

# DECISION DOCUMENT

## **AMENDMENT 18B (Golden Tilefish) to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region**

**March 2012**



**Golden Tilefish, *Lopholatilus chamaeleonticeps***

## Why is the South Atlantic Council taking Action?

Recent amendments to the Snapper Grouper FMP have imposed more restrictive harvest limitations on snapper grouper fishermen. In an effort to identify other species to target, a greater number of fishermen may target golden tilefish. An increase in effort on these species would intensify the “race to fish” that already exists, which has resulted in a shortened season. The fishing season for golden tilefish in recent years has already been shortened to such a degree that South Carolina longline fishermen -- who are typically unable to fish until April or May due to weather conditions -- and hook and line fishermen from Florida --who typically do not fish until the fall -- are increasingly unable to participate in the fishery. The South Atlantic Fishery Management Council (Council) is concerned an increase in effort on golden tilefish could deteriorate profits.

The IPT suggests the following revision to the Purpose and Need (highlighted in yellow). The language referring to the ACL and OY may need to be edited if Action 11 is taken out of this amendment.

### ***Purpose for Action (Old)***

- Limit participation in the golden tilefish fishery
- Change the golden tilefish fishing year
- Change the golden tilefish commercial trip limits

### ***Need for Action (Old)***

These actions will address overcapacity issues that have arisen as a result of a more stringent regulatory regime in the South Atlantic region.

### ***Purpose for Action (New)***

The *purpose* of Amendment 18B is to limit participation in the golden tilefish portion of the snapper grouper fishery through establishment of longline and hook and line endorsements, changes to the fishing year, allocation of the Annual Catch Limit (ACL) between gear groups, modifications to golden tilefish trip limits, and updates to the ACL and AMs based on the most recent stock assessment.

The actions proposed in this amendment will address issues that have arisen as a result of a more stringent regulatory regime in the South Atlantic region.

### ***Need for Action (New)***

The *need* for action in Amendment 18B is to reduce overcapacity in the golden tilefish portion of the snapper grouper fishery and to update the ACL and other values based on the most recent stock assessment.

## Proposed Actions

There are 12 actions being proposed in Amendment 18B. Each *action* has a range of *alternatives*, including a 'no action alternative' and a 'preferred alternative'.



### *Proposed Actions in Amendment 18B*

1. Limit Participation in the Golden Tilefish Portion of the Snapper Grouper Fishery
2. Establish Initial Eligibility Requirements for a Golden Tilefish Hook and Line Endorsement
3. Establish Initial Eligibility Requirements for a Golden Tilefish Longline Endorsement
4. Establish an Appeals Process
5. Allocate Commercial Golden Tilefish Annual Catch Limit (ACL) Among Gear Groups
6. Allow for Transferability of Golden Tilefish Endorsements
7. Adjust the Golden Tilefish Fishing Year
8. Modify the Golden Tilefish Trip Limit
9. Establish Trip Limits for Fishermen Who Do Not Receive a Golden Tilefish Hook and line Endorsement
10. Establish Trip Limits for Fishermen Who Receive a Golden Tilefish Hook and line Endorsement
11. Revise Annual Catch Limit (ACL) and Optimum Yield (OY) for Golden Tilefish
12. Revise the Accountability Measures (AMs) for Golden Tilefish

## Actions and Alternatives

### 1. Limit Participation in the Golden Tilefish **Component** of the Snapper Grouper Fishery

**Alternative 1 (No Action).** Do not limit effort in the golden tilefish **component** of the snapper grouper fishery through an endorsement program.

**Alternative 2.** Limit golden tilefish effort through a golden tilefish gear endorsement program: Distribute golden tilefish gear specific endorsements for snapper grouper permit holders that qualify under the eligibility requirements stated below. Only snapper grouper permit holders with a golden tilefish longline endorsement or a golden tilefish hook and line endorsement associated with their snapper grouper permit will be allowed to possess golden tilefish.

**Sub-alternative 2a (Preferred).** Individuals that meet the qualifying criteria for both hook and line and longline endorsements may receive both endorsements.

**Sub-alternative 2b.** Individuals that meet the qualifying criteria for both hook and line and longline endorsements only receive one endorsement, chosen by the individual that qualifies.

## **Summary of Effects**

*Biological:* **Sub-alternatives 2a and 2b (Preferred)** address endorsement restrictions for entities that qualify for both hook and line, and long line endorsements. Longline gear is more efficient than hook and line gear in capturing golden tilefish. Yet, allowing more efficient gear to capture golden tilefish would not be expected to negatively impact the stock since ACLs and AMs are in place to prevent overfishing. While it has not been very well documented, longline gear could be more likely to interact with protected species and negatively impact bottom habitat than hook and line gear. Any differences in the biological effects of the sub-alternatives would be expected to be small.

*Economic:* **Alternative 2** and its sub-alternatives would limit participation in the fishery. Reducing the number of fishermen would presumably extend the season, assuming all other factors affecting fishing for golden tilefish remain constant. Lengthening the fishing season would reduce the race to fish, which could have the effect of raising dockside prices for those fishermen that remain in the golden tilefish portion of the snapper grouper fishery.

*Social:* Although this proposed action would not limit total golden tilefish harvest, restricting participation may affect the total amount of golden tilefish harvested as well as change product flow through the various communities and dealers. If the more significant harvesters receive endorsements, total volume and the communities where most golden tilefish is landed should not be affected. It is possible, however, that smaller harvests of golden tilefish by some fishermen make up a larger portion of total harvest quantities by these fishermen or sales activity by some dealers. As a result, while the proposed endorsement system should preserve, and possibly increase, the social benefits to the more active producers and dealers and associated communities, absent fishermen landing in multiple ports and selling to multiple dealers in the same city, reduced social and economic benefits will be experienced by some communities and dealers as well as the fishermen who do not receive an endorsement.

**Sub-alternative 2a (Preferred)** would be expected to result in greater fishing effort than **Sub-alternative 2b** because it may result in either continued fishing by the original qualifier under one gear/endorsement when it may not be profitable to do so with the other gear/endorsement, or fishing by another entity upon endorsement transfer. As a result, effort reduction may not be as great under **Sub-alternative 2a (Preferred)** and social benefits would be reduced accordingly.

## **Recommendations**

*Amendment 18B IPT:*

Change “portion” to “component” in language of action.

Select Alternative 2 as well as sub-alternative 2a as preferred.

Consider removing establishment of a hook and line endorsement under this action.

Rationale: The golden tilefish ACL is being adjusted according to results of the latest assessment and the ABC recommendation of the SSC. The increase will be significantly above recent landings (and takes into account recent overages). The hook and line sector has taken about 12% of the landings since 2004. The Council's preferred allocation between the sectors is 75% and 25% for longline and hook and line, respectively. With the upcoming increase in the ACL and the increase in the hook and line allocation (if the Council does not change their current preferred alternative), establishment of hook and line endorsements may limit the use of the resource unnecessarily during a time when regulations on other snapper grouper species are very restrictive. This is contradictory to the Council's stated purpose and need for this amendment.

Consider that most of the endorsements (both longline and hook and line) under the preferred eligibility requirements will go to Florida permits. Establishment of an endorsement program will not alleviate the problem of Florida fishermen reaching the ACL before fishermen in the Carolinas are able to participate in the fishery. This is contradictory to the Council's stated purpose and need for this amendment.

The consideration of a hook and line trip limit may slow fishing effort down and may alleviate some of the problems associated with a quick harvest of the quota by Florida hook and line fishermen.

*Snapper Grouper Advisory Panel (AP):* Support **Sub-alternative 2c**. NOTE: This sub-alternative was considered but rejected. **Sub-alternative 2c** reads: *Individuals that meet the qualifying criteria for both hook and line and longline endorsements only receive a hook and line endorsement.*

The Council rejected this alternative because they did not want to dictate the type of endorsement that fishermen who qualified for both endorsements would receive.

*Scientific and Statistical Committee (SSC):* The SSC commented that limiting access might be favorable because the fishery has been closing earlier each year. The SSC cautioned that by concentrating catch to specialists (i.e., fishermen that only target a specific species or species complex), these fishermen would be more susceptible to biological and regulatory fluctuations. The SSC recommends the Council consider the fact that fishermen are generally in favor of limiting entry in their own fishery due to increases in personal revenue and spreading the catch among fewer participants. Additionally, this approach may not achieve the management goal of balancing regional differences in-season.

## **2. Establish Initial Eligibility Requirements for a Golden Tilefish Hook and Line Endorsement**

**Alternative 1 (No Action).** Do not establish initial eligibility requirements for a golden tilefish hook and line endorsement

**Alternative 2.** Establish initial eligibility requirements for a golden tilefish hook and line endorsement based on the following criteria:

**Sub-alternative 2a.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 1,000 pounds gutted weight (gw) (with hook and line gear) when the individual's best three of five years from 2001-2005 are aggregated.

**Sub-alternative 2b.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 1,000 pounds gw (with hook and line gear) when the best 3 of 5 years 2001-05 are aggregated and at least 1 pound was landed in 2007 or 2008.

**Sub-alternative 2c.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 500 pounds gw (with hook and line gear) when the best 3 of 5 years 2001-05 are aggregated and at least 1 pound was landed in 2007 or 2008.

**Sub-alternative 2d (Preferred).** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 500 pounds gw (with hook and line gear) when the best 3 of 6 years from 2005-2010 are aggregated.

**Sub-alternative 2e.** To receive a golden tilefish hook and line endorsement, the individual must have a harvest level of 1,000 pounds gw (with hook and line gear) when the best 3 of 6 years from 2005-2010 are aggregated.

## Summary of Effects

*Biological:* It is likely that the biological effects of the different Sub-alternatives would be very similar. However, if alternatives that limit the number of participants also result in a reduction in the amount of gear deployed and golden tilefish landed, it is possible the biological benefits would be greater for alternatives that restrict the greater number of participants. **Sub-alternative 2d (Preferred)** would result in the greatest number (39) of hook and line endorsements among the Sub-alternatives considered. Therefore, the biological benefits of **Preferred Sub-alternative 2d** could be less than the other alternatives considered.

*Economic:* The benefit of a smaller numbers of endorsements is an expectation of higher *average* profits per endorsement holder. Therefore, it can be expected that the highest average profits per hook and line endorsement holder would occur under **Sub-alternatives 2b and 2c** and the lowest under **Preferred Sub-alternative 2d** (Table 1).

**Table 1.** Number of hook and line endorsements for Sub-alternatives under **Action 2.**

<b>Sub-alternatives for Hook and Line Endorsements</b>	<b>Eligibility Requirement</b>	<b>Number of Endorsements</b>
2a	At least 1,000 pounds gw when best 3 of 5 years 2001-05 are aggregated	25
2b	At least 1,000 pounds gw when best 3 of 5 yrs 2001-05 are aggregated and at least 1 pound was landed in 2007 or 2008	17
2c	At least 500 pounds gw when best 3 of 5 years 2001-05 are aggregated and at least 1 pound was landed in 2007 or 2008	17
<b>2d (Preferred)</b>	<b>At least 500 pounds gw when the best 3 of 5 years from 2005-2009 are aggregated</b>	<b>39</b>
2e	At least 1,000 pounds gw when the best 3 of 5 years from 2005-2009 are aggregated	30



*Social:* It should be noted that the two-tiered qualification criteria are not fully complementary in that the second criterion (current participation) may exclude fishermen that the first criterion (historical participation to address current shifts in participation/harvest activity) seeks to benefit; i.e., a fishermen's current lack of harvests could be a result of the functional reallocation of harvests that is the motivating factor for the proposed action. From this perspective, the smaller the current qualifying poundage, the less likely a historical participant will be excluded. All factors considered, in general, the higher the number of endorsements, the less disruption of current harvest patterns and associated social conditions.

**Sub-alternatives 2a, 2b, and 2c** will be more beneficial for fishermen who have historically worked in the fishery, while having negative impacts on fishermen who have more recently entered the fishery. By selecting eligibility criteria to reflect a longer history of participation and/or consistent participation, benefits would be expected for established operations, infrastructure, and communities. **Sub-alternatives 2d (Preferred) and 2e** will benefit the fishermen who have entered the hook and line portion of the golden tilefish fishery in more recent years and also fishermen who have participated consistently in the last several years. However, under any allocation scenario, fishermen who receive an endorsement will be expected to benefit due to less competition in fishing and in the markets.

Under all sub-alternatives, Florida would receive the majority of hook and line endorsements, with the largest number of recipients in Florida under **Sub-alternative 2d (Preferred)** and the fewest under **Sub-alternatives 2b and 2c**. No vessel with a home port in Georgia would be expected to receive an endorsement under any sub-alternatives. One South Carolina permit would be expected to qualify for a hook and line endorsement under **Sub-alternatives 2d (Preferred) and 2e**. One permit associated with a North Carolina home port would be expected to qualify under **Sub-alternatives 2a, 2b, 2c, and 2e**, and an additional permit would qualify under **Sub-alternative 2d (Preferred)**.

### **Recommendations**

#### *Amendment 18B IPT:*

Consider removing establishment of a hook and line endorsement as stated above under Action 1.

Rationale: The golden tilefish ACL is being adjusted according to results of the latest assessment and the ABC recommendation of the SSC. The increase will be significantly above recent landings (and takes into account recent overages). The hook and line sector has taken about 12% of the landings since 2004. The Council's preferred allocation between the sectors is 75% and 25% for longline and hook and line, respectively. With the upcoming increase in the ACL and the increase in the hook and line allocation (if the Council does not change their current preferred alternative), establishment of hook and line endorsements may limit the use of the resource unnecessarily during a time when regulations on other snapper grouper species are very restrictive. This is contradictory to the Council's stated purpose and need for this amendment.

Consider that most of the endorsements (both longline and hook and line) under the preferred eligibility requirements will go to Florida permits. Establishment of an endorsement program will not alleviate the problem of Florida fishermen reaching the ACL before fishermen in the Carolinas are able to participate in the fishery. This is contradictory to the Council's stated purpose and need for this amendment.

The consideration of a hook and line trip limit may slow fishing effort down and may alleviate some of the problems associated with a quick harvest of the quota by Florida hook and line fishermen.

*Snapper Grouper Advisory Panel (AP):* Support **Alternative 1 (No Action)**.

*Scientific and Statistical Committee (SSC):* The SSC recommends the Council consider collecting some quantitative data before making any decisions on these endorsements. The Council may also want to consider the costs of these programs.

### **3. Establish Initial Eligibility Requirements for a Golden Tilefish Longline Endorsement**

**Alternative 1 (No Action).** Do not establish initial eligibility requirements for a golden tilefish longline endorsement

**Alternative 2.** Establish initial eligibility requirements for a golden tilefish longline endorsement based on the following criteria:

**Sub-alternative 2a.** 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 2b.** To receive a golden tilefish longline endorsement, the individual must have a total of 5,000 pounds gw golden tilefish caught (with longline gear) between 2006 and 2008.

**Sub-alternative 2c.** To receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds gw golden tilefish caught (with longline gear) between 2006 and 2008.

**Sub-alternative 2d.** To receive a golden tilefish longline endorsement, the individual must have an average of 5,000 pounds gw golden tilefish caught (with longline gear) between 2007 and 2009.

**Sub-alternative 2e.** To receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds gw golden tilefish caught (with longline gear) between 2007 and 2009.

**Sub-alternative 2f (Preferred).** To receive a golden tilefish longline endorsement, the individual must have an average of 10,000 pounds gw golden tilefish caught (with longline gear) for the best 3 years within the period 2006 through 2010.

#### **Summary of Effects**

*Biological:* All of the Sub-alternatives under **Alternative 2** would result in a reduction in the number of participants but not necessarily limit the effort or harvest. It is possible that alternatives that limit the number of participants could also result in a reduction in the amount of gear deployed and golden tilefish landed. If this were the case, then biological benefits could be expected for golden tilefish and the chance of interactions with protected species could be reduced. **Sub-alternative 2a** would result in 17 longline endorsements (**Table 2**). Therefore, the biological benefits of this sub-alternative could be less than under other Sub-alternatives. However, it is also possible that effort would remain the same regardless of the number of vessels fishing. Therefore the biological effects of **Sub-alternatives 2a-2f (Preferred)** could be very similar.

**Table 2.** Number of longline endorsements for sub-alternative under **Action 3.**

Sub-alternatives for Longline Endorsements	Eligibility Requirement	Number of Endorsements
2a	At least 2,000 pounds gw when landings from 2006-08 are aggregated	17
2b	At least 5,000 pounds gw when landings from 2006-08 are aggregated	12
2c	At least 5,000 pounds gw when landings from 2006-08 are averaged	11
2d	Average of 5,000 pounds gw golden tilefish caught (with longline gear) between 2007 and 2009	12
2e	Average of 10,000 pounds gw golden tilefish caught (with longline gear) between 2007 and 2009	8
<b>2f (Preferred)</b>	<b>Average of 10,000 pounds gw golden tilefish caught (with longline gear) for the best 3 years within the period 2006 through 2010</b>	<b>14</b>

*Economic:* The benefit of a smaller numbers of endorsements is an expectation of higher average profits per endorsement holder. The highest *average* profits per longline endorsement holder would occur under **Sub-alternative 2e** and the lowest under **Sub-alternative 2a**. It is not expected that a smaller number of endorsements would necessarily yield higher *total* or *aggregate* profits compared to a larger number of endorsements. However, theoretically, the expectation is that a smaller number of vessels could be more profitable than a larger number of vessels because a smaller number of vessels would cut costs. However, too few vessels could limit catch and therefore revenues. While a quantitative analysis is theoretically possible, economic data specific to the golden tilefish gear groups do not exist at this time and therefore, such an analysis cannot be done.

*Social:* Typically, the fewer eligible individuals may be more likely to result in negative social impacts due to not being allowed to harvest golden tilefish. Under this assumption, **Sub-alternative 2a** would have the least negative social impact by allocating endorsements to the most fishermen, while **Sub-alternative 2e** would be most likely to result in negative impacts on fishermen who do not receive an endorsement. However, under any allocation scenario, fishermen who receive an endorsement will be expected to benefit due to less competition in fishing and in the markets.

Florida would receive the most endorsements under each sub-alternative. Although the highest number of Florida permits (13) would qualify under **Sub-alternative 2a**, this is

less than 60% of the total number of Florida permits with recent golden tilefish landings with longline gear. The other sub-alternatives would allow less than half of the permits in Florida with recent landings to qualify for a longline endorsement, including **Sub-alternative 2f (Preferred)**. However, of the 22 permits with longline landings, 9 permits had less than 5,000 lbs (gw) total golden tilefish landings from 2006-2010, which suggests that some of the permit holders that do not qualify for a longline endorsement may not be dependent on the longline golden tilefish fishery and will not be impacted by the endorsement program.

No vessel in Georgia would receive an endorsement under any of the sub-alternatives, while under **Sub-alternatives 2a-2c** three permits with an associated home port in South Carolina would be expected to qualify. Two or one South Carolina permit would be expected to receive a longline endorsement under **Sub-alternatives 2d** and **2e**, respectively, and four South Carolina permits would qualify under **Sub-alternative 2f (Preferred)**. Only one North Carolina permit would receive an endorsement under **Sub-alternative 2a** but not under any other sub-alternative.

### **Recommendations**

*Amendment 18B IPT:* Following the rationale presented under Action 1, the Council may want to consider additional alternatives that would include more recent entrants. However, this would delay approval of the amendment to at least June 2012.

*Snapper Grouper Advisory Panel (AP):* Support **Sub-alternative 2a**.

Note: This alternative was devised by the Golden Tilefish Limited Access Program Workgroup.

*Scientific and Statistical Committee (SSC):* The SSC needs to be more familiar with the Council's management goals in order to evaluate whether these methods are appropriate or not (the statement applies to all previous Actions as well). The SSC recommends the Council consider developing a decision tree to specify consistent methodology for making these decisions (applies to all previous Actions).

#### **4. Establish an Appeals Process**

**Alternative 1 (No Action).** Do not specify provisions for an appeals process associated with the golden tilefish endorsement program.

**Alternative 2 (Preferred).** 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 Regional Administrator (RA) will review, evaluate, and render final decisions on appeals. Hardship arguments will not be considered. 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.

**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 the 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.

#### **Summary of Effects**

*Biological:* Establishing an appeals process is an administrative action. Therefore, it is not anticipated to directly or indirectly affect the physical, biological or ecological environments in a positive or negative manner.

*Economic:* The number of appeals received largely determines the economic impacts of an appeals program. Fishermen excluded from the endorsement program who decide to appeal may incur costs associated with trying to prove their case. However, access to NMFS' logbook landings or state trip tickets should be at little or no cost to a fisherman. Some complications may arise in the case of transferred permits for the new permit owner may not have access to NMFS logbook landings for the previous owner. Access to state trip tickets in this situation would depend on the respective state's rule on access to trip ticket information.

*Social:* The absence of an appeals process under **Alternative 1 (No Action)** would be expected to increase the likelihood that one or more appropriate qualifiers would not receive an endorsement, resulting in less social benefits than would occur if an appeals process is established under **Alternative 2 (Preferred)** and **Alternative 3**. There would

likely be minimal difference in the social effects between **Alternative 2 (Preferred)** and **Alternative 3**.

**Recommendations**

*Amendment 18B IPT*: no recommendation.

*Snapper Grouper Advisory Panel (AP)*: Support **Alternative 3**.

*Scientific and Statistical Committee (SSC)*: The SSC provided no comments on this action.

## 5. Allocate Commercial Golden Tilefish Quota Among Gear Groups

**Alternative 1 (No Action).** Do not allocate the commercial golden tilefish ACL among gear groups (currently commercial ACL = 282,819 pounds gw).

**Alternative 2 (Preferred).** Allocate the golden tilefish commercial ACL as follows: 75% to the longline sector and 25% to the hook and line sector (currently would be 212,114 pounds gw to longlines and 70,705 pounds gw to hook and line).

**Alternative 3.** Allocate the golden tilefish commercial ACL as follows: 85% to the longline sector and 15% to hook and line sector (currently would be 240,396 pounds gw to longlines and 42,423 pounds gw to hook and line).

**Alternative 4.** Allocate the golden tilefish commercial ACL as follows: 90% to the longline sector and 10% to hook and line sector (currently would be 254,537 pounds gw to longlines and 28,282 pounds gw to hook and line).

**NOTE:** The values stated above would change based on adjustment to the ACL under Action 11.

A query of landings data from NMFS logbook collected during 2004-2008 indicates 90% of the golden tilefish landings were taken with longline gear and 10% were taken with hook and line gear. **Table 3** shows that longline took greater than 92% of the golden tilefish from 1999-2008, and longline gear was the dominant gear used 1995-1997. Logbook data are unavailable or incomplete for golden tilefish prior to 1995. Examination of NMFS Accumulative Landings System (ALS) data indicates that prior to 1977, virtually all golden tilefish landings were reported using hook and line gear (**Table 3**).

**Table 3.** Percentage of golden tilefish landings taken with various gear types based on NMFS Accumulative Landings System. Note: H&L=hook and line; LL=longline; and UNC=unclassified.

YEAR	% H&L	%LL	% OTHER	% UNC
1972	100%	0%	0%	0%
1973	100%	0%	0%	0%
1974	100%	0%	0%	0%
1975	100%	0%	0%	0%
1976	99%	1%	0%	0%
1977	51%	0%	0%	48%
1978	56%	0%	10%	33%
1979	25%	0%	2%	73%
1980	38%	0%	0%	61%
1981	19%	3%	1%	76%



YEAR	% H&L	%LL	% OTHER	% UNC
1982	6%	7%	0%	87%
1983	4%	26%	0%	69%
1984	7%	38%	0%	55%
1985	1%	19%	0%	80%
1986	1%	26%	0%	72%
1987	1%	31%	0%	69%
1988	0%	25%	0%	75%
1989	1%	21%	0%	79%
1990	0%	27%	0%	72%
1991	3%	32%	0%	65%
1992	1%	44%	0%	55%
1993	0%	31%	0%	69%
1994	11%	27%	0%	62%
1995	10%	25%	0%	66%
1996	7%	27%	0%	66%
1997	14%	86%	0%	0%
1998	6%	94%	0%	0%
1999	7%	93%	0%	0%
2000	7%	93%	0%	0%
2001	30%	70%	0%	0%
2002	36%	64%	0%	0%
2003	29%	70%	0%	0%
2004	12%	88%	0%	0%
2005	17%	83%	0%	0%
2006	8%	92%	0%	0%
2007	17%	83%	0%	0%
2008	12%	88%	0%	0%
2009	9%	91%	0%	0%

**Summary of Effects**

*Biological:* The biological effect of **Alternatives 1 (No Action)-4** would be similar since it is likely that the ACL would be met regardless of which alternative is selected. However, alternatives allocating a greater portion of the ACL to the hook and line sector could have greater biological benefits for protected species if it decreases the chance of interaction with sea turtles. Furthermore, alternatives that allocate a greater portion of the harvest to the longline gear could have a greater negative impact on habitat since longline gear is considered to do greater damage to hard bottom habitat than vertical hook and line

gear. However, damage to bottom habitat with longline gear has not been well documented and golden tilefish habitat is mud bottom.

*Economic:* Allocation of a relatively low percentage to one of the gear groups compared to the current percentage use of the resource under **Alternative 1 (No Action)** would result in a decrease in profitability for that gear group. Historical catch by gear group is shown in **Table S-3**. **Alternative 2 (Preferred)** would result in an allocation between gear users that is closest to the portion of landings taken by hook and line users prior to involvement of the longline vessels in the golden tilefish fishery.

*Social:* The allocation specified in **Alternative 2 (Preferred)** would not be consistent with the historical performance of this component of the snapper grouper fishery and would likely impact the longline vessel by limiting the longline quota about 10-15% below what the longline sector has been harvesting in recent years. **Alternatives 3 and 4** would be more consistent with the recent history of the commercial golden tilefish fishery than **Alternative 2 (Preferred)**, and would benefit the longline component of the commercial sector. However **Alternative 2 (Preferred)** would allow the hook and line sector to increase harvest by establishing a hook and line quota that is about two times larger than hook and line harvest in recent years. **Alternative 2 (Preferred)** and **Alternatives 3 and 4** would also benefit the hook and line sector more than **Alternative 1 (No Action)** by preserving access to the resource through gear allocations.

### **Recommendations**

*Amendment 18B IPT:* If it is the Council's intent to allow hook and line landings to increase to levels prior to the dominance of the longline fleet (25%), then the consideration of a hook and line endorsement should be dropped. The endorsement program (under the current preferred eligibility requirements) would have the effect of limiting effort to the extent that the hook and line fleet may not be able to land 25% of the golden tilefish catch, especially since the ACL is due to increase substantially. If the Council decides to pursue establishment of a hook and line endorsement, then a higher trip limit than the proposed 300-pounds limit under Action 9 should be considered.

**If Regulatory Amendment 12 (Framework Action to Adjust the ACL/OY and Specify a Commercial ACT) is approved and the ACL is adjusted, then the impacts of the actions in Amendment 18B (especially socioeconomic impacts) would need to be revised. The Council may want to delay approval of Amendment 18B for the analyses to reflect the adjusted ACL.**

*Snapper Grouper Advisory Panel (AP):* Support **Alternative 4**.

*Scientific and Statistical Committee (SSC):* The SSC recommends the Council consider developing a decision tree to specify methodology for making sector allocation decisions. Council should consider how they might want to adjust these allocations over time.

## 6. Allow for Transferability of Golden Tilefish Endorsements

**Alternative 1 (No Action).** Longline and hook and line golden tilefish endorsements cannot be transferred.

**Alternative 2 (Preferred).** A valid or expired longline golden tilefish endorsement can be transferred between any two individuals or entities that hold, or simultaneously obtain, a valid or renewable unlimited Federal commercial snapper grouper permit.

**Sub-alternative 2a (Preferred).** Transferability allowed upon program implementation.

**Sub-alternative 2b.** Transferability not allowed during the first 2 years of the program.

**Alternative 3 (Preferred).** A valid or expired hook and line golden tilefish endorsement can be transferred between any two individuals or entities that hold, or simultaneously obtain, a valid or renewable unlimited Federal commercial snapper grouper permit.

**Sub-alternative 3a (Preferred).** Transferability allowed upon program implementation.

**Sub-alternative 3b.** Transferability not allowed during the first 2 years of the program.

**Alternative 4.** A valid or expired hook and line and longline golden tilefish endorsement can be transferred between any two individuals or entities that hold, or simultaneously obtain, a valid or renewable unlimited Federal commercial snapper grouper permit, regardless of the gear endorsement category.

**Sub-alternative 4a.** Transferability allowed upon program implementation.

**Sub-alternative 4b.** Transferability not allowed during the first 2 years of the program.

### Summary of Effects

*Biological:* The biological effects of **Alternative 2 (Preferred)** and **Alternative 3 (Preferred)** would be very similar, as landings would be constrained by the ACL. Therefore, the effects of these alternatives may be more economic and social than biological.

*Economic:* Conceptually, the degree of transfer flexibility influences the overall profitability of the fishery and the average profitability for individual fishermen. The greater the degree of transferability, the greater the value of the endorsement is expected. Also, the greater the degree of transferability, the greater the profitability of the individual who owns the endorsement because they have the ability to sell their permit when they need to switch to more profitable fisheries or when they are unable to fish. However, lack of participation could benefit the fishermen remaining in the fishery. Considering the above, **Alternative 2 (Preferred)** and **Alternative 3 (Preferred)** would enhance profitability for fishermen who qualify for golden tilefish endorsements. **Preferred Sub-alternatives 2a** and **3a** would allow for transferability of permits to take place immediately upon implementation and this is expected to maximize economic benefits. **Sub-alternatives 2b** and **3b** would allow for a two-year delay in transferability allowances. While this might allow for people to best assess the value of the gear

endorsements and make more accurate permit market transactions, it would delay transfers that could benefit fishermen.

*Social:* Generally, social and economic benefits are expected to be greater the broader the freedom to manage one's assets (freedom to sell the endorsement without time constraints). This is particularly true as situations can arise where a decision to stop fishing is not discretionary, as may be the case should an adverse health situation or personal financial crisis arise. So, to the extent that reduced ability to transfer the endorsements results in reduced benefits, the longer the restriction applies, the greater the expected reduction in social benefits.

### **Recommendations**

*Amendment 18B IPT:* The Council needs to discuss and resolve three issues:

1. "Expired" vs. "not expired" language in the alternatives. Guidance in December was to adopt similar alternatives to those in 18A and consult with the NMFS Permits Office to edit as appropriate. Amendment 18A adopted the language that specified "non expired" permits, against the advice of the Permits Office. The Council should decide how to proceed on this issue for golden tilefish endorsements. If the requirement is that only "non expired" endorsements be transferrable, then the number of endorsements will diminish over time. Is this what the Council wants?
2. Does the landings history for golden tilefish transfer with the endorsement or stay with the permit? The discussion for a similar action in Amendment 18A states: *"It is the South Atlantic Council's intent that all black sea bass landings reported using pot gear with an endorsement will be associated with the South Atlantic Unlimited Snapper Grouper Permit rather than the endorsement. Therefore, the endorsement would simply allow the eligible South Atlantic Unlimited Snapper Grouper Permit holders to fish for black sea bass using pot gear, with no landings history attached to it."* The IPT requests that the Council reiterate their intent.
3. Will the endorsement be renewed at the same time as the snapper grouper permit? In Amendment 18A, the renewal of the black sea bass endorsement was tied to the permit renewal. This was contrary to the NMFS Permits Office recommendation. The IPT requests that the Council clarify their intent for golden tilefish endorsement renewals.
4. The IPT requests that the Council be very specific on their guidance on the permits issue as it pertains to this amendment. Previous guidance to "Adopt similar language to that in Amendment 18A" does not create a clear record for the development of this amendment.

*Snapper Grouper Advisory Panel (AP):* Support making endorsements transferrable.

*Scientific and Statistical Committee (SSC):* The SSC recognizes that the transferability of endorsements would increase the economic efficiency of the amendment.

## 7. Adjust the Golden Tilefish Fishing Year

**Alternative 1 (No Action)(Preferred).** Retain the existing calendar year as the golden tilefish fishing year (January 1 through December 31).

**Alternative 2.** Specify the golden tilefish fishing year as September 1 through August 31.

**Alternative 3.** Specify the golden tilefish fishing year as August 1 through July 31.

**Alternative 4.** Specify the golden tilefish fishing year as May 1 through April 30.

### **Summary of Effects**

*Biological:* While there is little biological benefit to changing the fishing year, a shift in the fishing year would allow hook and line fishermen to target golden tilefish in the fall. However, a change in the fishing year would also result in multiple species being open at the same time. Therefore, there could be economic benefit to some fishermen by retaining the January start date (**Preferred Alternative 1 (No Action)**) for golden tilefish. It is noted that **Action 5**, which includes alternatives that would allocate portions of the ACL to the longline and hook and line sector, would have a similar effect in ensuring fishermen would be able catch golden tilefish with hook and line gear.

Golden tilefish spawn off the southeast coast of the U.S. from March through late July, with a peak in April. Peak spawning is thought to occur from May through September in waters north of Cape Canaveral. **Preferred Alternative 1 (No Action)** would continue to open the season before the start of the spawning season.

*Economic:* **Preferred Alternative 1 (No Action)** would make golden tilefish available to dealers during January-May, when other snapper grouper species are closed. This could increase the dockside price paid to fishermen for golden tilefish. Even if dockside prices do not increase in the early part of the year, keeping the start date at January 1st could help dealers maintain supply and therefore keep customers.

*Social:* Because **Preferred Alternative 1 (No Action)** would not make any regulatory change in the fishing year, no changes in the manner in which the fishery is prosecuted would be expected and, as a result, no changes in the current social benefits of the fishery would be expected to occur. Increased deviation from historic harvest patterns, and associated social and economic benefits, could occur if fishing effort and patterns shift in response to increasingly restrictive management on other snapper grouper species.

### **Recommendations**

*Amendment 18B IPT:* No recommendation. However, both retaining the current fishing year and adopting the endorsement program, as it is currently designed, will favor Florida fishermen.

*Snapper Grouper Advisory Panel (AP):* Support **Alternative 1 (No Action)**.

*Scientific and Statistical Committee (SSC):* With regard to the market for golden tilefish and keeping the fishery open during a time when other snapper grouper species are unavailable, the retention of the January 1 start date is preferable. However, the current year impacts the ability of people to fish in the northern portion of the South Atlantic. Allocating catch to the northern areas during different parts of the year, when other species are readily available, could reduce the overall value of the golden tilefish portion of the snapper grouper fishery.

## 8. Modify the Golden Tilefish Trip Limit

**Alternative 1 (No Action).** Currently there is a commercial trip limit of 4,000 pounds gw until 75% of the quota is taken. The trip limit is then reduced to 300 pounds gw.

**Alternative 2 (Preferred).** Remove the 300 pound gutted weight trip limit when 75% of the ACL is taken.

**Alternative 3.** Prohibit longline fishing after 75% of the ACL is taken.

### Summary of Effects

*Biological:* Reducing the 4,000 pounds gw trip limit to 300 pounds gutted gw when 75% of the quota is met was originally intended to allow the fishery to remain open all year and allow for commercial hook and line fishermen to target golden tilefish in the fall. Based on data from 2007 to 2010, the fishery would not remain open all year even when the trip limit is reduced to 300 pounds gw. In addition, existing quota monitoring programs do not provide sufficient notice that 75% of the ACL has been met before the total ACL is also met. The expected biological effect of removing the trip limit reduction when 75% of the ACL is met is expected to be minimal. In the commercial fishery, most golden tilefish (90% during 2004-2010) are taken with longline gear deployed by large vessels that make long trips and depend on large catches (> 3,000 pounds) to make a trip economically feasible. Therefore, a 300-pound gw trip limit when 75% of the ACL is met should shut down the commercial longline sector, and should reduce their potential annual catch.

*Economic:* **Alternative 2 (Preferred)** removes the 300-pound gw trip limit, thereby, removing preservation of a portion of the commercial ACL for hook and line fishermen. This makes it more likely that longline fishermen would participate after 75% of the ACL has been met since the 4,000-pound gw trip limit would be maintained. Under **Preferred Alternative 1 (No Action)** for **Action 7** and **Alternative 2 (Preferred)** under this action, economic benefits would increase for longliners since the 4,000-pound gw trip limit would be extended.

*Social:* Regardless of the decision on the proposed change in the fishing year under **Action 7**, elimination of the step-down under this action would be expected to accelerate closure of the fishery by not reducing the pace of harvest. The magnitude of impact of accelerated closure on hook and line fishermen would depend on how harvests are affected by the proposed endorsement requirement. Nevertheless, in tandem with the other proposed golden tilefish management changes, it is expected that elimination of the 300-pound gw trip limit would result in increased social and economic benefits relative to **Alternative 1 (No Action)**.



## **Recommendations**

*Amendment 18B IPT:* Add sentence highlighted in yellow to Alternative 1(No Action): **Do not modify the golden tilefish trip limit.** Currently there is a commercial trip limit of 4,000 pounds gw until 75% of the quota is taken. The trip limit is then reduced to 300 pounds gw.

*Snapper Grouper Advisory Panel (AP):* Support **Alternative 1 (No Action)**.

*Scientific and Statistical Committee (SSC):* SSC recommends looking at the amendment holistically in order to integrate all available tools. Different catch level reference points (OFL, ABC, ACL, and ACT) should be considered part of an integrated, interdependent system.

For example, setting  $ACL=ABC$  could work if you have a properly set ACT that triggers management actions before overages occur. Not setting an ACT (with management triggers properly set up) calls for  $ABC < ACL$ . The management, monitoring system, and data collection also need to be better integrated. The Council should consider re-examining their current ACTs to ensure they are properly accounting for management uncertainty, using real time data to monitor landings and adjust regulations. Electronic reporting has been used successfully to track individual quotas within catch-share programs. The SSC recommends an evaluation of the golden tilefish quota monitoring system to identify potential problems and prevent overages.

## **9. Establish Trip Limits for Fishermen Who Do Not Receive a Golden Tilefish Hook and Line Endorsement**

**Alternative 1 (No Action).** Do not establish trip limits 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.

**Alternative 2.** 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.

**Alternative 3.** Establish trip limits of 400 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.

**Alternative 4.** Establish trip limits of 500 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.

**Alternative 5.** Establish trip limits of 100 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.

**Alternative 6 (Preferred).** Establish trip limits of 200 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 this trip limit.

*(Note: Catches under the trip limits would count towards the hook and line gear group quota established under **Action 2**)*

### **Summary of Effects**

*Biological:* Under **Action 2, Preferred Alternative 2d**, 39 individuals would qualify for hook and line endorsements but 143 individuals who had caught golden tilefish with hook and line during 1999-2010 would not. Under **Action 3, Preferred Alternative 2f**, 14 individuals would qualify for longline endorsements but 41 individuals who had caught golden tilefish with longline gear during 1999-2010 would not. Thus, a total of 184 individuals with active federal snapper grouper permits who caught at least 1 pound of golden tilefish during 1999-2010 would not qualify for a hook and line or a longline endorsement and would be eligible to fish under the 200-pound gw trip limit

**(Alternative 6 (Preferred))**. In addition, all other commercial snapper grouper permit holders would be eligible to also fish under the 200-pound gw trip limit. The biological effect of **Alternatives 1-6 (Preferred)** would be similar since it is likely that the quota would be met regardless of which alternative is selected. Furthermore, since the same gear would be used under all alternatives, different trip limits for a small amount of hook and line allocation is likely to have little biological effect.

*Economic:* It is not possible to reliably predict how much would be landed under the trip limits identified in **Alternatives 2-6 (Preferred)** because it is not known how many people would choose to participate or how many trips would be made since any snapper grouper permitted fisherman could target golden tilefish and fish under the trip limit established under this action. Therefore, a range of options for participation and number of trips is assumed. All estimates made are much higher than the hook and line allocation specified in alternatives under **Action 5**. This would result in decreased ability of endorsement holders, who have the greatest amount of historical participation, to continue fishing for golden tilefish because of a possibly much shorter season than anticipated.

*Social:* The higher the trip limit, the higher the likelihood that endorsed vessels will receive reduced social and economic benefits in favor of non-endorsed vessels. Therefore **Alternative 4** would reduce the social benefits of the endorsed hook and line fishermen, while **Alternative 5** would produce the most benefits for the endorsed fishermen. Overall, the establishment of an endorsement system, which would be expected to be largely biologically neutral to the resource (the endorsement system would not reduce the quota), suggests a determination of expected increased social benefits. Eroding these benefits through allocation of harvests to non-endorsed vessels would appear to be inconsistent with the expectations of the endorsement system and would be expected to result in reduced social and economic benefits.

## **Recommendations**

*Amendment 18B IPT:* Need clarification as to why this action would be necessary.

Rationale: Under the current preferred, the trip limit for those without endorsements would only be 100 pounds less than the trip limit for those who receive endorsements. Under the current design, there would be little advantage to individual fishermen from possessing a hook and line endorsement and may result in no significant effect as far as extending the fishing season. In fact, the ACL could be reached very quickly. In addition, allocating harvest to non-endorsed vessels would appear to be inconsistent with the expectations of the endorsement system and would be expected to result in reduced social and economic benefits overall.

*Snapper Grouper Advisory Panel (AP):* Support **Alternative 2**.

*Scientific and Statistical Committee (SSC):* The SSC recommends the inclusion of the management goal of each action in order to properly evaluate the efficacy of the action. The Council should consider that 100% discard mortality exists for golden tilefish when reviewing new, restrictive regulations that could increase discards in this fishery.

## 10. Establish Trip Limits for Fishermen Who Receive a Golden Tilefish Hook and Line Endorsement

**Alternative 1 (No Action).** Do not establish trip limits for fishermen who receive hook and line endorsements in the golden tilefish fishery.

**Alternative 2.** Establish trip limits of 300 pounds gutted weight for fishermen who receive hook and line endorsement in the golden tilefish fishery.

**Alternative 3.** Establish trip limits of 400 pounds for fishermen who receive hook and line endorsement in the golden tilefish fishery.

**Alternative 4.** Establish trip limits of 500 pounds for fishermen who receive hook and line endorsement in the golden tilefish fishery.

NOTE: The alternatives above were mistakenly taken out of the amendment and placed in the Considered but Rejected Appendix following the December 2011 meeting. Although the Council approved a motion to remove Alternatives 3 and 4, staff believes the Council intended to move these alternatives under **Action 9** to the Appendix. This is not reflected in the Council motions, but the intent is reflected in the meeting minutes from the December 2011 Council meeting.

### Summary of Effects

*Biological:* There is little difference in the biological effects of **Alternatives 1 (No Action)** and **2** on the golden tilefish stock since the fishery would close upon reaching the quota. If the longline sector was closed when 75% of the ACL was met (**Action 8**), the remaining 25% of the quota (70,547 pounds gutted weight) would then be made available to the hook and line sector. The average annual catch of golden tilefish from the longline sector (including those who do not qualify for endorsements) during 2005-2010 based on logbook data was 25,676 pounds gutted weight. Therefore, a trip limit would not be needed to ensure the season remained open all year for the hook and line sector. **Table 4** below shows the effect of trip limit on the catch of golden tilefish taken with hook and line gear by permits that qualify for hook and line endorsements during 2005-2010.

**Table 4.** Effect of trip limit on catch of golden tilefish taken with hook and line gear by permits that qualify for hook and line endorsements during 2005-2010.

Trip Limit gw	Trip limit ww	# Trips	% Trips	Pounds over trip (ww)	Pounds over trip (gw)	Percent Reduction
0	0	823	100.00%	155,917	139,211	100.00%
89	100	508	61.73%	90,041	80,393	57.75%
100	112	486	59.05%	84,090	75,081	53.93%
134	150	412	50.06%	67,247	60,042	43.13%
156	175	364	44.23%	57,522	51,359	36.89%

179	200	294	35.72%	49,215	43,942	31.56%
200	224	251	30.50%	42,692	38,118	27.38%
223	250	183	22.24%	37,069	33,098	23.78%
268	300	127	15.43%	29,417	26,265	18.87%
300	337	71	8.63%	25,440	22,714	16.32%
446	500	28	3.40%	17,538	15,659	11.25%
536	600	16	1.94%	15,415	13,764	9.89%
625	700	12	1.46%	14,047	12,542	9.01%
714	800	7	0.85%	13,116	11,711	8.41%
804	900	6	0.73%	12,432	11,100	7.97%
893	1,000	6	0.73%	11,832	10,564	7.59%

*Economic:* A trip limit of 300 pounds gutted weight would be expected to reduce the catch of hook and line fishermen with endorsements by 22,714 pounds gw during 2005-2010 for an average of 3,786 pounds gw. This equates to an average annual revenue loss of \$9,625. However, this only represents the amount they would have lost on those trips. Had trip limits been in place, it is possible the season would have been extended and the fishermen would have recouped the amount they would have forfeited on the earlier trips. In addition, it is possible the trip limit would be low enough to make it unprofitable for some vessels to undertake more trips to totally recoup landings and revenues forgone per trip. Further, even if those additional trips are taken so as to totally recoup revenue losses, it is likely total costs would be higher since it is likely the cost per trip would remain about the same but more trips taken would mean additional costs.

*Social:* If trip limits are not implemented along with the proposed golden tilefish hook and line endorsement, as under **Alternative 1 (No Action)**, there would likely be an increase in negative impacts on fishermen and associated businesses and communities as the derby conditions continue for golden tilefish, particularly with increased target and harvest of this species. The 300-pound gw trip limit proposed in **Alternative 2** would be expected to contribute to a longer fishing season, which would likely result in social benefits.

### **Recommendations**

*Amendment 18B IPT:* Consider increasing or eliminating the trip limit. Rationale: see previous action. Under the preferred trip limit, the 25% allocation to the hook and line sector may not be reached. Landings with hook and line gear under no trip limit have averaged 12% since 2004.

*Snapper Grouper Advisory Panel (AP):* Support **Alternative 1 (No Action)**.

*Scientific and Statistical Committee (SSC):* The SSC cautions that the price of fuel and the market price for the fish may not remain constant, thus causing a trip limit to become unprofitable. Also, fishermen may increase the number of trips to catch what they need.

## 11. Revise the Annual Catch Limit (ACL) and Optimum Yield (OY) for Golden Tilefish

The assessment of the golden tilefish stock in the South Atlantic, completed in 2011 with data through 2010, indicated the stock is not overfished nor undergoing overfishing. The SSC has recommended establishing the Acceptable Biological Catch (ABC) at a level that would result in a 35% probability of overfishing. Currently there is no ABC or OFL specified for golden tilefish.

It is anticipated that an increase in the ACL from the current levels (commercial: 282,819 pounds gw; recreational: 1,578 fish) will take place in 2012. The Amendment 18B IPT is recommending moving this action to Regulatory Amendment 12 and considering specification of a commercial ACT for golden tilefish.

Below are current values *when the stock is at equilibrium* for Maximum Sustainable Yield (MSY), ABC, and Overfishing Limit (OFL) from the latest stock assessment based on specifications in Amendment 17B.

MSY = 638,000 pounds ww (596,643 pounds gw)  
 ACL = 75%Fmsy = 625,000 pounds ww (558,036 pounds gw)  
 OFL = Yield at Fmsy = 638,000 pounds ww (596,643 pounds gw)

The stock assessment results indicate that the biomass of golden tilefish has increased substantially since the last assessment and is now above  $B_{MSY}$ . Catches in 2011 are shown in **Table 5** below.

**Table 5.** Total commercial and recreational landings and overages of golden tilefish in 2011. Values are in pounds whole weight (conversion factor for gutted weight for golden tilefish is 1.12).

	<b>Commercial ACL (ww)</b>	<b>Recreational ACL (No. fish)</b>	<b>Recreational ACL (pounds)</b>	<b>Total Pounds (ww)</b>
Amendment 17B ACL	316,757	1,578	9,799	326,557
Landings in 2011	399,664		62,007	461,671
Overage in pounds	82,907		52,208	135,114
% Overage in 2011	26%		533%	41%

Taking the increase in biomass and overages in 2011 into account, the projected values for ABC and ACL are shown in **Table 6** below.

**Table 6.** Proposed ACL levels for 2012-2020 based on P\*=0.35 recommendations from SSC. Values are in pounds whole weight (conversion factor for gutted weight for golden tilefish is 1.12).

Year	ACL (Am18B)			
	Alt 1 (No Action) (Am 17B) ACL=75%Fmsy	Alt 2 ACL=OY=ABC	Alt 3 ACL=OY=90%ABC	Alt 4 ACL=OY=80%ABC
2012	668,000	668,000	601,200	534,400
2013	669,000	669,000	602,100	535,200
2014	666,000	666,000	599,400	532,800
2015	655,000	655,000	589,500	524,000
Avg.	664,500	664,500	598,050	531,600

The ABC level is recommended by the SSC based on the Control Rule approved by the Council. The ABC values above are based on projections at the level the SSC requested based on their ABC Control Rule (P\* = 35%). The OFL is recommended by the SSC and for other snapper grouper species the recommendation has been OFL = yield at Fmsy. The ACL level is chosen by the Council.

Commercial and recreational values (in pounds ww) of golden tilefish for 1986-2010 are shown in **Table 7**.



**Table S-7.** Commercial and recreational landings (in pounds whole weight) of golden tilefish, 1986-2012. Source: SEDAR 25.

Year	Commercial	Recreational	Total
1986	1,339,354	319	1,339,673
1987	413,546	147	413,693
1988	699,276	3,967	703,243
1989	1,005,085	14	1,005,099
1990	1,007,924	349	1,008,273
1991	1,080,512	390	1,080,902
1992	1,080,482	6,929	1,087,411
1993	1,149,853	0	1,149,853
1994	895,513	12,778	908,291
1995	752,599	0	752,599
1996	374,056	3,499	377,555
1997	404,389	28,986	433,375
1998	405,165	1,238	406,403
1999	565,979	8,137	574,116
2000	805,956	13,789	819,745
2001	438,253	35,179	473,432
2002	396,253	17,598	413,851
2003	247,763	45,419	293,182
2004	288,101	38,348	326,449
2005	305,151	240,240	545,391
2006	451,286	50,743	502,029
2007	336,811	9,538	346,349
2008	350,138	0	350,138
2009	377,986	54,514	432,500
2010	444,108	27,131	471,239

### **Recommendations**

*Amendment 18B IPT:* Move action to adjust ACL/OY and establish a commercial ACT to Regulatory Amendment 12. Rationale: A framework amendment will be completed and implemented faster than a regular plan amendment. The intent is to have the adjusted ACL in place in 2012 so golden tilefish can re-open later in the year.

*Snapper Grouper Advisory Panel (AP):* The AP has not yet reviewed this new information.

*Scientific and Statistical Committee (SSC):* Given the amount of management uncertainty, the SSC recommends setting an ACL < ABC, with the buffer between ABC and ACL being proportional to the amount of management uncertainty in the fishery. The SSC warns that the South Atlantic Council should be cautious about assuming that future fishing behavior will track historic fishing behavior. The SSC states that the South Atlantic Council should understand that OY is a long-term value that is not directly comparable to short-term reference points, such as OFL, ABC, and ACL. The SSC

indicates the South Atlantic Council should clarify if AMs are triggered when exceeding the ACL or the ABC. National Guidelines specify AMs should be triggered when the ACL is exceeded. By setting  $ACL=ABC$  the trigger that activates measures that are meant to prevent the catch from exceeding the limit and the limit itself are being set at the same value. The SSC feels there should be a trigger set below the actual limit if the limit is not to be exceeded. Alternatively, the SSC believes the ACL can be set equal to ABC if the ACT is used as the trigger and overages are prevented.

## 12. Revise Accountability Measures (AMs) for Golden Tilefish

**Alternative 1 (No Action).** Retain current commercial and recreational AMs for golden tilefish:

- Commercial: prohibit harvest, possession, and retention when the quota is projected to be met. All purchase and sale is prohibited when the quota is projected to be met.
- Recreational: If the ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following fishing season by the amount necessary to ensure landings do not exceed the sector ACL for the following fishing season. Compare the recreational ACL with projected recreational landings over a range of years. For 2010, use only 2010 landings. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, use the most recent three-year running average.

**Alternative 2.** Specify the AM trigger.

**Sub-alternative 2a.** Do not specify an AM trigger.

**Sub-alternative 2b (Preferred).** If the annual landings exceed the ACL in a given year.

**Alternative 3.** Specify the recreational in-season AM.

**Sub-alternative 3a.** Do not specify an in-season AM.

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

**Alternative 4.** Specify the recreational post-season AM.

**Sub-alternative 4a (Preferred).** Monitor following year and shorten season as necessary. If the ACL is exceeded, the following year's recreational landings would be monitored in-season for persistence in increased landings. The Regional Administrator will publish a notice to reduce the length of the recreational fishing season as necessary.

**Sub-alternative 4b.** Payback. If the recreational ACL is exceeded, and golden tilefish are overfished, the Regional Administrator shall publish a notice to reduce the recreational ACL in the following season by the amount of the overage.

**NOTE:** The Public Hearing Summary included alternatives for commercial sector AMs (below). **Alternative 2** should **not** have been included, as it constitutes no action. **Alternative 3** would only come into play if golden tilefish were declared overfished. Both alternatives were included in the public hearing document and summary. Does the Council want to add **Alternative 3** to Amendment 18B?

**Alternative 2.** If the commercial ACL is met or is projected to be met, all subsequent purchase and sale of golden tilefish is prohibited and harvest and/or possession is limited to the bag limit.

**Alternative 3.** If the commercial ACL is exceeded, and golden tilefish are overfished, the

Regional Administrator shall publish a notice to reduce the commercial ACL in the following season by the amount of the overage.

NOTE: Paybacks are not required when new projections are adopted that incorporate ACL overruns and the ACLs are adjusted in accordance with those projections.

### **Summary of Effects**

*Biological:* **Sub-alternative 3b (Preferred)** would allow the RA to publish a notice to close the recreational sector when the ACL is projected to be met. In-season monitoring of recreational landings is difficult, however. Currently, recreational data become available 45 days after the end of a two-month wave. There would likely be some uncertainty associated with imposing in-season AMs for the recreational sector, making post-season AMs more appropriate for the recreational sector. **Sub-alternatives 4a (Preferred)** and **4b** would ensure that the amount of the previous year's ACL overage would be accounted for in the subsequent year's protection via a shortened season or a payback, and thus would be biologically beneficial.

*Economic:* **Sub-alternative 2a**, which does not specify an AM trigger, would economically benefit the recreational sector the most in the short-term but the least in the long-term when more restrictive measures become necessary to maintain landings below the ACL. Between the two sub-alternatives of **Alternative 3**, **Sub-alternative 3a** would economically benefit the recreational sector more in the short-term than **Sub-alternative 3b (Preferred)** since it would impose no further restrictions. However, it would result in worse long-term economic situation, since lack of an AM could result in further overfishing of the stock that, in turn, would require more restrictive regulations. **Sub-alternative 4a (Preferred)** may yield larger adverse economic impacts than **Sub-alternative 4b** because it would eliminate fishing opportunities during part of the fishing year rather than mainly reduce the fishing experience for part of the fishing year. There is a good possibility that **Sub-alternative 4b** would result in the same fishing season length, although some other measures, like bag limit reduction, may be employed under **Sub-alternative 4b** to effect a longer season that would provide more fishing opportunities. Whichever of these two Sub-alternatives can provide for more fishing opportunities may be considered better than the other for economic reasons.

*Social:* The setting of AMs can have significant direct and indirect effects on the social environment as they usually impose some restriction on harvest, either during the current season or the next. The long-term effects should be beneficial as they provide protection from further negative impacts on the stock. While the negative effects are usually short-term, they may at times induce other indirect effects through changes in fishing behavior or business operations that could have long-term social effects.

### **Recommendations**

*Amendment 18B IPT:* See note above. Also, the Council may want to consider moving this action to Regulatory Amendment 12. ACLs and AMs go hand in hand and if Regulatory Amendment 12 gets implemented well ahead of 18B, the existing AMs would continue to apply to the adjusted ACL. Is this what the Council wants?

Also, if the proposed allocation for longline and hook and line sectors is implemented, then the Council should consider AMs for the hook and line and longline sectors separately. If that were the case, those alternatives would still need to be added.

*Snapper Grouper Advisory Panel (AP):* The AP did not provide a recommendation for this action.

*Scientific and Statistical Committee (SSC):* The SSC recommends that the Council look at the different catch level reference points (OFL, ABC, ACL, and ACT) as part of an integrated system, so that we can get a better handle on how these management tools interact. For example, setting  $ACL=ABC$  could work if you have a properly set ACT that triggers management actions before overages occur. Not setting an ACT (with management triggers properly set up) calls for  $ABC < ACL$ .