

Joint Council Committee on South Florida Management Issues and Ad Hoc Goliath Grouper Joint Council Steering Committee Summary Report

Hilton Key Largo
97000 Overseas Hwy
Key Largo, FL

The Gulf and South Atlantic Councils committees on South Florida Management and Goliath Grouper met on January 7-9, 2014 at the Hilton in Key Largo, FL. The committees discussed the following topics and made motions and recommendations as indicated. Kevin Anson and Michelle Duval also on the committee could not attend.

People present:

Joint Council Committee on South Florida Management Issues Members

South Atlantic

Ben Hartig
David Cupka
Jessica McCawley
Charlie Phillips

Gulf Council

Doug Boyd
Martha Bademan
Roy Williams
John Sanchez

Committee staff:

Luiz Barbieri
John Hunt
Bob Mahood
Doug Gregory

Ad Hoc Goliath Grouper Joint Council Steering Committee Members

Carrie Simmons
Clay Porch
Luiz Barbieri
David Cupka
Jessica McCawley
John Sanchez
Gregg Waugh
Doug Gregory

NOAA staff present: Monica Smit-Brunello and Jack McGovern

FWC LE present: Captain David Dipre

Many members of the public were present at all days of the meeting. Public comment was taken at the end of each day of the meeting.

South Florida Management

The committee discussed the purpose and goal of the meeting.

Purpose --To evaluate the need for South Florida specific regulations and methods for minimizing conflicting cross-jurisdictional regulations.

Goal -- To identify viable management structures, regional boundaries and species to be included.

The purpose to minimize conflicting regulations for South Florida species is based on ongoing requests from the South Florida fishing community as well as the Florida Fish and Wildlife Conservation Commission (FWC) and Gulf of Mexico and South Atlantic Councils. The South Atlantic Fishery Management Council, Gulf of Mexico Fishery Management Council, and Florida Fish and Wildlife Conservation Commission share jurisdictional boundaries in the Florida Keys. In many cases, fishing regulations differ between Gulf and Atlantic waters, and in some cases, state and adjacent federal waters. This is confusing for fishermen in the Florida Keys, who often transit and fish in multiple jurisdictions with differing rules during a single trip.

For a long time, South Florida fishermen have asked to be managed separately from the rest of the Gulf of Mexico and South Atlantic because of the distinct ecological communities, fisheries, and fishing communities in the region. Management measures that may be appropriate for other states and even northern Florida often conflict with the needs of South Florida residents and may not be appropriate for the South Florida fisheries.

The goal is to determine the best solutions for fisheries issues that are unique to South Florida. The committee may consider how this goal could be best accomplished on a species-by-species and/or geographical basis based on current regulations and fishing programs established by each Council.

Committee chairs were elected for Joint South Florida Committee

Gulf: Martha Bademan

S. Atlantic: Jessica McCawley

The committee received a presentation from Martha Bademan (FWC) on the jurisdictional issues and species-specific issues. Public input received during the scoping workshops from July 2013 was also presented. Luiz Barbieri (FWC) gave a presentation on the status of the major S. Florida species and reviewed the commercial landings trends by Florida county. The main focus was to show which fish species were undergoing overfishing and where in Florida most of the landings for each species was being reported (Gulf, Atlantic, Florida Keys). He presented commercial landings from 2008 through 2013; recreational data is not available at that scale. It was noted that recreational landings were available by region and that the Florida Keys were considered a region. It was also requested that the next meeting also include commercial landings by statistical area as well as county. Commercial and recreational landings of other states would be helpful in determining potential proportional impacts of any regional allocations to Florida/South Florida.

FWC LE noted that if any regulations/boundaries were going to be changed then to make sure those changes were enforceable. Straight boundary lines were more acceptable by both the public and law enforcement than curved lines, such as the territorial sea boundary that now delineates state and federal waters. The committees then started discussing ways to handle management of South Florida since it is a unique area.

One possible solution was to remove species primarily found/landed in Florida from federal fishery management plans so that FWC could manage those species in federal waters adjacent to Florida. The comments brought up by the council for this route were:

- How would the state handle enforcement of out of state vessels and would this really be a problem?
- Federal permits would no longer be required, so FWC would need establish new permits to replace the federal permits to maintain similar effort controls, if so desired.
- Florida would have to determine and monitor their ACLs since they would be in charge of all the regulations if management was delegated to them
- Regulations could be made quicker and also be more consistent as compared to 3 separate entities trying to regulate one area
- An assessment of which species were primarily found in Florida would need to be completed

The committee also discussed delegating management of South Florida species to the State of Florida. This could entail allowing Florida to set regulations for Florida-centric species throughout the Council jurisdictions or just in the EEZ off Florida. Another possible solution was to “carve out” or “allocate” part of the ACLs for specific species to attribute to a new regional management area in South Florida. This would apply to specific fish species that are found primarily in Florida waters (Yellowtail, Mutton, Black Grouper, Gray (Mangrove) snapper, and Hogfish). The concerns with this route were:

- Allocating an ACL to a new area may take away more from the current ACL of others than is acceptable to other regions.
- Allocating a small ACL to other regions outside Florida could create additional variability with monitoring and projecting quota closures
- Would keep the Councils involved in management of these species so the requirements of Magnuson-Stevens Act and setting and monitoring ACLs would still apply
- Would the allocation apply to all of Florida or just South Florida

The committee gave direction to staff on or made a motion on the following:

- **COMPILE INFORMATION ON 1) ALLOCATING A PERCENT OF THE ACL FOR THE STATE OF FLORIDA AND 2) DELEGATING MANAGEMENT FOR YELLOWTAIL SNAPPER, MUTTON SNAPPER, BLACK GROUPE, HOGFISH AND GRAY (MANGROVE) SNAPPER TO THE STATE OF FLORIDA (EITHER THROUGHOUT COUNCIL JURISDICTIONS OR IN THE EEZ OFF FLORIDA). THIS ANALYSIS WOULD ALSO INCLUDE LANDINGS INFORMATION BY AREA FROM BOTH THE GULF AND SOUTH ATLANTIC TO DETERMINE IF THERE ARE OTHER LANDINGS OUTSIDE FLORIDA. ADD ALTERNATIVES TO LOOK AT CHANGING PERMIT REQUIREMENTS AND NOT CHANGING PERMIT REQUIREMENTS.**
- **COMPILE INFORMATION TO CONSIDER REMOVING NASSAU GROUPE FROM SOUTH ATLANTIC FMP OR DESIGNATE MANAGEMENT TO THE STATE OF FLORIDA**

Warsaw Grouper and Speckled Hind

The committee then discussed Warsaw grouper and speckled hind management inconsistencies. Warsaw grouper is managed differently by both Councils even though it's considered the same genetic stock. The committee noted that the SSC needs to gather more information about the stock status and structure of both species.

One issue that was identified for these and other deepwater grouper species is they have a very high discard mortality rate. The committee did not feel they had enough information on these species to make a recommendation for regulatory changes, so they made the following motions:

- FORM A SUBCOMMITTEE FROM BOTH GULF AND SOUTH ATLANTIC SSCS TO EXPLORE METHODS TO DETERMINE STOCK STATUS OF WARSAW GROUPE AND SPECKLED HIND AND MAKE A LIST OF SUGGESTIONS FOR A PATH FORWARD.
- CONSIDER EDUCATION PROGRAM TO HELP PEOPLE DISTINGUISH SNOWY GROUPE FROM WARSAW GROUPE

The committee reviewed recreational reef fish regulations across state waters and Council jurisdictions to identify potential changes that could be made to state or federal regulations to make regulations consistent across all jurisdictions. The committee noted that the following changes may be appropriate.

- REMOVE DOG SNAPPER, SCHOOLMASTER, MAHOGANY, AND BLACK SNAPPER FROM SOUTH ATLANTIC FMP AND TURN OVER MANAGEMENT TO THE STATE OF FLORIDA (THIS WAS DONE IN THE GULF IN 2011)
- SET A BAG LIMIT FOR MUTTON SNAPPER DURING THE REGULAR SEASON OF 5 PER PERSON AND DURING THE SPAWNING SEASON (MAY – JUNE) OF 2 PER PERSON
- VERMILION – CONSIDER SOUTH ATLANTIC AND FLORIDA GOING TO 10” TL MIN SIZE
- SPECIES TO CONSIDER FOR SIMILAR REGULATIONS FOLLOWING THEIR NEXT ASSESSMENT:
 - GAG
 - BLACK GROUPE
 - SCAMP
 - GREATER AMBERJACK
 - GRAY TRIGGERFISH
- CONSIDER REVIEW OF SHALLOW WATER GROUPE CLOSURE LENGTH, MONTHS, SPECIES, ETC. FOR BOTH GULF AND SOUTH ATLANTIC
- REVIEW CIRCLE HOOK REQUIREMENT FOR YELLOWTAIL IN THE GULF (OR ALL REEF FISH SOUTH OF 28 DEG N LATITUDE IN THE GULF)
- FORM “IPT-LIKE” GROUP COMPRISED OF GREGG WAUGH, MONICA SMIT-BRUNELLO, JACK MCGOVERN, BOB MAHOOD, LUIZ BARBIERI, JOHN HUNT, JESSICA MCCAWLEY, MARTHA BADEMAN, CARRIE SIMMONS, AND DOUG GREGORY TO DISCUSS WORK ASSIGNMENTS FROM THIS COMMITTEE AND TIMEFRAMES FOR DELIVERABLES

Goliath Grouper

Committee chair was elected for the ad hoc goliath grouper committee: Carrie Simmons

A number of presentations were given to the committee.

- a. Refresher on last stock assessment – Luiz Barbieri
- b. Presentation on Goliath stakeholder workshops and survey – Kai Lorenzen
- c. Review of recommendations from Ad Hoc Goliath Grouper Joint Science Workshop – Carrie Simmons
- d. Review of ongoing goliath research – Luiz Barbieri
- e. Next steps for assessment – Luiz Barbieri
- f. Possible management options for moving beyond the moratorium – Jessica McCawley

After the presentations the committee discussed whether a limited scientific harvest of goliath could provide the needed information for a better stock assessment. There was concern over how many fish may be needed to gather a representative sample and would it be over a wide enough geographic area? For example, too many goliath grouper may be needed to be collected over the spawning season to determine spawning frequency and batch fecundity. Fortunately, spawning frequency and batch fecundity are not priority assessment parameters to determine. However, other information could be gained from a limited consumptive scientific study such as size at maturity, a determination if they are protogynous, and validation of fin-ray ageing techniques with otoliths. The committee decided if the scientific study was done over a large enough geographic range and had enough size/age classes then it could be informative, but it would need to be well organized and conducted in both state and federal waters.

The committee also discussed estimates of fishing mortality by a catch-free model and the uncertainty in the discard mortality estimates. Clay Porch thought some of the ongoing mark-recapture studies may address these data gaps. The committee discussed what data gaps were the most important to fill for an assessment. The stock analysts thought that age structure and fishing mortality would be the most important, before reproductive information (egg production and spawning frequency).

A new assessment using the catch-free model was recommended with stock analysts noting that model improvement developed by Paul Conn and Liz Brooks should be explored. The Councils should also discuss uncertainty and how much they are willing to accept for a catch-free model.

If the scientific study was done over a large enough geographic range and had enough size/age classes then it could be informative, but it would need to be well organized. It was unknown how many fish would be needed and the impact it may have to the stock.

The State of Florida pointed out that they could perform a consumptive study in state waters. The state could also sample in federal waters if they were on a scientific vessel with a letter of support from NMFS, but would need an exempted fishing permit if they were on a fisherman's vessel. The committee was concerned that if Florida went ahead with the study then it would not be a representative geographic sample since it would most likely be constrained to state waters. It was also noted that the study could be more harmful than helpful if not done correctly.

The committee then discussed the additional information that has been gained within the past 4 years since the last assessment was completed (terminal year of data was 2009). The committee was unsure whether a new full assessment would need to be completed, or if this would just be an update of the previous one. The State of Florida volunteered to take the lead on the assessment if enough new information was available.

The committee made the following motions or recommendations:

- Motion to open fishery to a small recreational harvest associated with tags that is not necessarily for scientific data gathering. Spawning areas and popular dive sites could be excluded from harvest areas.
Motion failed.

The committee determined that since the ABC recommended by both Council SSCs for goliath was zero, the Council's could not approve any harvest of goliath grouper until after a new stock assessment and subsequent action by the SSCs providing an ABC greater than zero. The group decided that first it would be worthwhile to determine if enough new information existed to complete a stock assessment.

- REQUEST SCIENTISTS AND OTHER SOURCES PROVIDE THEIR DATA TO FWC, SEFSC STOCK ASSESSMENT ANALYSTS, AND SSC MEMBERS FOR EVALUATION AND DETERMINE IF ADEQUATE DATA HAS BEEN COLLECTED SINCE THE SEDAR 23 2011 STOCK ASSESSMENT FOR COMPLETING A NEW STOCK ASSESSMENT.
- IF ADEQUATE INFORMATION EXISTS, FWC STAFF HAS VOLUNTEERED TO TAKE THE LEAD ON THIS STOCK ASSESSMENT THROUGH THE SEDAR PROCESS. IF THE NEW DATA IS NOT ADEQUATE, THIS GROUP WOULD PROVIDE A COORDINATED SCIENTIFIC SAMPLING PLAN TO ADDRESS ANY MISSING DATA NEEDS.

Bring both committees back together at the same meeting in about 6 months to review work done by staff of Councils and FWC.

Next steps:

- Staff will compile more detailed summary of meeting
- Transcript of meeting will be available
- Each Council will receive a summary of these committee actions at their next Council meeting
- Monica Smitt-Brunello will research mechanisms/avenues available under the Magnuson Act for the various management protocols being considered.
- South Atlantic Council – receive report from Kai on goliath grouper survey

Next Meeting Possible Dates:

- July 8-10
- July 22-24

A doodle poll will be sent out by Doug Gregory to hold these dates for committee members.

Possible Location:

- Key West