

**SNAPPER GROUPEL ADVISORY PANEL REPORT
CHARLESTON, SC, OCTOBER 5, 2011**

Update on the Comprehensive Annual Catch Limit (ACL) Amendment and Regulatory Amendment 11

Myra Brouwer (Council staff) provided an update on the status of the amendment. The Comprehensive ACL Amendment contains actions to establish an Acceptable Biological Catch (ABC), Annual Catch Limits (ACLs) and Accountability Measures (AMs) for snapper grouper species that are not overfished or undergoing overfishing, dolphin, wahoo and golden crab. In addition, the amendment contains actions to remove species from the Snapper Grouper Fishery Management Unit (FMU), designate Ecosystem Component species, and establish species groupings for snapper grouper species.

The AP made the following motions pertaining to species being affected by the Comprehensive ACL Amendment. The AP was aware, however, that no changes to the amendment could be made since it was being submitted for formal review the following week. The AP requested that the Council consider the following in a future amendment to the Snapper Grouper FMP:

MOTION: RECOMMEND AN INCREASE OF THE MINIMUM SIZE OF HOG SNAPPER TO 18 INCHES (1 OPPOSED)

MOTION: RECOMMEND INCREASE IN SIZE LIMIT OF GRAY TRIGGERFISH TO 14 INCHES (BOTH REC AND COMMERCIAL) AND LIMIT RECREATIONAL CATCH TO 5 (3 OPPOSED/ 1 ABSTENTION)

The AP also discussed removal of tiger grouper from the Fishery Management Unit: Tiger grouper, although not a common grouper anywhere in the South Atlantic, have historically been landed in the Keys. Unfortunately, most were recorded as black grouper, so landings records are not accurate. Some AP members are concerned that if the species is removed from the management unit, this will provide a loophole in the law, allowing fishermen to land undersize and out of season black grouper and recording them as unregulated tiger grouper. It is a unique, and rare grouper in our area, much like the marbled grouper. If any change in status is warranted it should be to a protected species and not removal from the management unit.

The AP also received an update from Gregg Waugh (Council staff) on the status of Regulatory Amendment 11. Regulatory Amendment 11 would take away the 240-foot (40 fathom) deepwater closure that was implemented in Amendment 17B.

Update on Black Sea Bass and Golden Tilefish Assessments

Dr. Mike Errigo (Council staff) gave a presentation to the AP on the status of the assessments. Black sea bass and golden tilefish are being assessed under SEDAR 25. The Data and Assessment workshops took place earlier this year and the Review workshop took place in mid-October.

The AP made the following motions during this discussion:

MOTION: CHANGE THE RECREATIONAL FISHING YEAR FOR BLACK SEA BASS TO BEGIN APRIL 1ST (6 FOR, 5 OPPOSED, 2 ABSTENTIONS)

MOTION: REQUEST THAT THE COUNCIL ONCE AGAIN CONSIDER REGIONAL APPROACHES TO RECREATIONAL MANAGEMENT AS APPROPRIATE (0 OPPOSED, 2 ABSTENTIONS)

MOTION: ALLOCATE THE BLACK SEA BASS COMMERCIAL ACL TO HOOK & LINE AND POT SECTORS AT THE HISTORICAL LEVELS. THE PERCENTAGE THAT THE DISQUALIFIED POT FISHERMEN WOULD HAVE LANDED IS ADDED TO THE HOOK AND LINE FISHERY (0 OPPOSED, 3 ABSTENTIONS)

Amendment 18A

Amendment 18A proposed changes to the management of the black sea bass fishery. Proposed measures aim to reduce overcapacity and reduce the rate of harvest in the black sea bass pot fishery. In addition, the amendment would include any changes to management measures that are needed as a result of the ongoing stock assessment.

Gregg Waugh (Council staff) provided an update on actions and alternatives and timing for the amendment. The AP reviewed each action and provided the recommendations below:

MOTION: RECOMMEND THAT THE COUNCIL CHOOSE ALTERNATIVE 3 UNDER ACTION 1 FOR AMENDMENT 18A:

Alternative 3. Define a rebuilding strategy for black sea bass that maintains a constant fishing mortality rate throughout the remaining years of the rebuilding timeframe.
(0 OPPOSED, 2 ABSTENTIONS)

MOTION: RECOMMEND SELECTING ALTERNATIVE 2 UNDER ACTION 1B IN AMENDMENT 18A:

Alternative 2. Set $ACL=ABC=OY$. This results in sector ACLs based on the existing allocations.
(0 OPPOSED, 1 ABSTENTION)

MOTION: COUNCIL SHOULD CONSIDER CHANGING THE OPENING DATE FOR THE BLACK SEA BASS COMMERCIAL FISHERY (HOOK & LINE) TO COINCIDE WITH MARKETS WHEN THEY ARE AT THEIR MAXIMUM PRICE. CONSIDER A SPLITTING OF THE SEASON AS APPROPRIATE (2 OPPOSED, 2 ABSTENTIONS)

MOTION: SUPPORT COUNCIL'S PREFERRED FOR ACTION 1C IN AMENDMENT 18A:

Alternative 1. No Action. Do not set an ACT for the commercial black sea bass fishery.
(0 OPPOSED, 3 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED ALTERNATIVE FOR ACTION 1D IN AMENDMENT 18A:

Alternative 4. The ACT equals $ACL*(1-PSE)$ or recreational $ACL*0.5$, whichever is greater.

(2 OPPOSED, 1 ABSTENTION)

MOTION: COUNCIL SHOULD LIMIT PARTICIPATION IN THE BSB POT FISHERY WITH AN ENDORSEMENT PROGRAM AND A MINIMUM LANDINGS REQUIREMENT OF 500 POUNDS CAUGHT WITH POT GEAR LANDED BETWEEN THE CONTROL DATES OF OCTOBER 2004 AND DECEMBER 2008. PERMIT MUST HAVE AT LEAST 100 POUNDS OF LANDINGS SINCE THE CONTROL DATE (BETWEEN 2008 AND 2010) (2 OPPOSED, 4 ABSTENTIONS)

MOTION: SELECT ALTERNATIVE 1 (NO ACTION) FOR ACTION 2 (Limit Participation in the Black Sea Bass Pot Fishery Through an Endorsement Program) IN AMENDMENT 18A. (2 OPPOSED, 3 ABSTENTIONS)

MOTION: RECOMMEND PREFERRED ALTERNATIVE 2 UNDER ACTION 3 (ESTABLISH AN APPEALS PROCESS) IF AN INDIVIDUAL IS EXCLUDED FROM THE ENDORSEMENT PROGRAM (1 OPPOSED, 1 ABSTENTION)

MOTION: RECOMMEND ALTERNATIVE 1 (NO ACTION) UNDER ACTION 4: Alternative 1 (No Action). Black sea bass pot endorsements (and tags) would not be allowed to be transferred if such a system were implemented (0 OPPOSED, 6 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED FOR ACTION 5: Preferred Alternative 5. Require that each black sea bass pot in the water or at sea on a vessel in the South Atlantic EEZ have an attached valid identification tag issued by NOAA Fisheries Service. Limit the black sea bass pot tags to 35 per vessel each permit year. NOAA Fisheries Service will issue new identification tags each fishing year that will replace the tags from the previous fishing year.

MOTION: SUPPORT THE COUNCIL'S PREFERRED ALTERNATIVE UNDER ACTION 6: Preferred Alternative 2. Black sea bass pots must be brought back to shore at the conclusion of each trip (0 OPPOSED, 0 ABSTENTIONS)

MOTION: ADOPT THE ALTERNATIVE LANGUAGE SUGGESTED BY THE IPT FOR ALTERNATIVES 2 AND 3 UNDER ACTION 7 (0 OPPOSED, 2 ABSTENTIONS)

MOTION: SUGGEST THAT THE TOTAL ACL INCREASE NOT BE SUBJECT TO A DOUBLE JEOPARDY PENALTY (0 OPPOSED, 0 ABSTENTIONS)

NOTE: The motion above refers to whether an ACL increase would take place during the fishing year following an overage. The AP maintains that this situation (a "double jeopardy") penalizes the fishermen twice: first by reducing the ACL and then by not allowing a scheduled increase to take place.

MOTION: COUNCIL SHOULD CONSIDER ESTABLISHING SPAWNING SEASON CLOSURES FOR BSB BY REGIONS UNTIL THE STOCK IS REBUILT
(1 OPPOSED, 3 ABSTENTIONS)

MOTION: SUPPORT ALTERNATIVE 5 UNDER ACTION 9
Preferred Alternative 5. Establish a 1,250 pounds gw (1,475 pounds ww) trip limit.
(1 OPPOSED)

MOTION: SUPPORT ALTERNATIVE 3, SUBALTERNATIVE 3C, AS PREFERRED (WITH SUBSTITUTION BELOW)
Sub-Alternative 3c. Increase the commercial size limit from 10" TL to 11" TL in year 1 and then to 12" TL in year 3 onwards.
(1 OPPOSED, 1 ABSTENTION)

MOTION: SELECT ALTERNATIVE 4 FOR BOTH ACTIONS 13 AND 14
ACTION 13: Alternative 4. Require that commercial landings and catch/effort data be submitted in accordance with ACCSP standards, using the SAFIS system.
ACTION 14: Alternative 4. Require that for-hire landings and catch/effort data be submitted in accordance with the ACCSP standards, using the SAFIS system.
(0 OPPOSED, 0 ABSTENTIONS)

Amendment 18B

Amendment 18B addresses management of golden tilefish. Actions in the amendment currently include: limit participation in the golden tilefish fishery through an endorsement program, modify the golden tilefish fishing year and change the golden tilefish commercial trip limits. Myra Brouwer (Council staff) provided an update on actions and alternatives and timing for the amendment. The AP provided the following recommendations:

MOTION: SUPPORT THE COUNCIL'S PREFERRED TO ESTABLISH AN ENDORSEMENT PROGRAM FOR THE LONGLINE SECTOR
Subalternative 2c (Preferred). Individuals that meet the qualifying criteria only receive a longline endorsement.
(0 OPPOSED, 1 ABSTENTION)

MOTION: SELECT ALTERNATIVE 1 (NO ACTION) FOR ACTION 2 (Establish Initial Eligibility Requirements for a Golden Tilefish Hook and Line Endorsement).
(0 OPPOSED, 3 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED FOR ACTION 3:
Subalternative 2a (Preferred). To receive a golden tilefish longline endorsement, the individual must have a total of 2,000 pounds gw golden tilefish caught (with longline gear) between 2006 and 2008. (Sub-alternative devised by the GT LAP WG)
(0 OPPOSED, 1 ABSTENTION)

AP RECOMMENDATION FOR NEW ALTERNATIVE BEING ADDED TO AMENDMENT 18B (Look at time series from 2007-2010 as the qualifying period and include subalternatives for

the level of landings of 10K, 20K and 30K pounds) – INCLUDING MORE RECENT YEARS WILL ALLOW MORE PARTICIPANTS INTO THE FISHERY. IT DOESN'T CAPTURE THE CORE PARTICIPANTS IN THE FISHERY.

MOTION: COUNCIL SHOULD USE THE PUBLISHED CONTROL DATE (December 2008) FOR MANAGING THE GT FISHERY
(0 OPPOSED, 4 ABSTENTIONS)

MOTION: SUPPORT ALTERNATIVE 3 UNDER ACTION 4 AS PREFERRED:
Alternative 3: A period of 90 days will be set aside to accept appeals to the GOLDEN TILEFISH endorsement program starting on the effective date of the final rule. The (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. A special board composed of state directors/designees will review, evaluate, and make individual recommendations to RA on appeals. Hardship arguments will not be considered. The special board and the RA will determine the outcome of appeals based on NMFS' logbooks. If NMFS' logbooks are not available, the RA may use state landings records. Appellants must submit NMFS' logbooks or state landings records to support their appeal.
(2 OPPOSED)

MOTION: UNDER ACTION 8, SELECT ALTERNATIVE 1 AS PREFERRED
Alternative 1 (No Action). Retain the 300 pound gutted weight trip limit when 75% of the ACL is taken.
(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SELECT ALTERNATIVE 2 UNDER ACTION 9 AS PREFERRED
Establish Trip Limits For Fishermen Who Do Not Receive A Golden Tilefish Hook and Line Endorsement
Alternative 2 (Preferred). Establish trip limits of 300 pounds gw for the golden tilefish hook and line fishery for commercial fishermen who do not receive an endorsement in the commercial golden tilefish hook and line fishery. Vessels with longline endorsements are not eligible to fish for this trip limit.
(2 ABSTENTIONS)

MOTION: SELECT ALTERNATIVE 1 (NO ACTION) UNDER ACTION 10 (Establish Trip Limits for Fishermen Who Receive a Golden Tilefish Hook-and-Line Endorsement)
MOTION: UNDER ACTION 8, SELECT ALTERNATIVE 1 AS PREFERRED
Alternative 1 (No Action). Retain the 300 pound gutted weight trip limit when 75% of the ACL is taken.
(2 OPPOSED)

MOTION: SELECT ALTERNATIVE 2 UNDER ACTION 12 AS THE PREFERRED
Alternative 2. ACL = OY = ABC.
(1 ABSTENTION)

MOTION: SELECT ALTERNATIVE 1 UNDER ACTION 13 AS THE PREFERRED Alternative 1 (No Action). Do not specify a commercial sector ACTs for golden tilefish (0 OPPOSED, 0 ABSTENTIONS)

MOTION: SELECT ALTERNATIVE 4 UNDER ACTION 14 AS PREFERRED Alternative 4. The recreational sector ACT equals sector $ACL \cdot (1 - PSE)$ or $ACL \cdot 0.5$, whichever is greater. (5 OPPOSED, 1 ABSTENTION)

MOTION: SUGGEST THAT THE TOTAL ACL INCREASE FOR GOLDEN TILEFISH NOT BE SUBJECT TO A DOUBLE JEOPARDY PENALTY (0 OPPOSED, 0 ABSTENTIONS)

MOTION: RAISE THE ACL FOR GOLDEN TILEFISH BASED ON LATEST ASSESSMENT AND REALLOCATE THE ACL TO A 90/10 COMMERCIAL/RECREATIONAL SPLIT. (7 FOR, 4 OPPOSED, 4 ABSTENTIONS)

MOTION: COUNCIL SHOULD INCREASE THE ACL FOR GT BY 100K POUNDS BASED ON THE LATEST ASSESSMENT (8 FOR, 3 OPPOSED)

Amendment 24 - Red Grouper Rebuilding

Amendment 24 is being developed to put a rebuilding plan in place for red grouper. The red grouper stock is overfished and undergoing overfishing. When it is determined that a stock is undergoing overfishing, measures must be implemented to end overfishing. In cases where stocks are overfished the Council must implement a rebuilding plan. Myra Brouwer (Council staff) provided an overview of actions and alternatives and timing for the amendment. The AP made the following recommendations:

MOTION: SELECT ALTERNATIVE 2 FOR ACTION 1:
Alternative 2 (Preferred). MSY equals the yield produced by F_{MSY} or the F_{MSY} proxy. MSY and F_{MSY} are recommended by the most recent SEDAR/SSC.
 $F_{30\% SPR} = 0.221$
 $MSY = 1,110,000$ lbs (whole weight)
(2 OPPOSED, 2 ABSTENTIONS)

MOTION: SELECT ALTERNATIVE 1 UNDER ACTION 2
Alternative 1 (No Action). $MSST$ equals $SSB_{MSY} \cdot ((1 - M) \text{ or } 0.5)$, whichever is greater.
 $M = 0.14$
 $MSST = 4,914,053$ Lbs (Whole Weight)
(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED UNDER ACTION 3.

Alternative 5 (Preferred). Define a rebuilding schedule as the maximum period allowed to rebuild (TMAX). This would equal 10 years with the rebuilding time period ending in 2020. 2011 is Year 1.

(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED UNDER ACTION 4

Alternative 3 (Preferred). Define a rebuilding strategy for red grouper that sets ABC equal to the yield at 75% FMSY. Under this strategy, the fishery would have at least a 50% chance of rebuilding to SSB_{MSY} by 2016 and 81% chance of rebuilding to SSB_{MSY} by 2020.

FOY would equal 0.166.

(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED UNDER ACTION 5

Subalternative 2e (Preferred). Commercial = 44% and recreational = 56% (Established by using 50% of average landings catch history from 1986-2008 + 50% of average landings catch history from 2006-2008).

(3 OPPOSED)

MOTION: SUPPORT THE COUNCIL'S PREFERRED ALTERNATIVES (2, 5 AND 6)
UNDER ACTION 6

Alternative 2 (Preferred). $ACL = OY = ABC$. Specify commercial and recreational ACLs for red grouper for 2012, 2013, and 2014 and beyond. The ACL for 2014 would remain in effect until modified. ACLs in 2013 and 2014 will not increase automatically in a subsequent year if present year projected catch has exceeded the total ACL.

Alternative 5 (Preferred). Eliminate the commercial sector aggregate ACL of 662,403 lbs gw for black grouper, gag, and red grouper. Eliminate the in-season AM that specifies a prohibition on possession of all shallow water groupers once the commercial aggregate ACL is projected to be met.

Alternative 6 (Preferred). Eliminate the recreational sector aggregate ACL of 648,663 lbs gw for black grouper, gag, and red grouper. Eliminate the in-season AM that specifies a prohibition on possession of black grouper, gag, and red grouper once the ACL is projected to be met if any one of the three species is listed as overfished. Eliminate the post-season AM that specifies a reduction in a subsequent year's ACL by the amount of an overage if landings exceed the aggregate ACL. Eliminate the regulation that states that the recreational landings are evaluated relative to the ACL as follows: For 2010, only 2010 recreational landings will be compared to the ACL; in 2011, the average of 2010 and 2011 recreational landings will be compared to the ACL; and in 2012 and subsequent fishing years, the most recent 3-year running average recreational landings will be compared to the ACL.

(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SUGGEST THAT THE TOTAL ACL INCREASE FOR RED GROUPER NOT BE SUBJECT TO A DOUBLE JEOPARDY PENALTY (see note under 18A)

(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED (ALTERNATIVE 1) UNDER ACTION 7:

Alternative 1 (No Action) (Preferred). Do not specify a commercial ACT for red grouper. Currently, there is no commercial ACT for red grouper (The proposed commercial ACL would equal 284,680 pounds whole weight in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

(0 OPPOSED, 0 ABSTENTIONS)

MOTION: SUPPORT THE COUNCIL'S PREFERRED FOR ACTION 8:

Alternative 4 (Preferred). The recreational ACT equals the recreational $ACL*(1-PSE)$ or $ACL*0.5$, whichever is greater.

(1 OPPOSED)

MOTION: SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 9:

Alternative 2 (Preferred). If the commercial ACL is met or is projected to be met, all subsequent purchase and sale of red grouper is prohibited and harvest and/or possession is limited to the bag limit.

(0 OPPOSED, 0 ABSTENTIONS)

MOTION: PROHIBIT RETENTION OF RECREATIONAL SNAPPER GROUPER SPECIES ON COMMERCIAL VESSELS, WHILE ENGAGED IN COMMERCIAL FISHING, WHEN COMMERCIAL SEASON IS CLOSED

(4 OPPOSED)

MOTION: SELECT ALTERNATIVE 2, SUBALTERNATIVE 2B; ALT 3 AND SUBALT 3B; AND ALT 4, SUBALTERNATIVE 4E AS PREFERRED

Subalternative 2b (Preferred). If the current year recreational landings exceed the recreational ACL in a given year.

Subalternative 3b (Preferred). The Regional Administrator shall publish a notice to close the recreational sector when the recreational ACL is projected to be met.

Subalternative 4e. Monitor following year and reduce bag limit as necessary. If the recreational ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator will publish a notice to reduce the recreational bag limit as necessary.

(1 ABSTENTION)

Amendment 20A – Wreckfish

The overall purpose of this amendment is to adjust the distribution of wreckfish shares in order to remove inactive effort from the commercial sector and allow the commercial sector's ACL to be harvested and thereby achieve Optimum Yield (OY) in the fishery. To achieve this, the proposed actions will 1) define and revert inactive wreckfish shares; 2) redistribute reverted shares among remaining shareholders; 3) define a cap on the number of shares one entity may own; and 4) establish an appeals process. Dr. Kari MacLauchlin (Council staff) provided an update on actions and alternatives and timing for the amendment. The AP provided the following recommendation:

MOTION: THE COUNCIL SHOULD INVALIDATE THE WRECKFISH ITQ PROGRAM AND TREAT THE FISHERY AS AN OPEN ACCESS FISHERY WITHIN THE SG COMPLEX

(1 OPPOSED, 2 ABSTENTIONS)

Comprehensive Ecosystem-Based Amendment 3

The AP received a presentation from Anna Martin (Council staff) including a review of items for consideration in CE-BA 3. The AP did not provide any recommendations (but see below under powerhead gear discussion) but opted instead to do so in the future once the scoping process has taken place and the Council has approved items to be included.

Update on the Marine Recreational Information Program

The Marine Recreational Information Program (MRIP) is modifying the catch estimation method for recreational harvest from 2004-2010 to address improvements identified for the estimation of recreational catch. Revised estimation procedures have been developed and are undergoing review, and will be applied to existing data going back to 2004. Correction of estimates prior to 2004 will also be considered in the future. Dr. Mike Errigo (Council staff) presented an overview of the changes fishermen can expect once the new process is in place.

Other Business

Southeast Fishery Independent Survey -- The AP received a presentation from Dr. Marcel Reichert (MARMAP) on the Southeast Fishery Independent Survey (SEFIS).

Status of red porgy and vermilion snapper stocks -- The AP provided general information on the status of these two stocks to assist in data collections for upcoming stock assessments (see pages 12-14 of this report). In particular, information on fishermen's perception of abundance, size composition (range of sizes that fishermen are encountering), discards (estimates of discards and due to size limit or bag limit or both, etc), any problems fishermen foresee or have encountered in these fisheries.

Improvements to Communication -- The AP discussed ways to improve communication between Council and stakeholders and how the process can be improved in general:

- Incorporate video monitoring and anecdotal information from fishermen
- Marine reserve system to protect stocks that need protection and allow year-round fishing on other species elsewhere
- List of recommendations provided by R. Harris (pages 10-11 of this report)
- AP members also have the responsibility to reach out to their community and keep them informed of changes in fishery management
- Have workshops (aside from the Q&A sessions at Council meetings) to get fishermen and Council members to communicate
- Evaluate whether the newsletter and other outreach materials are reaching the appropriate audience
- WHAT IS THE COUNCIL'S VISION?
- AP members should make an effort to attend SEDAR and SSC workshops
- Develop a "matrix" to show which fisheries are open and which are closed over time
- Consider "keep what you catch" in management approaches?

- Consider state-by-state quotas. Make this a high priority.
- AP members (and Council members) would benefit from joint meetings earlier in the week of a Council meeting
- Annual AP report and AP meeting reports
- Council should re-evaluate sector allocations and reconsider sale of recreationally-caught fish so landings can be tracked better as the recreational sector continues to grow
- Data tracking system needs to be improved
- Lottery system for the recreational sector (this could also be used to improve estimates of recreational catch)
- Council should work to make timelines for management more realistic to minimize economic impacts
- Council should consider giving some fish back to fishermen. Consider changing seasons or make other adjustments to make this happen
- AP requests feedback from the Council on their recommendations, particularly when the Council chooses to deviate from them
- Council should consider implementing endorsements on licenses to improve universe of fishermen

Powerhead Gear Discussion -- The AP also engaged in discussion over this type of gear and whether it should continue to be allowed in the snapper grouper fishery. Several AP members stated that the use of powerheads is not highly regarded by the public. The AP discussed possibly using a different size limit or a slot limit especially for fish harvested with powerhead gear since this type of gear is more selective. The AP also discussed the difference in the quality of the product when using a powerhead versus hook and line gear: powerheads deliver a higher quality product and there is currently a market for fish harvested with powerheads specifically. AP members also suggested that the Council consider some type of spearfishing endorsement that would include a test of sorts, (e.g., species identification, rules). This would not be a powerhead endorsement, but a general spearfishing endorsement. The rationale is that release of undersized fish or protected species is not an option as it is with hook and line, so a diver needs to be sure of his target and know the rules (size limits, closed seasons, etc.) before he attempts to take any fish.

Other -- The AP offered the following motion:

MOTION: CONSIDER ADDING AFRICAN POMPARO TO THE APPROPRIATE MANAGEMENT UNIT
(0 OPPOSED, 0 ABSTENTIONS)

Communication Improvement

Council to Stakeholder

Submitted by Rob Harris, Snapper Grouper AP member

October 2011

Simplify the Terms/Actions being discussed

- Explain in “layman’s” language
- Give examples based on Current Regulations and what difference “New” Regulations will have.
 - o IE: Lifting the 240’ Ban does not mean that anglers will suddenly be able to harvest Snowy Grouper.
- Consider that you are addressing the “Silent Majority”
 - o The Recreational Sector had no understanding of how the ACL Amend would affect their fishing habits, nor had input on the Allocations.
 - o IE: Snowy Grouper 97% Commercial 3% Recreational
 - Commercial ACL is measured in pounds
 - Recreational in numbers of actual fish

Form Advocacy Members from APs to attend hearings

- AP members are considered by public as being representatives of the overall Stakeholder Users, various Sectors (Rec, Comm, For-Hire)
- Currently there is rampant mistrust by the General Public (fishermen) based on perceived misrepresentation by their advocate.
- Council focuses information being disseminated on factual data and will at times include “AP Recommendations/Preferred” or “Council Preferred” in public hearings.
 - o Include Vote counts (AP Voted 8 For and 5 Against)
 - o Include “Who” voted which way and have ready if asked
- In instances when the vote was close, have an AP advocate from each side of the argument available to present, or at a minimum, have a statement prepared by the “For” and “Against” members that will better reflect the process that was used in decision making.

Engage the Aps

- Use the APs to solicit input from the Public
- Provide Questionnaires for AP members to distribute and collect
- Use an “Online” survey service

Be Prepared to Use Public Input

- Public is tired of being heard without being listened to.
- Impression is that special interest groups are either running or hold too much sway in regulations.

Get the Word Out

- Newspaper
- Radio
 - o Engage the multitude of Fishing shows
- Social Media
 - o Facebook, Gulf Council has a FB Page
 - o Phone App for Regulations, Gulf Council has an App
- On-Line Fishing Forums
 - o Multitude of Regional and National Forums in place
 - Gulf Council already participates

List Council and AP Members Affiliations

- Commercial
 - o Wholesale, Catch Shares, Fisherman, Sector Separation, etc..
- Recreational
 - o For-Hire, Sector Separation, Retail, Comm Permits
- Science
 - o SSC, Enviro, Corporate Rep, etc...
- Multiple AP participation
 - o Member: Snapper/Grouper AP, Mackerel AP, etc...

Data Collection

- Most either do not understand how data is collected/used or they doubt the information based on how it is gathered.
- Improve Data Collection

Will have to do better at Regional Regulations

- A Stakeholder living in Key West knows the fishery is different than what it is in North Carolina.
- Stakeholders tired of being treated as if they all fish in the same water.

Fishery Performance and History – Vermilion Snapper

Where do you fish for Vermilion Snapper? What seasons and depths do you fish for Vermilion Snapper?

- 80 to 110 feet (Frying Pan Shoals)– sizes much larger than 3 to 4 yrs ago
- 90-130 feet (St Augustine) – also catch in 180 feet. Sizes have increased in the past two or three years
- 65-80 and 300 – Stuart, FL
- 80-160 feet but they go to 300-350 feet off southern NC. Sizes have increased
- 80-130 between Chas. and Brunswick, GA. Peak of abundance around 2000 until about 3 years ago. Not as abundant as they were in 2008. There are many large VS
- 75-180 feet – Little River to Charleston, SC – abundant and large sizes
- 85-140 feet – Morehead City. Marked increase in both size and abundance; depending on time of year they are very thick
- 500 lbs of 2-4 lbs fish in 1,500-pound trip; 950 lbs of 1-2 lbs and 50 lbs of $\frac{3}{4}$ to 1 lb fish. Fishermen catching them everywhere up and down coast up to 240 feet. Majority of the 1-2 lbs fish are larger ($1\frac{3}{4}$ to $1\frac{1}{2}$)
- 65 to 240 or 300 feet. Different size composition in different areas and depending on depth. Very, very numerous (clouds and clouds) small vermilion (too small to take a hook) and distributed throughout mixed in with larger fish.
- Diving – see more in the past 2-3 years than in the past several years. Also seeing lots of 3 inch fish in 75 to 125 feet
- West of KW in 320 to 260 but they were never very big. Never caught a big one.
- In Yucatan – caught in deep water but they are all small. May not be the same species? May be that they are smaller in more tropical areas.

How does the size and number of Vermilion Snapper that you catch now compare to catches from the past 5 years, 10 years, or longer, considering use of the same gear and in the same areas?

- Seeing a huge amount of jellyfish off the Charleston coast.
- Saw more jellies in FL in one week than had been seen in 30 years
- KW – Aurelias very thick. Also different species are being encountered.
- Yes, increase in abundance in the last 5 years. Trips are double what used to catch. CPUE has gone up but may not as high as historical levels
- Used to catch in 90-100 feet lots of 10-inch fish off Georgia. Seeing larger fish now.
- Over last 5 years have seen in marked increase in size, occasionally 4 lbs and above. More of the larger fish are now available to be caught.

Describe any factors that you think affects your ability to catch Vermilion Snapper and when these things occurred.

For example:

1. environmental factors such as extreme temperatures, hurricanes, Gulf Stream location, algae blooms, etc
2. economic factors such as price of gas, customer availability, US economy
3. technological factors such a new GPS unit, receipt of new fishing location information, new gear design, improvements to you vessel or vessels in general, etc
4. management factors such as new regulations or regulations on other species that have an effect on Vermilion Snapper

- All of the above!
- Off GA, presence of VS fluctuates (maybe temperature)
- Instead of running 40-60 miles to fish for them, it is now only necessary to go half as far.
- Water temps have affected availability of VS over the past few years
- St Augustine/Jax – factors 2 & 4 above. No cold water event this year
- Quota in summertime has limited fishing to July-Sept. Only fished during half the spawn so perhaps this has helped the stock
- Reduction in quotas has had a large effect on population (2 million were not harvested over the last 3 years)
-

What trends do you see in the discarding of fish? Are you discarding more or less fish now? Are discards due to size or catch limits?

- St Augustine – discards not an issue. Not a huge increase in discards due to the way fishermen are fishing.
- Discard rates are 3 to 10 times what the limit is. Fish are all mixed together in some areas. Hard to avoid VS
- Gulf and SA Fisheries Foundation observers can provide more info
- At certain times of the year (when weather is rough), fishermen may spend the time culling fish but it is never a big amount.
- Off GA – discards have diminished in for-hire sector due to the way fishermen are fishing
- Since VS have become so abundant, fishermen have been having a problem with high-grading (major problem in last 6 months)
- Catch limits have affected ability to fish year-round. When VS are open, they can be targeted. When VS are closed, fishermen don't fish at night. This limits the time spent fishing. "Avoidance fishermen" instead.

What issues do you feel are important for this assessment of Vermilion Snapper to consider?

- Time when they are spawning and harvest is halted
- Increase the rec bag limit to get harvest closer to the ACL
- Large reduction in quota and lag time when the fishery is shut down is when the biggest fish are spawning
- Amount of small fish that fishermen are seeing. Are the fishery-independent surveys capturing
- Regional size differences independent of fishing pressure
- Wide distribution of this species.

What concerns do you have about the species?

- For hire would like a year-round fishery
- In FL some may be in favor of a reduction in bag limit to extend the season
-

How do you think the abundance of Vermilion Snapper today compares to the past (give years for the comparisons)?

- 10 years ago they were scarce and now they seem to be a pest

Fishery Performance and History – Red Porgy

Where do you fish for Red Porgy? What seasons and depths do you fish for Red Porgy?

- 80-130 feet (south and sw of Beaufort Inlet) – April thru end of Nov and they are very prolific in certain high ridge areas
- Seldom seen in the Keys and when they are, they are in deeper water
- Southern NC – 80-300 feet – bigger as you go offshore
- GA – 85-130 feet – amount caught has not changed but are not seeing like in the 70s and 80s
- 80-300 feet – Little River to Chas – generally bigger the further offshore you go
- 80-300 feet – but some inshore. Fish seem to be spreading out more. Red porgy and vs used to be caught up to 100 fathoms. Coloration is different (more golden and black heads) on fish that are found off the shelf.
- St Aug – 130-240 feet – bigger as you get deeper. Have not seen a large change in abundance. They inhabit totally different kind of bottom than vermilion snapper
- Fishermen fish year-round for red porgy. They were plentiful then and they are plentiful now. Seem to be taking over a lot of the fishing areas out there.

How does the size and number of Red Porgy that you catch now compare to catches from the past 5 years, 10 years, or longer, considering use of the same gear and in the same areas? Describe any factors that you think affects your ability to catch Red Porgy and when these things occurred.

- 4-month closure has had big effect. Leave it where it is but increase amount that fishermen can harvest

What trends do you see in the discarding of fish? Are you discarding more or less fish now? Are discards due to size or catch limits?

- Discarding not an issue for professional fishermen
- Lots of discards in headboat sector (when vessels cannot move around easily)

What issues do you feel are important for this assessment of Red Porgy to consider?

- 120 fish limit was effective in keeping landings below ACL