Amendment 29 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

DECISION DOCUMENT

Update to the ABC Control Rule, ABC Adjustments to Unassessed Species, and Management Measures for Gray Triggerfish

SEPTEMBER 2014

Purpose and Need

The purpose of Amendment 29 is to: update the South Atlantic Fishery Management Council's (South Atlantic Council) acceptable biological catch (ABC) control rule based on recommendations from the Scientific and Statistical Committee; adjust ABCs for the affected species; revise annual catch limits (ACLs) for select species; and revise management measures for gray triggerfish in federal waters of the South Atlantic region.

The need for Amendment 29 is to: specify ABCs, ACLs, and ACTs for snapper grouper species based on the best available scientific information, ~~lengthen the commercial season for gray triggerfish to~~ diminish and/or prevent derby conditions, and ensure that overfishing does not occur pending a new assessment of the gray triggerfish stock in the South Atlantic region.

Note: Review from NEPA indicates that "lengthen the commercial season for gray triggerfish" is not part of the need. Need is to prevent derby conditions and ensure overfishing does not occur.

COMMITTEE ACTION:

OPTION 1. ACCEPT THE IPT'S PROPOSED WORDING FOR THE PURPOSE AND NEED.

OPTION 2. MODIFY THE IPT'S PROPOSED WORDING FOR THE PURPOSE AND NEED (COMMITTEE/COUNCIL TO SPECIFY CHANGES) AND APPROVE.

OPTION 3. OTHERS???

Proposed Actions and Alternatives

Action 1. Update the South Atlantic Council's Acceptable Biological Catch (ABC) Control Rule

Alternative 1 (No Action). Utilize the South Atlantic Council's ABC control rule as adopted in the Comprehensive Annual Catch Limit (ACL) Amendment to specify ABCs for snapper grouper species.

Preferred Alternative 2. Adopt the SSC's recommended approach to determine ABC values for Only Reliable Catch Stocks (ORCS). This approach will become Level 4 of the ABC control rule and the existing Level 4 will be renumbered as Level 5.

A Summary of the Effects of the Alternatives

Updating the ABC control rule, as proposed in **Preferred Alternative 2**, would not have any direct biological effects. This change would, however, indirectly benefit the biological environment since an approved scientific methodology would be adopted to establish ABCs for snapper grouper species that have not been assessed but for which there are reliable catch statistics. **Alternative 1 (No Action)** and **Preferred Alternative 2** would have no added beneficial or adverse economic impacts because **Action 1** is an administrative action; however, **Preferred Alternative 2** allows for subsequent action (**Actions 2** and **3**) to select ABC and associated ACLs that could have beneficial and/or adverse economic impacts beyond the status quo. Because the ABCs for the species without assessments for which there are reliable catch data would not be adjusted to reflect the new SSC ORCS methodology, including information from fishermen and scientific experts, **Alternative 1 (No Action)** would not result in any social benefits. On the other hand, the proposed ABC control rule under **Preferred Alternative 2** could help to increase some ABCs and associated ACLs, which would be more beneficial to the commercial and for-hire fleets, recreational fishermen, fishing businesses, and communities than maintaining the current ABC control rule under **Alternative 1 (No Action)**. The administrative impacts of **Preferred Alternative 2** would be minimal, and not differ much when compared with **Alternative 1** (**No Action**). Administrative burdens may result from revising the ACL values (**Actions 2** and **3**) in the form of development and dissemination of outreach and educational materials for fishery participants and law enforcement.

Action 2. Apply the revised ABC Control Rule to select unassessed snapper grouper species

At the June 2014 meeting, the Council approved motions to add a new sub-alternative 4d to Action 2 and select it as a preferred.

Alternative 1 (No Action). ABCs for select unassessed snapper grouper species are based on the current ABC Control Rule.

Preferred Alternative 2. Assign a risk tolerance scalar to stocks deemed by the SSC to be under low risk of overexploitation (scalar = 2):

Sub-alternative 2a. Apply a risk tolerance scalar of 0.75.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Bar Jack	34,583	2	0.75	51,875	24,780	+27,095

Preferred Sub-alternative 2b. Apply a risk tolerance scalar of 0.90.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Bar Jack	34,583	2	0.90	62,249	24,780	+37,469

Preferred Alternative 3. Assign a risk tolerance scalar to stocks deemed by the SSC to be under moderate risk of overexploitation (scalar = 1.5):

Sub-alternative 3a. Apply a risk tolerance scalar of 0.75.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Margate	63,993	1.5	0.75	71,992	29,889	+42,103
Red Hind	27,570	1.5	0.75	31,016	24,867	+6,149
Cubera Snapper	52,721	1.5	0.75	59,311	24,680	+34,631
Yellowedge Grouper	46,330	1.5	0.75	52,121	30,221	+21,900
Silk Snapper	75,269	1.5	0.75	84,678	25,104	+59,574
Atlantic Spadefish	677,065	1.5	0.75	761,698	189,460	+572,238
Gray Snapper	1,039,277	1.5	0.75	1,169,187	795,743	+373,444
Lane Snapper	169,572	1.5	0.75	190,769	119,984	+70,785

Preferred Sub-alternative 3b. Apply a risk tolerance scalar of 0.80.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Margate	63,993	1.5	0.80	76,792	29,889	+46,903
Red Hind	27,570	1.5	0.80	33,084	24,867	+8,217
Cubera Snapper	52,721	1.5	0.80	63,265	24,680	+38,585
Yellowedge Grouper	46,330	1.5	0.80	55,596	30,221	+25,375
Silk Snapper	75,269	1.5	0.80	90,323	25,104	+65,219
Atlantic Spadefish	677,065	1.5	0.80	812,478	189,460	+623,018
Gray Snapper	1,039,277	1.5	0.80	1,247,132	795,743	+451,389
Lane Snapper	169,572	1.5	0.80	203,486	119,984	+83,502

Preferred Alternative 4. Assign a risk tolerance scalar to stocks deemed by the SSC to be under moderately high risk of overexploitation (scalar = 1.25):

Sub-alternative 4a. Apply a risk tolerance scalar of 0.70.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Rock Hind	42,849	1.25	0.70	37,493	37,953	-460
Tomtate	105,909	1.25	0.70	92,670	80,056	+12,614
White Grunt	735,873	1.25	0.70	643,889	674,033	-30,144
Scamp	596,879	1.25	0.70	522,269	509,788	+12,481
Gray Triggerfish	819,428	1.25	0.70	717,000	626,518	+90,482

Sub-alternative 4b. Apply a risk tolerance scalar of 0.75.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference of ABC
Rock Hind	42,849	1.25	0.75	40,171	37,953	+2,218
Tomtate	105,909	1.25	0.75	99,290	80,056	+19,234
White Grunt	735,873	1.25	0.75	689,881	674,033	+15,848
Scamp	596,879	1.25	0.75	559,574	509,788	+49,786
Gray Triggerfish	819,428	1.25	0.75	768,214	626,518	+141,696

Sub-alternative 4c. Apply a risk tolerance scalar of 0.50.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Rock Hind	42,849	1.25	0.50	26,781	37,953	-11,172
Tomtate	105,909	1.25	0.50	66,193	80,056	-13,863
White Grunt	735,873	1.25	0.50	459,921	674,033	-214,112
Scamp	596,879	1.25	0.50	373,049	509,788	-136,739
Gray Triggerfish	819,428	1.25	0.50	512,143	626,518	-114,375

Preferred Sub-alternative 4d. Apply a risk tolerance scalar of 0.70 for rock hind, tomtate, white grunt and gray triggerfish and 0.50 for scamp.

Stock	Catch Statistic (Highest landings 1999-2007)	Risk of Overexploitation Scalar	Risk Tolerance Scalar	New ABC (lbs ww)	Current ABC (lbs ww)	Difference in ABC
Rock Hind	42,849	1.25	0.70	37,493	37,953	-460
Tomtate	105,909	1.25	0.70	92,670	80,056	+12,614
White Grunt	735,873	1.25	0.70	643,889	674,033	-30,144
Scamp	596,879	1.25	0.50	373,049	509,788	-136,739
Gray Triggerfish	819,428	1.25	0.70	717,000	626,518	+90,482

A Summary of the Effects of the Alternatives

An increase in harvest beyond sustainable levels can have a negative biological impact on a species. However, all of the ABC sub-alternatives under this action were developed by the South Atlantic Council's SSC using the "ORCS" approach, and would not be expected to cause overfishing and result in negative biological impacts. There is uncertainty involved through the selection of the risk of overexploitation scalar (determined by the SSC) and the selection of the risk tolerance scalar (determined by the South Atlantic Council under this action). If the South Atlantic Council selects the risk tolerance scalar to achieve the most conservative values of ABC, biological impacts would be minimized. However, while conservative ABCs may provide the greatest biological benefit to the species, higher ABCs would not be expected to negatively impact the stock as long as harvest is maintained at sustainable levels and overfishing does not occur. Furthermore, harvest for most species listed under the sub-alternatives is currently not being constrained by the ACLs. Because the ACLs (commercial or recreational) for most of the species and species complexes addressed by this amendment have not recently been met or exceeded, the increases in the ABC under **Sub-alternatives 2a, Preferred 2b, 3a, Preferred 3b, 3c, 4a,** and **4b** are not expected to affect commercial and recreational fishermen harvesting these species. The lower ABCs expected under **Sub-alternative 4c** and **Preferred Sub-alternative 4d** could impact some species and species complexes if harvest increases in the future.

Sub-alternatives 2a, Preferred 2b, 3a, Preferred 3b, 4a, and **4b** would increase the ABCs (commercial and recreational) for most of the species, which could increase their ACLs and annual landings. However, actual changes are dependent on **Action 3** and historical landings. The lower ACLs expected from lower ABCs under **Sub-alternative 4c** could impact some of the stocks if harvest increases in the future. The decrease in ABC for white grunt under **Preferred Sub-alternative 4d** could limit fishing opportunities for this species, particularly for recreational anglers in south Florida and the Florida Keys, where the species is a popular, easy-to-target recreational species.

ABC alternatives selected in this action would result in modification of ACLs in **Action 3**. Alternatives in either **Action 2** or **Action 3** that allow for an increase in harvest could slightly reduce administrative burdens because the likelihood of triggering accountability measures (AMs) would be reduced. Conversely, alternatives in either **Action 2** or **Action 3** that result in a decrease in allowable harvest could increase the administrative burden because it would be more likely that AMs would be triggered and action would be needed to ensure overfishing did not occur. Administrative burdens resulting from revising the values under **Alternative 2, Alternative 3, Alternative 4,** and associated sub-alternatives would take the form of development and dissemination of outreach and educational materials for fishery participants and law enforcement.

ACLs and recreational annual catch targets (ACTs) resulting from proposed changes in ABCs under **Alternatives 2-4** are addressed in **Action 3**. Some species in **Action 2** are contained within a complex and do not have sector ACLs or recreational ACTs at the species level.

Action 3. Establish ACLs for select unassessed snapper grouper species

At the June 2014 meeting the Council approved the following motions:

MOTION: MODIFY ALTERNATIVE 5 UNDER ACTION 3 TO READ:
Action 3. Establish ACLs for select unassessed snapper grouper species
Alternative 5. ACL=OY=0.80*Proposed ABC FOR SCAMP.
APPROVED BY COMMITTEE
APPROVED BY COUNCIL

MOTION: SELECT ALTERNATIVE 5 UNDER ACTION 3 AS PREFERRED
APPROVED BY COMMITTEE
APPROVED BY COUNCIL

MOTION: SELECT ALTERNATIVE 2 UNDER ACTION 3 AS PREFFERED FOR THE REMAINING SPECIES EXCEPT THE DEEPWATER COMPLEX
Action 3. Establish ACLs for select unassessed snapper grouper species
Alternative 2. ACL=OY=Proposed ABC
APPROVED BY COMMITTEE
APPROVED BY COUNCIL

MOTION: SELECT ALTERNATIVE 1 (NO ACTION) AS OUR PREFERRED ALTERNATIVE FOR THE DEEPWATER COMPLEX
APPROVED BY COMMITTEE
APPROVED BY COUNCIL

To facilitate the analyses while capturing the Council's intent, the IPT re-worded the alternatives as follows:

Alternative 1 (No Action). ACL=OY=Current ABC

Alternative 2. ACL=OY=Proposed ABC
Preferred Sub-alternative 2a. Snappers Complex[a]
Preferred Sub-alternative 2b. Grunts Complex[b]
Preferred Sub-alternative 2c. Shallow Water Grouper Complex[c]
Preferred Sub-alternative 2d. Bar Jack
Preferred Sub-alternative 2e. Atlantic Spadefish
Sub-Alternative 2f. Scamp
Preferred Sub-Alternative 2g. Gray Triggerfish

Alternative 3. ACL=OY=0.95*Proposed ABC
Sub-alternative 3a. Snappers Complex[a]
Sub-alternative 3b. Grunts Complex[b]

Sub-alternative 3c. Shallow Water Grouper Complex[c]
Sub-alternative 3d. Bar Jack
Sub-alternative 3e. Atlantic Spadefish
Sub-alternative 3f. Scamp
Sub-alternative 3g. Gray Triggerfish

Alternative 4. ACL=OY=0.90*Proposed ABC
Sub-alternative 4a. Snappers Complex[a]
Sub-alternative 4b. Grunts Complex[b]
Sub-alternative 4c. Shallow Water Grouper Complex[c]
Sub-alternative 4d. Bar Jack
Sub-alternative 4e. Atlantic Spadefish
Sub-alternative 4f. Scamp
Sub-alternative 4g. Gray Triggerfish

Alternative 5. ACL=OY=0.80*Proposed ABC ~~for scamp~~
Sub-alternative 5a. Snappers Complex[a]
Sub-alternative 5b. Grunts Complex[b]
Sub-alternative 5c. Shallow Water Grouper Complex[c]
Sub-alternative 5d. Bar Jack
Sub-alternative 5e. Atlantic Spadefish
Preferred Sub-alternative 5f. Scamp
Sub-alternative 5g. Gray Triggerfish

(a) Snappers: **Gray snapper, lane snapper, cubera snapper**, dog, mahogany
(b) Grunts: **White grunt, margate**, sailor's choice, **tomtate**
(c) Shallow Water Grouper: **Red hind, rock hind**, coney, graysby, yellowfin grouper, yellowmouth grouper

COMMITTEE ACTION:

OPTION 1. ACCEPT THE IPT'S PROPOSED WORDING FOR THE ALTERNATIVES UNDER ACTION 3.

OPTION 2. MODIFY THE IPT'S PROPOSED WORDING FOR THE ALTERNATIVES UNDER ACTION 3.

OPTION 3. OTHERS???

Table 2.3.1 describes proposed ACLs based on the preferred alternatives (**Preferred Alternative 2, Preferred Sub-alternative 2b, Preferred Alternative 3, Preferred Sub-alternative 3b, Preferred Alternative 4, Preferred Sub-alternative 4d**) in **Action 2** and alternatives in **Action 3**. **Table 2.3.2** presents commercial and recreational ACLs and recreational ACTs based on preferred alternatives in **Action 2** and preferred alternatives in **Action 3**.

Table 2.3.1. Proposed commercial and recreational ACLs and recreational ACTs based on alternatives in Action 3 and preferred alternatives in Action 2. Highlighted cells indicate South Atlantic Council's preferred ACL change.

Species or Complex	Action 3, Alternative 1			Action 3, Alternative 2 ACL = OY= ABC			Action 3, Alternative 3 ACL = OY = 95%ABC			Action 3, Alternative 4 ACL = OY = 90%ABC			Action 3, Alternative 5 ACL = OY = 80%ABC		
	Comm ACL	Rec ACL	Rec ACT	Comm ACL	Rec ACL	Rec ACT	Comm ACL	Rec ACL	Rec ACT	Comm ACL	Rec ACL	Rec ACT	Comm ACL	Rec ACL	Rec ACT
Snappers Complex (a)	215,662	728,577	624,197	344,884	1,172,832	984,898	327,640	1,114,191	935,653	310,395	1,055,549	886,408	275,907	938,266	787,918
Grunts Complex (b)	218,539	588,113	442,970	217,903	618,122	455,962	794,224	207,008	433,164	752,423	196,113	410,366	174,322	494,498	364,770
SWG Complex (c)	49,776	46,656	23,595	55,542	48,648	20,542	98,981	52,764	19,515	93,771	49,987	18,488	44,434	38,918	16,434
Bar Jack	5,265	19,515	9,758	13,228	49,021	11,912	12,567	46,570	11,912	11,905	44,119	11,317	10,582	39,217	9,530
Atlantic Spadefish	35,108	154,352	96,470	150,552	661,926	413,704	143,025	628,830	393,018	135,497	595,733	372,333	120,442	529,541	330,963
Scamp	333,100	176,688	94,316	243,750	129,299	69,020	231,563	122,834	65,569	219,375	116,369	62,118	195,000	103,439	55,216
Gray Triggerfish	272,880	353,638	284,325	312,325	404,675	325,359	296,709	384,441	309,091	281,093	364,207	292,823	249,860	323,740	260,287

(a) Snappers: **Gray snapper, lane snapper, cubera snapper**, dog, mahogany
(b) Grunts: **White grunt, margate**, sailor's choice, **tomtate**
(c) Shallow Water Grouper: **Red hind, rock hind**, coney, graysby, yellowfin grouper, yellowmouth grouper

Table 2.3.2. Proposed commercial and recreational ACLs and recreational ACTs based on preferred sub- alternatives in Action 3, and preferred alternatives in Action 2.

Species or Complex	Action 3, Alternative 1 (No Action)			Action 3, Preferred Sub-alternatives 2a-2e, 2g, and 5f		
	Comm ACL	Rec ACL	Rec ACT	Comm ACL	Rec ACL	Rec ACT
Snappers Complex (a)	215,662	728,577	624,197	344,884	1,172,832	984,898
Grunts Complex (b)	218,539	588,113	442,970	217,903	618,122	455,962
SWG Complex (c)	49,776	46,656	23,595	55,542	48,648	20,542
Bar Jack	5,265	19,515	9,758	13,228	49,021	11,912
Atlantic Spadefish	35,108	154,352	96,470	150,552	661,926	413,704
Scamp	333,100	176,688	94,316	195,000	103,439	55,216
Gray Triggerfish	272,880	353,638	284,325	312,325	404,675	325,359

(a) Snappers: Gray snapper, lane snapper, cubera snapper, dog, mahogany
(b) Grunts: White grunt, margate, sailor's choice, tomtate
(c) Shallow Water Grouper: Red hind, rock hind, coney, graysby, yellowfin grouper, yellowmouth grouper

A Summary of the Effects of the Alternatives

Action 3 would specify ACLs and recreational ACTs for three species groups and four species based on the ABCs selected by the South Atlantic Council in **Action 2**. It would not change the ACL for the Deepwater Complex. **Table 2.3.1** displays the proposed commercial and recreational ACLs and recreational ACTs based on the preferred alternatives in **Action 2** and the proposed alternatives in **Action 3**. **Table 2.3.2** presents commercial and recreational ACLs, and recreational ACTs based on preferred alternatives in **Actions 2** and **3**. For an analysis of proposed ACLs based on all proposed alternatives in **Action 2** and **Action 3**, see Chapter 4 (**Tables 4.3.1-4.3.9**).

Alternatives 3-5 would have a greater positive biological effect than **Alternative 2** because they would create a buffer between the ACL/OY and ABC, with **Alternative 5** setting the most conservative ACL at 80% of the ABC (**Tables 2.3.1, and Tables 4.3.1-4.3.9**). Creating a buffer between the ACL/OY and ABC would provide greater assurance that overfishing is prevented, and the long-term average biomass is near or above SSB_{MSY}. However, the South Atlantic Council's ABC control rule takes into account scientific uncertainty. The Magnuson-Stevens Act national standard 1 guidelines indicate an ACL may typically be set very close to the ABC. Setting a buffer between the ACL and ABC would be appropriate in situations where there is uncertainty in whether or not management measures are constraining fishing mortality to target levels. An ACT, which is not required, can also be set below the ACL to account for management uncertainty and provide greater assurance overfishing does not occur.

Alternatives under **Action 3** would increase the ACL for some species or species complexes or decrease the ACL for species or species complexes. For most species and species complexes,

the ACLs are currently not being met. If harvest is less than the proposed ACLs, biological effects would be expected to be minimal.

The changes in the ACLs of the four species and three species complexes represent maximum changes in annual landings, which may or may not be realized. Given **Actions 1** and **2**, **Preferred Sub-alternatives 2a-2e** and **2g** would allow for the largest net increases in commercial and recreational landings of the Snapper Complex, Grunts Complex, Shallow Water Grouper Complex, bar jack, Atlantic spadefish, and gray triggerfish. **Preferred Sub-Alternative 5f** would yield the largest reduction in allowable commercial and recreational landings of scamp.

Actual economic benefits, however, are dependent on baseline landings and AMs for the respective species and species complexes. Baseline commercial landings for Atlantic spadefish, Grunts Complex, Shallow Water Groupers Complex, and Snappers Complex are less than the current ACL, while baseline commercial landings of bar jack and gray triggerfish exceed their current ACLs. Baseline commercial landings of scamp are less than the reduced commercial ACL of **Preferred Sub-alternative 5f**. Hence, **Preferred Sub-alternatives 2a-2c** and **2e**, **Preferred Sub-alternative 5f**, and **Alternative 1 (No Action)** are expected to have the same effect on commercial landings (both by weight and value) of Atlantic spadefish, Grunts Complex, scamp, Shallow Water Groupers Complex, and Snappers Complex: no economic impact beyond the status quo on the commercial sector. **Preferred Sub-alternatives 2d** and **2g** would increase annual commercial landings of bar jack and gray triggerfish, respectively. **Alternatives 3**, **4**, and **5** would generate smaller additional beneficial economic impacts from commercial landings of bar jack and gray triggerfish and **Alternative 1 (No Action)** would generate no additional economic impact on the commercial sector.

Baseline recreational landings are less than the current recreational ACL for Atlantic spadefish, bar jack, Grunts Complex, Shallow Water Groupers Complex, and Snappers Complex. Consequently, **Preferred Sub-alternatives 2a-2e** and **Alternative 1 (No Action)** are expected to yield no change in economic benefits that derive from recreational landings of Atlantic spadefish, bar jack, Grunts Complex, Shallow Water Groupers Complex, and Snappers Complex. **Preferred Sub-alternative 5f** would have the same economic impact on the recreational sector as **Alternatives 1 (No Action)**, **2f**, **3f**, and **4f** because baseline recreational landings of scamp are less than the proposed lower recreational ACL.

Preferred Sub-alternative 2g would increase net economic benefits from annual recreational harvest of gray triggerfish that cannot be quantified at this time. **Alternatives 3**, **4**, and **5** would yield smaller additional net economic benefits than the preferred alternative and **Alternative 1 (No Action)** would yield no additional economic impact.

Regarding social effects, **Alternative 2** would be the most beneficial to fishermen and communities by setting the ACL at the highest level allowed by the ABC specified in **Action 2**, and **Alternative 5** would be the least beneficial. However, because the ABCs set in **Action 2** are based on ORCS methodology and for stocks with limited available data, a buffer as proposed in

Alternatives 3-5, could be more beneficial to resource users in the long term, if future data indicate the ABCs should be lower.

Alternatives that result in higher ACLs for species or species complexes could slightly reduce administrative burdens because the likelihood of triggering AMs would be reduced. Conversely, alternatives that decrease ACLs could increase the administrative burden because it would be more likely that AMs would be triggered and action would be needed to ensure overfishing did not occur. Administrative burdens also may result from revising the values under the alternatives in the form of development and dissemination of outreach and educational materials for fishery participants and law enforcement.

Action 4. Modify the minimum size limit for gray triggerfish

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

NOTE: NEPA has concerns with how the no-action alternative is worded. It is stated that the alternative needs to be worded in a way that it would continue the current course of action. Delete part of the alternative?

Alternative 2. Specify a minimum size limit for gray triggerfish of 12 inches fork length (FL) in federal waters off the east coast of Florida.

Sub-alternative 2a. The minimum size limit applies to the commercial sector.

Sub-alternative 2b. The minimum size limit applies to the recreational sector.

Preferred Alternative 3. Specify a minimum size limit for gray triggerfish of 12 inches fork length (FL) in federal waters off North Carolina, South Carolina, and Georgia.

Preferred Sub-alternative 3a. The minimum size limit applies to the commercial sector.

Preferred Sub-alternative 3b. The minimum size limit applies to the recreational sector.

Alternative 4. Specify a minimum size limit for gray triggerfish of 14 inches fork length (FL) in federal waters off North Carolina, South Carolina, Georgia, and the east coast of Florida.

Sub-alternative 4a. The minimum size limit applies to the commercial sector.

Sub-alternative 4b. The minimum size limit applies to the recreational sector.

Preferred Alternative 5. Specify a minimum size limit for gray triggerfish of 14 inches fork length (FL) in federal waters off the east coast of Florida.

Preferred Sub-alternative 5a. The minimum size limit applies to the commercial sector.

Preferred Sub-alternative 5b. The minimum size limit applies to the recreational sector.

COMMITTEE ACTION:

OPTION 1. ACCEPT THE IPT'S PROPOSED WORDING FOR ALTERNATIVE 1 UNDER ACTION 4.

OPTION 2. MODIFY THE IPT'S PROPOSED WORDING FOR ALTERNATIVE 1 UNDER ACTION 4.

OPTION 3. OTHERS???

A Summary of the Effects of the Alternatives

There would be little difference in the biological benefits of **Alternatives 1 (No Action)**, **Alternative 2**, and **Preferred Alternative 3** since the establishment of a 12-inch fork length (FL) minimum size limit under **Alternative 2** and **Preferred Alternative 3** would do little to restrict commercial or recreational harvest of gray triggerfish in the South Atlantic. A minimum size limit of 12 inches FL for North Carolina, South Carolina, and Georgia under **Preferred Alternative 3** would provide slightly greater spawning opportunities for gray triggerfish, relative to no action (**Alternative 1, No Action**). A minimum size limit of 14 inches FL under **Alternative 4** (North Carolina, South Carolina, Georgia, and the east coast of Florida), and **Preferred Alternative 5** (east coast of Florida only) would provide the greatest spawning opportunities of the alternatives considered. Therefore, biological benefits would be greatest for **Alternative 4**, followed by **Preferred Alternatives 3** and **5** combined, **Preferred Alternative 5, Preferred Alternative 3, Alternative 2**, and **Alternative 1** (**No Action**) for the commercial and recreational sectors.

Alternatives 1 (No Action), **2**, and **5 (Preferred)** would have no added adverse or beneficial economic impact. **Alternative 1 (No Action)** and **Sub-alternatives 2a** and **2b** would have the same economic impact on commercial and recreational fishermen of North Carolina, South Carolina, and Georgia who harvest gray triggerfish. **Alternative 4** would have the largest adverse economic impact on fishermen of the three states and **Preferred Alternative 3** would have the second largest adverse economic impact among the alternatives. **Alternatives 1 (No Action)** and **3 (Preferred)** would have no additional economic impact on fishermen of Florida. **Alternative 4** and **Preferred Alternative 5** would have the same and the largest adverse economic impact on fishermen of Florida, while **Alternative 2** would have the second smallest adverse impact. It is possible that fishermen may attempt to reduce the impacts by moving into state waters and/or increasing the length of a trip to harvest the same number of pounds; however, an increase in the length of a trip would increase trip-related costs, such as fuel, bait, and risk. In addition, the ability to mitigate for these reductions is dependent on other actions in this amendment, such as **Action 3** that would change the commercial ACL, and **Action 5** that would split the annual commercial ACL to create two 6-month seasons.

Changing the minimum size limit to 12 inches FL under **Preferred Alternative 3** would establish a minimum size limit that is consistent with the current minimum size limit requirements in state waters off east Florida (**Alternative 1 No Action)**. However, the South Atlantic Council has selected an alternative that would increase the minimum size limit to 14 inches FL off the east coast of Florida (**Preferred Alternative 5**). Thus, selection of **Preferred Alternatives 3** and **5** would result in inconsistent regulations between the east coast of Florida and the other South Atlantic states. A 14-inch FL minimum size limit specified in **Alternative 4** and **Preferred Alternative 5** would allow for consistent minimum size limit regulations for gray

triggerfish in the Gulf of Mexico and South Atlantic, which is particularly troublesome for fishermen and law enforcement in the Florida Keys. However, **Preferred Alternative 3** and **Alternative 4** could have some negative effects on recreational and commercial fishermen harvesting gray triggerfish in the EEZ off states that currently do not have size limits by limiting the number of fish that can be kept.

Some social effects of implementing minimum size limits would be associated with the positive and negative biological effects of minimum size limits on the gray triggerfish stock. Positive effects of allowing only fish of a certain size that are caught in the South Atlantic EEZ to be landed could help maintain sustainability of harvest and the health of the stock, which would be beneficial to recreational and commercial fishermen in the long term. Negative effects of potential increases in discard mortality due to a newly established size limit in North Carolina, South Carolina, and Georgia under **Preferred Alternative 3** and **Alternative 4**, compared to allowing all fish to be landed in those states under **Alternative 1 (No Action)**, **Alternative 2**, and **Preferred Alternative 5,** could affect the stock and in turn, commercial and recreational fishing opportunities. Florida fishermen would experience increased discards under **Preferred Alternative 5**.

Beneficial administrative effects would be expected from **Alternative 2**, **Preferred Alternative 3**, and **Alternative 4**, and **Preferred Alternative 5** when compared with **Alternative 1** (**No Action**). **Alternative 4** and **Preferred Alternative 5** would further avoid confusion with regulations and aid law enforcement by specifying the same minimum size limit (14 inches FL) that is specified in federal waters of the Gulf of Mexico and in state waters off the west coast of Florida. Administrative impacts on the agency associated with the action alternatives would be incurred by rule making, outreach, education and enforcement.

Action 5. Establish a commercial split season for gray triggerfish

Alternative 1 (No Action). The commercial fishing year for gray triggerfish is the calendar year (January 1- December 31). The commercial ACL is allocated for the entire year.

Preferred Alternative 2. Allocate the directed commercial gray triggerfish ACL into two quotas: 50% to the period January 1 through June 30 and 50% to the period July 1 through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

Alternative 3. Allocate the directed commercial gray triggerfish ACL into two quotas; 40% to the period January 1 through June 30, and 60% to the period July 1 through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

A Summary of the Effects of the Alternatives

The biological impacts of a split season for gray triggerfish under **Preferred Alternative 2** or **Alternative 3** are likely to be neutral since overall harvest would be limited to the sector ACL and split-season quotas, and AMs would be triggered if the ACL or quotas were exceeded. Dividing the ACL into two time periods could result in the gray triggerfish commercial harvest being open for a short period of time, and possibly encourage derby conditions to a greater extent than **Alternative 1 (No Action)**. Derby conditions would be expected to be more pronounced in season 1 under **Alternative 3** because season 1 would be much shorter than season 2. As a result, there could be increased targeting of gray triggerfish under season 1 in an effort to harvest some gray triggerfish before the season closed. Discards of gray triggerfish would be expected after quotas are met under **Preferred Alternative 2** and **Alternative 3** due to fishermen targeting co-occurring species. However, the magnitude of discards would be expected to be similar under the two alternatives. Furthermore, survival of discarded gray triggerfish is estimated to be very high (about 88%). Thus, the stock is not expected to be negatively impacted by alternatives that might result in an increase in regulatory discards. **Preferred Alternative 2** and **Alternative 3** would establish fishing seasons that have opening and closing dates similar to vermilion snapper. Since gray triggerfish and vermilion snapper are co-occurring species that are caught together, **Preferred Alternative 2** and **Alternative 3** could reduce bycatch of both species. Additionally, split season quotas would allow fishermen in different regions to target gray triggerfish when weather is good in their area. Therefore, alternatives that divide the ACL into two time period quotas would allow for a greater opportunity among fishermen in all areas to catch gray triggerfish. Furthermore, dividing the ACL into two seasons would allow fishermen to target gray triggerfish in summer when historical catches have been the best.

There would be no difference in annual economic impacts among **Alternative 1 (No Action)**, **Preferred Alternative 2**, and **Alternative 3** because there would be no change in annual total landings and dockside revenues, assuming all of the ACL is caught each year and

the price of gray triggerfish remains relatively constant. **Preferred Alternative 2** and **Alternative 3** redistribute when fishing and landings of gray triggerfish can occur throughout the year. The degree of economic effects depends primarily on the timing of the closures in relationship to other seasonal closures. For the first six months of the fishing year, **Alternative 1 (No Action)** would be the status quo as no closure would be expected (**Table 4.5.5**); however, in 2014, the season for gray triggerfish closed on May 12th. **Preferred Alternative 2** is expected to have direct negative economic effects; however, **Alternative 3** is expected to have greater direct negative economic effects due to the predicted timing of seasonal closures, potentially leaving at least some snapper grouper commercial fishermen with no species to target. The second six months of the fishing year is expected to close prior to the end of the calendar year. **Alternative 1 (No Action)** would result in the season closing sooner than either **Preferred Alternative 2** or **Alternative 3** and would result in greater direct negative economic effects. Because **Alternative 3** would extend the second season longer than **Preferred Alternative 2**, it is expected to have a greater direct economic benefit for the last six months of the fishing year.

A split commercial fishing season for gray triggerfish under **Preferred Alternative 2** or **Alternative 3** would likely increase access to the commercial ACL for North Carolina and South Carolina, which would be beneficial to commercial businesses in these areas. Additionally, a split season for gray triggerfish under **Preferred Alternative 2** or **Alternative 3** could reduce discards of vermilion snapper because the two species are commonly caught together. This could improve trip efficiency and help reduce regulatory discards for vessels catching vermilion snapper. The proposed 40%-60% split in the commercial ACL during the two fishing seasons for gray triggerfish under **Alternative 3** reflects recent harvest patterns for the species, and would be expected to result in fewer changes for the commercial fleet than under **Preferred Alternative 2**, which could impose some limited access to the commercial ACL during the second part of the fishing year.

A split season under **Preferred Alternative 2** or **Alternative 3** would likely increase access to the commercial ACL for North Carolina and South Carolina, which would be beneficial to commercial businesses in these areas. Additionally, a split season under **Preferred Alternative 2** or **Alternative 3** could reduce discards of vermilion snapper because the two species are commonly caught together. This could improve trip efficiency and help reduce regulatory discards for vessels catching vermilion snapper. The proposed 40%-60% split in the commercial ACL under **Alternative 3** reflects recent harvest patterns for gray triggerfish, and would be expected to result in fewer changes for the commercial fleet than under **Preferred Alternative 2**, which could impose some limited access to the commercial ACL during the second part of the year.

Alternative 1 (**No Action)** would have fewer administrative impacts than **Preferred Alternative 2** or **Alternative 3** because only one quota would need to be monitored. Relative to **Alternative 1 (No Action)**, **Preferred Alternative 2,** and **Alternative 3** would increase the administrative impacts in the form of rulemaking, outreach, education, monitoring, and enforcement.

Action 6. Establish a commercial trip limit for gray triggerfish

Alternative 1 (No Action). There is no commercial trip limit for gray triggerfish in the South Atlantic region.

Preferred Alternative 2. Establish a commercial trip limit for gray triggerfish in the South Atlantic region.

Sub-alternative 2a. 500 pounds whole weight (lbs ww)
Preferred Sub-alternative 2b. 1,000 lbs ww
Sub-alternative 2c. 1,500 lbs ww

Alternative 3. When 75% of the gray triggerfish commercial seasonal quota is met or is projected to be met, the trip limit is reduced to:

Sub-alternative 3a. 200 lbs ww
Sub-alternative 3b. 500 lbs ww
Sub-alternative 3c. 750 lbs ww

A Summary of the Effects of the Alternatives

The biological effects of **Alternatives 1 (No Action), Preferred Alternative 2** (and associated sub-alternatives)**,** and **Alternative 3** (and associated sub-alternatives) would be expected to be neutral because ACLs and AMs are in place to cap harvest, and take action if ACLs are exceeded. **Alternative 1 (No Action)** could present a greater biological risk to gray triggerfish in terms of exceeding the ACL than **Alternatives 2 (Preferred)** and **3** since no trip limit would be in place to slow down the rate of harvest and help ensure the ACL is not exceeded. However, improvements have been made to the quota monitoring system, and the South Atlantic Council has approved a Dealer Reporting Amendment, which should enhance data reporting. Therefore, any biological benefits associated with trip limits would be expected to be small. Larger trip limits would not constrain catch and would result in the ACL being met earlier in the year. Early closures of gray triggerfish could result in increased bycatch of gray triggerfish when fishermen target co-occurring species such as vermilion snapper and black sea bass. However, release mortality of gray triggerfish is considered to be low. Thus, commercial closures associated with meeting the ACL are not expected to negatively affect the gray triggerfish stock due to bycatch.

Commercial trip limits in general, are not economically efficient. Although lower trip limits can lengthen an open fishing season, trip limits can also economically disadvantage larger vessels and vessels that have to travel farther to reach their fishing grounds. Depending on vessel characteristics and the distance required to travel to fish, a trip limit that is too low could result in targeted trips that are cancelled, if the vessel cannot target other species on the same trip. From 2009 through 2013, very few commercial trips, which landed gray triggerfish, landed more than 500 lbs ww per trip. It is reasonable to expect that larger vessels that make longer trips could have landings greater than 500, 1,000 or 1,500 lbs ww. If so, **Sub-alternative 2a**

would have the largest adverse economic impact on commercial fishermen with historically larger landings per trip, followed in turn by **Sub-alternatives 2b (Preferred)** and **2c**. **Alternative 1 (No Action)** would have no adverse economic impact beyond the baseline. Because none of the sub-alternatives of **Alternative 3** are expected to have significant impact on extending the length of the fishing season, the sub-alternatives are expected to have minimal economic effects when compared to **Alternative 1 (No Action)**. A trip limit of 750 lbs ww after 75% of the ACL has been taken as in **Sub-alternative 3c** would provide the smallest adverse economic impact per trip followed by **Sub-alternatives 3b** (500 lbs ww) and **3a** (200 lbs ww), respectively.

Communities in the South Atlantic Region would be expected to experience positive or negative effects if a commercial trip limit is established. In general, a commercial trip limit may help slow the rate of harvest, lengthen a season, and prevent the ACL from being exceeded, but trip limits that are too low may make fishing trips inefficient and too costly if fishing grounds are too far away. Relative to **Alternative 1 (No Action)**, **Alternatives 2 (Preferred)** and **3** could reduce the risk of derby conditions and associated negative impacts that can occur due to an in-season closure or payback provision if the ACL is exceeded. A more restrictive trip limit is more likely to slow the rate of harvest and lengthen the season than a less restrictive trip limit, unless vessels do not currently harvest over a proposed limit. The 500-lbs ww limit proposed under **Sub-alternative 2a** is the most restrictive under **Alternative 2 (Preferred)**, but a low percentage of trips exceed 500 lbs ww of gray triggerfish at this time (**Table 4.5.1**). Very few trips exceed 1,000 lbs ww (**Preferred Sub-alternative 2b**) and less than 1% exceed 1,500 lbs ww (**Sub-alternative 2c**). The step-down trip limit when 75% of the commercial ACL is met under **Alternative 3** would allow commercial trips to continue fishing for other species, but with a sort of bycatch allowance for any gray triggerfish caught on the trips. **Sub-alternatives 3a-3c** would help to reduce discards of gray triggerfish and could help extend the season. Overall, the social benefits to the commercial fleet, associated businesses, and communities would likely be maximized as a result of some trade-off between season length and economic changes.

Alternative 1 (No Action) would have fewer administrative impacts than **Alternatives 2 (Preferred)** and **3**. Administrative impacts associated with **Alternatives 2 (Preferred)** and **3** would come in the form of rulemaking, outreach, education, monitoring, and enforcement. NMFS has implemented trip limits in other fisheries and the impacts associated with **Alternative 2 (Preferred)** and **3** are expected to be minor.

Deeming of Codified Text (Attachment 4c)

COMMITTEE ACTION:

OPTION 1: DEEM THE CODIFIED TEXT FOR AMENDMETN 29 AS NECESSARY AND APPROPRIATE

OPTION 2: MAKE MODIFICATIONS TO THE CODIFIED TEXT FOR AMENDMENT 29

OPTION 3. OTHERS???

Approval of Amendment 29 for formal review

COMMITTEE ACTION:

OPTION 1: APPROVE AMENDMENT 29 FOR FORMAL REVIEW

OPTION 2: GIVE THE COUNCIL CHAIR AND STAFF EDITORIAL LICENSE TO MAKE CHANGES TO THE AMENDMENT PRIOR TO SUBMISSION

OPTION 3. OTHERS???