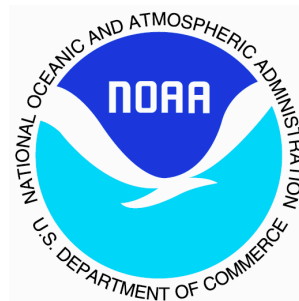


Snapper Grouper Regulatory Amendment 14

DECISION DOCUMENT

SEPTEMBER 2013



Purpose for Action

The *purpose* for the actions is to modify the fishing year for greater amberjack; modify the commercial and recreational fishing years for black sea bass; change the commercial fishing season for vermilion snapper; modify trip limits for gag; and revise the recreational AMs for black sea bass and vermilion snapper.

Need for Action

The *need* for the proposed actions action is to ensure commercial harvest of greater amberjack occurs during March of each year; allow harvest of black sea bass and vermilion snapper to occur during times of the year when harvest of co-occurring species is occurring; extend the commercial fishing season for gag; and ensure overfishing of gag, black sea bass, and vermilion snapper does not occur.

PROPOSED CHANGE TO NEED STATEMENT: Enhance economic yield from commercial harvest of greater amberjack; allow harvest of black sea bass and vermilion snapper to occur during times of the year when harvest of co-occurring species is occurring; extend the commercial fishing season for gag; and ensure overfishing of greater amberjack, gag, black sea bass, and vermilion snapper does not occur.

COMMITTEE ACTION: Approve IPT suggested edits to Need statement above.

Summary of Recommendations

Action 1. Modify the commercial *and recreational* fishing years for greater amberjack

Alternative 1 (No Action). The current commercial *and recreational* fishing years begin on May 1 and ends on April 30.

Preferred Alternative 2. Modify the commercial *and recreational* fishing years for greater amberjack to begin on January 1 and end on December 31.

Alternative 3. Modify the commercial *and recreational* fishing years for greater amberjack to begin on March 1 and end on February 28.

NOTE: See analyses beginning on *pdf page 78* of draft amendment document (Attachment 3c)

SNAPPER GROUPER AP RECOMMENDATION: The AP recommended Alternative 1 (No Action) as a preferred. AP members stated that they felt a year or two should go by to see the effects of current management on the greater amberjack stock. They were concerned that if the fishing year were to change, there could be some fishing pressure during the spawning season in May. AP members did acknowledge that a positive outcome of changing the start of the fishing year to January 1 would be the certainty of being able to catch amberjack early in the year when not many other snapper grouper species are allowed to be harvested.

PUBLIC COMMENTS:

- Fishermen were supportive of changing the commercial and recreational fishing years for greater amberjack to the calendar year.
- Fishermen repeatedly inquired whether the spawning season restrictions would be held in place because they felt they were important.
- Recommendation to prohibit fishing in May.
- Fishermen felt it was important to continue to limit harvest during the month of April, as is currently the case.

COMMITTEE ACTION: Approve recommended changes to action and alternatives highlighted above.

Action 2. Modify the fishing year for the black sea bass recreational sector

Alternative 1 (No Action). The recreational fishing year for black sea bass begins on June 1 and ends on May 31.

Alternative 2. Modify the recreational fishing year for black sea bass to begin on January 1 and end on December 31.

Preferred Alternative 3. Modify the recreational fishing year for black sea bass to begin on April 1 and end on March 31.

Alternative 4. Modify the recreational fishing year for black sea bass to begin on October 1 and end on September 30.

Alternative 5. Modify the recreational fishing year for black seas bass to begin on May 1 and end on April 30.

NOTE: See analyses beginning on [pdf page 86](#) of draft amendment document (Attachment 3c)

SNAPPER GROUPE AP RECOMMENDATION: The AP recommended a start date of April 1 for the recreational blacks sea bass fishing year (Alternative 3). The rationale behind their recommendation is to make the start date coincide with the opening of recreational fishing for vermilion snapper and thus minimize the amount of discards. However, regulations implemented through Regulatory Amendment 18 will remove the vermilion snapper recreational closure.

PUBLIC COMMENTS:

- Strong support for “lining up” seasons to minimize discards.
- While fishermen supported changing the black sea bass recreational fishing year to begin on April 1, there was also support for starting the fishing year on May 1 to coincide with the opening of shallow water groupers. Fishermen in Georgia also supported a March 1 start date.
- One comment suggesting a November through January season. A split season would be even better for the small boaters who cannot chase the BSB out to deeper water, maybe April and May and then the non-spawn time or November, December and January.
- Regardless of the dates chosen to delineate the black sea bass fishery season, the annual closure from November 1 through April 30 that was enacted as part of Amendment 19 must remain in place.

COMMITTEE ACTION:

Action 3. Modify the recreational accountability measure for black sea bass

Alternative 1. (No Action). If the recreational sector black sea bass ACL is met or is projected to be met, independent of stock status, prohibit the harvest and retention of black sea bass. If the recreational sector black sea bass ACL is exceeded, independent of stock status, the Regional Administrator shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage. ~~ACL paybacks are not required when new projections are adopted that incorporate ACL overages and the ACLs are adjusted in accordance with those projections.~~

Alternative 2. For the black sea bass recreational sector, NMFS will annually announce the recreational fishing season start and end dates in the Federal Register and by other methods, as deemed appropriate. The fishing season will start on April 1 and end on the date NMFS projects the recreational ACL will be met. ~~If landings exceed the recreational ACL, NMFS will reduce the length of the following recreational fishing season to ensure recreational landings do not exceed the recreational ACL in the following fishing year. If landings are less than the recreational ACL, NMFS will adjust the length of the following fishing season by the amount necessary to ensure the recreational ACL is landed.~~

Alternative 3. For the black sea bass recreational sector, NMFS will annually announce the recreational fishing season start and end dates in the Federal Register and by other methods, as deemed appropriate. The fishing season will start on April 1 and end on the date NMFS projects the recreational ACT will be met. ~~If landings exceed the recreational ACL, NMFS will reduce the length of the following recreational fishing season to ensure recreational landings do not exceed the recreational ACL in the following fishing year. If landings are less than the recreational ACL, NMFS will adjust the length of the following fishing season by the amount necessary to ensure the recreational ACL is landed.~~

Alternative 4. If the recreational sector black sea bass ACL is met or is projected to be met, independent of stock status, prohibit the harvest and retention of black sea bass.

NOTE: *This action is based on the preferred alternative under Action 3. If the Council were to select a different preferred alternative for Action 3, then Action 4 would need to be changed.*

NOTE: *See analyses beginning on pdf page 95 of draft amendment document (Attachment 3c)*

SNAPPER GROUPER AP RECOMMENDATION: This action was added to the amendment in June 2013, after the Snapper Grouper had met. Hence the AP has not provided comments on this action.

PUBLIC COMMENTS:

- There was generally little support among fishermen for establishing a fixed recreational season for black sea bass as proposed in Alternatives 2 and 3 under Action 3. Some for-hire fishermen were in favor, however.
- Most fishermen expressed support for Alternative 4.

COMMITTEE ACTION:

- Select a preferred alternative.
- Approve suggested edits to Alternatives 2 and 3 and approve wording of Alternative 4 highlighted above.

Action 4. Modify the fishing year for the black sea bass commercial sector

NOTE: Regulatory Amendment 19 would increase the black sea bass ACL based on the latest update to the stock assessment and would impose a pot closure from November 1 to April 30 to protect large migratory whales. Regulatory Amendment 19 is still pending approval by the Secretary of Commerce.

Alternative 1 (No Action). The commercial fishing year for black sea bass begins on June 1 and ends on May 31. Black sea bass pots are prohibited from November 1 through April 30. The trip limit is 1,000 pounds for both the pot and hook-and-line sectors.

Alternative 2. Modify the commercial fishing year for black sea bass to begin on July 1 and end on June 30. Black sea bass pots are prohibited from November 1 through April 30. The trip limit is 1,000 pounds for both the pot and hook-and-line sectors.

Alternative 3. Modify the commercial fishing year for black sea bass to begin on January 1 and end on December 31. Black sea bass pots are prohibited from November 1 through April 30. From May 1 to October 31, the trip limit would be 1,000 lbs gw for pots. From May 1 to December 31, the trip limit would be 1,000 lbs gw weight for the hook-and-line sector and from January 1 to April 30, the hook and line sector would be restricted to a trip limit of:

Sub-alternative 3a. 100 lbs gw

Sub-alternative 3b. 200 lbs gw

Sub-alternative 3c. 300 lbs gw

Alternative 4. Modify the commercial fishing year for black sea bass to begin on May 1 and end on April 30. Black sea bass pots are prohibited from November 1 through April 30. The trip limit is 1,000 pounds for both the pot and hook-and-line sectors.

NOTE: See analyses beginning on pdf page 103 of draft amendment document (Attachment 3c)

SNAPPER GROUPE AP RECOMMENDATION: One AP member recommended keeping the June 1 start date of the commercial fishing year because black sea bass harvest in the Mid-Atlantic is normally closed by then and that creates an exceptionally strong market. The same individual expressed that if commercial harvest for black sea bass were to begin in the Mid-Atlantic and the South Atlantic at the same time, it would be a disaster. The AP engaged in a lengthy discussion on the benefits of a January 1 start date with a bycatch allowance for the hook-and line sector until harvest with pots was open. The main benefit of this approach would be to allow commercial harvest of black sea bass and vermilion snapper at the same time. Also, the trip limit would help commercial fishermen during March and April, when other snapper grouper species are closed. A January 1 fishing year start date would also provide additional data from winter months for stock assessment efforts. The AP ultimately recommended Alternative

3 but with a 100-pound trip limit instead of the 50-pound trip originally proposed. In addition, some AP members stated their desire for the Council to consider separating the commercial ACL between the pot and hook-and-line sectors. The intent would be to avoid market flooding and extend the season.

PUBLIC COMMENTS:

- Strong support for “lining up” seasons to minimize discards.
- Most fishermen supported the changes to the commercial fishing year for black sea bass under Alternative 3. Most fishermen supported a hook-and-line trip limit of 300 pounds.
- One comment stated that May is an important month for spawning based on recent scientific research. And, due to the increase in the ACL, hook and line fishermen should have a lot of fish left to harvest after the closure for pots. Therefore, the Council should consider Alternative 1 (No Action) at this time and see how the increase in the ACL affects the fishery before considering modifying to the commercial fishing year.

COMMITTEE ACTION:

- Select a preferred alternative.
- Approve recommended edits (highlighted above) to alternatives.

Action 5. Modify the commercial fishing seasons for vermilion snapper

Preferred Alternative 1 (No Action). The commercial fishing year for vermilion snapper is split into two seasons of equal duration, each with its own ACL. The first season begins on January 1 and ends on June 30 (6 months). The second season begins on July 1 and ends on December 31 (6 months). The commercial ACL is split equally between the two seasons with a commercial trip limit for of 1,000 lbs gw (1,110 lbs ww). When 75% of the commercial vermilion snapper ACL has been met or is projected to be met, the commercial trip limit is reduced to 500 lbs gw (555 lbs ww).

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC-approved ABC control rule.

Year	ABC ww	Total ACL ww	Comm ACL ww	Comm ACL Jan-June ww	Comm ACL July-Dec ww
2013	1,372,000	1,372,000	932,960	466,480	466,480
2014	1,312,000	1,312,000	892,160	446,080	446,080
2015	1,289,000	1,289,000	876,520	438,260	438,260
2016	1,269,000	1,269,000	862,920	431,460	431,460

Alternative 2. The commercial fishing year for vermilion snapper is split into two seasons, each with its own ACL. 100% of the new ACL implemented through Regulatory Amendment 18 is applied to the second season. The commercial trip limit is 1,000 lbs gw (1,110 lbs ww) and is reduced to 500 pounds gw (555 lbs ww) when 75% of the commercial vermilion snapper ACL has been met or is projected to be met.

Sub-alternative 2a. Second season start date remains at July 1.

Sub-alternative 2b. Second season start date begins on June 1.

Sub-alternative 2c. Second season start date begins on May 1.

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC-approved ABC control rule. 100% of increased ACL applied to second season. Previous total ACL was 653,045 lbs ww.

Year	ABC ww	Total ACL ww	Comm ACL ww	Season 1	Season2
2013	1,372,000	1,372,000	932,960	326,527	606,433
2014	1,312,000	1,312,000	892,160	326,527	565,633
2015	1,289,000	1,289,000	876,520	326,527	549,993
2016	1,269,000	1,269,000	862,920	326,527	536,393

Alternative 3. The commercial fishing year for vermilion snapper is split into two seasons, each with its own ACL. 25% of the new ACL implemented through Regulatory

Amendment 18 is applied to the first season and 75% of the new ACL implemented through Regulatory Amendment 18 is applied to the second season. The commercial trip limit is 1,000 lbs gw (1,110 lbs ww) and is reduced to 500 pounds gw (555 lbs ww) when 75% of the commercial vermilion snapper ACL has been met or is projected to be met.

Sub-alternative 3a. Second season start date remains at July 1.

Sub-alternative 3b. Second season start date begins on June 1.

Sub-alternative 3c. Second season start date begins on May 1.

ABC/ACLs and commercial split season ACLs using the current fishing season for 2013-2016 based on the recent SEDAR assessment and the South Atlantic Council/SSC-approved ABC control rule. 25% of the increased ACL is applied to the first season and 75% of increased ACL applied to second season. Previous total ACL was 653,045 lbs ww.

Year	ABC ww	Total ACL ww	Comm ACL ww	Season 1	Season 2
2013	1,372,000	1,372,000	932,960	396,504	536,457
2014	1,312,000	1,312,000	892,160	386,304	505,857
2015	1,289,000	1,289,000	876,520	382,394	494,127
2016	1,269,000	1,269,000	862,920	378,994	483,927

NOTE: See analyses beginning on pdf page 111 of draft amendment document (Attachment 3c)

SNAPPER GROUPER AP RECOMMENDATION: After discussing the management approaches that would benefit different areas in the region, the AP settled on recommending a 50/50 split of the ACL increase for vermilion snapper and no change in the configuration of the split season (Alternative 1, No Action). AP members considered at length what would work best for the Carolinas, Georgia, and Florida and concluded that the best approach would be an equitable distribution of the resource.

PUBLIC COMMENTS:

- Some comments in support of Alternative 3, sub-alternative 3c.
- Most fishermen were supportive of taking no action to change the commercial split seasons for vermilion snapper.

COMMITTEE ACTION: Approve recommended changes (highlighted above) to the alternatives.

Action 6. Modify the trip limit for the commercial sector for gag

Alternative 1 (No Action). The commercial trip limit for gag is 1,000 pounds gutted weight (lbs gw).

Preferred Alternative 2. Reduce the trip limit when 75% of the gag commercial ACL is landed.

Sub-alternative 2a. Reduce the trip limit to 100 lbs gw

Sub-alternative 2b. Reduce the trip limit to 200 lbs gw

Preferred Sub-alternative 2c. Reduce the trip limit to 300 lbs gw

Sub-alternative 2d. Reduce the trip limit to 400 lbs gw

Sub-alternative 2e. Reduce the trip limit to 500 lbs gw

NOTE: See analyses beginning on [pdf page 116](#) of draft amendment document (Attachment 3c)

SNAPPER GROUPER AP RECOMMENDATION: The Snapper Grouper AP recommended that the commercial trip limit for gag be reduced to 300 pounds once 75% of the ACL is met or projected to be met (Sub-alternative 2c). The alternative was initially included under this action based on a recommendation from the AP. The intent of their recommendation was to allow for a longer season and minimize the amount of discards when fishermen target other shallow water grouper species.

PUBLIC COMMENTS:

- Fishermen supported the trip-limit step down proposed in Action 6. Some fishermen supported a 300-pound trip limit.

COMMITTEE ACTION:

Action 7. Modify the recreational accountability measure for vermilion snapper

Alternative 1 (No Action). If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL, and vermilion snapper are overfished, the AA will file a notification to close the recreational fishery for the remainder of the fishing year. Without regard to overfished status, if vermilion snapper recreational landings exceed the ACL, the AA will file a notification at or near the beginning of the next fishing year, to reduce the ACL for that fishing year by the amount of the overage.

Alternative 2. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL the AA will file a notification to close the recreational fishery for the remainder of the fishing year. If vermilion snapper recreational landings exceed the ACL, the AA will file a notification at or near the beginning of the next fishing year, to reduce the ACL for that fishing year by the amount of the overage.

Alternative 3. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL the AA will file a notification to close the recreational fishery for the remainder of the fishing year.

Preferred Alternative 4. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL, the AA will file a notification to close the recreational fishery for the remainder of the fishing year. Payback of a recreational overage would only take place if vermilion snapper are overfished and the Total ACL is exceeded due to an overage in the recreational ACL. The amount of the overage would be deducted from the following year's recreational ACL.

NOTE: See analyses beginning on pdf page 119 of draft amendment document (Attachment 3c)

SNAPPER GROUPER AP RECOMMENDATION: The AP recommended Alternative 4 as the preferred. The AP reasoned that Alternative 4 would provide ample protection for the stock at this time, given the fluctuating numbers, but yet will not cause undue harm. That is, Alternative 4 meets the intent of Alternative 3 and provides a safety net with the payback provision.

PUBLIC COMMENTS:

Most comments in support of Preferred Alternative 4.

COMMITTEE ACTION: Approve recommended edits (highlighted above) to Preferred Alternative 4.