

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

Re-organization of complexes; Establishment of new Scamp and Yellowmouth Grouper complex, Status determination criteria, Rebuilding plan, Catch levels, Sector allocations, Accountability measures; and Catch level modification for the Other South Atlantic Shallow Water Grouper complex



**Environmental Assessment, Initial Regulatory Flexibility Analysis, and
Regulatory Impact Review**

December 2023 DRAFT

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Award Number **FNA15NMF4410010**

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

Proposed action(s):

Reorganize the Other South Atlantic Shallow Water Grouper complex, establish a new Scamp and Yellowmouth Grouper complex including stock determination criteria, catch levels, sector allocations, and accountability measures. Modify the catch levels for the remaining species within the Other South Atlantic Shallow Water Grouper complex.

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This environmental assessment (EA) is being prepared using the 2020 CEQ NEPA Regulations as modified by the Phase I 2022 revisions. The effective date of the 2022 revisions was May 20, 2022, and reviews begun after this date are required to apply the 2020 regulations as modified by the Phase I revisions unless there is a clear and fundamental conflict with an applicable statute. This EA began on [April 28, 2023] and accordingly proceeds under the 2020 regulations as modified by the Phase I revisions.

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Summary

Why is the South Atlantic Fishery Management Council considering action?

The latest Southeast Data, Assessment, and Review (SEDAR) stock assessment (SEDAR 68 2022) assessed scamp and yellowmouth grouper in the South Atlantic as a single species due to misidentification issues between the two species. Because this assessment provided stock status recommendations for both species together, the Other South Atlantic Shallow Water Grouper complex (OSASWG complex) which currently contains the following species: coney, graysby, rock hind, red hind, yellowfin grouper, and yellowmouth grouper needs to be reorganized. This complex has a single catch level and accountability measure applied to the ten species whereas the South Atlantic stock of scamp has a separate catch level and accountability measure. This amendment would remove yellowmouth grouper from the OSASWG complex and establish a new Scamp and Yellowmouth Grouper complex (Scamp and Yellowmouth Grouper complex).

Because the Scamp and Yellowmouth Grouper complex has yet to be established, Amendment 55 would implement the following for the new complex: the stock maximum sustainable yield (MSY), maximum fishing mortality threshold (MFMT), minimum stock size threshold (MSST), and equilibrium optimum yield (OY). In addition to these stock determination criteria, a rebuilding plan would be established for the new complex in response to the assessment. SEDAR 68 (2022) indicated that the stock of scamp and yellowmouth grouper in the South Atlantic are overfished but not experiencing overfishing. Under the Magnuson-Stevens Fishery Conservation and Management Act, a Council has to develop a new rebuilding plan for an overfished stock two years from when it receives notification from the National Marine Fisheries Service (NMFS). NMFS notified the South Atlantic Fishery Management Council (Council) of the overfished status of scamp and yellowmouth grouper on September 21, 2023; therefore, a rebuilding plan must be implemented by September 2025.

The Council's Scientific and Statistical Committee reviewed the assessment and recommended an overfishing limit (OFL) and acceptable biological catch (ABC). The Council would adopt these catch levels and establish an annual catch limit (ACL). The current catch levels for scamp (individual) and yellowmouth grouper (within the OSASWG complex) are inclusive of recreational landings estimates using the Marine Recreational Information Program (MRIP) Coastal Household Telephone Survey (CHTS) method. The new catch levels for the Scamp and Yellowmouth Grouper complex include recreational landings estimates using the MRIP's Fishing Effort Survey (FES) method, which is considered more reliable and robust compared to the MRIP-CHTS method (see Section 1.6). After catch levels are established, sector allocations, sector ACLs, and accountability measures (AMs) would be put in place.

Because yellowmouth grouper would be removed from the OSASWG complex, the total ACL and sector ACLs would be modified for the remaining five species: coney, graysby, rock hind, red hind, and yellowfin grouper. This ACL is currently inclusive of recreational landings estimates using the MRIP-CHTS method. This amendment would modify the ACL to reflect the

reorganization of the complexes, however the ACL would remain inclusive of recreational estimates from the MRIP-CHTS. The OSASWG species are data limited, unassessed species. Following the Unassessed Stocks Workgroup meeting in 2020, ABC recommendations for these five species were provided by the SSC using recreational landings estimates using the MRIP-FES method, however the catch levels were determined using the 3rd highest landings and Only Reliable Catch (ORCS) methods, both of which are no longer considered best scientific information available (BSIA). During the April 2023 SSC meeting, the SSC recommended the OSASWG ACL be revised in the upcoming Unassessed Species Amendment. However, this would likely not be completed and provided to the Council for review until September or December of 2024.

Recreational landings of yellowmouth grouper are confidential from 2014 through 2022, and commercial landings are confidential from 1986 through 2022. When removing yellowmouth grouper from the OSASWG complex and combining yellowmouth grouper landings with scamp landings for the Scamp and Yellowmouth Grouper complex, yellowmouth grouper landings can easily be calculated. To ensure confidentiality of these landings is retained, yellowmouth grouper landings were averaged over 3-year bins. The difference between the original confidential landings and the 3-year average was minimized for both sectors. Annual estimates of scamp landings and the updated non-confidential yellowmouth grouper landings were then summed by sector to create annual estimates for the Scamp and Yellowmouth Grouper complex.

Purpose and Need

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

Need: The *need* for this fishery management plan amendment is to rebuild the scamp and yellowmouth grouper stock, and achieve optimum yield while minimizing, to the extent practicable, adverse social and economic effects.

What actions are being proposed in this plan amendment?

Amendment 55 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region proposes 8 actions. Below are the Council's preferred alternatives for each action.

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

Purpose of Action: SEDAR 68 (2022) assessed scamp and yellowmouth grouper in the South Atlantic together due to misidentification issues between the species. The SSC provided catch levels, based on the assessment, for 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 Scamp and Yellowmouth Grouper complex. In addition, the catch levels for the OSASWG complex must be adjusted accordingly.

Preferred Alternative X. TO BE COMPLETED

Action 2. Establish maximum sustainable yield, maximum fishing mortality threshold, minimum stock size threshold, and equilibrium optimum yield for the Scamp and Yellowmouth Grouper complex

Purpose of Action and Sub Actions: Because the Scamp and Yellowmouth Grouper complex is being established through this amendment, status determination criteria must be defined for the new complex. Status determination criteria that would need to be defined for the complex includes maximum sustainable yield, maximum fishing mortality threshold, minimum stock size threshold, and optimum yield.

Sub Action 2a. Establish the maximum sustainable yield for the Scamp and Yellowmouth Grouper complex.

Preferred Alternative X. TO BE COMPLETED

Sub Action 2b. Establish the maximum fishing mortality threshold for the Scamp and Yellowmouth Grouper complex.

Preferred Alternative X. TO BE COMPLETED

Sub Action 2c. Establish the minimum stock size threshold for the Scamp and Yellowmouth Grouper complex.

Preferred Alternative X. TO BE COMPLETED

Sub Action 2d. Establish the equilibrium optimum yield for the Scamp and Yellowmouth Grouper complex.

Preferred Alternative X. TO BE COMPLETED

Action 3. Establish a rebuilding timeframe for the 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 timeframe must be established to rebuild the stock.

Preferred Alternative X. TO BE COMPLETED

Action 4. Establish the acceptable biological catch and total annual catch limit for the 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). The recommended ABC from SEDAR 68 (2022) are inclusive of recreational estimates from the MRIP-FES survey.

Preferred Alternative X. TO BE COMPLETED

Action 5. Establish sector allocations and sector annual catch limits for the Scamp and Yellowmouth Grouper complex

Purpose of Action: Allocations need to be established for the new Scamp and Yellowmouth Grouper complex in response to catch levels provided by the SSC from the most recent SEDAR 68 (2022) stock assessment.

Preferred Alternative X. TO BE COMPLETED

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

Purpose of Action: Accountability measures need to be established for the new 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.

Preferred Alternative X. TO BE COMPLETED

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

Purpose of Action: Accountability measures need to be established for the new 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.

Preferred Alternative X. TO BE COMPLETED

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

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Purpose of Action: In Action 1 the Other South Atlantic Shallow Water Grouper complex (OSASWG) was modified and yellowmouth grouper was removed. The OSASWG ACL must therefore be updated to remove the portion that was previously allocated for yellowmouth grouper. The ABC and ACL for this complex currently include recreational landings estimates using the MRIP-CHTS method and would not change in this amendment would. The current sector allocation percentages would also not change.

Preferred Alternative X. TO BE COMPLETED

Chapter 1. Introduction

1.1 What actions are being proposed in this plan amendment?

The actions in Amendment 55 to the Fishery Management Plan (FMP) for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP) would reorganize the Other South Atlantic Shallow Water Grouper complex (OSASWG complex) and establish a new Scamp and Yellowmouth Grouper complex in the South Atlantic (Scamp and Yellowmouth Grouper complex). For the Scamp and Yellowmouth Grouper complex, status determination criteria, a rebuilding plan, acceptable biological catch (ABC), total annual catch limit (ACL), sector allocations, sector ACLs, and accountability measures (AM) would be established. The ACL for the OSASWG complex would be modified for the remaining species.

1.2 Who is proposing the amendment?

The South Atlantic Fishery Management Council (Council) is responsible for managing snapper grouper species in the South Atlantic region. The Council develops the amendment and submits it to the National Marine Fisheries Service (NMFS) who determines whether to approve the amendment and publish a rule to implement the amendment on behalf of the Secretary of Commerce. NMFS is an agency of the National Oceanic and Atmospheric Administration within the Department of Commerce. Guided by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Council works with NMFS and other partners to sustainably manage fishery resources in the South Atlantic.

The Council and NMFS are also responsible for making this document available for public comment. The draft environmental assessment (EA) was made available to the public during the scoping process, public hearings, and Council meetings. The EA/amendment would be made available for comment during the rulemaking process.

South Atlantic Fishery Management Council

- Responsible for conservation and management of fish stocks in the South Atlantic Region.
- Consists of 13 voting members and 4 non-voting members; voting members include 1 representative from each of the 4 South Atlantic state fishery management agencies, 8 members appointed by the Secretary of Commerce, and the Southeast Regional Administrator of NMFS.
- Responsible for developing fishery management plans and amendments under the Magnuson-Stevens Act; recommends actions to NMFS for implementation.
- Management area is from 3 to 200 nautical miles off the coasts of North Carolina, South Carolina, Georgia, and east Florida through Key West, except for Mackerel which is from New York to Florida, and Dolphin-Wahoo, which is from Maine to Florida.

1.3 Where is the project located?

Management of the federal snapper grouper fishery located off the southeastern United States (South Atlantic) in the 3-200 nautical miles U.S. exclusive economic zone (EEZ) is conducted under the Snapper Grouper FMP (SAFMC 1983) (Figure 1.3.1). There are 55 species managed by the Council under the Snapper Grouper FMP.

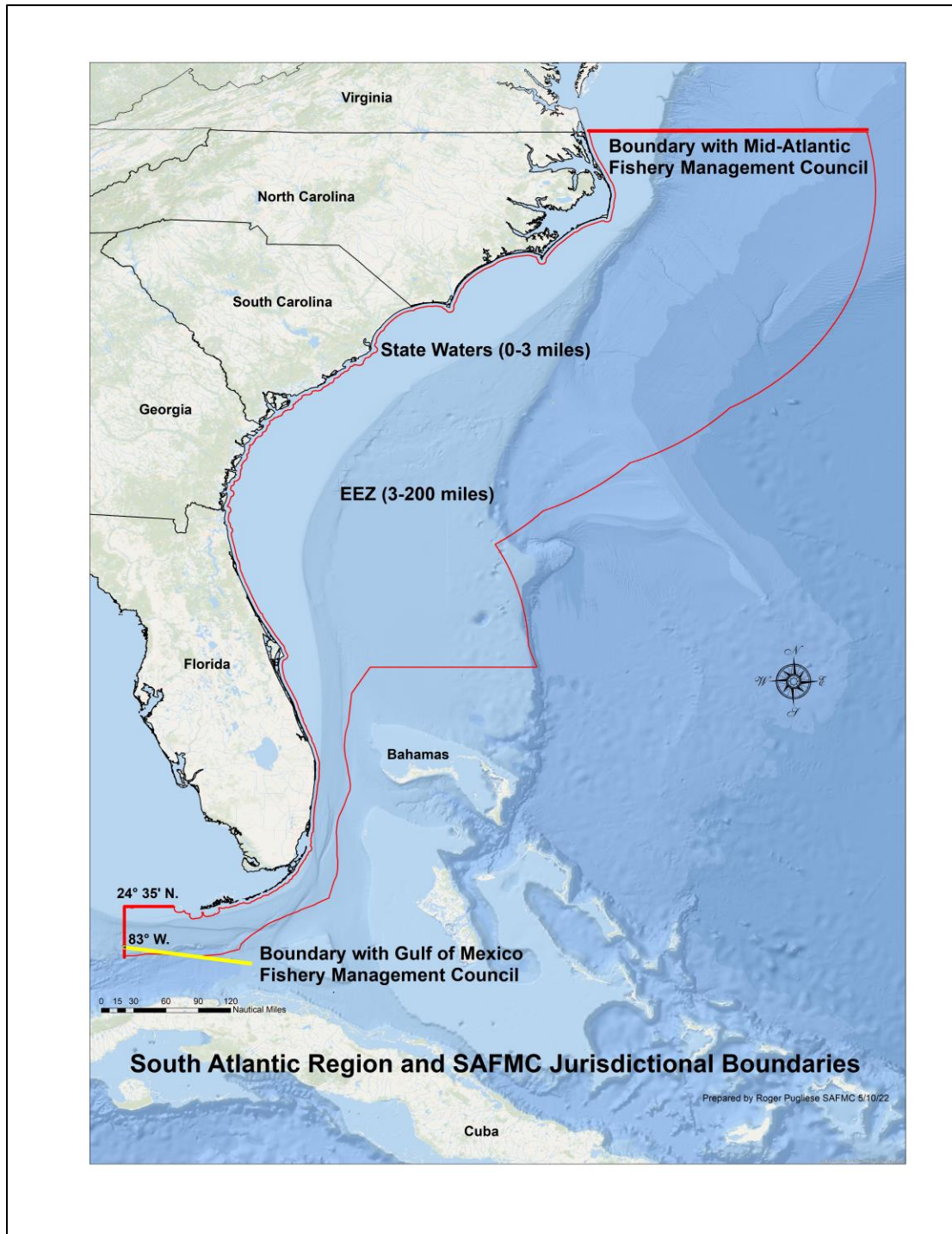


Figure 1.3.1. Jurisdictional boundaries of the Council.

1.4 Why is the Council considering action (Purpose and need statement)?

Purpose: 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 Scamp and Yellowmouth Grouper complex. For the new complex, establish: stock determination criteria, a rebuilding plan, catch levels, sector allocations, and accountability measures based on the results of the SEDAR 68 (2022) stock assessment

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

The Council is considering action to respond to the most recent stock assessment for scamp and yellowmouth grouper in the South Atlantic (SEDAR 68 2022). The findings of the assessment indicated that the scamp and yellowmouth stock in the South Atlantic is overfished but is not experiencing overfishing. The National Marine Fisheries Service (NMFS) notified the Council of the overfished status of scamp and yellowmouth grouper on September 21, 2023. Under the Magnuson-Stevens Fishery Conservation and Management Act, a Council has to develop a new rebuilding plan for an overfished stock two years from when it receives notification from NMFS. Therefore, a rebuilding plan for scamp and yellowmouth grouper in the South Atlantic must be implemented by September 2025.

1.5 What are the acceptable biological catch and overfishing limit recommendations for the Scamp and Yellowmouth Grouper complex?

The Council's Scientific and Statistical Committee (SSC) reviewed the scamp and yellowmouth grouper stock assessment (SEDAR 68 2022) at their April 2023 meeting. The assessment followed a standard approach with data through 2021 and incorporated the revised landings estimates for recreational catch using the Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES). The SSC found that the assessment was conducted using the best scientific information available (BSIA), was adequate for determining stock status and supporting fishing level recommendations (Table 1.5.1).

Table 1.5.1. OFL and ABC recommendations for the scamp and yellowmouth grouper stock provided by the SSC in April 2023. Total removals are provided in numbers and pounds (lbs) whole weight (ww).

OFL RECOMMENDATIONS		
Year	Total Removals (lbs ww)	
2025	88,000	
2026	109,000	
2027	157,000	
2028	210,000	
2029	252,000	
ABC RECOMMENDATIONS (TOTAL REMOVALS)		
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

Council staff also requested ABC values in landings and dead discards in addition to the total removals values provided by the SSC. Two methods were explored to ascertain landings and dead discards, and ultimately it was determined that total removals could be split into 95% landings and 5% dead discards (Table 1.5.2). For full details on this analysis see **Appendix D, section 1.1**.

Table 1.5.2. ABC recommendations in landings and dead discards.

ABC RECOMMENDATIONS		
Year	Landings (lbs ww)	Dead Discards (lbs ww)
2025	67,450	3,550
2026	72,200	3,800
2027	75,050	3,950
2028	77,900	4,100
2029	79,800	4,200

1.6 How has recreational data collection changed in the Southeast?

The Marine Recreational Fisheries Statistics Survey (MRFSS) was created in 1979 by NMFS. The program included the Access Point Angler Intercept Survey (APAIS), which consists of onsite interviews at marinas and other points where recreational anglers fish, to determine catch. MRFSS also included CHTS, which used random digit dialing of homes in coastal counties to contact anglers to determine fishing effort. In 2000, the For-Hire Survey (FHS) was

implemented to incorporate for-hire effort due to lack of coverage of charter boat anglers by the CHTS. The FHS used a directory of all known charter boats and a weekly telephone sample of the charter boat operators to obtain effort information.

MRIP¹ replaced MRFSS in 2013 to meet increasing demand for more precise, accurate, and timely recreational catch estimates. MRIP is a more scientifically sound methodology for estimating catch because it reduces some sources of potential bias as compared to MRFSS resulting in more accurate catch estimates. Specifically, CHTS was improved to better estimate private angling effort. Instead of random telephone calls, MRIP-CHTS used targeted calls to anglers registered with a federal or state saltwater fishing registry. The MRIP also incorporated a new survey design for APAIS in 2013. This new design addressed concerns regarding the validity of the survey approach, specifically that trips recorded during a given time period are representative of trips for a full day (Foster et al. 2018). The more complete temporal coverage with the new survey design provides for consistent increases or decreases in APAIS angler catch rate statistics, which are used in stock assessments and management, for at least some species (NMFS 2021).

MRIP also transitioned from the legacy CHTS to a new mail survey (FES) beginning in 2015, and in 2018, the FES replaced the CHTS. Both survey methods collect data needed to estimate marine recreational fishing effort (number of fishing trips) by shore and private/rental boat anglers on the Atlantic and Gulf of Mexico coasts. The new mail-based FES uses angler license and registration information as one way to identify and contact anglers (supplemented with data from the U.S. Postal Service, which includes virtually all U.S. households). Because the FES and CHTS are so different, NMFS conducted side-by-side testing of the two methods from 2015 to 2018 and developed calibration procedures to convert the historical catch estimates (MRFSS, MRIP-CHTS, MRIP-APAIS [collectively MRFSS]) into MRIP-FES. In general, landings estimates are higher using the MRIP-FES as compared to the CHTS estimates. This is because the FES is designed to more accurately measure fishing activity than the CHTS, not because there was a sudden rise in fishing effort. NMFS developed a calibration model to adjust historic effort estimates so that they can be accurately compared to new estimates from the FES. The new effort estimates alone do not lead to definitive conclusions about stock size or status in the past or at current. NMFS determined that the MRIP-FES data, when fully calibrated to ensure comparability among years and across states, produced the best available data for use in stock assessments and management (NMFS 2021).

In August 2023, NMFS published a report, “Evaluating Measurement Error in the MRIP Fishing Effort Survey²”, that summarized results from a small-scale pilot study to evaluate potential sources of bias in the FES. The pilot study, using data from four states from July to December 2015, found that switching the current sequence of survey questions resulted in fewer reporting errors and illogical responses. As a result, effort estimates for shore and private boat anglers were generally 30 to 40 percent lower. NMFS is now conducting a large-scale follow up study to gain a better understanding of differences in effort estimates between the current survey design

¹ <https://media.fisheries.noaa.gov/2021-09/MRIP-Survey-Design-and-Statistical-Methods-2021-09-15.pdf/>

² https://safmc.net/documents/03b_evaluating-measurement-error-in-the-fes-consolidated-final-w-review-pdf/

and revised survey designs. This study will be conducted throughout 2024, with results available the following year(s).

1.7 What is the history of management for scamp and yellowmouth grouper?

Snapper grouper regulations in the South Atlantic were first implemented in 1983. The reader is referred to the following link for the management history, summary of changes under each amendment, implementation dates, an up-to-date list of amendments under development and more, for all of the species in the Snapper Grouper FMP: <https://safmc.net/fishery-management-plans/snapper-grouper/>. Below are amendments to the Snapper Grouper FMP addressing scamp and yellowmouth grouper within the South Atlantic EEZ.

Snapper Grouper FMP (1983)

The FMP included provisions to prevent growth overfishing in thirteen species in the snapper grouper complex and established a procedure for preventing overfishing in other species; established minimum size limits for red snapper, yellowtail snapper, red grouper, Nassau grouper, and black sea bass; established a 4-inch trawl mesh size to achieve a 12-inch total length (TL) minimum size limit for vermilion snapper; and included additional harvest and gear limitations.

Amendment 8 (1992)

The amendment established initial eligibility for two limited entry snapper grouper permits: a non-transferable permit with a 225-pound trip limit and a transferrable unlimited landings permit.

Amendment 15B (2009)

The amendment prohibited the sale of bag-limit caught snapper grouper species.

Amendment 16 (2009)

The amendment established a shallow-water grouper spawning season closure from January 1 to April 30 and the 51% commercial and 49% recreational allocations. It also set a commercial quota for gag that when met, closed the shallow-water grouper complex.

Amendment 17A (2011)

The amendment required the use of non-stainless steel circle hooks north of 28 degrees North Latitude when fishing with natural baits for snapper grouper species.

Regulatory Amendment 15 (2013)

The amendment modified the accountability measures (AMs) for the shallow water grouper complex to the following: if commercial landings, as estimated by the Scientific Research Division (SRD), reach or are projected to reach the annual catch limit (ACL), the commercial fishery will close for the remainder of the year. This amendment, however, retained the individual ACLs and AMs for black and red grouper and scamp.

Amendment 34 (2016)

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The amendment modified AMs for snapper grouper species, including scamp and yellowmouth grouper.

Amendment 36 (2016)

The amendment established special management zones to enhance protection for snapper grouper species in spawning condition.

Regulatory Amendment 29 (2020)

The framework amendment required all vessels fishing for or possessing snapper grouper species in the South Atlantic to possess a descending device readily available for use. It also required the use of non-offset, non-stainless steel circle hooks north of 28 degrees North Latitude when fishing for snapper group species with natural baits.

Chapter 2. Proposed Actions and Alternatives

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

Alternative 1 (No Action). There is no Scamp and Yellowmouth Grouper complex. The Other South Atlantic Shallow Water Grouper complex contains rock hind, red hind, coney, graysby, yellowmouth grouper and yellowfin grouper.

Alternative 2. Remove yellowmouth grouper from the Other South Atlantic Shallow Water Grouper complex and establish a new Scamp and Yellowmouth Grouper complex. The reorganized Other South Atlantic Shallow Water Grouper complex would contain rock hind, red hind, coney, graysby, and yellowfin grouper.

Discussion

SouthEast Data Assessment and Review (SEDAR) 68 (2022) assessed the stocks of scamp and yellowmouth grouper as a single unit, due to misidentification between the two species. Catch levels recommended by the Science and Statistical Committee (SSC) based on this assessment were provided for scamp and yellowmouth grouper combined. Currently, the South Atlantic scamp stock has an annual catch limit (ACL) and accountability measures (AM) whereas yellowmouth grouper is part of the Other South Atlantic Shallow Water Grouper complex (OSASWG complex), which has an ACL and AM associated with the following group of species: coney, graysby, red hind, rock hind, yellowmouth grouper, and yellowfin grouper.

Alternative 1 (No Action) would leave yellowmouth grouper within the OSASWG complex and would not establish a new Scamp and Yellowmouth Grouper complex. This is not a viable alternative because recommended catch levels are inclusive of both scamp and yellowmouth grouper. **Alternative 2** would remove yellowmouth grouper from the OSASWG complex and create a new Scamp and Yellowmouth Grouper complex, for which the recommended catch levels would be applicable.

As a result of this action, stock determination criteria, a rebuilding plan (as a result of stock being overfished based on SEDAR 68 (2022)), a complex ACL, allocations and AMs need to be established, which would be addressed in **Actions 2-7**. The OSASWG ACL would also need to be modified as a result of one of the species within the complex being removed, which is addressed in **Action 8**.

2.1.1. Comparison of Alternatives

TO BE COMPLETED

2.2 Action 2. Establish maximum sustainable yield, maximum fishing mortality threshold, minimum stock size threshold, and equilibrium optimum yield for the Scamp and Yellowmouth Grouper complex

2.2.1 Sub Action 2a. Establish the maximum sustainable yield for the Scamp and Yellowmouth Grouper complex.

Alternative 1 (No Action). There is no maximum sustainable yield for the Scamp and Yellowmouth Grouper complex.

Alternative 2. Establish the maximum sustainable yield proxy at the fishing mortality at 30% of the spawning potential ratio for the Scamp and Yellowmouth Grouper complex.

Alternative 3. Establish the maximum sustainable yield proxy at the fishing mortality at 40% of the spawning potential ratio for the Scamp and Yellowmouth Grouper complex.

Discussion

Currently scamp and yellowmouth grouper (as part of the OSASWG complex) have maximum sustainable yield (MSY) proxies of fishing mortality (F) at 30% of the stock's spawning potential ratio (SPR, $F_{30\%SPR}$), however SEDAR 68 2022 recommended an MSY proxy for the scamp and yellowmouth combined of $F_{40\%SPR}$.

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no MSY, since the complex has yet to have stock determination criteria established. **Alternative 2** would establish the current MSY proxy in place for scamp individually and yellowmouth grouper within the OSASWG complex, however the Southeast Fisheries Science Center (SEFSC) has indicated that this MSY proxy would not be consistent with best scientific information available (BSIA). **Alternative 3** would establish the MSY proxy recommended in SEDAR 68 2022 for the Scamp and Yellowmouth Grouper complex.

2.2.1.1. Comparison of Alternatives **TO BE COMPLETED**

2.2.2 Sub Action 2b. Establish the maximum fishing mortality threshold for the Scamp and Yellowmouth Grouper complex.

Alternative 1 (No Action). There is no maximum fishing mortality threshold for the Scamp and Yellowmouth Grouper complex.

Alternative 2. Establish the maximum fishing mortality threshold equal to the maximum sustainable yield proxy of fishing mortality at 30% spawning potential ratio for the Scamp and Yellowmouth Grouper complex.

Alternative 3. Establish the maximum fishing mortality threshold equal to the maximum sustainable yield proxy of fishing mortality at 40% spawning potential ratio for the Scamp and Yellowmouth Grouper complex.

Discussion

Currently scamp and yellowmouth grouper (as part of the OSASWG complex) have a maximum fishing mortality threshold (MFMT) equal to the MSY proxy of $F_{30\%SPR}$, however SEDAR 68 2022 recommended an MSY proxy for the scamp and yellowmouth combined of $F_{40\%SPR}$.

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no MFMT, since the complex has yet to have stock determination criteria established. **Alternative 2** would establish the current MFMT (MSY proxy of $F_{30\%SPR}$) in place for scamp and yellowmouth grouper within the OSASWG complex. **Alternative 3** would establish an MFMT using the MSY proxy of $F_{40\%}$, consistent with **Alternative 3** from **Sub-Action 2a**.

2.2.2.1. Comparison of Alternatives
TO BE COMPLETED

2.2.3 Sub Action 2c. Establish the minimum stock size threshold for the Scamp and Yellowmouth Grouper complex.

Alternative 1 (No Action). There is no minimum stock size threshold for the Scamp and Yellowmouth Grouper complex.

Alternative 2. Establish the minimum stock size threshold equal to the spawning stock biomass at maximum sustainable yield times either one minus the natural mortality or 0.5, whichever is greater, for the Scamp and Yellowmouth Grouper complex.

Alternative 3. Establish the minimum stock size threshold equal to 75% of the spawning stock biomass at maximum sustainable yield.

Discussion

Currently scamp and yellowmouth grouper (as part of the OSASWG complex) have a minimum stock size threshold (MSST) equal to the spawning stock biomass (SSB) at MSY (SSB_{MSY}) times either 1-natural mortality (M) or 0.5, whichever is greater. Regulatory Amendment 21 (2014) redefined MSST for select species within the Snapper Grouper Fishery Management Unit (SG FMU). This

amendment changed the definition of MSST to 75% of SSB_{MSY} for species with an estimation of M at 0.25 or lower within the stock assessment. SEDAR 68 2022 defined the M for scamp and yellowmouth grouper at 0.155.

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no MSST, since the complex has yet to have stock determination criteria established. **Alternative 2** would establish the current MSST ($SSB_{MSY} (1-M)$ or 0.5, whichever is greater) in place for scamp and yellowmouth grouper within the OSASWG complex. **Alternative 3** would establish an MSST consistent with the guidance from Regulatory Amendment 21, using 75% of SSB_{MSY} .

2.2.3.1. Comparison of Alternatives

TO BE COMPLETED

2.2.4 Sub Action 2d. Establish the equilibrium optimum yield for the Scamp and Yellowmouth Grouper complex.

Alternative 1 (No Action). There is no equilibrium optimum yield for the Scamp and Yellowmouth Grouper complex.

Alternative 2. Establish an equilibrium optimum yield of 75% of maximum sustainable yield for the Scamp and Yellowmouth Grouper complex.

Alternative 3. Establish an equilibrium optimum yield of 90% of maximum sustainable yield for the Scamp and Yellowmouth Grouper complex.

Alternative 4. Establish an equilibrium optimum yield of 95% of maximum sustainable yield for the Scamp and Yellowmouth Grouper complex.

Discussion

The Council has typically established annual optimum yield (OY) values for species within the SG FMU. Currently scamp and yellowmouth grouper (within the OSASWG complex) have annual OYs.

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no OY (annual or equilibrium), since the complex has yet to have stock determination criteria established. **Alternatives 2 through 4** would establish an equilibrium OY instead of an annual OY for the Scamp and Yellowmouth Grouper complex. **Alternative 2** would set an equilibrium OY equal to 75% of the MSY or MSY proxy, **Alternative 3** would set an equilibrium OY equal to 90% of the MSY or MSY proxy, and **Alternative 4** would set an equilibrium OY equal to 95% of the MSY or MSY proxy. Values for the equilibrium OY in **Alternatives 2 through 4** are dependent on the MSY proxy selected in **Sub-Action 2a**.

2.2.4.1. Comparison of Alternatives

TO BE COMPLETED

2.3 Action 3. Establish a rebuilding timeframe for the Scamp and Yellowmouth Grouper complex

Alternative 1 (No Action). There is no timeframe for rebuilding the Scamp and Yellowmouth Grouper complex.

Alternative 2. Establish a rebuilding timeframe equal to the shortest possible time to rebuild in the absence of fishing mortality (T_{\min}). This would be equal to 5 years with the rebuilding period ending in 2030. 2025 would be Year 1.

Alternative 3. Establish a rebuilding timeframe equal to T_{\max} . This would equal 10 years with the rebuilding period ending in 2035. 2025 would be Year 1.

Discussion

The results of the SEDAR 68 2022 assessment indicated that the stock of scamp and yellowmouth was overfished but not experiencing overfishing. The Magnuson-Stevens Fishery Conservation and Management Act gives the South Atlantic Fishery Management Council (Council) two years from the time when it receives notification that a stock is overfished from the National Marine Fisheries Service (NMFS) to prepare and implement a new rebuilding plan. The Council was notified on September 21, 2023; therefore, the plan must be implemented by September 2025.

Alternative 1 (No Action) would not establish a rebuilding plan for the Scamp and Yellowmouth Grouper complex. **Alternative 2** would establish a rebuilding plan equal to T_{\min} (5 years) starting in 2025. Under this scenario, SEDAR 68 2022 indicated that there would be a greater than 50% chance of rebuilding the stock in 5 years (Figure 2.3.1).

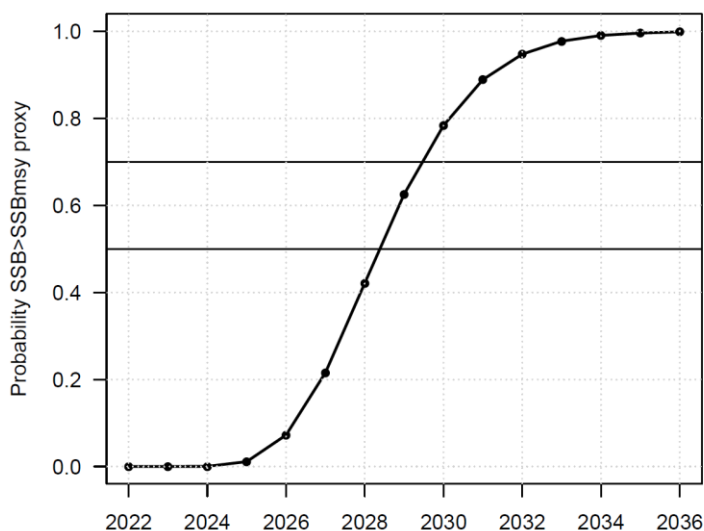


Figure 2.3.1. Projected probability of rebuilding under scenario 1—fishing mortality rate at $F = 0$ and long-term average recruitment. The curve represents the proportion of projection replicates for which SSB has reached the replicate-specific $SSB_{F40\%}$, with reference lines at 0.5 and 0.7. Source: SEDAR 68OA (2022), Figure 53.

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In June 2023 the Council received guidance that in the absence of fishing mortality, assuming long-term average recruitment, the stock would be able to be rebuilt in 10 years. The Magnuson-Stevens Act National Standard 1 Guidelines indicates that if the stock is projected to rebuild in 10 years or less, then T_{\max} is 10 years (50 CFR §600.310(j)(3)(i)(B)(1)). **Alternative 3** would establish a rebuilding plan using T_{\max} .

2.3.1 Comparison of Alternatives

TO BE COMPLETED

2.4 Action 4. Establish the acceptable biological catch and total annual catch limit for the Scamp and Yellowmouth Grouper complex

Alternative 1 (No Action). There is no acceptable biological catch or total annual catch limit for the Scamp and Yellowmouth Grouper complex.

Alternative 2. Establish the acceptable biological catch and set it equal to the recommendation from the Scientific and Statistical Committee. Establish the total annual catch limit for the Scamp and Yellowmouth Grouper complex and set it equal to the recommended acceptable biological catch. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program's Fishing Effort Survey.

Alternative 3. Establish the acceptable biological catch and set it equal to the recommendation from the Scientific and Statistical Committee. Establish the total annual catch limit for the Scamp and Yellowmouth Grouper complex and set it equal to 95% of the recommended acceptable biological catch. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program's Fishing Effort Survey.

Alternative 4. Establish the acceptable biological catch and set it equal to the recommendation from the Scientific and Statistical Committee. Establish the total annual catch limit for the Scamp and Yellowmouth Grouper complex and set it equal to 90% of the recommended acceptable biological catch. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program's Fishing Effort Survey.

Table 2.4.1. Alternatives for Action 4 establishing the ABC and total ACL for the Scamp and Yellowmouth Grouper complex.

Alternative	ACL (pounds whole weight)				
	2025	2026	2027	2028	2029
Alternative 1 (No Action, no ABC)	n/a				
Alternative 2 (ACL = ABC)	67,450	72,200	75,050	77,900	79,800
Alternative 3 (95% of ABC)	64,078	68,590	71,298	74,005	75,810
Alternative 4 (90% of ABC)	60,705	64,980	67,545	70,110	71,820

Discussion

The SSC provided overfishing limit (OFL) and acceptable biological catch (ABC) recommendations based on SEDAR 68 2022 at their April 2023 meeting. OFL and ABC levels were in total removals. Additional ABC values were requested in landings and dead discards in pounds (lbs) whole weight (ww), **Alternatives 2** through **4** would be based on the ABC in landings (lbs ww).

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no OFL or ABC since the complex has yet to have

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catch levels established. **Alternative 2** would adopt the recommended ABC values and set the ACL equal to these ABC values. **Alternative 3** would adopt the recommended ABC values and set the ACL equal to 95% of these ABC values. **Alternative 4** would adopt the recommended ABC values and set the ACL equal to 90% of these ABC values.

2.4.1 Comparison of Alternatives

TO BE COMPLETED

2.5 Action 5. Establish sector allocations and sector annual catch limits for the Scamp and Yellowmouth Grouper complex

Alternative 1 (No Action). There are no sector allocations or sector annual catch limits for the Scamp and Yellowmouth Grouper complex.

Alternative 2. Commercial and recreational allocations would change each year from 2025-2029, where they would remain in place until modified, based on the total average commercial and recreational landings of scamp and yellowmouth grouper from 2018 through 2022.

Alternative 3. Commercial and recreational allocations would change each year from 2025-2029, where they would remain in place until modified, based on the total average commercial and recreational landings of scamp and yellowmouth grouper from 2013 through 2022.

Alternative 4. Allocate 63.40% of the total annual catch limit of Scamp and Yellowmouth Grouper complex to the commercial sector and 36.60% to the recreational sector.

Alternative 5. Allocate 64.90% of the total annual catch limit of Scamp and Yellowmouth Grouper complex to the commercial sector and 35.10% to the recreational sector.

Table 2.5.1. Alternatives for allocation percentages under Action 5.

ACL Alternatives	Allocation Alternatives									
	<i>Alternative 1 (No Action)</i>		<i>Alternative 2 Split Reduction (2018-2022)</i>		<i>Alternative 3 Split Reduction (2013-2022)</i>		<i>Alternative 4 Distribution of Landings (2018-2022)</i>		<i>Alternative 5 Distribution of Landings (2013-2022)</i>	
Action 4, Alternative 2 (ACL = ABC)	Commercial	Recreational	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)
67450 (2025)	none	none	64.90% (43,775)	35.10% (23,675)	63.40% (42,763)	36.60% (24,687)	63.40% (42,763)	36.60% (24,687)	64.90% (43,775)	35.10% (23,675)
72200 (2026)	none	none	63.92% (46,150)	36.08% (26,050)	62.51% (45,132)	37.49% (27,068)	63.40% (45,775)	36.60% (26,425)	64.90% (46,858)	35.10% (25,342)
75050 (2027)	none	none	63.39% (47,574)	36.61% (27,476)	62.04% (46,561)	37.96% (28,489)	63.40% (47,582)	36.60% (27,468)	64.90% (48,707)	35.10% (26,343)
77900 (2028)	none	none	62.90% (48,999)	37.10% (28,901)	61.6% (47,986)	38.40% (29,914)	63.40% (49,389)	36.60% (28,511)	64.90% (50,557)	35.10% (27,343)
79800 (2029)	none	none	62.59% (49,947)	37.41% (29,853)	61.32% (48,933)	38.68% (30,867)	63.40% (50,593)	36.60% (29,207)	64.90% (51,790)	35.10% (28,010)
Action 4, Alternative 3 (95% of ABC)	Commercial	Recreational	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)
64078 (2025)	none	none	64.90% (41,587)	35.10% (22,491)	63.40% (40,625)	36.60% (23,453)	63.40% (40,625)	36.60% (23,453)	64.90% (41,587)	35.10% (22,491)
68590 (2026)	none	none	63.92% (43,843)	36.08% (24,747)	62.51% (42,876)	37.49% (25,714)	63.40% (43,486)	36.60% (25,104)	64.90% (44,515)	35.10% (24,075)
71298 (2028)	none	none	63.39% (45,196)	36.61% (26,102)	62.04% (44,233)	37.96% (27,065)	63.40% (45,203)	36.60% (26,095)	64.90% (46,272)	35.10% (25,026)
74005 (2029)	none	none	62.90% (46,549)	37.10% (27,456)	61.60% (45,587)	38.40% (28,418)	63.40% (46,919)	36.60% (27,086)	64.90% (48,029)	35.10% (25,976)
75810 (2029)	none	none	62.59% (47,449)	37.41% (28,361)	61.32% (46,487)	38.68% (29,323)	63.40% (48,064)	36.60% (27,746)	64.90% (49,201)	35.10% (26,609)
Action 4, Alternative 4 (90% of ABC)	Commercial	Recreational	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)	Commercial , (lbs ww)	Recreational , (lbs ww)
60705 (2025)	none	none	64.90% (39,398)	35.10% (21,307)	63.40% (38,487)	36.60% (22,218)	63.40% (38,487)	36.60% (22,218)	64.90% (39,398)	35.10% (21,307)
64980 (2026)	none	none	63.92% (41,535)	36.08% (23,445)	62.51% (40,619)	37.49% (24,361)	63.40% (41,197)	36.60% (23,783)	64.90% (42,172)	35.10% (22,808)
67545 (2027)	none	none	63.39% (42,817)	36.61% (24,728)	62.04% (41,905)	37.96% (25,640)	63.40% (42,824)	36.60% (24,721)	64.90% (43,837)	35.10% (23,708)
70110 (2028)	none	none	62.90% (44,099)	37.10% (26,011)	61.60% (43,188)	38.40% (26,922)	63.40% (44,450)	36.60% (25,660)	64.90% (45,501)	35.10% (24,609)
71820 (2029)	none	none	62.59% (44,952)	37.41% (26,868)	61.32% (44,040)	38.68% (27,780)	63.40% (45,534)	36.60% (26,286)	64.90% (46,611)	35.10% (25,209)

Discussion

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no allocations since the complex does not have existing sector allocations or sector ACLs. The method for **Alternatives 2** and **3** was developed by the Council in December of 2021, and used for the allocations of gag grouper through Amendment 53. This method would implement the reductions in harvest needed to achieve the new ACL proportionally for each sector, based upon the distribution of landings under selected time periods that reflect the way the fishery is currently operating (referred to as the Split Reduction Method). **Alternative 2** bases the allocation method on the five-year average commercial and recreational (FES) landings of both scamp and yellowmouth grouper from 2018 through 2022. **Alternative 3** bases the allocation method on the ten-year average of commercial and recreational (FES) landings of scamp and yellowmouth grouper from 2013 through 2022. Both **Alternative 2** and **Alternative 3** allocate the new ACL proportional to each sector's landings based on the sector's landings from the baseline years. Each year after, throughout the rebuilding plan, as the ACL increases, the ACL poundage increase is allocated equally between both sectors and added to each sector's ACL from the previous year. For both **Alternatives 2** and **3** the allocation percentages and sector ACLs in the last year would remain in place until modified.

Alternatives 4 and **5** would allocate based on the distribution of landings of scamp and yellowmouth grouper landings from either 2018-2022 (**Alternative 4**) or 2013-2022 (**Alternative 5**) respectively.

2.5.1 Comparison of Alternatives

TO BE COMPLETED

2.6 Action 6. Establish commercial accountability measures for the Scamp and Yellowmouth Grouper complex

Alternative 1 (No Action). There are no commercial accountability measures for the Scamp and Yellowmouth Grouper complex.

Alternative 2. If commercial landings for the Scamp and Yellowmouth Grouper complex reach or are projected to reach the commercial annual catch limit, the commercial sector will close for the remainder of the fishing year.

If commercial landings for the Scamp and Yellowmouth Grouper complex exceed the commercial annual catch limit, the total annual catch limit is reached, and the Scamp and Yellowmouth Grouper complex is overfished, the commercial annual catch limit for the following fishing year will be reduced by the amount of the commercial annual catch limit overage in the prior fishing year.

Alternative 3. If commercial landings for the Scamp and Yellowmouth Grouper complex reach or are projected to reach the commercial annual catch limit, commercial harvest of scamp and yellowmouth grouper is closed for the remainder of the fishing year.

If commercial landings for the Scamp and Yellowmouth Grouper complex exceed the commercial annual catch limit, regardless of stock status or whether the total annual catch limit was exceeded, the commercial annual catch limit for the following fishing year will be reduced by the amount of the commercial annual catch limit overage in the prior fishing year.

Discussion

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no commercial accountability measures (AM) since the complex does not have existing commercial AMs. **Alternative 2** would establish an AM that has an in-season closure that would be triggered if the commercial landings exceed or are expected to exceed the commercial ACL, regardless of whether the total ACL was exceeded or the stock status. In addition, this alternative would have a post-season AM where the commercial ACL would be reduced by any overage in the following fishing season if the following criteria are met: the commercial landings exceed the commercial ACL, the total ACL is exceeded, and the stock is overfished. All three of these triggers must occur for the post-season AM to be triggered. This alternative is representative of the current commercial AM in place for scamp and yellowmouth grouper within the OSASWG complex.

Alternative 3 would establish an AM that has an in-season closure that would be triggered if the commercial landings exceed or are expected to exceed the commercial ACL, regardless of whether the total ACL was exceeded or the stock status. **Alternative 3**, like **Alternative 2**, has a post-season AM it but would be triggered only by the commercial landings exceeding the commercial ACL, and would not be tied to the total ACL and stock status.

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2.6.1 Comparison of Alternatives

TO BE COMPLETED

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

Alternative 1 (No Action). There are no recreational accountability measures for the Scamp and Yellowmouth Grouper complex.

Alternative 2. If recreational landings for the Scamp and Yellowmouth Grouper complex, reach or are projected to reach the recreational annual catch limit, the recreational sector will close for the remainder of the fishing year.

If recreational landings for the Scamp and Yellowmouth Grouper complex, exceed the recreational annual catch limit, and the total annual catch limit is exceeded, and the Scamp and Yellowmouth Grouper complex is overfished, the length of the following year's fishing season will be reduced by the amount necessary to prevent the recreational annual catch limit from being reached in the following year.

Alternative 3. If recreational landings for the Scamp and Yellowmouth Grouper complex reached or are projected to reach the recreational annual catch limit, the length of the following year's fishing season will be reduced by the amount necessary to prevent the recreational annual catch limit from being exceeded in the following year, regardless of stock status and if the total annual catch limit is exceeded.

Alternative 4. If recreational landings for the Scamp and Yellowmouth Grouper complex reached or are projected to reach the recreational annual catch limit, recreational harvest is closed for the remainder of the fishing year.

If recreational landings for the Scamp and Yellowmouth Grouper complex exceed the recreational annual catch limit, the length of the following year's fishing season will be reduced by the amount necessary to prevent the recreational annual catch limit from being exceeded in the following year, regardless of stock status and if the total annual catch limit is exceeded.

Discussion

Alternative 1 (No Action) is the current status quo for the Scamp and Yellowmouth Grouper complex established in **Action 1**, which is no recreational AMs since the complex does not have existing recreational AMs. **Alternative 2** would establish an AM that has an in-season closure that would be triggered if the recreational landings exceed or are expected to exceed the recreational ACL, regardless of whether the total ACL was exceeded or the stock status. In addition, this alternative would have a post-season AM where the recreational ACL would be reduced by any overage in the following fishing season if the following criteria are met: the recreational landings exceed the recreational ACL, the total ACL is exceeded, and the stock is overfished. All three of these triggers must occur for the post-season AM to be triggered. This alternative is representative of the current recreational AM in place for scamp individually and yellowmouth grouper within the OSASWG complex.

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Alternative 3 would establish an AM that does not have an in-season closure. This alternative, like **Alternative 2** would implement a post-season AM, but this AM would be triggered only by recreational landings exceeding the recreational ACL and would not be tied to the total ACL and stock status.

Alternative 4 would establish an AM that has an in-season closure that would be triggered if the commercial landings exceed or are expected to exceed the commercial ACL, regardless of whether the total ACL was exceeded or the stock status. **Alternative 4**, like **Alternative 2** and **3**, has a post-season AM that would be triggered only by the recreational landings exceeding the recreational ACL, and would not be tied to the total ACL and stock status.

2.7.1 Comparison of Alternatives

TO BE COMPLETED

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

Alternative 1 (No Action). The acceptable biological catch for the Other South Atlantic Shallow Water Grouper complex (including yellowmouth grouper) is 104,190 pounds whole weight. The total annual catch limit and annual optimum yield are set equal to this acceptable biological catch and are inclusive of recreational estimates from the Marine Recreational Information Program's Coastal Household Telephone Survey. The commercial annual catch limit is 55,542 pounds whole weight and the recreational annual catch limit is 48,648 pounds whole weight.

Alternative 2. The acceptable biological catch for the updated Other South Atlantic Shallow Water Grouper complex is 104,190 pounds whole weight. The total annual catch limit and annual optimum yield are 100,151 and are inclusive of recreational estimates from the Marine Recreational Information Program's Coastal Household Telephone Survey. The commercial annual catch limit is 53,380 pounds whole weight and the recreational annual catch limit is 46,771 pounds whole weight.

Table 2.8.1. An explanation of the modifications to the Other South Atlantic Shallow Water Grouper complex ACL and sector ACLs. The total and sector ACLs for both alternatives are based on CHTS recreational estimates. The current commercial allocation is 53.30% and the current recreational allocation is 46.70%.

Alternative	ABC (lbs ww)	Total ACL=Annual OY (lbs ww)*	Commercial ACL (lbs ww)	Recreational ACL (lbs ww)
Alternative 1 (No Action)	104,190	104,190	55,542	48,648
Alternative 2	104,190	100,151	53,380	46,771

Discussion

As a result of the reorganization and establishment of the new complex in **Action 1**, the OSASWG ACL needs to be modified to remove the portion that was previously designated for yellowmouth grouper since landings for this stock would be accounted for in the new Scamp and Yellowmouth Grouper complex (Table 2.8.1, Figure 2.8.1). **Alternative 1 (No Action)** would retain the current ABC, total, and sector ACLs for the OSASWG complex. This is not a viable alternative as it would retain a catch level including a yellowmouth grouper portion, which is now accounted for in the total ACL for the Scamp and Yellowmouth Grouper complex (**Action 4**). Both the ABC and ACL for this alternative are inclusive of recreational estimates from the Marine Recreational Information Program's Coastal Household Telephone Survey (MRIP-CHTS).

Alternative 2 would retain the current ABC but remove the 4,039 lbs ww from the total ACL that was designated for yellowmouth grouper. This alternative does not alter the current sector allocation percentages (53.31% commercial, 46.69% recreational) but modifies the sector ACL based on the modified total ACL and current allocation percentages. While this alternative

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addresses the establishment of the new Scamp and Yellowmouth Grouper complex, the modified total ACL would continue to be inclusive of MRIP-CHTS recreational estimates. The OSASWG species are data limited, unassessed species. Following the Unassessed Stocks Workgroup meeting in 2020, an ABC was recommended, however this catch level was determined using the 3rd highest and Only Reliable Catch (ORCS) which are both no longer considered best scientific information available (BSIA). During the April 2023 SSC meeting, the SSC recommended the OSASWG ACL be revised in the upcoming Unassessed Species Amendment, however this would likely not be completed and provided to the Council for review until September or December of 2024.

Table 2.8.2. The portion of the OSASWG ACL for each species within the complex prior to the establishment of the Scamp and Yellowmouth Grouper complex.

NOTE: the species and total ACL values are set equal to the ABC and values are inclusive of recreational estimates from the MRIP-CHTS.

Shallow-Water Groupers complex	Species ACL (lbs ww)
Red Hind	33,084
Rock Hind	37,493
Yellowmouth Grouper	4,039
Yellowfin Grouper	9,258
Coney	2,718
Graysby	17,598
Total ACL	104,190

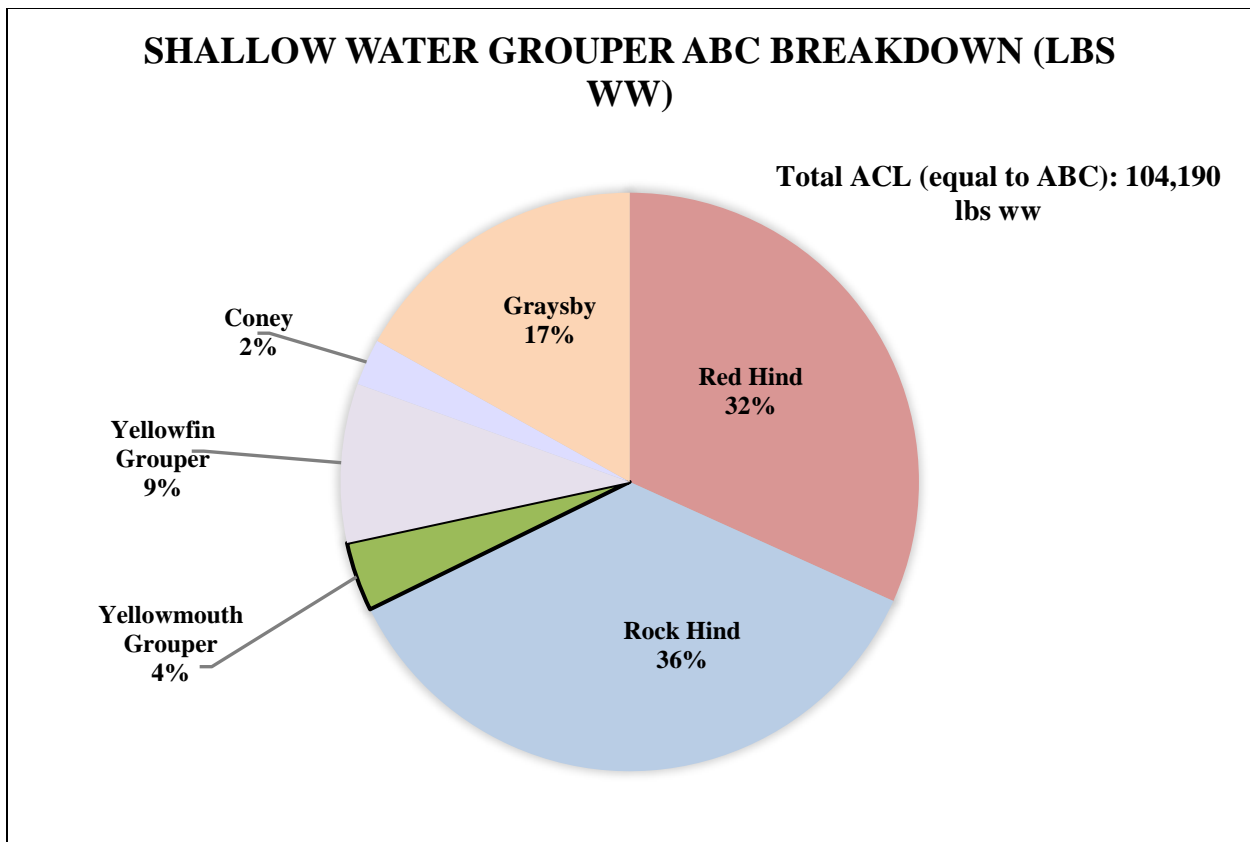


Figure 2.8.1. The percentage breakdown of the ABC amongst the 6 species within the OSASWG species prior to the establishment of the Scamp and Yellowmouth Grouper complex. **NOTE:** The current OSASWG ACL is set equal to the ABC.

2.8.1 Comparison of Alternatives

TO BE COMPLETED

Chapter 7. List of Interdisciplinary Plan Team (IPT) Members

Name	Agency/Division	Title
Allie Iberle	SAFMC	Fishery Scientist/IPT Lead
Nikhil Mehta	SERO/SF	Fishery Scientist/IPT Lead
Kyle Shertzer	NMFS/SEFSC	Fishery Biologist
Scott Crosson	SERO/SF	Economist
Chip Collier	SAFMC	Deputy Director for Science
Rick DeVictor	SERO/SF	South Atlantic Branch Chief
Ed Glazier	SERO/SF	Social Scientist
Dominique Lazarre	SERO/SF	Data Analyst
John Hadley	SAFMC	Economist
Myra Brouwer	SAFMC	Deputy Director for Management
Jennifer Lee	SERO/PR	Fishery Biologist
Roger Pugliese	SAFMC	Senior Fishery Biologist
David Records	SERO/SF	Economist
Scott Sandorf	SERO/SF	Technical Writer & Editor
Mike Schmidtke	SAFMC	Fishery Biologist
Shepherd Grimes	NOAA GC	General Counsel
Sarah Stephenson	SERO/SF	Fishery Biologist
Mike Travis	SERO/SF	Social Science Branch Chief
Matthew Walia	SERO/OLE	Compliance Liaison Analyst
Christina Wiegand	SAFMC	Social Scientist
Manny Antonaras	SERO/OLE	Criminal Investigator
David Dale	SERO/HC	EFH Specialist
Jashira Torres-Pabon	SERO/PR	Natural Resource Specialist
Kyle Shertzer	SERO/SF	Data Analyst
Kathleen Howington	SAFMC	Fishery Scientist

NOAA=National Oceanic and Atmospheric Administration, NMFS = National Marine Fisheries Service, SERO = Southeast Regional Office, SF = Sustainable Fisheries Division, PR = Protected Resources Division, HC = Habitat Conservation Division, SEFSC=Southeast Fisheries Science Center, GC = General Counsel, SAFMC = South Atlantic Fishery Management Council Staff, OLE = Office of Law Enforcement.

Chapter 8. Agencies and Persons Consulted

Responsible Agencies

South Atlantic Fishery Management Council (Administrative Lead)
4055 Faber Place Drive, Suite 201
N. Charleston, South Carolina 29405
843-571-4366/ 866-SAFMC-10 (TEL)
843-769-4520 (FAX)
www.safmc.net

NMFS, Southeast Region
263 13th Avenue South
St. Petersburg, Florida 33701
727- 824-5301 (TEL)
727-824-5320 (FAX)

List of Agencies, Organizations, and Persons Consulted

SAFMC Law Enforcement Advisory Panel
SAFMC Snapper Grouper Advisory Panel
SAFMC Scientific and Statistical Committee
North Carolina Coastal Zone Management Program
South Carolina Coastal Zone Management Program
Georgia Coastal Zone Management Program
Florida Coastal Zone Management Program
Florida Fish and Wildlife Conservation Commission
Georgia Department of Natural Resources
South Carolina Department of Natural Resources
North Carolina Division of Marine Fisheries
North Carolina Sea Grant
South Carolina Sea Grant
Georgia Sea Grant
Florida Sea Grant
Atlantic States Marine Fisheries Commission
National Marine Fisheries Service

- Washington Office
- Office of Ecology and Conservation
- Southeast Regional Office
- Southeast Fisheries Science Center

Chapter 9. References

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South Atlantic Fishery Management Council (SAFMC). 1983. Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407.

SAFMC. 1992. Amendment 8 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2009a. Amendment 15B to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2009b. Amendment 16 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2009c. Volume II of the Fishery Ecosystem Plan. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2010. Comprehensive Ecosystem Based Amendment 1 for the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. (Amendment 19 to the Snapper Grouper FMP). South Atlantic Fishery Management Council, 4055 Faber Place, Ste 201, North Charleston, S.C. 29405.

SAFMC. 2011a. Amendment 17A to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2011b. Comprehensive ACL Amendment for the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. (Amendment 25 to the Snapper Grouper FMP). South Atlantic Fishery Management Council, 4055 Faber Place, Ste 201, North Charleston, S.C. 29405.

SAFMC. 2014. Regulatory Amendment 21 for the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 4055 Faber Place, Ste 201, North Charleston, S.C. 29405.

SAFMC. 2016a. Amendment 34 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2016b. Amendment 36 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 1 Southpark Cir., Ste 306, Charleston, S.C. 29407-4699.

SAFMC. 2019. Vision Blueprint Regulatory Amendment 27 for the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region. South Atlantic Fishery Management Council, 4055 Faber Place, Ste 201, North Charleston, S.C. 29405.

SAFMC. 2020. Regulatory Amendment 29 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region with Environmental Assessment, Regulatory Impact Review, and Regulatory Flexibility Analysis. South Atlantic Fishery Management Council, 4055 Faber Place Drive, Ste 201, North Charleston, S.C. 29405.

Appendix A. Other Applicable Laws

TO BE COMPLETED

1.1 Administrative Procedure Act (APA)

All federal rulemaking is governed under the provisions of the APA (5 U.S.C. Subchapter II), which establishes a “notice and comment” procedure to enable public participation in the rulemaking process. Among other things under the APA, the National Marine Fisheries Service (NMFS) is required to publish notification of proposed rules in the *Federal Register* and to solicit, consider and respond to public comment on those rules before they are finalized. The APA also establishes a 30-day wait period from the time a final rule is published until it takes effect, with some exceptions. Amendment 53 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Amendment 53) complies with the provisions of the APA through the South Atlantic Fishery Management Council’s (Council) extensive use of public meetings, requests for comments and consideration of comments. The proposed rule associated with this plan amendment will have a request for public comments, which complies with the APA, and upon publication of the final rule, unless the rule falls within an APA exception, there will be a 30-day wait period before the regulations are effective.

1.2 Information Quality Act (IQA)

The IQA (Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-443)) which took effect October 1, 2002, directed the Office of Management and Budget (OMB) to issue government-wide guidelines that “provide policy and procedural guidelines to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by federal agencies.” OMB directed each federal agency to issue its own guidelines, establish administrative mechanisms allowing affected persons to seek and obtain correction of information that does not comply with OMB guidelines, and report periodically to OMB on the number and nature of complaints. The NOAA Section 515 Information Quality Guidelines require a series of actions for each new information product subject to the IQA. Amendment 53 uses the best available information and made a broad presentation thereof. The information contained in this document was developed using best available scientific information. Therefore, this document is in compliance with the IQA.

1.3 Coastal Zone Management Act (CZMA)

Section 307(c)(1) of the federal CZMA of 1972 requires that all federal activities that directly affect the coastal zone be consistent with approved state coastal zone management programs to the maximum extent practicable. While it is the goal of the Council to have management measures that complement those of the states, federal and state administrative procedures vary and regulatory changes are unlikely to be fully instituted at the same time. The Council believes the actions in this plan amendment are consistent to the maximum extent practicable with the Coastal Zone Management Plans of Florida, Georgia, South Carolina, and North Carolina. Pursuant to Section 307 of the CZMA, this determination will be submitted to the responsible

state agencies who administer the approved Coastal Zone Management Programs in the States of Florida, South Carolina, Georgia, and North Carolina.

1.4 Executive Order 12612: Federalism

Executive Order (E.O.) 12612 requires agencies to be guided by the fundamental federalism principles when formulating and implementing policies that have federalism implications. The purpose of the Order is to guarantee the division of governmental responsibilities between the federal government and the states, as intended by the framers of the Constitution. No federalism issues have been identified relative to the actions proposed in this document and associated regulations. Therefore, preparation of a Federalism assessment under E.O. 12612 is not necessary.

1.5 Executive Order 12962: Recreational Fisheries

E.O. 12962 requires federal agencies, in cooperation with states and tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities through a variety of methods. Additionally, the Order establishes a seven-member National Recreational Fisheries Coordination Council responsible for, among other things, ensuring that social and economic values of healthy aquatic systems that support recreational fisheries are considered by federal agencies in the course of their actions, sharing the latest resource information and management technologies, and reducing duplicative and cost-inefficient programs among federal agencies involved in conserving or managing recreational fisheries. The National Recreational Fisheries Coordination Council also is responsible for developing, in cooperation with federal agencies, states and tribes, a Recreational Fishery Resource Conservation Plan to include a five-year agenda. Finally, the Order requires NMFS and the U.S. Fish and Wildlife Service to develop a joint agency policy for administering the ESA.

The alternatives considered in this document are consistent with the directives of E.O. 12962.

1.6 Executive Order 13089: Coral Reef Protection

E.O. 13089, signed by President William Clinton on June 11, 1998, recognizes the ecological, social, and economic values provided by the Nation's coral reefs and ensures that federal agencies are protecting these ecosystems. More specifically, the Order requires federal agencies to identify actions that may harm U.S. coral reef ecosystems, to utilize their program and authorities to protect and enhance the conditions of such ecosystems, and to ensure that their actions do not degrade the condition of the coral reef ecosystem.

The alternatives considered in this document are consistent with the directives of E.O. 13089.

1.7 Executive Order 13158: Marine Protected Areas (MPAs)

E.O. 13158 was signed on May 26, 2000, to strengthen the protection of U.S. ocean and coastal resources through the use of MPAs. The E.O. defined MPAs as "any area of the marine environment that has been reserved by federal, state, territorial, tribal, or local laws or

regulations to provide lasting protection for part or all of the natural and cultural resources therein.” It directs federal agencies to work closely with state, local and non-governmental partners to create a comprehensive network of MPAs “representing diverse U.S. marine ecosystems, and the Nation’s natural and cultural resources.”

The alternatives considered in this document are consistent with the directives of E.O. 13158.

1.8 National Marine Sanctuaries Act (NMSA)

Under the NMSA (also known as Title III of the Marine Protection, Research and Sanctuaries Act of 1972), as amended, the U.S. Secretary of Commerce is authorized to designate National Marine Sanctuaries to protect distinctive natural and cultural resources whose protection and beneficial use requires comprehensive planning and management. The National Marine Sanctuary Program is administered by the Sanctuaries and Reserves Division of NOAA. The NMSA provides authority for comprehensive and coordinated conservation and management of these marine areas. The National Marine Sanctuary Program currently comprises 13 sanctuaries around the country, including sites in American Samoa and Hawaii. These sites include significant coral reef and kelp forest habitats, and breeding and feeding grounds of whales, sea lions, sharks, and sea turtles. The three sanctuaries in the South Atlantic exclusive economic zone are the USS Monitor, Gray’s Reef, and Florida Keys National Marine Sanctuaries.

The alternatives considered in this document are not expected to have any adverse impacts on the resources managed by the National Marine Sanctuaries.

1.9 Paperwork Reduction Act (PRA)

The purpose of the PRA is to minimize the burden on the public. The PRA is intended to ensure that the information collected under the proposed action is needed and is collected in an efficient manner (44 U.S.C. 3501 (1)). The authority to manage information collection and record keeping requirements is vested with the Director of the Office of Management and Budget (OMB). This authority encompasses establishment of guidelines and policies, approval of information collection requests, and reduction of paperwork burdens and duplications. The PRA requires NMFS to obtain approval from the OMB before requesting most types of fishery information from the public. Actions in this document are not expected to affect PRA.

1.10 Small Business Act (SBA)

Enacted in 1953, the SBA requires that agencies assist and protect small-business interests to the extent possible to preserve free competitive enterprise. The objectives of the SBA are to foster business ownership by individuals who are both socially and economically disadvantaged; and to promote the competitive viability of such firms by providing business development assistance including, but not limited to, management and technical assistance, access to capital and other forms of financial assistance, business training, and counseling, and access to sole source and limited competition federal contract opportunities, to help firms achieve competitive viability. Because most businesses associated with fishing are considered small businesses, NMFS, in

implementing regulations, must make an assessment of how those regulations would affect small businesses.

1.11 Public Law 99-659: Vessel Safety

Public Law 99-659 amended the Magnuson-Stevens Fishery Conservation and Management Act to require that a FMP or FMP amendment must consider, and may provide for, temporary adjustments (after consultation with the U.S. Coast Guard and persons utilizing the fishery) regarding access to a fishery for vessels that would be otherwise prevented from participating in the fishery because of safety concerns related to weather or to other ocean conditions. No vessel would be forced to participate in South Atlantic fisheries under adverse weather or ocean conditions as a result of the imposition of management regulations proposed in this amendment. No concerns have been raised by South Atlantic fishermen or by the U.S. Coast Guard that the proposed management measures directly or indirectly pose a hazard to crew or vessel safety under adverse weather or ocean conditions.

Appendix B. Regulatory Impact Review

TO BE COMPLETED

Appendix C. Initial Regulatory Flexibility Analysis

TO BE COMPLETED

Appendix D. Data Analyses

TO BE COMPLETED

1.1 Scamp/yellowmouth Grouper Removals: Proportion landings versus dead discards

**Prepared by Kyle Shertzer
18 September 2023**

Introduction

The SouthEast Data, Assessment, and Review (SEDAR)-68 operational assessment (OA) of scamp/yellowmouth grouper modeled total removals (landings plus dead discards) from the recreational and commercial fleets. In most South Atlantic assessments, landings and discards are modeled as separate fleets. But scamp and yellowmouth grouper were combined based on recommendations from the SEDAR-68 CIE review panel. Should landings and dead discards need to be split for management purposes, this document describes computation of the proportion landings in total removals.

Methods and Results

For the SEDAR-68 OA, data providers supplied estimates of total discards (live and dead); for use here and in the assessment, I applied a commercial discard mortality proportion (rate) of 0.39 and a recreational proportion of 0.26. Any other treatments of data, such as smoothing of recreational discard estimates and imputation of missing values, are described in the SEDAR68-OA report. The assessment fit removals in their native units, with recreational removals in numbers and commercial removals in weight. Given the different units, combining the two for computing overall proportion landings is not straightforward. Nonetheless, two approaches were explored.

The first approach computes the proportion landings (of total removals) for each fleet in their native units, and then combines those proportions as a weighted average, with weights equal to the assessment-estimated proportions of total F from each fleet (recreational weight is 0.305 and commercial weight is 0.695). This weighting is consistent with how selectivities of each fleet were combined for projections. The second approach utilizes commercial landings and dead discards in numbers, which were supplied by the data providers, but not used in the assessment. This second approach sums the landings and dead discards from both fleets, both in numbers, and then computes the proportion of total removals that are landings. The first approach might be considered more compatible with the assessment, while the second approach is simpler and perhaps easier to explain.

In both approaches, values are based on geometric means from the terminal three assessment years, 2019-2021. In addition, I computed the standard deviation of the proportion landings using data from the last ten years (2012-2021) to indicate the level of variability in the proportions. In the first approach, the proportion of total removals allocated to landings was 0.955 (**Table D.1.1**). In the second approach, the proportion of total removals allocated to landings was 0.954. Thus, it seems justified to split total removals into 95% landings and 5% dead discards. These

proportions appear relatively stable through time, with a standard deviation from the recreational fleet of 0.05, and a standard deviation from the commercial fleet of 0.003 (whether computed in weight or numbers).

Discussion

We recommend using the 0.95 proportion for computing a total coastwide ABC of landed catch and then the remainder would represent ABC for discards. The ABC recommended by the SAFMC's SSC is conditional on the ratio between commercial and recreational remaining close to the value from the last three years of the stock assessment. Should management choose to deviate from the commercial:recreational allocation used by the SSC and the stock assessment, then the fleet-specific proportions in Table 1 could be used to compute fleet-specific ABCs for landed and discarded catch.

Table D.1.1.1. Two methods to compute proportion of total scamp/yellowmouth grouper removals that are attributable to landings. The remainder are attributable to dead discards.

	Recreational (1000 fish)				Commercial (1000 fish)				Commercial (1000 lb)								
	Landings	Dead discards	Total	Prop L	Landings	Dead discards	Total	Prop L	Landings	Dead discards	Total	Prop L					
2012	9.0730	3.0895	12.1625	0.7460	27.5632	0.4672	28.0304	0.9833	161.3060	2.3747	163.6807	0.9855					
2013	10.5840	2.4157	12.9997	0.8142	23.9022	0.3852	24.2874	0.9841	141.1472	1.9576	143.1048	0.9863					
2014	9.0185	1.9577	10.9762	0.8216	24.2617	0.3627	24.6244	0.9853	164.5343	1.8434	166.3777	0.9889					
2015	7.4530	1.5628	9.0158	0.8267	20.5089	0.3142	20.8230	0.9849	128.1261	1.5968	129.7230	0.9877					
2016	8.5900	1.1773	9.7673	0.8795	18.8592	0.3809	19.2401	0.9802	110.9988	1.9358	112.9346	0.9829					
2017	6.3290	0.8604	7.1894	0.8803	18.7723	0.2883	19.0606	0.9849	110.3512	1.4654	111.8165	0.9869		Sum fleets (1000 fish)			
2018	4.0680	0.6870	4.7550	0.8555	14.3921	0.2489	14.6409	0.9830	96.8788	1.2649	98.1437	0.9871		Landings	Dead discards	Total	Prop L
2019	5.5790	0.6317	6.2107	0.8983	20.1060	0.2431	20.3491	0.9881	120.3583	1.2354	121.5937	0.9898		25.6850	0.8748	26.5598	0.9671
2020	4.1840	0.5826	4.7666	0.8778	10.4878	0.2035	10.6913	0.9810	62.9700	1.0342	64.0041	0.9838		14.6718	0.7861	15.4579	0.9491
2021	4.8815	0.5949	5.4764	0.8914	9.0856	0.2233	9.3089	0.9760	50.5702	1.1348	51.7050	0.9781		13.9671	0.8182	14.7853	0.9447
Gomean 2019-2021				0.8891				0.9817				0.9839			Approach 2 (in numbers)		0.9536
SD (2012-2021)				0.0472				0.0033				0.0034					
Assessment F prop				0.3050								0.6950			Approach 1 (F-wgtd prop L)		0.9550

1.2 Analysis of Allocation Percentages and Catch Limits for the Proposed Scamp and Yellowmouth Grouper Complex in the South Atlantic

**LAPP/DM Branch
NOAA Fisheries Service
Southeast Regional Office
October 2023**

The South Atlantic stock of scamp was assessed through the Southeast Data, Assessment, and Review (SEDAR) 68 research track assessment in 2021. In the initial stages of the assessment process a Stock ID Workshop was conducted and concluded that scamp and yellowmouth grouper are difficult to distinguish from each other, which led to the recommendation that the two species be aggregated and considered as a single complex in the subsequent stock assessment. The results of the research track assessment indicated that scamp and yellowmouth grouper were overfished, but not experiencing overfishing. The South Atlantic Fishery Management Council (Council) has initiated Amendment 55 to remove yellowmouth grouper from the Other South Atlantic Shallow Water Grouper Complex (OSASWG) and create a new complex for both scamp and yellowmouth grouper. Additionally, this amendment will require the establishment of a rebuilding plan, specify catch levels, designate sector allocations, and define accountability measures based on the results of the SEDAR 68 operational assessment (2022). This analysis focuses on defining a historical time series that can be used to calculate allocation percentages and to provide seasonal projections for the catch levels provided by the Council's Scientific and Statistical Committee (SSC).

Defining Landings Time Series

The Marine Recreational Information Program (MRIP) uses the Access Point Angler Intercept Survey (APAIS) to collect dockside catch data from anglers fishing from shore, private boats and for-hire vessels in North Carolina, South Carolina, Georgia, and the east coast of Florida. The Fishing Effort Survey (FES) is used to collect trip information from shore and private boat recreational anglers from a mail survey. The combination of dockside APAIS data and mail survey FES effort data are used to generate catch estimates for species caught by recreational private anglers. The For-Hire Survey (FHS) is used to collect effort information from the for-hire component of the recreational sector. The combination of the dockside APAIS data and FHS effort data are used to generate catch estimates for species caught by the for-hire component of the recreational sector. The Southeast Fisheries Science Center combines the MRIP data from private and charter vessels with the Southeast Regional Headboat Survey (SRHS) to create a complete recreational landings data set (FES ACL Monitoring Dataset – August 23, 2023) for federally managed fish species. Commercial landings come from dealer reports and are provided by the Southeast Fisheries Science Center (SEFSC, Provided September 18, 2023). These data sets were both filtered to include only records from landings identified as scamp or yellowmouth grouper from the South Atlantic region, from 1986 to 2022. This time frame was selected to

correspond with the years associated with the various allocation alternatives that are being assessed through Amendment 55 (**Table D.1.2.1**).

Table D.1.2.1. Description of the allocation alternatives proposed for evaluation.

Allocation Alternative	Method Explanation
Alternative 1 (No Action)	Scamp: Comp ACL Formula (allocation = (0.5*1986-2008) + (0.5*2006-2008))
Alternative 2	Split Reduction Method using average landings from 2018-2022
Alternative 3	Split Reduction Method using average landings from 2013-2022
Alternative 4	Distribution of landings from 2013-2022
Alternative 5	Distribution of landings from 2018-2022

The process of removing yellowmouth grouper from the OSASWG complex to the new Scamp and Yellowmouth Grouper complex provides an opportunity for yellowmouth grouper landings to be easily calculated when comparing landings time series for the old and new complexes. The low magnitude of annual yellowmouth grouper landings provided concern that confidentiality might be violated, if the number of dealers or vessels contributing those landings was low. The number of contributors was assessed for annual landings values for each species, by fishing sector. No confidentiality concerns were found when reviewing the number of contributors for scamp landings, but several years of yellowmouth grouper landings are considered confidential for both fishing sectors (Recreational – 2014-2022, Commercial 1986-2022). Various methods were investigated to generate a non-confidential landings history to replace confidential annual yellowmouth grouper landings. The first method considered was to calculate a ratio value of yellowmouth grouper (YM) to scamp landings that would be multiplied by the unchanged scamp landings to generate a new non-confidential landings value for yellowmouth grouper.

$$Ratio = \frac{Landings_{YM}}{Landings_{Scamp}}$$

$$Non - Confidential\ YM\ Landings = Ratio \times Landings_{Scamp}$$

Two ratio options were investigated, an average of the annual yellowmouth grouper to scamp ratio values over the entire confidential time period (e.g. 2014-2022 for the recreational sector) or an average of ratios grouped in 3 year bins (e.g. 2014-2016, 2017-2019, 2020-2022 for the recreational sector). The second method was to average the yellowmouth grouper landings. Landings were either averaged over the entire confidential time period or averaged over 3 year bins. The difference between the original landings and calculated non-confidential landings values were minimized for both fishing sectors by using a 3-year average of yellowmouth grouper landings. The annual estimates for scamp and the updated non-confidential yellowmouth grouper landings were then summed by sector to create annual estimates for the scamp and yellowmouth grouper complex for each year in the time series (**Figure D.1.2.1**).

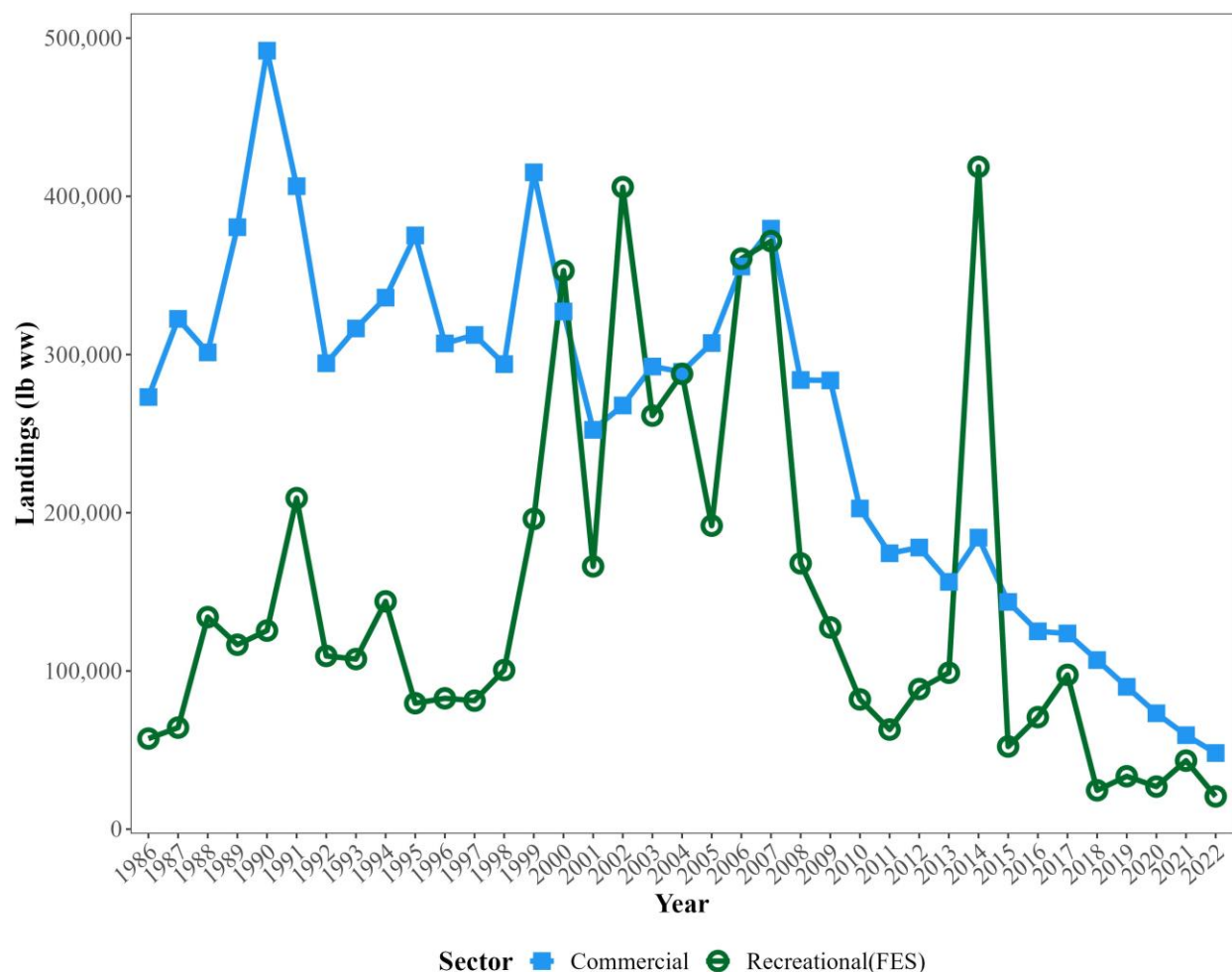


Figure D.1.2.1. Aggregated annual estimates of scamp and yellowmouth grouper landings from 1986 to 2022, by fishing sector.

In addition to assessing confidentiality, uncertainty around the recreational landings estimates was investigated. In SEDAR 68, analysts replaced landings estimates with associated uncertainty values greater than 50% with the average of the nearest two years (SEDAR 2022). In an effort to be consistent with the methodology used in the stock assessment, the percent standard error (PSE) around recreational estimates from the NOAA Query Website were reviewed (Retrieved October 24, 2023). Several years had PSE values higher than 50%: 1986, 1988, 1992, 1995-1998, 2005-2006, 2011, 2014-2015, 2018, 2022 (**Figure D.1.2.2**). While high PSE values are found throughout the time series, only recreational landings estimates with high PSE values after 2012 were adjusted with the method described above. The No Action allocation alternative relies on un-modified scamp landings, while the remaining alternatives rely on more recent landings from 2013-2022. The time series of landings are only adjusted to mask confidentiality through 2012 and are adjusted for both confidentiality and recreational uncertainty after 2012 (**Figure D.1.2.3**). Commercial landings are assumed to represent a census, and are only modified to mask confidentiality.

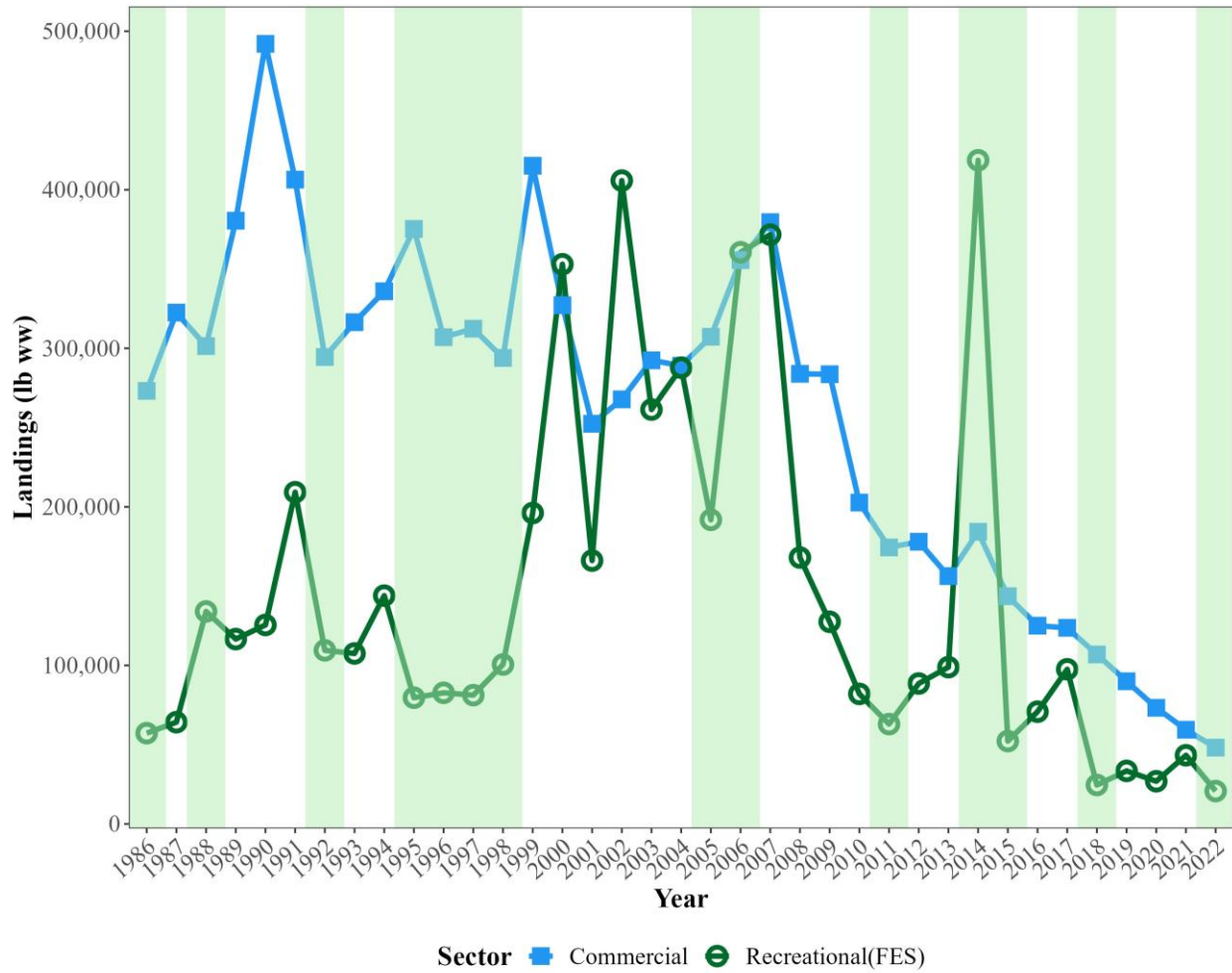


Figure D.1.2.2. Aggregated annual estimates of scamp and yellowmouth grouper landings from 1986 to 2022, by fishing sector. Light green shading indicates years with PSE values > 50% for recreational landings estimates.

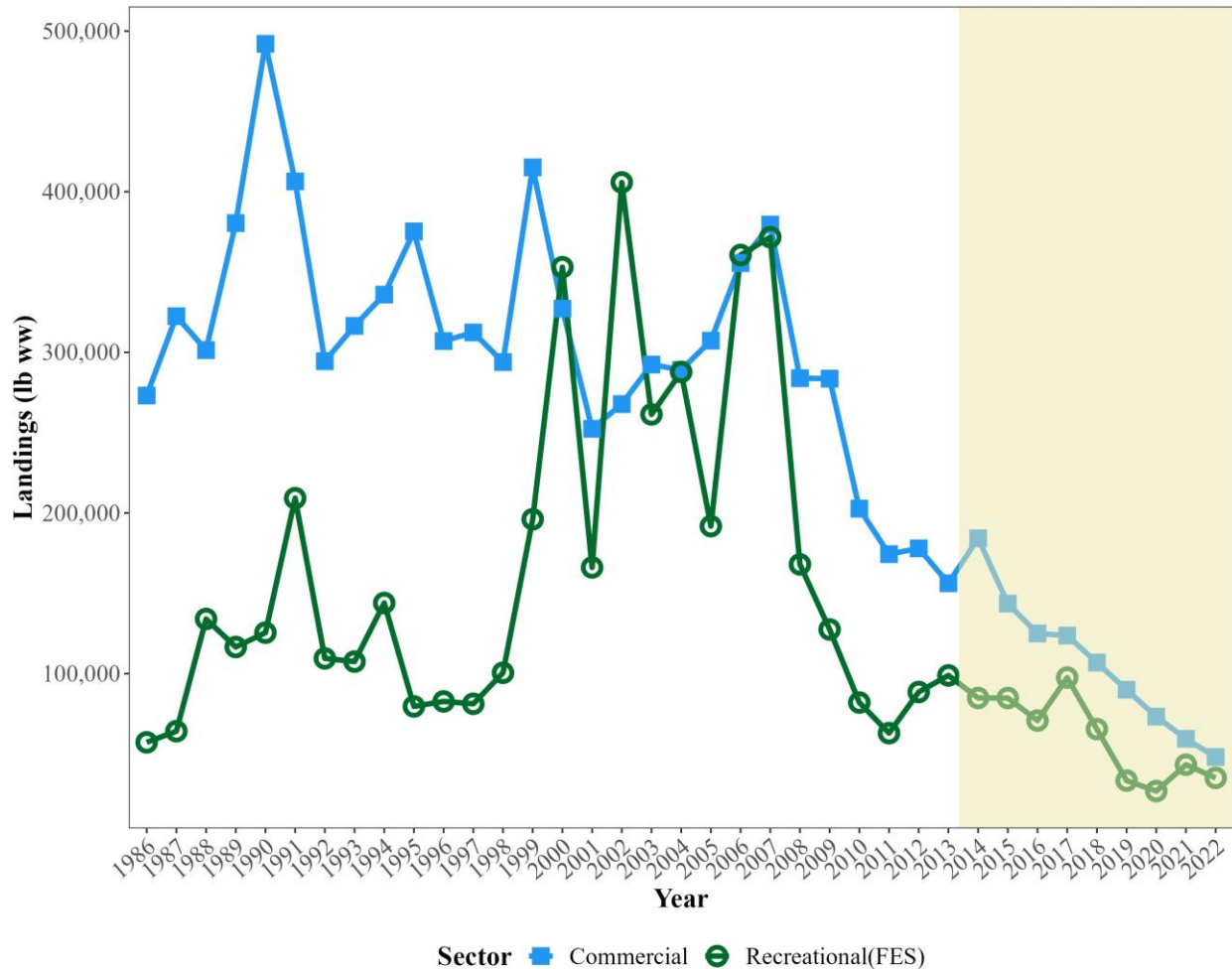


Figure D.1.2.3. Aggregated annual estimates of scamp and yellowmouth grouper landings from 1986-2022, by sector. Yellow shading indicates years where smoothed landings values were used to replace recreational estimates with PSE values >50%.

Generation of Allocation Alternative Percentages

The final landings histories developed for the recreational and commercial sectors were used to calculate the percentages for proposed allocation Alternatives 2-4 for Action 5 listed in **Table D.1.2.1**. The No Action alternative relies on the current allocation percentages associated with scamp. Alternatives 2 and 3 require the use of the split reduction method to generate allocation percentages for each fleet. This method uses an average landings estimate for each sector as a starting point. The percent reduction from that the total scamp / yellowmouth grouper landings to reach the ACL value proposed for the first year in the rebuilding plan is calculated and applied evenly to the average landings for each sector. The percentage of total landings for each sector is then calculated. In each subsequent year of the rebuilding plan, the difference between the total landings of scamp / yellowmouth grouper and the next ACL is split equally between the two sectors and the percentage of landings for each sector is re-calculated. The average landings values used at the start of the split reduction method in Alternative 2 corresponds with a 5-year average of scamp / yellowmouth grouper landings (2018-2022) and a 10-year average for

Alternative 3 (2013-2022). Alternatives 3 and 4 set allocation percentages as the proportion of total landings associated with each fishing sector, based on the distribution of landings from 2013-2022 (5-year average) and 2018-2022 (10-year average). Allocation percentages were calculated for each of the ACL alternatives suggested by the Science and Statistical Committee (Table D.1.2.2).

Table D.1.2.2. Allocation percentages calculated for each ACL alternative proposed.

Catch Level Alternative 2 (ACL = ABC)						
<i>Allocation Alternatives</i>	<i>Fishing Sector</i>	<i>2025</i>	<i>2026</i>	<i>2027</i>	<i>2028</i>	<i>2029</i>
Alternative 1 (No Action)	Commercial	NA	NA	NA	NA	NA
Alternative 1 (No Action)	Recreational	NA	NA	NA	NA	NA
Alternative 2	Commercial	64.90%	63.92%	63.39%	62.90%	62.59%
Alternative 2	Recreational	35.10%	36.08%	36.61%	37.10%	37.41%
Alternative 3	Commercial	63.40%	62.51%	62.04%	61.60%	61.32%
Alternative 3	Recreational	36.60%	37.49%	37.96%	38.40%	38.68%
Alternative 4	Commercial	63.40%	63.40%	63.40%	63.40%	63.40%
Alternative 4	Recreational	36.60%	36.60%	36.60%	36.60%	36.60%
Alternative 5	Commercial	64.90%	64.90%	64.90%	64.90%	64.90%
Alternative 5	Recreational	35.10%	35.10%	35.10%	35.10%	35.10%
Catch Level Alternative 3 (95% of ABC)						
<i>Allocation Alternatives</i>	<i>Fishing Sector</i>	<i>2025</i>	<i>2026</i>	<i>2027</i>	<i>2028</i>	<i>2029</i>
Alternative 1 (No Action)	Commercial	NA	NA	NA	NA	NA
Alternative 1 (No Action)	Recreational	NA	NA	NA	NA	NA
Alternative 2	Commercial	64.90%	63.92%	63.39%	62.90%	62.59%
Alternative 2	Recreational	35.10%	36.08%	36.61%	37.10%	37.41%
Alternative 3	Commercial	63.40%	62.51%	62.04%	61.60%	61.32%
Alternative 3	Recreational	36.60%	37.49%	37.96%	38.40%	38.68%
Alternative 4	Commercial	63.40%	63.40%	63.40%	63.40%	63.40%
Alternative 4	Recreational	36.60%	36.60%	36.60%	36.60%	36.60%
Alternative 5	Commercial	64.90%	64.90%	64.90%	64.90%	64.90%
Alternative 5	Recreational	35.10%	35.10%	35.10%	35.10%	35.10%
Catch Level Alternative 4 (90% of ABC)						
<i>Allocation Alternatives</i>	<i>Fishing Sector</i>	<i>2025</i>	<i>2026</i>	<i>2027</i>	<i>2028</i>	<i>2029</i>
Alternative 1 (No Action)	Commercial	NA	NA	NA	NA	NA
Alternative 1 (No Action)	Recreational	NA	NA	NA	NA	NA
Alternative 2	Commercial	64.90%	63.92%	63.39%	62.90%	62.59%
Alternative 2	Recreational	35.10%	36.08%	36.61%	37.10%	37.41%
Alternative 3	Commercial	63.40%	62.51%	62.04%	61.60%	61.32%
Alternative 3	Recreational	36.60%	37.49%	37.96%	38.40%	38.68%
Alternative 4	Commercial	63.40%	63.40%	63.40%	63.40%	63.40%
Alternative 4	Recreational	36.60%	36.60%	36.60%	36.60%	36.60%
Alternative 5	Commercial	64.90%	64.90%	64.90%	64.90%	64.90%
Alternative 5	Recreational	35.10%	35.10%	35.10%	35.10%	35.10%

Catch Limit Analysis

The catch level recommendations provided by the SSC during their April 2023 meeting, in response to the results of SEDAR 68, were used to conduct a catch limit analysis. The SSC recommended acceptable biological catch (ABC) values in total removals, which represents the sum of landings and dead discards for scamp and yellowmouth grouper. However, the acceptable biological catch values in total removals were reduced by 5% to account for dead discards (Appendix D-1.1), allowing the ACL to be monitored in landings only. Three catch limit alternatives were proposed for the 5-year rebuilding period (**Table D.1.2.3**).

Table D.1.2.3. Proposed catch limit values in pounds whole weight for scamp and yellowmouth grouper in the South Atlantic region.

Alternative	2025	2026	2027	2028	2029
Alternative 1 (No Action, no ABC)	n/a				
Alternative 2 (ACL = ABC)	67,450	72,200	75,050	77,900	79,800
Alternative 3 (95% of ABC)	64,078	68,590	71,298	74,005	75,810
Alternative 4 (90% of ABC)	60,705	64,980	67,545	70,110	71,820

This analysis investigates whether the scamp / yellowmouth grouper complex ACL can be reached or exceeded using recent landings data to project future landings. The last five years of landings data, 2018 to 2022, were investigated for anomalies in landing patterns. The recreational and commercial landings were plotted by wave and month, respectively, but no major deviations in landings were observed (**Figures D.1.2.4 and D.1.2.5**). After confirming that the three most recent years of landings data are most representative of current fishing behaviors, these data were averaged to generate wave / month level projected landings estimates, by sector (**Figures D.1.2.6 and D.1.2.7**). The projected landings were used to calculate daily recreational and commercial landings estimates. These estimates were summed cumulatively by sector and compared against the catch limit values for the rebuilding period to project when the ACLs might be met. This process was repeated for each allocation and catch limit alternative, with the allocation percentages used to specify the sector level catch limits for each year (**Tables D.1.2.4 and D.1.2.5**). Closures are expected for most years in the rebuilding period, based on recent projected landings. Recreational closures would likely be minimized, using allocation alternatives 3 and 4, with the ACL alternative where ACL=ABC (ACL Alternative 2). When closures were projected for the recreational fleet, these were estimated to occur starting in Wave 4, for the least restrictive catch limit scenarios. For the commercial sector, all scenarios were projected to meet the ACL before the end of the calendar year. Allocation alternative 5, for the least restrictive ACL alternative (ACL=ABC) is projected to provide the longest fishing season for the commercial sector. The ACL is likely to be met in each year of the rebuilding plan, as the stock landings exceed the proposed ACLs for every catch limit alternative in the last three years. The rebuilding schedule requires a large reduction from the current scamp ACL (**Figure D.1.2.8**).

Table D.1.2.4. Predictions for when scamp / yellowmouth grouper ACLs would be met under each allocation and catch level alternative for the recreational sector. Dashes in cell represent a scenario when the ACL is not anticipated to be met.

Allocation Alternatives (Action 5)	Alternative 1: No Allocation		Alternative 2: 35.10%- 37.41%		Alternative 3: 36.60%- 38.68%		Alternative 4: 36.60%		Alternative 5: 35.10%	
Catch Level Alternative 2 (ACL = ABC)										
ACL (Action 4)	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Days	ACL Met	Approx. Days
67,450 (2025)	NA	NA	Wave 4	85	Wave 6	218	Wave 6	218	Wave 4	85
72,200 (2026)	NA	NA	Wave 4	95	-	245	-	245	Wave 4	91
75,050 (2027)	NA	NA	Wave 4	101	-	245	-	245	Wave 4	94
77,900 (2028)	NA	NA	Wave 4	107	-	245	-	245	Wave 4	97
79,800 (2029)	NA	NA	Wave 4	111	-	245	-	245	Wave 4	100
Catch Level Alternative 3 (95% of ABC)										
ACL (Action 4)	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days
64,078 (2025)	NA	NA	Wave 4	81	15-Sep	137	Wave 5	137	Wave 4	81
68,590 (2026)	NA	NA	Wave 4	90	-	245	-	245	Wave 4	86
71,298 (2027)	NA	NA	Wave 4	96	-	245	-	245	Wave 4	89
74,005 (2028)	NA	NA	Wave 4	102	-	245	-	245	Wave 4	93
75,810 (2029)	NA	NA	Wave 4	105	-	245	-	245	Wave 4	95
Catch Level Alternative 4 (90% of ABC)										
ACL (Action 4)	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days
60,705 (2025)	NA	NA	Wave 4	77	Wave 4	118	Wave 4	118	Wave 4	77
64,980 (2026)	NA	NA	Wave 4	86	Wave 5	161	Wave 5	152	Wave 4	82
67,545 (2027)	NA	NA	Wave 4	91	-	245	Wave 6	224	Wave 4	85
70,110 (2028)	NA	NA	Wave 4	97	-	245	-	245	Wave 4	88
71,820 (2029)	NA	NA	Wave 4	100	-	245	-	245	Wave 4	90

Table D.1.2.5. Predictions for when scamp / yellowmouth grouper ACLs would be met under each allocation and catch level alternative for the commercial sector.

Allocation Alternative (Action 5)	Alternative 1: No Action		Alternative 2: 64.90%-62.59%		Alternative 3: 63.40%-61.32%		Alternative 4: 63.40%%		Alternative 5: 64.90%	
Catch Level Alternative 2 (ACL = ABC)										
ACL (Action 4)	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Days	ACL Met	Approx. Days
67,450 (2025)	NA	NA	7-Sep	129	2-Aug	93	2-Aug	93	7-Sep	129
72,200 (2026)	NA	NA	19-Sep	141	9-Aug	100	10-Aug	101	24-Sep	146
75,050 (2027)	NA	NA	26-Sep	148	14-Aug	105	15-Aug	106	8-Oct	160
77,900 (2028)	NA	NA	6-Oct	158	18-Aug	109	20-Aug	111	25-Oct	177
79,800 (2029)	NA	NA	14-Oct	166	21-Aug	112	23-Aug	114	13-Nov	196
Catch Level Alternative 3 (95% of ABC)										
ACL (Action 4)	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days
64,078 (2025)	NA	NA	28-Aug	119	28-Jul	88	28-Jul	88	28-Aug	119
68,590 (2026)	NA	NA	6-Sep	128	3-Aug	94	4-Aug	95	11-Sep	133
71,298 (2027)	NA	NA	13-Sep	135	7-Aug	98	8-Aug	99	21-Sep	143
74,005 (2028)	NA	NA	20-Sep	142	11-Aug	102	13-Aug	104	1-Oct	153
75,810 (2029)	NA	NA	25-Sep	147	14-Aug	105	16-Aug	107	12-Oct	164
Catch Level Alternative 4 (90% of ABC)										
ACL (Action 4)	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days	ACL Met	Approx. Days
60,705 (2025)	NA	NA	21-Aug	112	23-Jul	83	23-Jul	83	21-Aug	112
64,980 (2026)	NA	NA	27-Aug	118	28-Jul	88	29-Jul	89	30-Aug	121
67,545 (2027)	NA	NA	31-Aug	122	1-Aug	92	2-Aug	93	7-Sep	129
70,110 (2028)	NA	NA	6-Sep	128	5-Aug	96	6-Aug	97	17-Sep	139
71,820 (2029)	NA	NA	11-Sep	133	7-Aug	98	9-Aug	100	23-Sep	145

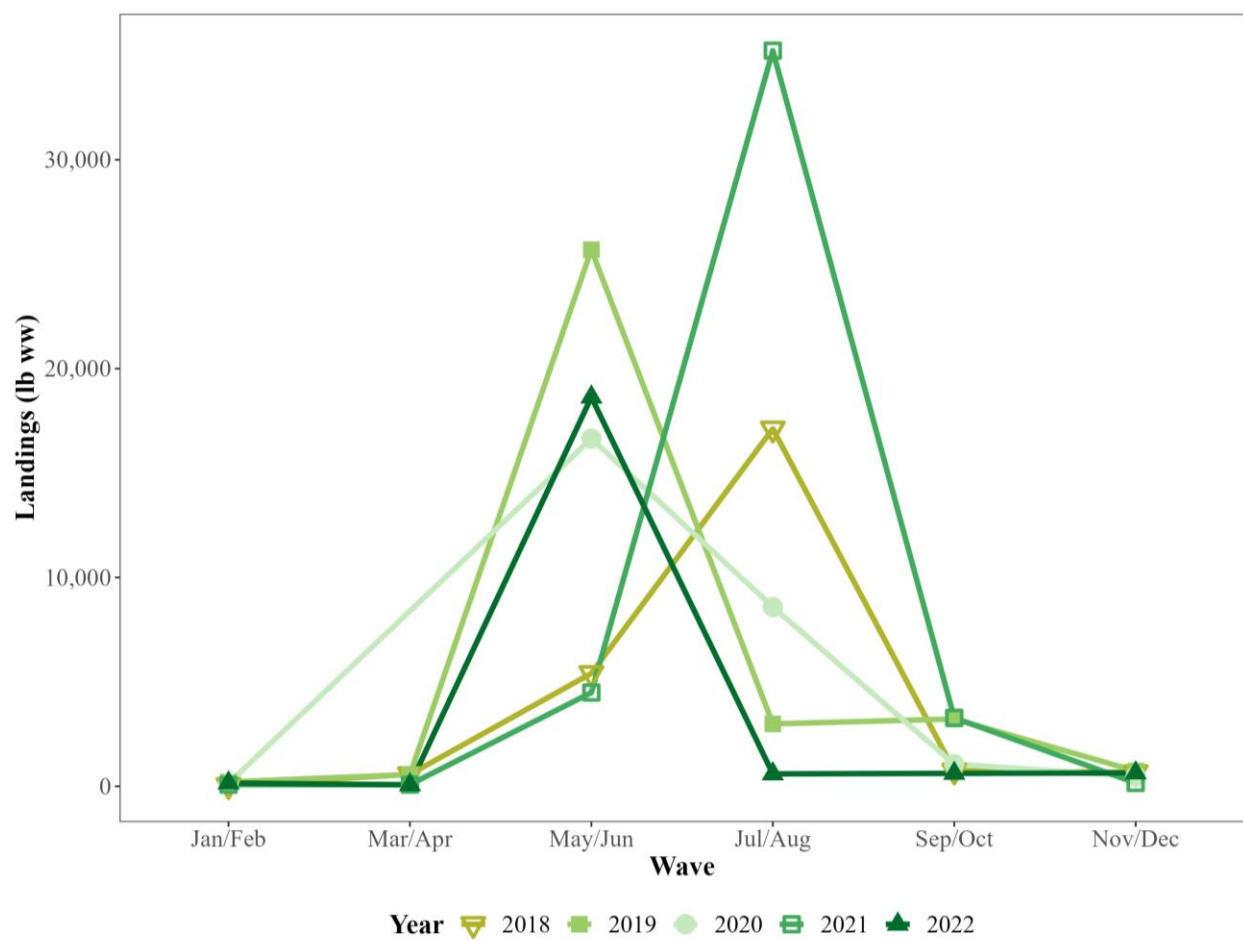


Figure D.1.2.4. Observed recreational landing by wave, including MRIP-FES recreational landings from shore and private boat fishing modes, FHS landings for charter vessels, and SRHS landings for headboat vessels (Source: MRIP-FES Recreational data – August 2023).

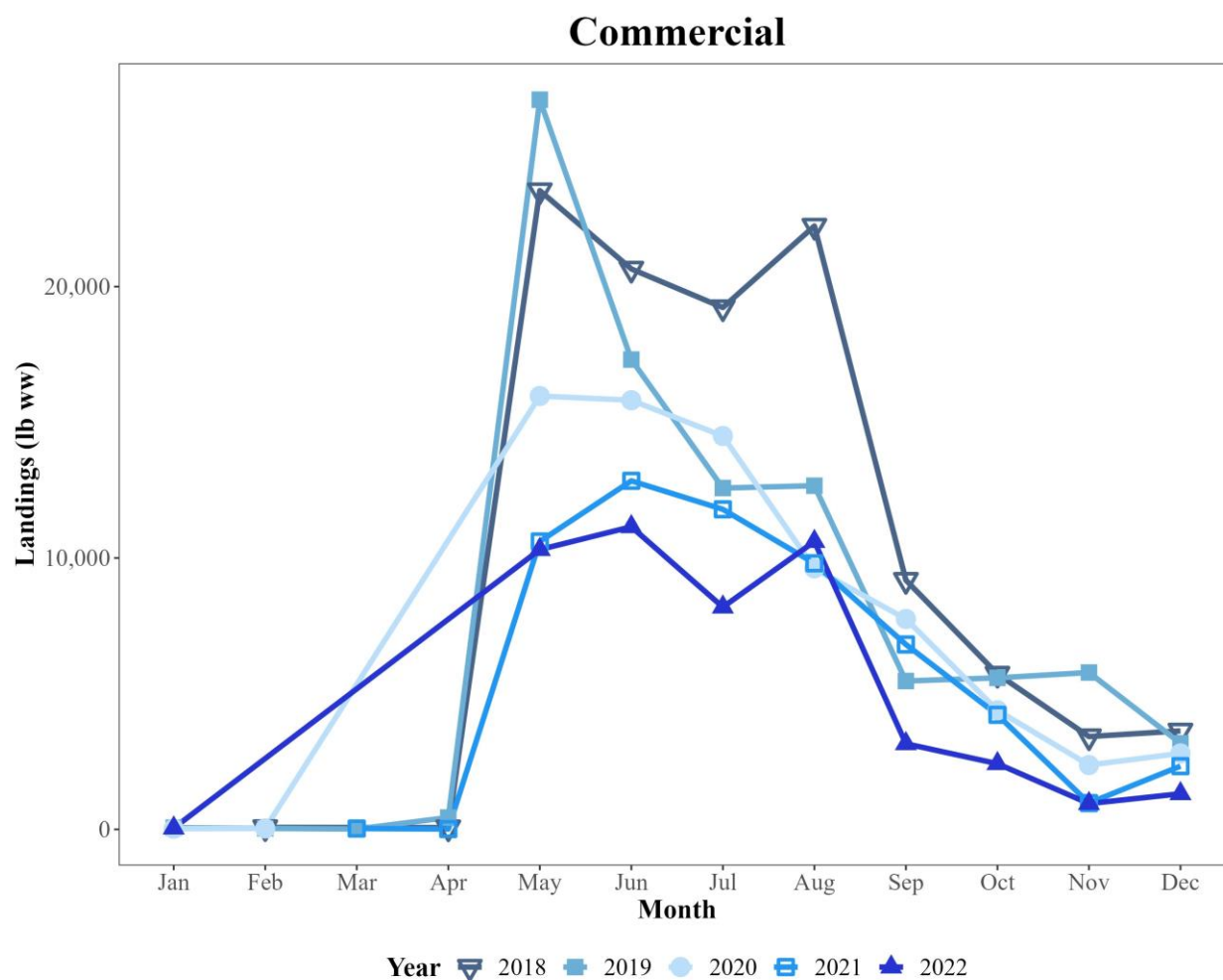


Figure D.1.2.5. Observed commercial landings from 2018-2022 (Source: SEFSC Commercial ACL Data – September 2023).

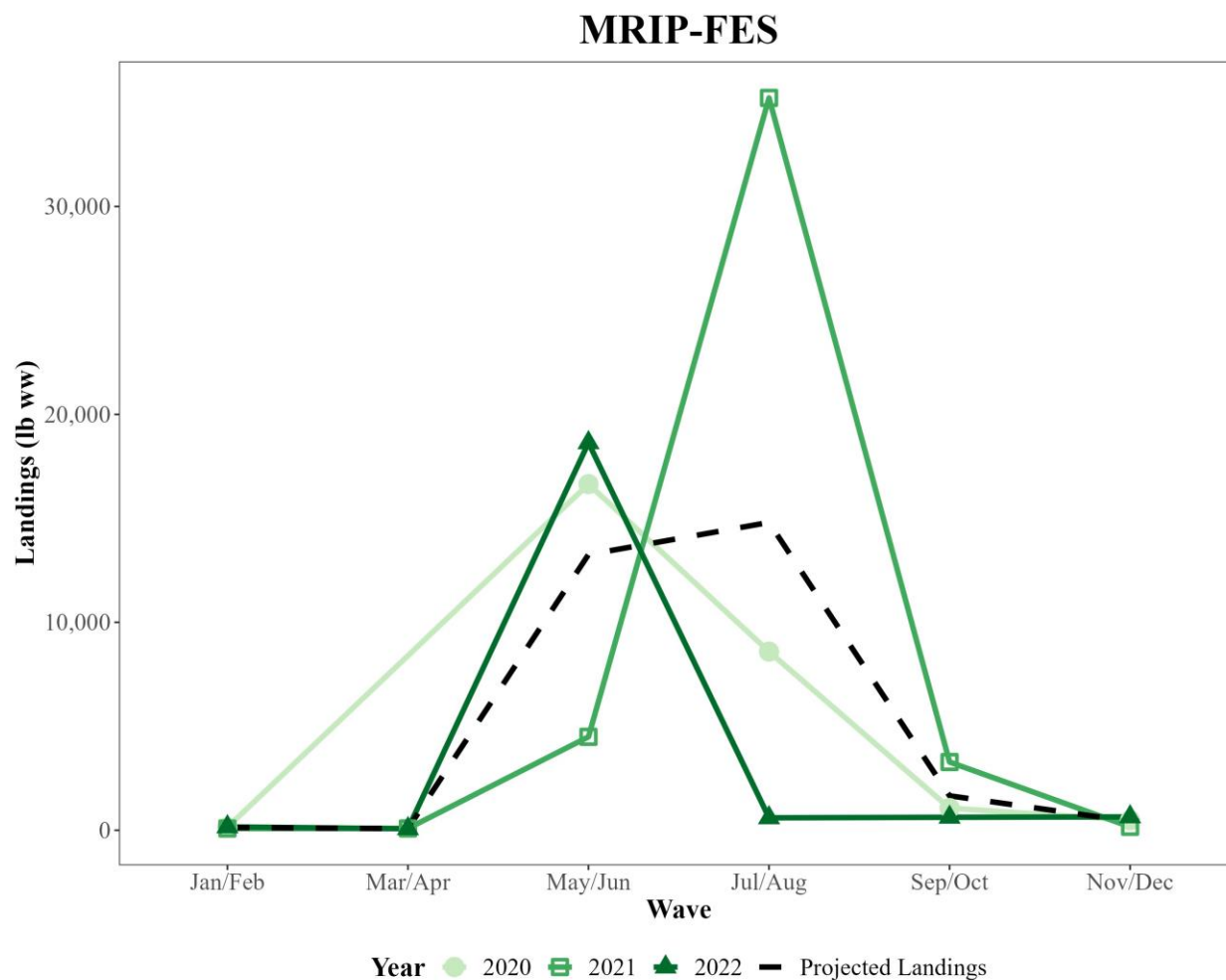


Figure D.1.2.6. Observed and projected recreational landings, in MRIP-FES units from 2020-2022. Landings from 2022 are preliminary (MRIP-FES Recreational data – August 2023).

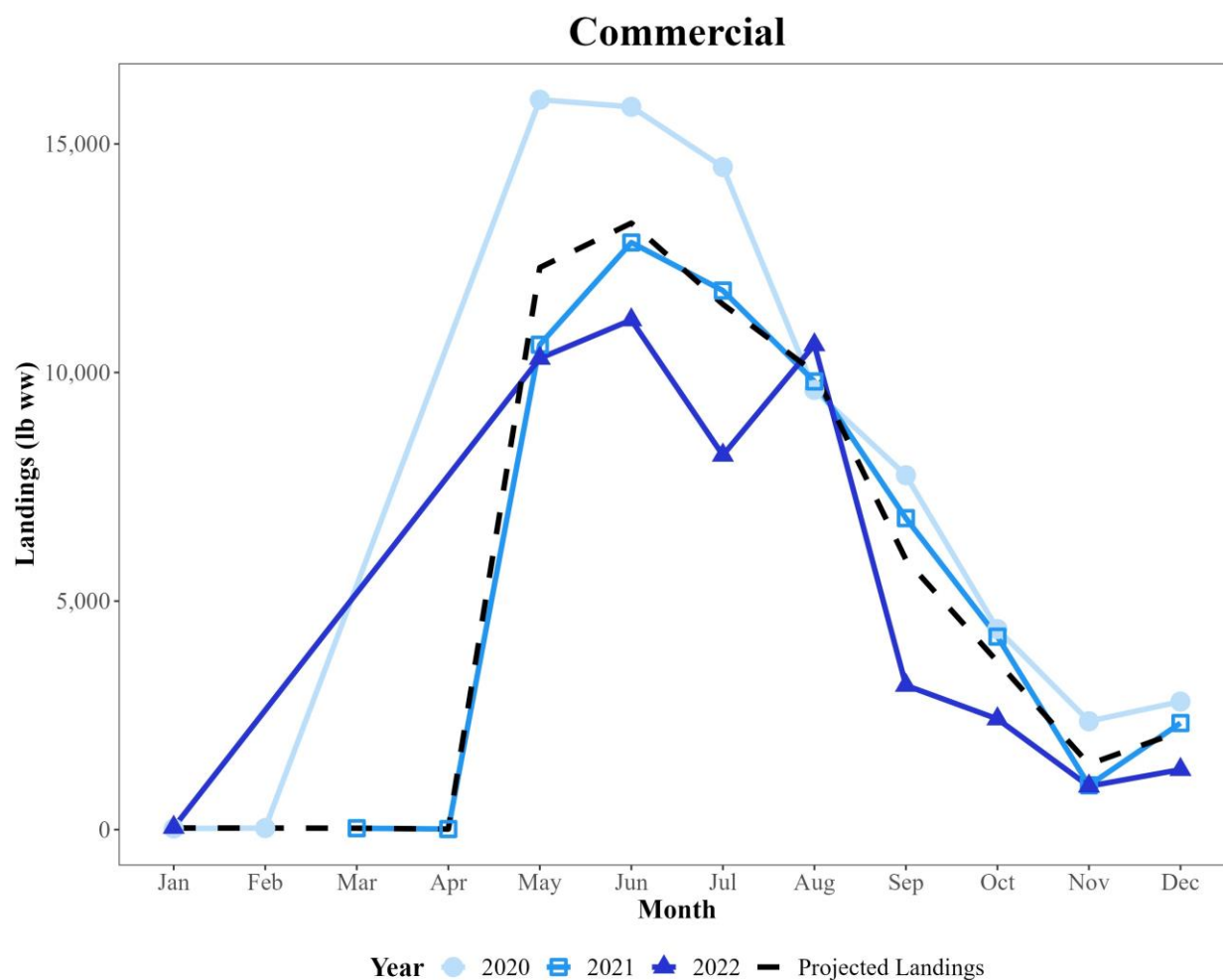


Figure D.1.2.7. Observed and projected commercial landings from 2020-2022 (Source: SEFSC Commercial ACL data – September 2023).

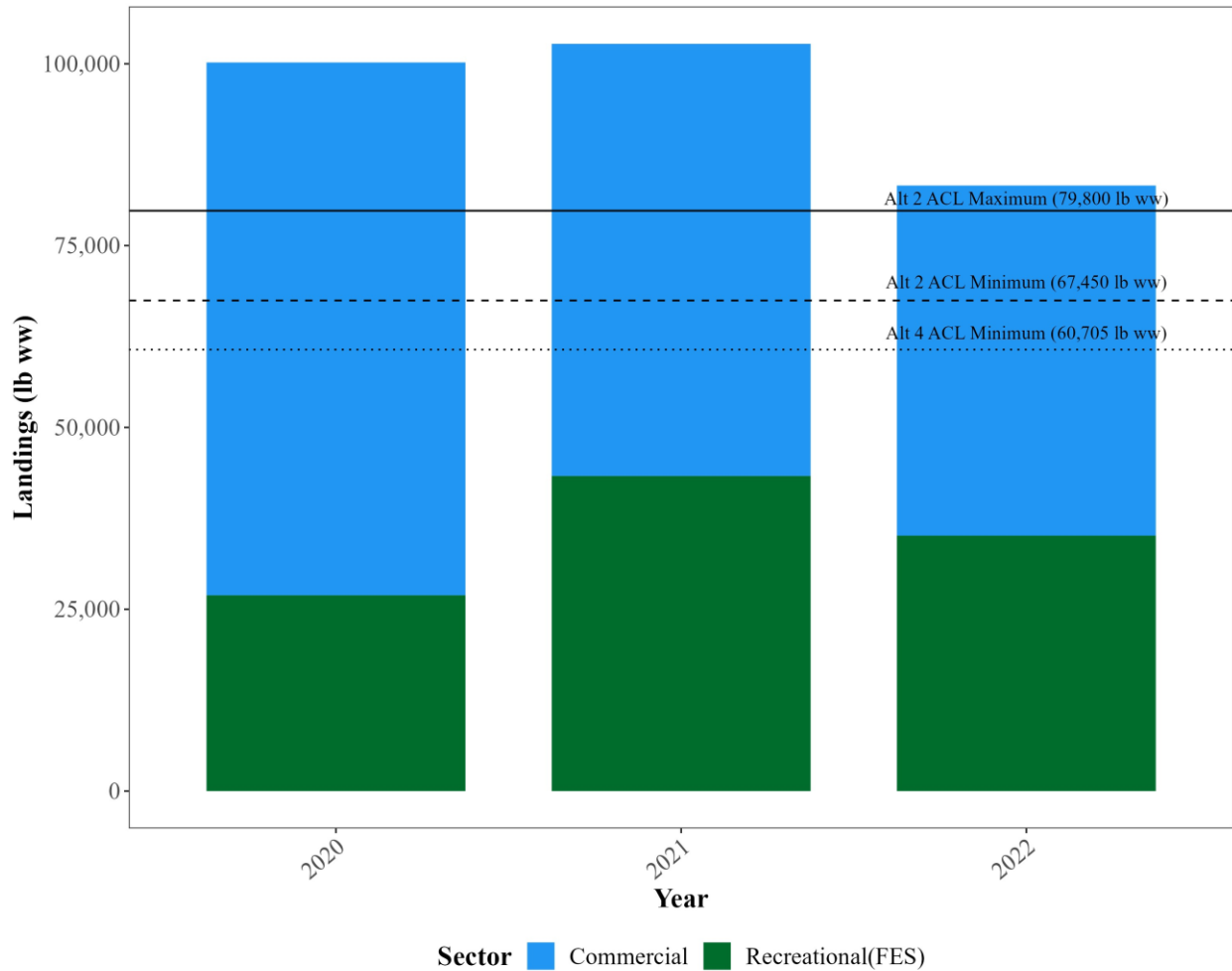


Figure D.1.2.8. Landings of scamp and yellowmouth grouper by sector for the last 3 years, using the smoothed recreational landings that replace values with high PSEs. Reference lines show the highest and lowest catch limit values for Alternative 2 (ACL=ABC) and the minimum value for catch limit Alternative 4 (90% of ABC).

Literature Cited

SEDAR. 2022. SEDAR 68 South Atlantic Scamp Stock Assessment Report. SEDAR, North Charleston SC. 162 pp. available online at: <https://sedarweb.org/assessments/sedar-68/>

Appendix E. Allocations Review Trigger Policy

In a letter to the NOAA Assistant Administrator dated July 16, 2019, the South Atlantic Fishery Management Council (Council) responded to NOAA's Fisheries Allocation Review Policy ([NMFS Policy Directive 01-119](#)) and the associated Procedural Directive on allocation review triggers (NMFS Procedural Directive 01-119-01). The Policy established the responsibility for the Regional Fishery Management Councils to set allocation review triggers and consider three types of trigger criteria: indicator, public interest, and time. Councils were directed to establish triggers for consideration of allocation reviews by August 2019. The Council's response follows:

The Council has reviewed species allocations on numerous occasions in the past. However, these reviews may not have been formally documented in a fishery management plan amendment if a decision was made not to modify sector allocations. This new policy will ensure all species currently having sector allocations will be reviewed on a regular basis and will formalize the allocation review process so the Council's consideration of allocations will be documented.

The Council reviewed their current sector allocations and began discussions on the Policy and Procedural Directives and criteria for considering fishery allocation reviews at their December 2018 meeting. At their June 2019 meeting, the Council adopted two types of criteria for triggering consideration of an allocation review: indicator and time.

The Council chose several indicator-based criteria as triggers:

- Either sector exceeds its ACL or closes prior to the end of its fishing year three out of five consecutive years,
- Either sector under harvests its ACL or OY by at least 50% three out of five consecutive years,
- After a stock assessment is approved by the SSC and presented to the Council, and
- After the Council reviews a species Fishery Performance Report.

The Council chose a time-based trigger to ensure allocation reviews are regularly considered. Each species will have its sector allocations reviewed not less than every seven years. Table I.1.1 shows by species when the next sector allocation review will be considered by the Council should an indicator-based criterion not be triggered. Regardless of whether consideration of an allocation review is triggered by an indicator or time criterion once it occurs the next one will automatically be scheduled for consideration seven years later. For species which are jointly managed with the Gulf of Mexico Fishery Management Council, the timing for consideration of allocation reviews was coordinated with that council.

A public interest-based criterion was not selected because the Council currently receives substantial and regular comment from the public through scoping and public hearing sessions,

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general public comment periods held at every Council meeting, the public comment form on the Council's website, and through other more informal channels. Thus, the Council decided the existing Council process provides sufficient opportunity for public input on allocation.

Table E.1.1. Next year for allocation reviews (as of 2019) for Council managed species.

Assessed Species	Review Year	Unassessed Species	Review Year	Grunts complex	Review Year
Black grouper	2026	Atlantic spadefish	2022	White grunt	2024
Black sea bass	2023	Bar jack	2022	Sailor's choice grunt	2024
Blueline Tilefish	2020	Scamp	2022	Tomtate	2024
Gag	2022	Speckled hind	*	Margate	2024
Golden tilefish	2021	Warsaw grouper	*	Shallow-Water Groupers complex	Review Year
Gray triggerfish	2023	Deepwater Species	Review Year	Red hind	2026
Greater amberjack	2021	Yellowedge grouper	2024	Rock hind	2026
GA-NC Hogfish	2023	Silk snapper	2024	Yellowmouth grouper	2026
FLK/EFL Hogfish	2023	Misty grouper	2024	Yellowfin grouper	2026
Mutton napper	2023	Sand tilefish	2024	Coney	2026
Red grouper	2023	Queen Snapper	2024	Graysby	2026
Red porgy	2021	Blackfin snapper	2024	Porgy complex	Review Year
Red snapper	2024	Jacks complex	Review Year	Jolthead porgy	2027
Snowy grouper	2021	Almaco jack	2025	Knobbed porgy	2027
Vermilion snapper	2021	Banded rudderfish	2025	Saucereye porgy	2027
Wreckfish	2019	Lesser amberjack	2025	Scup	2027
Yellowtail snapper	2021	Snappers complex	Review Year	Whitebone porgy	2027
Atlantic Group King mackerel	2021	Gray snapper	2025	Dolphin/Wahoo	Review Year
Atlantic Group Spanish mackerel	2022	Lane snapper	2025	Dolphin	2019
Gulf Group Cobia FL East Coast zone	2021	Cubera snapper	2025	Wahoo	2019

*ACL=0 for this species. If ACL>0 in the future, allocations will be reviewed when the ACL is increased.