented about 60% of the landings (**Table 15**).

Alternative 5, Options 5a through 5d would specify a commercial trip limit for mutton snapper during the spawning season (May-June) of 2, 5, or fish/person/day. **Option 5d** would not specify a commercial bag limit or trip limit for mutton snapper during the spawning season. A 2 fish/person/day commercial bag limit would be expected to reduce harvest by over 78% during the May-June spawning season; a 5 fish/person/day commercial bag limit would be expected to reduce harvest by 75% during the May-June spawning season; and a 10 fish/person/day would be expected to reduce commercial harvest of mutton snapper during the spawning season by 63% during the May-June spawning season (**Table 16**).

Table 15. Reduction in harvest provided by a trip or bag limit during July-April based on commercial mutton snapper landings from 2008-2012 for the Gulf and South Atlantic.

Trip Limit (lbs ww)	Trip Limit (#fish)	2008-2012		
		# Trips	% Trips	Harvest Reduction
0	0	7,030	100.00%	100.00%
20	4	3,000	42.67%	77.12%
25	5	2,568	36.53%	73.88%
40	8	1,739	24.74%	66.45%
50	10	1,419	20.18%	62.79%
60	12	1,202	17.10%	59.74%
80	16	929	13.21%	54.79%
100	20	747	10.63%	50.88%
115	23	648	9.22%	48.46%
150	30	466	6.63%	44.00%
175	35	404	5.75%	41.50%
200	40	337	4.79%	39.38%
250	50	260	3.70%	35.97%
300	60	220	3.13%	33.18%
400	80	171	2.43%	28.76%
500	100	130	1.85%	25.22%
600	120	108	1.54%	22.48%
700	140	90	1.28%	20.14%
800	160	80	1.14%	18.19%
900	180	69	0.98%	16.47%
1,000	200	59	0.84%	15.02%
1,100	220	51	0.73%	13.76%
1,200	240	48	0.68%	12.61%
1,300	260	38	0.54%	11.59%
1,400	280	35	0.50%	10.73%
1,500	300	32	0.46%	9.96%
1,600	320	27	0.38%	9.27%
1,700	340	25	0.36%	8.67%
1,800	360	24	0.34%	8.12%
1,900	380	23	0.33%	7.58%
2,000	400	22	0.31%	7.06%
2,250	450	19	0.27%	5.82%
2,500	500	15	0.21%	4.89%
2,750	550	12	0.17%	4.14%
3,000	600	10	0.14%	3.50%

Table 16. Reduction in harvest provided by a trip limit during May-June based on commercial mutton snapper landings from 2008-2012 for the Gulf and South Atlantic.

Trip Limit (lbs ww)	Trip Limit (#fish)	2008-2012		
		# Trips	% Trips	Harvest Reduction
0	0	2,728	100.00%	100.00%
20	4	1,330	48.75%	78.44%
25	5	1,166	42.74%	75.05%
40	8	857	31.41%	66.95%
50	10	742	27.20%	62.65%
60	12	645	23.64%	58.93%
80	16	501	18.37%	52.80%
100	20	398	14.59%	48.00%
115	23	357	13.09%	44.96%
150	30	259	9.49%	39.13%
175	35	225	8.25%	35.90%
200	40	188	6.89%	33.11%
250	50	140	5.13%	28.77%
300	60	107	3.92%	25.49%
400	80	67	2.46%	20.98%
500	100	55	2.02%	17.79%
600	120	41	1.50%	15.28%
700	140	31	1.14%	13.42%
800	160	26	0.95%	11.91%
900	180	23	0.84%	10.63%
1,000	200	19	0.70%	9.49%
1,100	220	15	0.55%	8.58%
1,200	240	13	0.48%	7.83%
1,300	260	11	0.40%	7.19%
1,400	280	11	0.40%	6.60%
1,500	300	10	0.37%	6.05%
1,600	320	8	0.29%	5.58%
1,700	340	8	0.29%	5.15%
1,800	360	8	0.29%	4.72%
1,900	380	8	0.29%	4.29%
2,000	400	8	0.29%	3.86%
2,250	450	7	0.26%	2.80%
2,500	500	4	0.15%	2.21%
2,750	550	2	0.07%	1.72%
3,000	600	1	0.04%	1.48%

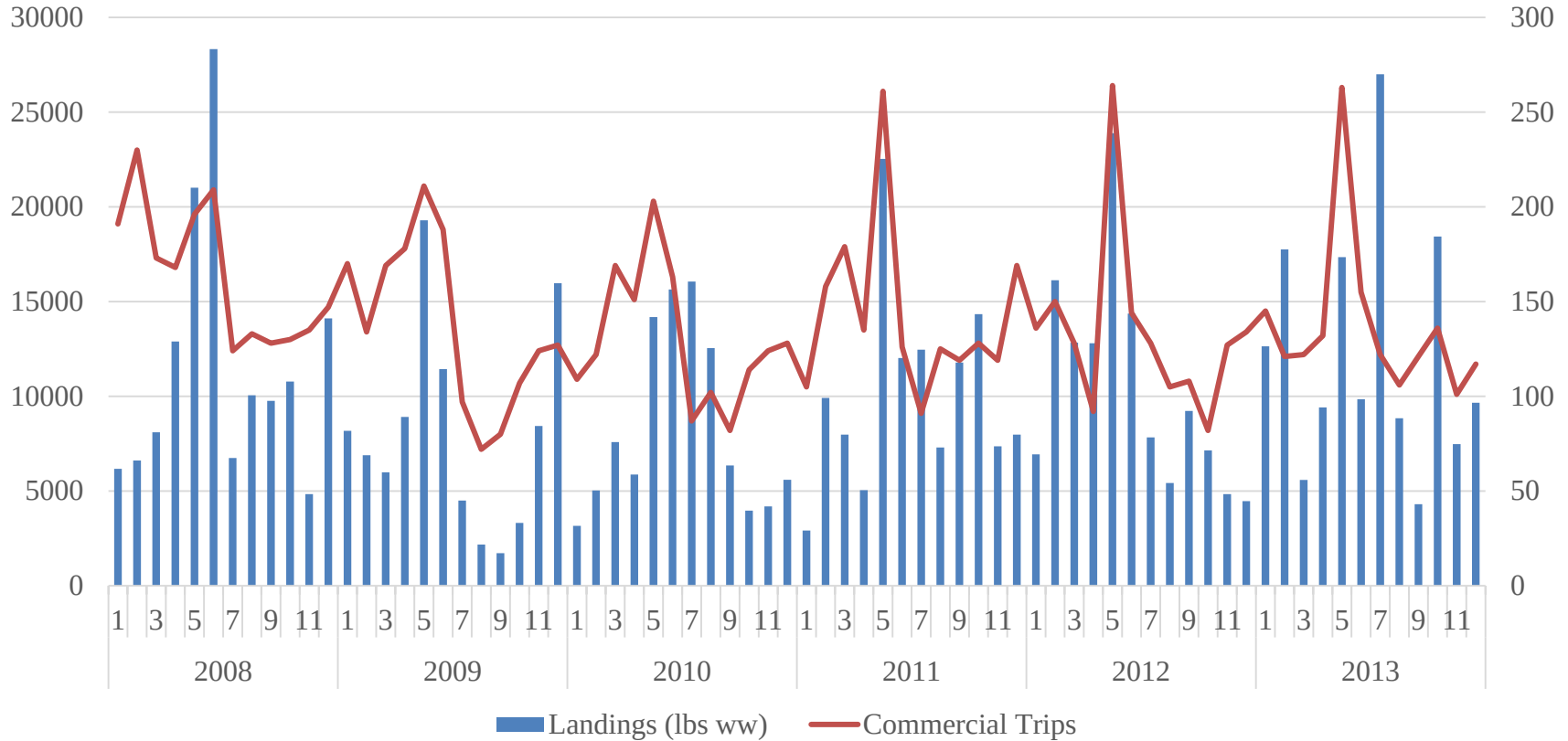


Figure 4. Commercial mutton snapper landings and trips by month from 2008 to 2013. Left y-axis (blue bars) is total commercial mutton snapper landings (lbs ww) for all Florida counties. Right y-axis (red line) is total commercial mutton snapper trips taken.

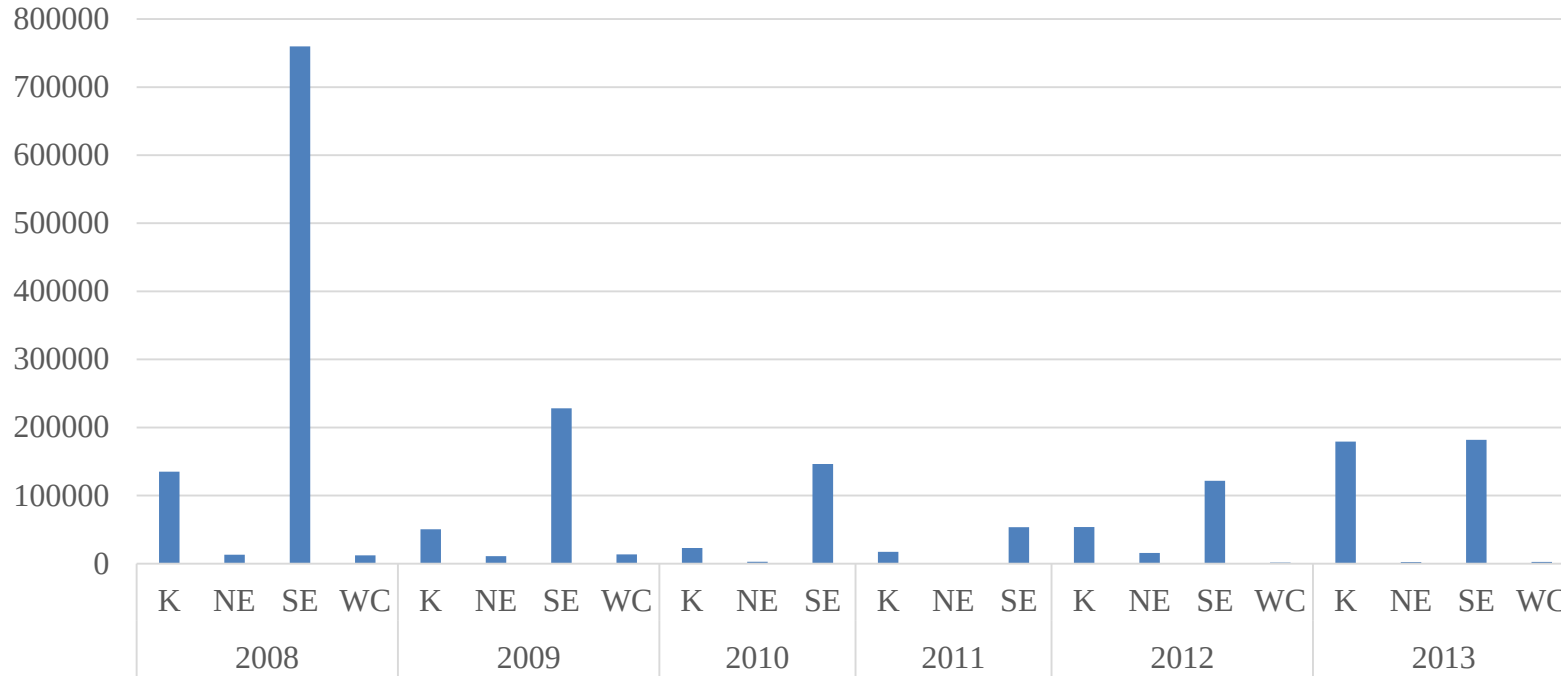


Figure 5. Total recreational landings (lbs ww) of mutton snapper from Florida waters from 2008-2013 by reporting region: K = Keys, NE = Northeast, SE = Southeast, WC = West Central. The Panhandle of Florida (otherwise denoted as “P”) is not represented here due to the absence of mutton snapper landings in the Panhandle region.

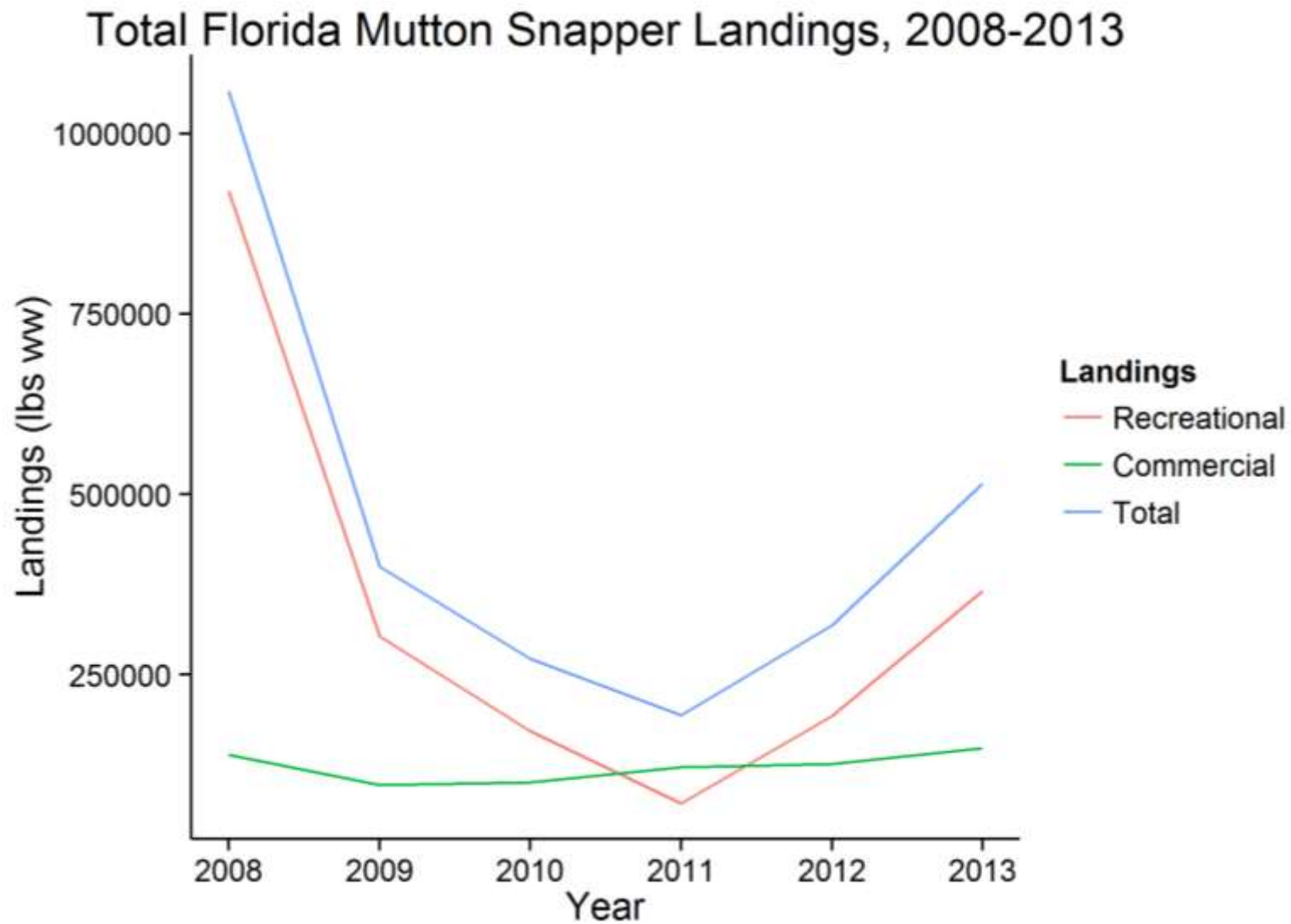


Figure 6. Total landings of mutton snapper in Florida (lbs ww). Data are from the Florida Fish and Wildlife Conservation Commission recreational landings and commercial trip ticket programs.

Action 5. Modify the shallow-water grouper species compositions and seasonal closures in the Gulf and South Atlantic

Alternative 1: No action. Retain the existing respective shallow-water grouper species compositions* and seasonal closures in the Gulf and South Atlantic Councils.

Alternative 2: Remove the shallow-water grouper closure for all affected grouper species in the Gulf of Mexico and the South Atlantic:

Option 2a: South of 28° North latitude.

Option 2b: Throughout each Council's jurisdiction.

Alternative 3: Establish identical regulations for shallow-water grouper species compositions for the Gulf and South Atlantic South of 28° North latitude:

Option 3a: Adopt the Gulf shallow-water grouper species composition for the Gulf and South Atlantic.

Option 3b: Adopt the South Atlantic shallow-water grouper species composition for the Gulf and South Atlantic.

Option 3c: Specify a new shallow-water species complex for the Gulf and South Atlantic.

Alternative 4: Establish identical regulations for the shallow-water grouper seasonal closures in the Gulf and South Atlantic South of 28° North latitude:

Option 4a: Adopt the Gulf shallow-water grouper seasonal closures for the Gulf and South Atlantic.

Option 4b: Adopt the South Atlantic shallow-water grouper seasonal closures for the Gulf and South Atlantic.

Option 4c: Establish identical regulations for shallow-water grouper seasonal closures in the Gulf of Mexico and the South Atlantic.

Discussion:

The immediate effects of fishing pressure on the reproductive characteristics of shallow-water grouper (SWG) are most often seen in the average size of fish landed, and in changes in sex ratios over time (Coleman et al. 1996; Koenig et al. 2000). Long-term effects include decreases in fecundity, population abundance, and concomitantly, catch limits. At risk are commercially and recreationally important SWG species, such as red grouper (*Epinephelus morio*), black grouper (*Mycteroperca bonaci*), gag (*M. microlepis*), yellowfin grouper (*M. venenosa*), yellowmouth grouper (*M. interstitialis*), and scamp (*M. phenax*), all protogynous species (Shapiro 1987, Böhlke and Chaplin 1993) attracted to high-relief sites. Gag, scamp, and black grouper form predictable, localized, and seasonal spawning aggregations, increasing their vulnerability to exploitation (Gilmore and Jones 1992; Coleman et al. 1996; Coleman et al. 2000; Brule et al. 2003). Yellowfin and yellowmouth groupers may be similarly vulnerable; however, substantially less empirical life history information is available for these two species (**Table 17**).

Table 17. Gulf of Mexico shallow-water grouper spawning information and recreational season closures. The shallow-water grouper complex applies to both the recreational and commercial sector in the Gulf of Mexico; however, the commercial sector is managed with an individual fishing quota system so the season closures listed below only apply to the recreational sector.

Gulf of Mexico Shallow-Water Grouper Complex					
Species	Current Recreational Closure	Spawning Season	Spawning Depth	Northernmost Distribution	Data Source(s)
Gag	1/1-6/30 and 12/4-12/31	January-May	50-120 m	Northern Florida Panhandle	SEDAR 33
Black Grouper	2/1- 3/31 > 20-fath	February-April	≥ 30 m	Middle Grounds/Big Bend Area	SEDAR 19
Red Grouper	2/1- 3/31 > 20-fath	March-May	25-120 m	Northern Florida Panhandle	SEDAR 12, 2009 SEDAR 12 Update
Scamp	2/1- 3/31 > 20-fath	January-May	30-100 m	Gulf-wide	Heemstra and Randall 1993, Coleman et al. 2011
Yellowfin Grouper	2/1- 3/31 > 20-fath	February-April	30-40 m	Gulf-wide	Nemeth et al. 2006
Yellowmouth Grouper	2/1- 3/31 > 20-fath	March-May	≤ 150 m	Gulf-wide	Heemstra and Randall 1993; Bullock and Murphy 1994

In the Gulf of Mexico, a separate recreational gag season has been developed as part of the gag rebuilding plan. Because other SWG stocks are considered healthy, the utility of the SWG closure was questioned. In addition, much of the dominant gag spawning grounds are now protected by time-area closures. In response to this, the Gulf Council submitted a framework action that among other things, eliminated the February 1 through March 31 SWG closure shoreward of 20 fathoms in the Gulf of Mexico (GMFMC 2012). These new regulations were adopted and implemented in 2013. The SWG closure is still enforced in the exclusive economic zone in the Gulf for waters seaward of 20 fathoms (~36.5 m, or 120 feet). It should be noted that the SEDAR 33 stock assessment, in combination with additional analyses as requested by the Gulf Council's Scientific and statistical committee, determined that the Gulf of Mexico gag population was rebuilt at their June 2014 meeting.

The January-April commercial and recreational spawning season closure for South Atlantic SWG was put into place through the final rule for Amendment 16 to the Snapper Grouper FMP (SAFMC 2008). 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 compared to other more northern areas. Gag may make annual late-winter migrations to specific locations to form spawning aggregations, and fishermen know

many of these locations. 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 subsequently, the first to be taken by fishing gear. In 1998, the South Atlantic 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, the January-April spawning season closure provided 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. Amendment 16 (SAFMC 2008) also established a provision to close other SWG including black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney, which are also known to spawn during January-April. Further protection for gag and SWG were provided through the establishment of ACLs and AMs in Amendment 17B to the Snapper Grouper FMP (SAFMC 2010b) and the Comprehensive ACL Amendment (SAFMC 2011), respectively. Thus, the seasonal closure provides protection to SWG during their spawning season when SWG species may be exceptionally vulnerable to fishing pressure, and ACLs and AMs are in place to help ensure overfishing does not occur. Information on SWG in the South Atlantic is provided in **Table 18**.

Table 18. South Atlantic shallow-water grouper complex spawning information. The shallow-water complex applies to both the commercial and recreational sectors in the South Atlantic.

South Atlantic Shallow-Water Grouper Complex					
Species	Current Rec & Comm Closure	Peak Spawning Season	General Spawning Depth	General Northernmost Distribution	Data Source(s)
Gag	January-April	January-May	24-117 m	NC	Williams and Carmichael 2009; McGovern et al. 1998; SEDAR 10
Black Grouper	January-April	January-March	≥ 30 m	FL Keys	Williams and Carmichael 2009; Crabtree and Bullock 1998; SEDAR 19
Red Grouper	January-April	February-April	30-90 m	NC	Williams and Carmichael 2009; SEDAR 19
Scamp	January-April	March-May	33-93 m	NC	Williams and Carmichael 2009; Harris et al. 2002
Yellowfin Grouper	January-April	March in FL Keys			Taylor and McMichael 1983
Yellowmouth Grouper	January-April	March-May in Gulf			Bullock and Murphy 1994
Red Hind	January-April	December-February in Caribbean			Thompson and Munro 1978
Rock Hind	January-April	January through March off Cuba		20-30 m off Puerto Rico	García-Cagide et al. 1994; Rielinger 1999
Graysby	January-April	March, May-July in Caribbean			Erdman 1976
Coney	January-April	November to March off Puerto Rico			Figuerola et al. 1997

Action 6. Changes to Circle Hook Requirement in Gulf and South Atlantic Jurisdictional Waters

Alternative 1: No action – Retain the current non-stainless circle hook requirements in the exclusive economic zone of the Gulf of Mexico.

Alternative 2: Remove the requirement to use circle hooks when fishing with natural bait for yellowtail snapper in the exclusive economic zone of the Gulf of Mexico.

Option 2a: For the recreational fishing sector

Option 2b: For the commercial fishing sector

Alternative 3: Remove the requirement to use circle hooks when fishing with natural bait for all reef fish south of 28° North latitude in the exclusive economic zone of the Gulf of Mexico.

Option 3a: For the recreational fishing sector

Option 3b: For the commercial fishing sector

Alternative 4: Remove the requirement to use circle hooks when fishing with natural bait for all species in the snapper grouper complex north of 28° North latitude in the exclusive economic zone of the South Atlantic.

Option 4a: For the recreational fishing sector

Option 4b: For the commercial fishing sector

Discussion:

In 2008, the Gulf Council adopted a preferred management alternative in Amendment 27 to the Reef Fish Fishery Management Plan, which required recreational anglers fishing in federal waters to use non-stainless steel circle hooks when catching reef fishes with natural bait (50 CFR 622.41). Circle hooks are defined by regulation as “a fishing hook designed and manufactured so that the point is turned perpendicularly back to the shank to form a generally circular, or oval, shape.” Florida matched federal regulations, with the added specification that a circle hook must have zero degrees of offset (Florida Administrative Code §68B-14.005).

In 2010, the South Atlantic Council approved Amendment 17A to the snapper grouper Fishery Management Plan (SAFMC 2010a), which required recreational and commercial anglers fishing in federal waters to use non-stainless steel circle hooks (offset or non-offset) when fishing for all species in the snapper grouper complex when using hook-and-line-gear with natural baits in waters North of 28 degrees North latitude. This requirement was effective March 3, 2011.

Multiple reef fish species managed by the Gulf Council occur in waters south of 28°N latitude. A recent stock assessment on red snapper recognized and incorporated reduced discard mortality as a result of the requirement to use circle hooks when fishing with natural bait (SEDAR 31 2013). Sauls and Ayala (2012) observed red snapper caught with circle hooks and J hooks within the recreational fishery and reported a 63.5% reduction in potentially lethal hooking

injuries for red snapper caught with circle hooks (6.3% potentially lethal injuries, versus 17.1% with J hooks) (SEDAR 31 2013). SEDAR 33 (2014a, b) examined the effects of hook type on gag and greater amberjack. However, while the SEDAR 33 stock assessments recognized a decrease in lethal hooking injuries resulting from the use of circle hooks, the generally low level of recreational discard mortality for gag and greater amberjack (both prior to and after the 2008 circle hook requirement) negated the realization of benefits from using circle hooks with these species (Sauls and Ayala 2012; Sauls and Cermak 2013; Murie and Parkyn 2013).

Alternative 1 would retain the current circle hook requirements in Gulf of Mexico jurisdictional waters, requiring recreational anglers fishing in federal waters to use non-stainless steel circle hooks when catching reef fish with natural bait. Biological impacts from this alternative are not expected to change from present conditions. Any biological benefit(s) to the current circle hook requirement would be expected to persist.

Alternative 2 would remove the requirement to use circle hooks when fishing with natural bait for yellowtail snapper in the Gulf of Mexico. **Option 2a** would remove the requirement for the recreational fishing sector, and **Option 2b** would remove the requirement for the commercial fishing sector. Anglers have informed resource managers of an increased propensity for gut-hooking yellowtail snapper when fishing with circle hooks due to the small size of hook needed to successfully hook yellowtail snapper. Anglers indicate that the smaller circle hooks are swallowed completely into the stomach, increasing the likelihood of the hook snagging somewhere in the fish's digestive tract. If J-hooks are permitted for use, anglers argue, they will be able to hook yellowtail snapper in the mouth more frequently due to the morphology of the fish's mouth.

In the absence of scientific literature to characterize differences in lethal hooking injuries from different hook types for yellowtail snapper, the biological effects of removing the circle hook requirement are largely unknown. However, requiring the use of one hook type for multiple cohabitating species and not for another will likely result in a management measure that may prove difficult to enforce. Anglers fishing for yellowtail snapper with hooks other than circle hooks would not be likely to keep from landing any of the other reef fish species for which circle hooks are required. Incidental catch of fish other than yellowtail snapper under **Alternative 2 Option 2a** may have deleterious biological effects on bycatch, including those species which are currently under rebuilding plans (red snapper and gray triggerfish). These effects could be influential throughout the Gulf, as yellowtail snapper are widely distributed. A potential exception to these possible impacts applies to the commercial fishing sector (**Option 2b**), where the fishing practices used almost exclusively target yellowtail snapper. Commercial fishermen indicate that they use chum bags on the surface to encourage yellowtail snapper to school near the fishing vessel, and then use natural bait on small hooks to catch and land the fish. The commercial fishermen also indicate that their release tools allow them to release yellowtail snapper which have been caught with J-hooks more easily than those caught with circle hooks, resulting in decreased handling times for fish which are to be discarded.

Alternative 3 would remove the requirement to use circle hooks when fishing with natural bait for all reef fish south of 28°N latitude in the Gulf. **Option 3a** would remove the requirement for the recreational fishing sector, and **Option 3b** would remove the requirement for the commercial

fishing sector. **Alternative 3** would be expected to have similar negative biological consequences as **Alternative 2**, but to a lesser degree. Under **Alternative 3**, all reef fish species which occur in the Gulf south of 28°N latitude would be vulnerable to fishing pressure from hook types other than circle hooks. Permitting the use of any hook type may have negative effects on rebuilding plans, and may result in increased discard mortality in multiple fisheries.

Alternative 4 would remove the requirement to use circle hooks in the exclusive economic zone in the South Atlantic. More information from the South Atlantic Council June 2014 meeting and literature (e.g., Burns) will be added at a later date.

Action 7. Modify the Recreational and Commercial Fishing Years for Yellowtail Snapper

Note: This is a new item and it is being included to get guidance from the Joint Council Committee. If the Committee agrees to include this action, the IPT will include analyses in the next version of the document.

Alternative 1: No action. Retain the current yellowtail snapper fishing year of January 1 through December 31.

Alternative 2: Change the yellowtail snapper fishing year to August 1 through July 31.

Option a: commercial

Option b: recreational

Alternative 3: Others??

Discussion

Alternative 1 would retain the current January 1 through December 31 fishing year.

Alternative 2 would change the fishing year to August 1 through July 31. The South Atlantic Council's Snapper Grouper AP has requested this be examined. The main issue is having fish available in winter months when the price is substantially higher. Also, June and July are spawning months and fish are smaller, and many individuals who are not full-time commercial fishermen target yellowtail snapper during the summer taking the resource away from full-time commercial fishermen.

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South Florida Workshops Summary

Florida Fish and Wildlife Conservation Commission

Workshop Attendance:

Dania Beach – 23

Key Largo – 15

Key Colony Beach – 19

Key West – 50

Marco Island – 15

FWC Staff Present: Martha Bademan, Jessica McCawley, John Hunt, Tony Bresnen, Mason Smith (except Marco Island and Key Largo)

Council Members Present: Gulf - John Sanchez (except Marco Island); South Atlantic - Ben Hartig, John Jolley (Dania Beach only)



General Comments

- State should require everyone with any charter license to report their data electronically, modeled after the national parks system that works well
- More recreational fishery data needs to be captured
- Strengthen reporting requirements for commercial fishermen
- Need consistency between state and federal rules, on both coasts if possible
- Close down known fish spawning areas
- Several comments about selling fish from charters – some in favor, some against
- Several commenters would like to see more law enforcement presence on the water in the Keys
- Commercial fishermen would like to see drones used by law enforcement to stop poaching
- Keep species open all year (no spawning closures), just decrease the bag limit to protect the populations
- Encourage development of marine hatcheries and grow out facilities
- FWC needs to be more proactive with water quality

FKNMS process

- Many commenters spoke against the idea of having any new area closures within the Florida Keys National Marine Sanctuary
- Proposals could heavily impact the Keys community
- Closed areas would only benefit lionfish expansion

Regional management comments

- Need regional management of species like yellowtail snapper
- Several commenters liked the idea of creating a Florida Keys Regional Fishery Management Council
- Many commenters felt that the Keys don't get representation in fisheries management and would like someone from the Keys on one of the Councils
- South Florida and the Florida Keys is a unique ecosystem not found anywhere in the Gulf or South Atlantic
- Council management works fine for some species, but the population of red grouper in the keys is different from the population in North Carolina
- Think about island FMPs like is being done in the Caribbean Council – could keys be added to the Caribbean Council?
- Make all of the keys either Gulf or South Atlantic
- Regulations too complex now, a Florida Keys management plan would help simplify things
- Possible south Florida regional management area from Jupiter Inlet south through the Keys
- Manage based on species, not boundary lines

Barracuda

- Barracuda are concentrated on artificial structures around Jupiter Inlet, no longer on natural reefs
- Commercial harvest of barracuda seems dangerous – commonly carry ciguatera
- Barracuda are being shipped up to Miami and sold as food
- Charterboats target barracuda for mounts
- Species not as abundant since 2009 freeze
- End commercial harvest of barracuda
- Make barracuda catch and release only
- Need to protect declining barracuda stocks

Grouper, Gag

- Gag groupers were overfished in south Florida, Atlantic grouper closure allowed gags to back a comeback
- One commenter from Key Largo stated that gags aren't in this area, so why did the January – April closure also happen here?
- Atlantic closure hurts fishing for other species such as red grouper
- Groupers are available in the Keys when they are closed – winter the best time to grouper fish in the keys
- Several commenters suggested that they would like to see the Atlantic grouper closure reduced in length/eliminated. Suggestion: have January and February to fish

for groupers, and let groupers be closed in May (January – April closure would become March – May)

- In SW FL gags move inshore and are easier to catch in the winter months – would like gags to be open in state waters from December through February

Grouper, Goliath

- Goliaths are more valuable alive than dead and should remain closed
- Way too many goliath grouper now
- Eat many important reef fish and lobster
- Allow harvest through a tag system – require that to get another tag, you turn in data from the first tag
- Consider using a catch and release tagging system to collect more data for assessments
- Protecting this species while fishing down others has created an imbalance in the ecosystem

Grouper, Snowy

- Several commenters upset with the recreational snowy grouper closure (Atlantic federal waters)
- Snowy grouper are common in the Keys, species not in trouble
- If you want to close snowy grouper, need to close all deepwater species – can't avoid snowy grouper
- If the species is open commercially, it should be open recreationally
- Make regulations 1 per person with no size limit
- Hard to distinguish between a large snowy and small warsaw grouper

Hogfish

- Hogfish abundant in no spearing zones, absent from spearing areas
- If you increase the minimum size limit for hogfish, it could encourage people to shoot smaller ones

Jacks

- Quotas for the jacks complex are too low and do not make biological sense (some abundant species have low quotas)
- Misidentification of some species of jacks could throw off landings data

Lionfish

- Try fish traps for lionfish

Lobster/Stone crab

- One commenter would like to be able to transfer or sell crawfish dive permits
- Number of crawfish dive permits needs to fall; don't end the moratorium on permits
- Concerns about trap line entanglements with endangered or protected species
- Increase penalties for violators
- One commenter wanted a recreational spiny lobster trap fishery

Pelagics (Mackerels, Cobia, Dolphin, and Wahoo)

- Several commenters suggested that federal rules need to be fixed to allow pelagics to be filleted (like snapper and grouper) when returning from the Bahamas
- Confusion between Bahamian and U.S. rules is a problem
- Eliminate minimum size limit for dolphin - impossible to measure without killing them
- Don't need 10 dolphin per person
- Would like to see the king mackerel commercial limits increased from 1,250 to 3,000 pounds and transit through state waters
- Expand the Spanish mackerel fishery

Sea cucumbers

- Concerns about declining populations
- Only seen on the Gulf side
- Markets for export as food to Japan and China developing
- Unsure of what limits should be; maybe 200 per vessel?
- People in Asian markets will buy them by the thousands
- Make a trip limit before it gets out of hand

Sharks

- Overpopulated in the Keys, hurting fishing for many reef species
- Too many species protected from harvest
- Learned behavior – associate boat noise with a free meal

Snapper, Mangrove

- Differences between state and federal rules are not logical
- Make state and federal regulations the same
- Use the federal regulations – 10 fish bag limit 12" TL
- May be difficult to catch 12" mangrove snappers in Florida state waters

Snapper, Mutton

- Several commenters suggested close mutton snapper during spawning (May and June)
- Too easy to catch mutton snapper during spawning
- Reduce bag limit to 2-3 per person, 10 per person is too many
- Make a vessel limit of 15-20 per vessel
- Other commenters suggested that bag limit reductions with no spawning closure would be the best option
- Another commenter suggested that populations are healthy and there is no need for a closure

Snapper, Red

- Red snapper becoming more common in south Florida. Can catch big ones in state waters
- The mini-season on the Atlantic could cause safety issues, need to discourage derby fishing
- Spillover of the species due to rebuilding of the stock can now be seen in the Keys

Snapper, Vermilion

- No problem with the species – fishing is great
- Would like to see vermilion made part of the snapper aggregate, and increase the aggregate from 5 to 10

Snapper, Yellowtail

- Yellowtail snapper fishing is the best it's ever been, species not in any trouble
- FWC should take over management of the species
- Manage as a joint-stock
- J hooks can reduce discard mortality of the species
- A few commenters in favor of circle hook requirements, and don't want to see exemption

Tarpon

- Make tarpon a federal gamefish species