

Amendment 55 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

Re-organization of complexes, Rebuilding Schedule, Catch
Level Adjustments, and Allocations for South Atlantic
Scamp and Yellowmouth Grouper

Decision Document
September 2023



Background

Stock Assessment Results

The South Atlantic stock of scamp was assessed through the Southeast Data, Assessment, and Review (SEDAR) 68 research track assessment in September 2021 (SEDAR 68 [2021]). In 2020, the first stage of the SEDAR 68 data process was a Stock ID Workshop (SEDAR 68 Stock ID Workshop [2020]), which concluded that scamp are very difficult to distinguish from yellowmouth grouper and thus, much of the assessment data likely represent both species in unknown proportions. The SEDAR 68 Stock ID Workshop (2020) recommended that the stock assessment be conducted on both scamp and yellowmouth grouper jointly, with the two species treated as a single complex (hereafter referred to as scamp and yellowmouth grouper complex). In December 2022, the SEDAR 68 operational assessment was conducted

with data through 2021 and considered scamp and yellowmouth grouper a single stock due to identification issues between the two species (SEDAR 68 [2022]). **SEDAR 68 (2022) indicated that the scamp and yellowmouth grouper stock is overfished, but that overfishing is not occurring (Figure 1).** The assessment noted that stock status was driven mainly by poor recruitment, with a pattern of low recruitment in the most recent 10 to 15-year period. This pattern of low recruitment raised the question of a regime shift, which would necessitate re-evaluation of biological reference points for this stock. However, the Scientific and Statistical Committee (SSC) considered that there was not enough evidence to determine a regime shift has occurred, primarily referencing criteria developed by Klaer et al. (2015). Since then, the South Atlantic Fishery Management Council (Council) has requested further SSC discussion on regime shifts and how these could affect management of the snapper grouper fishery.

SEDAR 68 (2021) used a maximum sustainable yield (MSY) proxy with fishing mortality (F) at 30% spawning potential ratio (SPR); however, SEDAR 68 (2022) found MSY to be poorly defined and recommended using an MSY proxy of F40%SPR. In February 2023, the Council requested projections using F30%SPR, as this is the status quo for scamp. In March 2023, the National Marine Fisheries Service (NMFS) sent a letter recommending the Council consider using the F40%SPR proxy, noting that retaining F30%SPR would not be consistent with best scientific information available (BSIA) and would contribute to greater than a 50% chance of overfishing.

In January 2023, the SSC determined SEDAR 68 (2022) was consistent with BSIA and the stock assessment was an adequate basis for determining stock status and supporting fishing level recommendations. The Council reviewed the results of SEDAR 68 (2022) at their March 2023 meeting and provided guidance to begin work on a plan amendment. At their April 2023 meeting, the SSC reviewed the results of the SEDAR 68 (2022) and provided catch level recommendations.

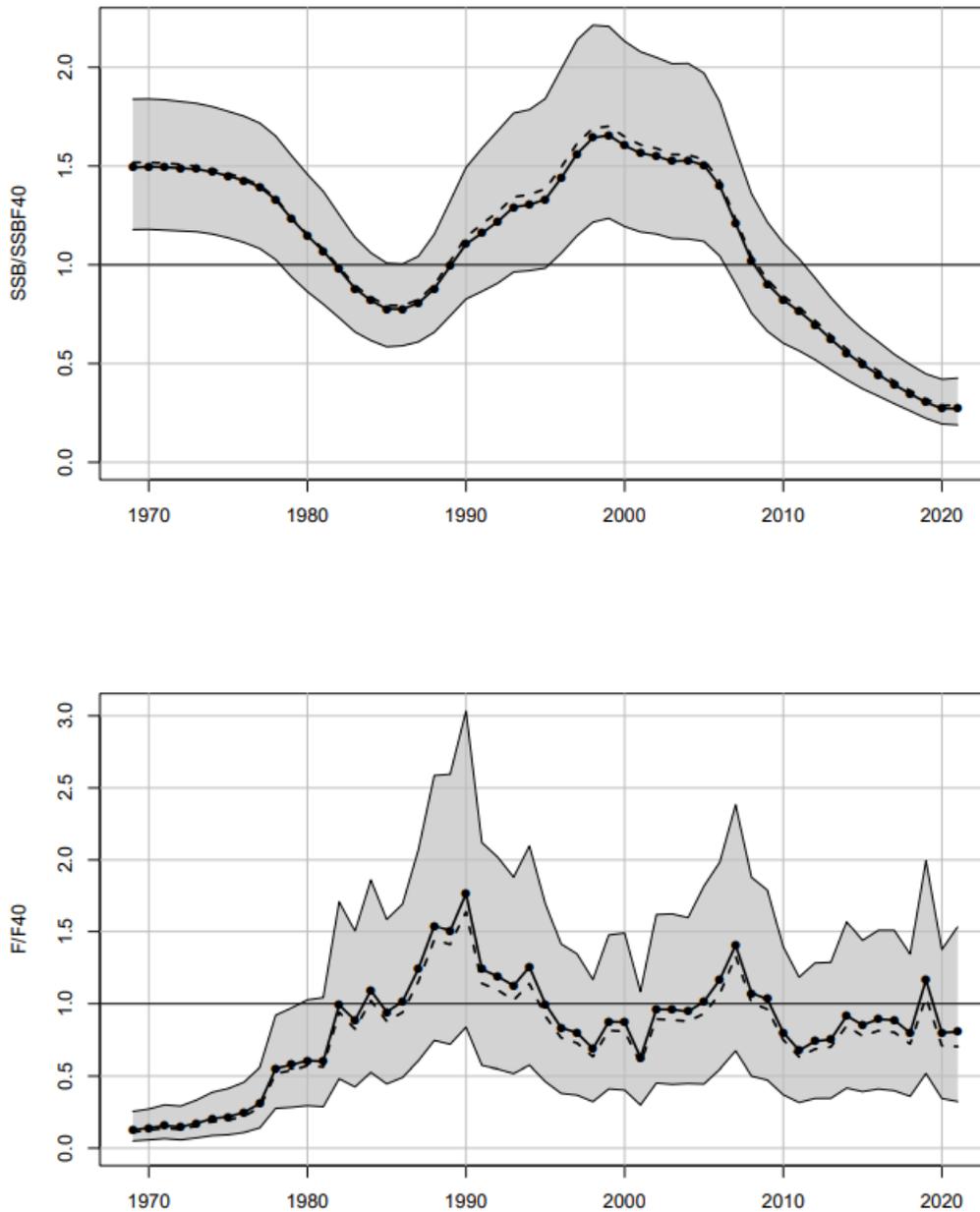


Figure 1. Top panel: spawning biomass relative to $SSB_{F40\%}$. Bottom panel: F relative to $F_{40\%}$. Solid line indicates estimates from the SEDAR 68 (2022) base run; dashed lines represent median values of the Monte Carlo/Bootstrap Ensemble (MCBE) analysis; gray error bands indicate the 5th and 95th percentiles of the MCBE.

Acceptable Biological Catch

Acceptable biological catch (ABC) recommendations for 2025 through 2029 (Table 2) were based on Scenario 7 ([SEDAR 68 Follow-Up Analysis Presentation, April SSC, Table 6](#)), which is 75% F40%SPR using the **recent low recruitment**. Landings and discards were combined since discards were a minor component.

The ABC is provided in total removals. The Council typically sets ACLs in landings. The IPT requested the SSC provide ABC values in landings and discards at their July 2023 meeting (Table 2).

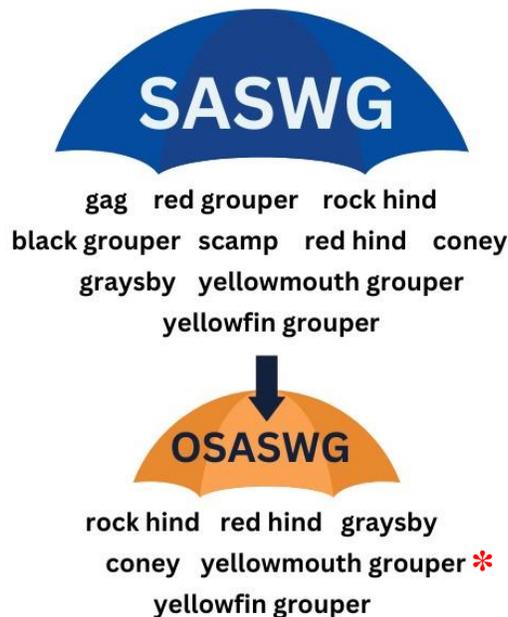
Table 1. The SSC’s recommended Status Determination Criteria (deterministic values).

Criteria	Deterministic
Overfished evaluation (SSB/MSST)	0.36
Overfishing evaluation (F/F _{MSY proxy})	0.91
MFMT (F _{MSY proxy})	0.28
SSB _{MSY} (metric tons)	1503.87
MSST (metric tons)	801.6
MSY (1000 lbs.)	372.28
Y at 75% F _{MSY} (1000 lbs.)	344.83
ABC Control Rule Adjustment	20%
P-Star	30%
SSC recommended P _{Rebuild}	70%
M	0.155
Generation Time	~ 10 years

Table 2. OFL and ABC recommendations from the SSC (April 2023) in response to SEDAR 68 (2022). ABC equals $F=75\%F_{40\%}$ with recent average (low) recruitment. Total removals include landings plus dead discards.

OFL RECOMMENDATIONS		
Year	Total Removals (lbs ww)	
2025	97,000	
2026	119,000	
2027	171,000	
2028	227,000	
2029	270,000	
ABC RECOMMENDATIONS		
Year	Total Removals (lbs ww)	Total Removals (numbers)
2025	71,000	12,000
2026	76,000	12,000
2027	79,000	13,000
2028	82,000	13,000
2029	84,000	14,000

Shallow Water Grouper Refresher



- **South Atlantic Shallow Water Grouper (SASWG) Complex** = 10 species (gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney [regulations at 622.2]).

- **The Other South Atlantic Shallow Water Grouper (OSASWG) Complex** consists of 6 species (red hind, rock hind, coney, graysby, yellowfin grouper, and yellowmouth grouper).
- **Scamp/Yellowmouth Grouper Complex:** This amendment will remove yellowmouth grouper from the OSASWG Complex and create the Scamp/Yellowmouth Grouper Complex based on the catch levels provided by SEDAR 68.

Scoping Sessions

- Scoping sessions were held July 31, August 1, and August 2 via webinar. Two members of the public attended the webinars but no written or verbal comments were received pertaining to Amendment 55.

Objectives for this meeting

Scamp/Yellowmouth Grouper Complex:

- Review actions/alternatives
- Review overfishing limit (OFL) and rebuilding timeline guidance
- Review scoping comments

Other South Atlantic Shallow Water Grouper Complex (OSASWG):

- Review ecosystem component (EC) species criteria options
- Review annual catch limit (ACL) modification options
- Review scoping comments
- Provide guidance on the preferred OSASWG strategy moving forward

Tentative Amendment Timing

✓ June 2023	Review decision document and approve for scoping
✓ Summer 2023	Conduct scoping
September 2023	Review scoping comments and select preferred total ACL alternative for the scamp/yellowmouth complex
October 2023	SG AP review
December 2023	Review preliminary analysis and approve for public hearings
Winter 2024	Hold public hearings
March 2024	Review public hearing comments and modify document as needed
April 2024	SG AP review
June 2024	Review and approve all actions
September 2024	Review draft rationale, approve for formal review

Draft Purpose and Need Statements

The *purpose* of this fishery management plan amendment is to remove yellowmouth grouper from the Other South Atlantic Shallow Water Grouper Complex and establish a new South Atlantic Scamp and Yellowmouth Grouper Complex. For the new complex, establish a rebuilding plan, specify catch levels, sector allocations, and accountability measures based on the results of the SEDAR 68 (2022) stock assessment.

The *need* for this fishery management plan amendment is to rebuild the South Atlantic Scamp and Yellowmouth Grouper Complex, and achieve optimum yield while minimizing, to the extent practicable, adverse social and economic effects.

Committee Action:

- CONSIDER REVISITING P&N AFTER OSASWG DISCUSSION

Proposed Actions

1. Reorganize the Other South Atlantic Shallow Water Grouper Complex and establish a new South Atlantic Scamp and Yellowmouth Grouper Complex

Purpose of Action:

SEDAR 68 (2021 and 2022) assessed South Atlantic scamp and yellowmouth grouper together due to misidentification issues between the species. The SSC provided catch levels, based on the assessment, for South Atlantic scamp and yellowmouth grouper combined; therefore, yellowmouth grouper must be removed from the Other South Atlantic Shallow Water Grouper Complex (OSASWG) to establish a new South Atlantic Scamp and Yellowmouth Grouper Complex. In addition, the catch levels for the OSASWG Complex must be adjusted accordingly.

Table 3. Draft alternatives for Action 1, removing yellowmouth grouper from the Other South Atlantic Shallow Water Grouper Complex.

	Complex/Stock Name	Species
Alternative 1 (No Action)	scamp	scamp ONLY
	Other SA Shallow Water Grouper Complex	graysby, coney, red hind, rock hind, yellowfin grouper, yellowmouth grouper
Alternative 2	Scamp and Yellowmouth Grouper Complex	scamp and yellowmouth grouper
	Other SA Shallow Water Grouper Complex	graysby, coney, red hind, rock hind, yellowfin grouper

Discussion:

Currently scamp and yellowmouth grouper have very similar management, however scamp has an ACL separate from the OSASWG complex which currently contains yellowmouth grouper (Table 4).

Table 4. Current management measures for scamp and the Other South Atlantic Shallow Water Grouper Complex.

Species/Complex	Total ACL (lbs ww)	Spawning Season Closure	Minimum Size limit	Recreational Bag Limit	Commercial Trip Limit
Scamp	335,744	Jan 1 - Apr 30	20 inches total length	3 fish/person aggregate shallow water grouper bag limit	none
Other Shallow Water Grouper	104,190	Jan 1 - Apr 30	20 inches total length for Yellowfin and Yellowmouth Grouper Only	3 fish/person aggregate shallow water grouper bag limit	none

Committee Action:

- PROVIDE GUIDANCE ON ACTION AND RANGE OF ALTERNATIVES.

2. Adopt maximum sustainable yield, maximum fishing mortality rate threshold, minimum stock size threshold, and equilibrium optimum yield for the South Atlantic Scamp and Yellowmouth Complex

Purpose of Action:

Because the South Atlantic Scamp and Yellowmouth Grouper Complex is being established through this amendment, status determination criteria must be adopted for the new complex. Status determination criteria that will need to be adopted for the complex includes maximum sustainable yield, maximum fishing mortality rate threshold, minimum stock size threshold, and optimum yield. Options to define the status determination criteria are provided below.

Table 7. Draft alternatives for Action 2a (MSY), 2b (MFMT), 2c (MSST), and 2d (Equilibrium OY), defining stock determination criteria for the Scamp and Yellowmouth Grouper Complex.

	Alternative	MSY	MFMT	MSST	Equilibrium OY
Sub-Action 2a	Alternative 1 (No Action)	none	-	-	-
	Alternative 2	MSY equals the yield produced by F_{MSY} or the F_{MSY} proxy of $F_{30\%SPR}$	-	-	-
	Alternative 3	MSY equals the yield produced by F_{MSY} or the F_{MSY} proxy of $F_{40\%SPR}$	-	-	-
Sub-Action 2b	Alternative 1 (No Action)	-	none	-	-
	Alternative 2	-	F_{MSY} or proxy = $F_{30\%SPR}$	-	-
	Alternative 3	-	F_{MSY} or proxy = $F_{40\%SPR}$	-	-
Sub-Action 2c	Alternative 1 (No Action)	-	-	none	-
	Alternative 2	-	-	$SSB_{MSY} ((1-M) \text{ or } 0.5, \text{ whichever is greater})$	-
	Alternative 3	-	-	75% of SSB_{MSY}	-
Sub-Action 2d	Alternative 1 (No Action)	-	-	-	none
	Alternative 2	-	-	-	75% of F_{MSY}
	Alternative 3	-	-	-	95% of F_{MSY}
	Alternative 4	-	-	-	90% of F_{MSY}

Discussion:

MSY (Maximum Sustainable Yield)

- SEDAR 68 included analyses using a MSY proxy of $F_{40\%SPR}$ for the Scamp Yellowmouth Grouper Complex and post-assessment analyses used a MSY proxy of $F_{30\%SPR}$ for the Scamp Yellowmouth Grouper Complex.
- The SEDAR 68 Report and SSC (January 2023 report) recommended using a MSY proxy of $F_{40\%SPR}$ based on Scamp and Yellowmouth Grouper life history and recent literature.
- Currently both scamp and yellowmouth grouper have a an MSY proxy of $F_{30\%SPR}$.
- Based on this information, which MSY proxy does the Council feel is most appropriate for the Scamp Yellowmouth Grouper Complex?

MFMT (Maximum Fishing Mortality Threshold)

- The current MFMT for both scamp and yellowmouth grouper is $F_{30\%SPR}$.
- The MFMT would be set equal to the fishing mortality rate that results in the MSY or F_{MSY} proxy. The SSC recommended MSY proxy of $F_{40\%SPR}$.
- Based on this information, which MFMT does the Council feel is most appropriate for the Scamp Yellowmouth Grouper Complex?

MSST (Minimum Spawning Stock Size Threshold)

- Prior to Regulatory Amendment 21, the MSST for all of the Shallow Water Groupers (including scamp and yellowmouth grouper) was $SSB_{MSY} ((1-M) \text{ or } 0.5, \text{ whichever is greater})$. This formula is still used for scamp and yellowmouth grouper.
- SEDAR 68 defined MSST as 75% of SSB_{MSY} with M estimated at 0.155 for scamp/yellowmouth grouper. Regulatory Amendment 21 changed the MSST for species based on their estimated M (natural mortality rate). It stated that MSST for any species with an M of 0.25 or lower would be 75% of SSB_{MSY} .
- Based on this information, which MSST does the Council feel is most appropriate for the Scamp Yellowmouth Grouper Complex?

Equilibrium OY

- The South Atlantic Council has not typically set equilibrium OY values for the snapper grouper stocks, instead relying on annual OY.
- Optimum yield is the long-term average amount desired from a stock or fishery. Optimum yield is reduced from MSY for the fishery based on relevant economic, social, and ecological factors. **Alternatives 2 through 4** are reduced from MSY at different percentages to account for factors in the fishery that may influence the greatest benefit to the Nation.
- Based on this information, does the Council feel an equilibrium OY is appropriate for the Scamp Yellowmouth Grouper Complex?

Committee Action:

PROVIDE GUIDANCE ON ACTIONS AND RANGE OF ALTERNATIVES.

3. Establish a rebuilding plan for the South Atlantic Scamp and Yellowmouth Grouper Complex

Purpose of Action

The results of the SEDAR 68 (2022) stock assessment indicate that the South Atlantic stock of scamp and yellowmouth grouper is overfished but not experiencing overfishing. A rebuilding plan must be established to rebuild the stock.

Note: As of August 23, 2023, the Council had not yet received a letter from NMFS regarding the overfished determination for scamp and yellowmouth grouper.

Table 8. Draft alternatives for Action 3, establishing a rebuilding plan for the Scamp and Yellowmouth Grouper Complex.

Alternative	Rebuilding Timeframe
Alternative 1 (No Action)	none
Alternative 2	$T_{\min} = 5$ years
Alternative 3	$T_{\max} = 10$ years

Discussion:

- Rebuilding projections were based on the **long-term average recruitment**.
 - Rebuilding within 10 years ($T_{\max} = 10$) is possible but this is based on long-term average recruitment, which is higher than recent recruitment and involves the assumption that recruitment will recover to previous levels.
 - The SSC noted that T_{\max} cannot be determined because all long-term scenarios had equal merit. If T_{\min} is greater than 10 years, forecasts can't provide T_{\max} with any scientific confidence.
- Rebuilding Probability:
 - MSA requires a rebuilding probability of 50% or above.
 - ABC values provided through [scenario 7](#) result in a 0% chance of rebuilding.
- Based on SEDAR 68 and the following conditions $T_{\min} = 5$ years (2030) (Figure 2)
 - $F=0$ starting in 2025
 - Probability of rebuilding = 70%

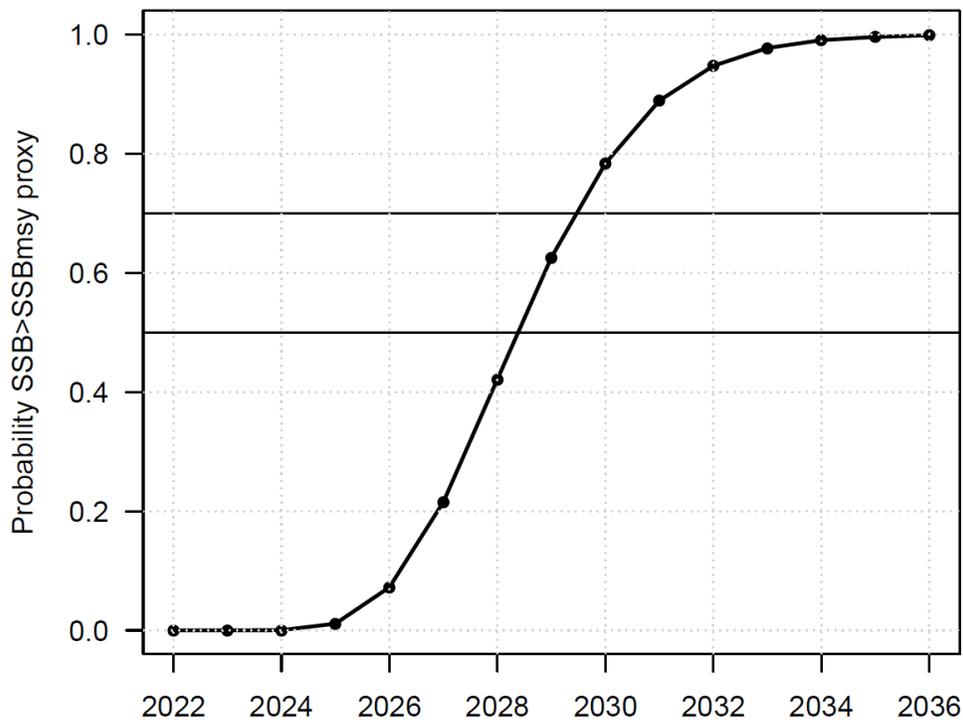


Figure 2. Projected probability of rebuilding under scenario 1—fishing mortality rate at $F = 0$ and long-term average recruitment. The curve represents the proportion of projection replicates for which SSB has reached the replicate-specific SSBF40%, with reference lines at 0.5 and 0.7. Source: SEDAR 68OA (2022), Figure 53.

Committee Action:

- PROVIDE GUIDANCE ON RANGE OF ALTERNATIVES.

4. Establish the acceptable biological catch, total annual catch limit, and annual optimum yield for the South Atlantic Scamp and Yellowmouth Grouper Complex

Purpose of Action

Catch levels are being established for the new South Atlantic Scamp and Yellowmouth Grouper Complex to respond to the most recent stock assessment, SEDAR 68 (2022).

Table 9. Draft alternatives for Action 4 establishing the ABC, total ACL, and annual OY for the Scamp and Yellowmouth Grouper Complex.

Alternative	Proposed Scamp/Yellowmouth Complex ABC, total ACL, annual OY
Alternative 1 (No Action)	none
Alternative 2	ACL=OY=ABC
Alternative 3	ACL=OY=90% of ABC

Discussion:

- Alternatives for this action would set the ACL for the **Scamp and Yellowmouth Complex only** *not* the remaining OSASWG species (red hind, rock hind, coney, graysby, yellowfin grouper).
- The IPT requested that the SSC provide ABC values in landings and discards at their July 2023 meeting. Total ACL will be calculated when these values are available.
- Both the current scamp and OSASWG (including yellowmouth grouper) ACLs are set equal to the ABC.
- Overview of ACL usage in the scamp fishery:
 - Commercial sector: harvested an average of 44.9% of commercial ACL from 2012-2022¹ (Table 10).
 - Recreational sector: harvested an average of 30.9% of recreational ACL from 2012-2022² (Table 11).

¹ Based on ACL monitoring data accessed July 17th 2023, 2022 landings are preliminary.

² Recreational CHTS landings, based on ACL monitoring data accessed July 17th 2023, 2022 landings are preliminary.

Table 10. Current total ACL, commercial allocation, commercial ACL, and commercial landings for scamp and the Other South Atlantic Shallow Water Grouper Complex, 2012-2022.

Species/Complex	Total ACL (lbs ww)	Commercial Allocation	Commercial ACL (lbs ww)	Average % of Commercial ACL used from 2012-2022
Scamp	335,744	65.34%	219,375	44.9%
Other Shallow Water Grouper	104,190	53.31%	55,542	30.0%

Table 11. Current total ACL, recreational allocation, recreational ACL, and recreational landings for scamp and the Other South Atlantic Shallow Water Grouper Complex, 2012-2022.

Species/Complex	Total ACL (lbs ww)*	Recreational Allocation	Recreational ACL (lbs ww)*	Average % of Recreational ACL used from 2012-2022
Scamp	335,744	34.66%	116,369	30.9%
Other Shallow Water Grouper	104,190	46.69%	48,648	34.8%

*The current recreational ACLs and landings in Table 11 are in MRIP Coastal Household Telephone Survey (CHTS) terms.

Committee Action:

- PROVIDE GUIDANCE ON RANGE OF ALTERNATIVES.

5. Establish the South Atlantic Scamp and Yellowmouth Grouper Complex sector allocations and sector annual catch limits

Purpose of Action

Allocations need to be established for the South Atlantic Scamp and Yellowmouth Grouper Complex in response to catch levels provided by the SSC from the most recent SEDAR 68 (2022) stock assessment.

Table 12. Draft alternatives for Action 5, establishing allocations and sector annual catch limits.

Alternative	Other SA Shallow Water Grouper allocations	Scamp allocations	Proposed Scamp/Yellowmouth Complex allocations	Explanation
Alternative 1 (No Action)	53.30% commercial 46.70% recreational	65.34% commercial 34.66% recreational	-	OSASWG: Comp ACL Formula (allocation=(0.5*1986-2008)+(0.5*2006-2008)) Scamp: Comp ACL Formula (allocation=(0.5*1986-2008)+(0.5*2006-2008))
Alternative 2	-	-	XX% commercial XX% recreational	Split Reduction Method using average landings from 2018-2022
Alternative 3	-	-	XX% commercial XX% recreational	Split Reduction Method using average landings from 2013-2022
Alternative 4			XX% commercial XX% recreational	Distribution of landings from 2013-2022
Alternative 5	-	-	XX% commercial XX% recreational	Distribution of landings from 2018-2022

Discussion:

- **Alternatives 2 through 5** were added after the June 2023 meeting. Allocation percentages and sector ACLs will be calculated prior to the December 2023 meeting. The IPT discovered data confidentiality challenges when working with both the commercial and recreational landings of yellowmouth grouper but are currently working on a way to aggregate the data to provide the Council with allocation percentages and sector ACLs for Action 5.
- The Split Reduction method was used to determine gag sector allocations in Amendment 53. The method reduces each sector's landings proportional to a baseline of historic average landings to achieve the updated catch levels.

Committee Action:

- PROVIDE GUIDANCE ON RANGE OF ALTERNATIVES

6. Establish commercial accountability measures for the Scamp and Yellowmouth Grouper Complex

Purpose of Action

Accountability measures need to be established for the Scamp and Yellowmouth Grouper Complex to contribute to the rebuilding plan by ensuring that commercial catch levels are not exceeded and to correct for overages if they occur.

Table 13. Draft alternatives for Action 6, establishing commercial accountability measures for the South Atlantic Scamp and Yellowmouth Grouper Complex.

Alternative	In-Season AM		Post-Season AM	
	Triggers	AM	Triggers	AM
Alternative 1 (No Action)	No commercial AM for the South Atlantic Scamp and Yellowmouth Grouper Complex, retain current AMs for scamp (individually) and yellowmouth grouper (within the OSASWG Complex)			
Alternative 2	Commercial landings meet/expected to meet sector ACL	Current commercial season closes	<ul style="list-style-type: none"> • Commercial landings exceed/expected to exceed the commercial ACL • Total ACL exceeded • Stock is overfished <p>*All triggers must be present for AM to occur</p>	<ul style="list-style-type: none"> • Commercial ACL is reduced for the following year by the amount of the overage
Alternative 3	NONE		<p>Commercial landings exceed Commercial ACL</p> <p>*Not tied to stock status or total ACL</p>	Commercial season for the following year is reduced by the amount necessary to prevent the commercial ACL from being exceeded
Alternative 4	Commercial landings meet/expected to meet sector ACL	Current commercial season closes	<p>Commercial landings exceed commercial ACL</p> <p>*Not tied to stock status or total ACL</p>	Commercial season for the following year is reduced by the amount necessary to prevent the commercial ACL from being exceeded

Discussion:

- **Alternative 2** represents the current commercial AM for scamp and the OSASWG Complex.
- Is it reasonable to forego a commercial in-season closure for a stock that is overfished (**Alternative 3**)?
- **Alternative 3** and **4** represent the recent current *recreational* AM modifications the Council has made for other stocks (such as for gag in Amendment 53).

Committee Action:

- PROVIDE GUIDANCE ON RANGE OF ALTERNATIVES.

7. Establish recreational accountability measures for the Scamp and Yellowmouth Grouper complex

Purpose of Action

Accountability measures need to be established for the Scamp and Yellowmouth Grouper Complex to contribute to the rebuilding plan by ensuring that recreational catch levels are not exceeded and to correct for overages if they occur.

Table 14. Draft alternatives for Action 7, establishing recreational accountability measures for the Scamp and Yellowmouth Grouper Complex.

Alternative	In-Season AM		Post-Season AM	
	Triggers	AM	Triggers	AM
Alternative 1 (No Action)	No recreational AM for the South Atlantic Scamp and Yellowmouth Grouper Complex, retain current AMs for scamp (individually) and yellowmouth grouper (within the OSASWG Complex)			
Alternative 2	The season will open annually May 1, NMFS will annually announce the season end date			
Alternative 3	Recreational landings meet/expected to meet sector ACL	Current recreational season closes	<ul style="list-style-type: none"> • Recreational landings exceed/expected to exceed the recreational ACL • Total ACL exceeded • Stock is overfished <p>*All triggers must be present for AM to occur</p>	Recreational ACL is reduced for the following year by the amount of the overage
Alternative 4	NONE		<p>Recreational landings exceed recreational ACL</p> <p>*Not tied to stock status or total ACL</p>	Recreational season for the following year is reduced by the amount necessary to prevent the recreational ACL from being exceeded
Alternative 5	Recreational landings meet/expected to meet sector ACL	Current recreational season closes	<p>Recreational landings exceed recreational ACL</p> <p>*Not tied to stock status or total ACL</p>	Recreational season for the following year is reduced by the amount necessary to prevent the recreational ACL from being exceeded

- **Alternative 3** represents the current recreational AM for scamp and the OSASWG Complex.
- **Alternative 3** and **4** represent the recent current recreational AM modifications the Council has made for other stocks (such as for gag in Amendment 53).

IPT RECOMMENDATION: The IPT recommends the Council consider removing **Alternative 2** noting that due to the recreational data for scamp and yellowmouth, season projection confidence intervals would be large and therefore an accurate season prediction/announcement may not be possible.

Discussion:

- Are there any additional AM options that the Council would like to consider?
- Consider the practicability of an in-season closure if the season is ACL is projected to be met under updated catch levels.

Committee Action:

- PROVIDE GUIDANCE ON RANGE OF ALTERNATIVES.

Other South Atlantic Shallow Grouper: Ecosystem Component Species Designation or ACL Update

8a. Determine if red hind, rock hind, coney, graysby, and yellowfin grouper continue to need federal management under the Snapper Grouper Fishery Management Plan.

Discussion:

Ecosystem component (EC) species are defined as “stocks that a Council or the Secretary has determined do not require conservation and management, but desire to list in a fishery management plan (FMP) in order to achieve ecosystem management objectives” (50 C.F.R §600.305(d)(13)). According to National Standards General guidelines as found in 50 C.F.R §600.305(c)(1) “...a Council should consider the following non-exhaustive list of factors when deciding whether additional stocks require conservation and management:

- (i) *The stock is an important component of the marine environment.*
- (ii) *The stock is caught by the fishery.*
- (iii) *Whether an FMP can improve or maintain the condition of the stock.*
- (iv) *The stock is a target of a fishery.*
- (v) *The stock is important to commercial, recreational, or subsistence users.*
- (vi) *The fishery is important to the Nation or to the regional economy.*
- (vii) *The need to resolve competing interests and conflicts among user groups and whether an FMP can further that resolution.*
- (viii) *The economic condition of a fishery and whether an FMP can produce more efficient utilization.*
- (ix) *The needs of a developing fishery, and whether an FMP can foster orderly growth.*
- (x) *The extent to which the fishery is already adequately managed by states, by state/Federal programs, or by Federal regulations pursuant to other FMPs or international commissions, or by industry self-regulation, consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act and other applicable law.”*

If it is determined that a stock requires conservation and management, then “such stocks must have annual catch limits (ACL), other reference points, and accountability measures. Other stocks that are identified in an FMP (i.e., EC species or stocks that the fishery interacts with but are managed primarily under another FMP)...do not require ACLs, other reference points, or accountability measures” (50 C.F.R §600.310(d)(1)).

Things to consider if the 5 OSASWG species are designated as EC species:

- **Nature of Designation** – Typically the EC species designation in the Southeast has removed *all* federal management measures (ACLs, AMs, bag/trip limits, etc.). However, in the Mid-Atlantic a group of species was designated as ecosystem component species. This group does not have ACLs and AMs, but they do have an aggregate trip limit, permit requirement, transit provisions, and reporting requirement (82 FR 40721, Mid-Atlantic Unmanaged Omnibus Amendment 2017).
 - If the Council decides to designate the remaining OSASWG species in the same way as the Mid-Atlantic Unmanaged Omnibus Amendment – the current ACL and AM could be removed for the OSASWG species, and the following could potentially be retained:
 - Spawning season closure
 - Aggregate bag limit
 - Size limit (yellowfin grouper)

If ALL management were removed (ACLs, AMs, spawning season closure, bag limits, and size limit) the following topics should be considered:

- **Recreational bag limit issues** – currently there is an aggregate bag limit that includes all 10 SASWG species. If the remaining 5 OSASWG species are removed from the aggregate bag limit it could increase landings for both the OSASWG species as EC species and the remaining species (gag, black grouper, red grouper, and scamp/yellowmouth).
 - Scenario:
 - **Under current conditions:** you keep 3 coney, your aggregate shallow water grouper bag limit is met and no more shallow water groupers can be kept.
 - **OSASWG Species are EC species:** you keep 3 coney **and** you can continue keeping shallow water groupers such as a scamp/yellowmouth grouper, a gag, and a red grouper.
- **Discards** – if effort is increased due to bag limit issues, there is a potential for increased discards for both the OSASWG species (as EC species) and remaining SASWG species.
- **Spawning season closure** – if designated as EC species, the spawning season would no longer apply.
 - Consider how fishermen catching the OSASWG species from Jan-Apr would affect discards of gag, black grouper, red grouper, and scamp/yellowmouth grouper.
- **Which species?** If some of the OSASWG species fit the EC criteria but others do not, how would the Council like to proceed?

OTHER SASWG COMPLEX ABC BREAKDOWN (LBS WW)

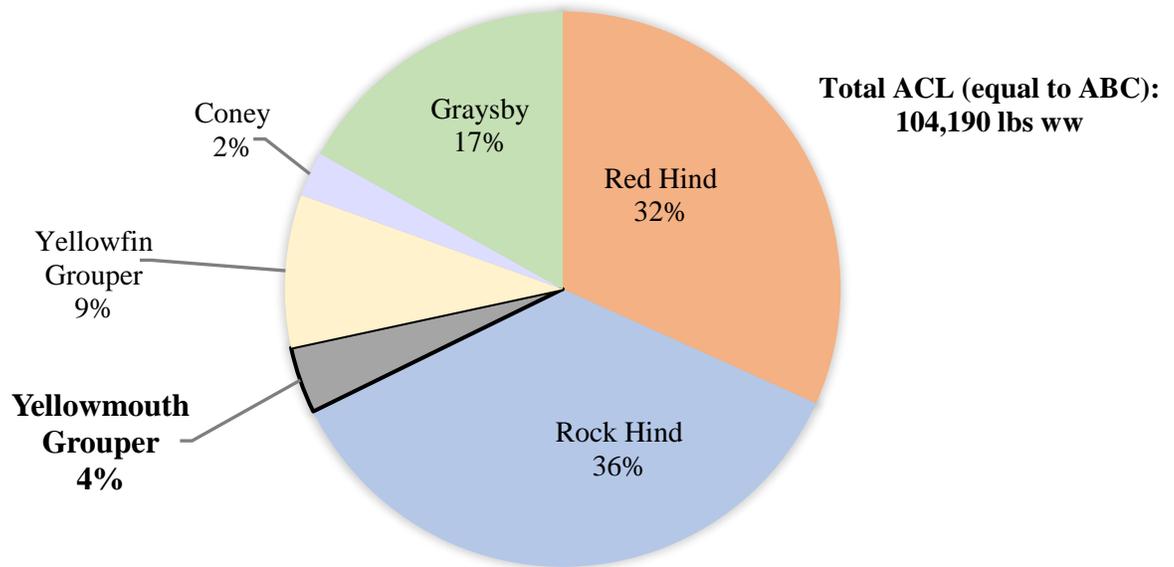


Figure 3. The ABC/ACL breakdown of the other South Atlantic shallow water grouper complex. Percentages are portions of the total ACL and do not reflect landings.

8b. Revise the total annual catch limit, annual optimum yield, and sector annual catch limits for the Other South Atlantic Shallow Water Grouper Complex

Option 1 (No Action). The total annual catch limit and annual optimum yield for Other South Atlantic Shallow Water Grouper Complex is equal to the current acceptable biological catch (104,190 pounds whole weight). The current commercial and recreational allocations and sector annual catch limits are 53.30% (55,542 pounds whole weight) 46.70% (48,648 pounds whole weight). The current acceptable biological catch level and sector annual catch limits are inclusive of recreational estimates from the Marine Recreational Information Program’s Coastal Household Telephone Survey.

Option 2. Revise the Other South Atlantic Shallow Water Grouper Complex acceptable biological catch and set it equal to the most recent recommendation from the Scientific and Statistical Committee. Revise the total annual catch limit and annual optimum yield for the Other South Atlantic Shallow Water Grouper Complex and set them equal to the recommended acceptable biological catch. The current commercial and recreational allocations and sector annual catch limits are 53.30% (XX,XXX pounds whole weight) 46.70% (XX,XXX pounds whole weight). The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Discussion:

- The current commercial and recreational allocation percentages (Table 15) were developed during the Comprehensive ACL Amendment (Snapper Grouper Amendment 25, 2011) using the following formula:

$$(50\% \times \text{average landings from 1986-2008}) + (50\% \times \text{average landings from 2006-2008})$$

Table 15. Options to modify the Other South Atlantic Shallow Water Grouper ACL, allocations, and sector ACLs.

Option	ABC (lbs ww)*	Total ACL (lbs ww)*	Commercial Allocation	Recreational Allocation	Commercial ACL (lbs ww)*	Recreational ACL (lbs ww)*
Option 1 (No Action)	104,190	104,190	53.30%	46.70%	55,542	48,648
Option 2	XXX,XXX	XXX,XXX	53.30%	46.70%	XX,XXX	XX,XXX

*The current total recreational ACLs and landings in Table 15 are in MRIP Coastal Household Telephone Survey (CHTS) terms.

Things to consider if the OSASWG ACL/Sector ACLs are revised:

- The SSC previously recommended the OSASWG ACL be revised in the Unassessed Species Amendment.
- The updated ABC for the OSASWG Complex that was previously developed by the Unassessed Stocks Workgroup (2019) was developed using either the 3rd highest or ORCS method. The “3rd highest” method is no longer considered BSIA (Table 16).
- The SSC would need to develop a new method for updating this ACL.
 - This likely wouldn’t be available until September or December 2024.
- Allocations: would the Council like to retain the current allocation percentages and apply them to the updated ACL or modify them?

Table 16. ABC recommendations, the basis used to derive those recommendations, and the reference period of years used in this method. Source: SSC Report from the October 15-17, 2019 meeting (Final revised November 19, 2019).

FMP/Complex	Stock	ABC Basis	Reference Period	ABC Value	
				Current Value	Revised ABC Value
Shallow-Water Complex (Other South Atlantic Shallow Water Grouper)	Coney	Decision Tree (3rd Highest)	99-07	2,718	3,931
	Graysby	Decision Tree (3rd Highest)	99-07	17,597	26,086
	Red Hind	ORCS	99-07	33,084	45,227
	Rock Hind	ORCS	99-07	37,493	53,592
	Yellowfin Grouper	Decision Tree (3rd Highest)	99-07	9,258	9,259
	Yellowmouth Grouper	Decision Tree (3rd Highest)	99-07	4,040	5,607

Committee Action:

- DISCUSS THE OPTIONS FOR PROCEEDING WITH MODIFYING THE OSASWG COMPLEX AND PROVIDE GUIDANCE TO STAFF.
- MODIFY THE PURPOSE AND NEED TO REFLECT THE COUNCIL’S PREFERRED OSASWG STRATEGY.

Literature Cited

Klaer, N. L., O’Boyle, R. N., Deroba, J. J., Wayte, S. E., Little, L. R., Alade, L. A., & Rago, P. J.(2015). How much evidence is required for acceptance of productivity regime shifts in fish stock assessments: Are we letting managers off the hook? *Fisheries Research*, 168, 49–55. <https://doi.org/10.1016/j.fishres.2015.03.021>.

Appendix

Appendix I. Current Catch Levels and Regulations

Table A-1. Current regulations for scamp and the shallow water grouper complex.

Regulation	Current Shallow Water Grouper Complex						
	Scamp	Coney	Graysby	Red Hind	Rock Hind	Yellowfin grouper	Yellowmouth grouper
aggregate bag limit	3	3	3	3	3	3	3
bag limit	3	3	3	3	3	3	3
trip limit	NA	NA	NA	NA	NA	NA	NA
size limit	20 in TL	NA	NA	NA	NA	20 in TL	20 in TL
Spawning Season Closure	Jan 1 – Apr 30	January 1 – April 30					

Table A-2. The species-specific portions of the shallow water grouper complex ACL.

Shallow Water Grouper Complex	ABC lbs ww	ACL lbs ww	Commercial ACL lbs ww (53.30%)	Recreational ACL lbs ww (46.70%)
Red Hind	33,084	33,084	24,350	8,734
Rock Hind	37,493	37,493	22,833	14,660
Yellowmouth Grouper	4,039	4,039	44	3,995
Yellowfin Grouper	9,258	9,258	4,879	4,379
Coney	2,718	2,718	665	2,053
Graysby	17,598	17,598	2,771	14,827
COMPLEX TOTAL	104,190	104,190	55,542	48,648

Appendix II. Current Accountability Measures

Commercial

Scamp:

- (i) If commercial landings for scamp, as estimated by the SRD, reach or are projected to reach the commercial ACL of 219,375 lb (99,507 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of scamp is prohibited and harvest or possession of scamp in or from the South Atlantic EEZ is limited to the bag and possession limits. These bag and possession limits apply in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters.
- (ii) If commercial landings for scamp, as estimated by the SRD, exceed the commercial ACL, and the combined commercial and recreational ACL of 335,744 lb (152,291 kg), round weight, is exceeded, and scamp are overfished based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register to reduce the commercial ACL for that following fishing year by the amount of the commercial ACL overage in the prior fishing year.

Other South Atlantic Shallow Water Grouper:

- (i) If commercial landings for other SASWG combined, as estimated by the SRD, reach or are projected to reach the commercial ACL of 55,542 lb (25,193 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the commercial sector for this complex for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase of red hind, rock hind, yellowmouth grouper, yellowfin grouper, coney, and graysby is prohibited, and harvest or possession of any of these species in or from the South Atlantic EEZ is limited to the bag and possession limits. These bag and possession limits apply in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters.
- (ii) If commercial landings for other SASWG combined, as estimated by the SRD, exceed the commercial ACL, and the combined commercial and recreational ACL of 104,190 lb (47,260 kg), round weight, is exceeded, and at least one of the species in other SASWG combined is overfished based on the most recent status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register to reduce the commercial ACL for that following fishing year by the amount of the commercial ACL overage in the prior fishing year

Recreational

Scamp:

- (i) If recreational landings for scamp, as estimated by the SRD, reach or are projected to reach the recreational ACL of 116,369 lb (52,784 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year regardless if the stock is overfished, unless NMFS determines that no closure is necessary based on the best scientific information available. On and after the effective date of such a notification, the bag and possession limits for scamp in or from the South Atlantic EEZ are zero.
- (ii) If recreational landings for scamp, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year recreational landings will be monitored for a persistence in increased landings, and if necessary, the AA will file a notification with the Office of the Federal Register to reduce the length of the recreational fishing season and the recreational ACL by the amount of the recreational ACL overage, if scamp are overfished based on the most recent Status of U.S. Fisheries Report to Congress, and if the combined commercial and recreational ACL of 335,744 lb (152,291 kg), round weight, is exceeded during the same fishing year. NMFS will use the best scientific information available to determine if reducing the length of the recreational fishing season and recreational ACL is necessary. When the recreational sector is closed as a result of NMFS reducing the length of the recreational fishing season and ACL, the bag and possession limits for scamp in or from the South Atlantic EEZ are zero.

Other SASWG:

- (i) If recreational landings for other SASWG combined, as estimated by the SRD, reach or are projected to reach the recreational ACL of 48,648 lb (22,066 kg), round weight, the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year regardless if any stock in other SASWG combined is overfished, unless NMFS determines that no closure is necessary based on the best scientific information available. On and after the effective date of such a notification, the bag and possession limits for any species in the other SASWG combined in or from the South Atlantic EEZ are zero.
- (ii) If recreational landings for other SASWG combined, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year recreational landings will be monitored for a persistence in increased landings, and if necessary, the AA will file a notification with the Office of the Federal Register to reduce the length of the recreational fishing season and the recreational ACL by the amount of the recreational ACL overage, if at least one of the species in other SASWG combined is overfished based on the most recent Status of U.S. Fisheries Report to Congress, and if the combined commercial and recreational ACL of 104,190 lb (47,260 kg) is exceeded during the same fishing year. NMFS will use the best scientific information available to determine if reducing the length of the recreational fishing season and recreational ACL is necessary. When the recreational sector is

closed as a result of NMFS reducing the length of the recreational fishing season and ACL, the bag and possession limits for any species in the other SASWG combined in or from the South Atlantic EEZ are zero.