

Gulf of Mexico Fishery Management Council

Update and Liaison Report



August/September 2021 Update

The Gulf of Mexico Fishery Management Council (Council) met in San Antonio, Texas from August 23-26. The meeting began with the induction of re-appointed members Susan Boggs, Jonathan 'JD' Dugas, and Dale A. Diaz. Bob Gill and Billy Broussard were inducted as new members. These members are appointed to serve on the Council for a 3-year term. The Council elected Dale Diaz as its Chairman and Martha Guyas as its Vice Chair. The following is a brief summary of the Council's actions:

Cobia

The Council approved a Public Hearing Draft of Coastal Migratory Pelagics Amendment 32, which considers modifying cobia catch limits; apportionment between the Gulf and Florida East Coast (FLEC) Zones; sector allocations in the Florida East Coast Zone; and management measures including possession limits, vessel/trip limits, and minimum size limits. A recent update stock assessment for cobia showed that the stock is not overfished but is currently experiencing overfishing. The assessment used the new Marine Recreational Information Program Fishing Effort Survey (MRIP-FES) data, which increased the estimates of recreational catch and effort. Based on the assessment, the Council's Scientific and Statistical Committee recommended new overfishing limits and acceptable biological catch levels for 2021-2023 and beyond. While the assessment projections appear to allow for increased harvest, they actually represent an approximate 30% reduction from the current allowable harvest because of the conversion to new MRIP-FES data.

Preferred alternatives would also modify the apportionment between Gulf and Florida East Coast Zones to 63% and 37% respectively, retain the 8% commercial and 92% recreational allocation in the Florida East Coast Zone, and increase the Florida East Coast Zone minimum size limit to 36 inches fork length. The preferred alternatives would use the Gulf Council's ACL/ACT Control Rule to calculate annual catch targets (ACTs) for the Gulf Zone and for the recreational sector in the Florida East Coast Zone. The preferred alternatives would also reduce the commercial and recreational daily bag limit to 1 fish per person and create a commercial and recreational vessel limit of two fish per trip in the Gulf. Finally, the preferred alternatives would modify the framework procedure to update the responsibilities of each Council for setting regulations for coastal migratory pelagics. Since cobia is jointly managed, the South Atlantic Council will review this document at its September meeting. After the South Atlantic Council

approves the public hearing draft the Gulf Council will publish a public hearing video and host a series of eight in-person and virtual public hearing meetings to collect comments before final action is scheduled in October 2021 in Orange Beach, Alabama.

National Academy of Science Reports

The Council requested presentations from a representative of the National Academy of Sciences on the two recent reports: “[Data and Management Strategies for Recreational Fisheries with Annual Catch Limits](#)” and “[The Use of Limited Access Privilege Programs in Mixed-Use Fisheries](#)” Information and insights contained within the reports may help the Council to address management challenges and explore recommended alternative management strategies.

Red Grouper

The Council reviewed a draft Framework Action that considers increasing red grouper catch limits. The Council’s Scientific and Statistical Committee (SSC) recently reviewed an adjustment to the recreational landings in gutted weights provided by the SEDAR 61 assessment model. Additionally, it considered an interim analysis that modifies red grouper abundance estimates based on National Marine Fishery Service Bottom Longline Survey data. As a result, the SSC provided a recommendation to increase the red grouper overfishing limit (OFL) and acceptable biological catch (ABC). The Council chose a preferred alternative that would increase red grouper catch levels by 700,000 pounds gutted weight to align with the newly recommended OFL and ABC. The Council expects to take final action on this Framework Action during its October meeting.

Red Snapper Data Calibration and Recreational Catch Limits

In April 2021, the Council took final action on a Framework Action that addresses Red Snapper Recreational Data Calibration and Recreational Catch Limits. The Council decided to apply state-specific calibration ratios developed by the Gulf States and NOAA’s Office of Science and Technology so that state survey data can be converted to the Marine Recreational Information Program’s Coastal Household Telephone Survey ‘data currency’. This was done to ensure that the data used to monitor harvest can be compared to the data used to set catch limits and used in stock assessments. The Council recommended that NOAA Fisheries implement this Framework Action on January 1, 2023, for two reasons: in anticipation of new catch advice that would be developed before calibrations were applied; and, to allow time for the Gulf States to work with NOAA Office of Science and Technology to resolve outstanding data issues with the ratio calibrations. However, NOAA Fisheries has indicated that waiting to implement the calibrations would allow the red snapper annual catch limit to be exceeded in 2022. The Framework Action will be transmitted to the Southeast Regional Office in the coming month. Once the document is transmitted, the Secretary of Commerce may act to ensure that the fishery management plan is consistent with the Magnuson-Stevens Fishery Conservation and Management Act.

The Council also passed a motion requesting that NOAA’s Office of Science and Technology work with the Gulf States Marine Fisheries Commission and state partners to conduct a data workshop. That workshop should include an examination of how Marine Recreational Information Program estimates of recreational red snapper landings are affected by small management areas or short fishing seasons. Additionally, 2020 landings data should be considered in the review. The Council requests that its Scientific and Statistical Committee

review findings from the workshop and determine their appropriateness for use in management before January 1, 2023, when previous calibration ratios are expected to be implemented.

The Council also decided to write a letter to National Marine Fisheries Service asking them to act on direction of the United States Congress in the Congressional, Justice, Science, and Related Agencies Appropriation Act of 2021. Specifically, the Council asked National Marine Fisheries Service to contract with a non-governmental entity with expertise in statistics and fishery-dependent data collection to determine whether Marine Recreational Information Program or the catch data programs administered by the Gulf states provide the best estimates of recreational red snapper catch in the Gulf of Mexico.

Shrimp

The Council continued work on a draft Framework Action that aims to transition the federally permitted Gulf shrimp fleet to a new platform for vessel position data collection and transmission. This will replace the cellular electronic logbook program which stopped transmitting shrimp effort data at the end of 2020, due to the expiration of 3G network support. The Council modified alternatives in the document to clarify that vessel position data would only be archived when on a fishing trip. The Council also modified alternatives to define which vessels would be required to install a Vessel Monitoring System or cellular-based electronic logbook. The Council discussed whether the current technical specifications for Vessel Monitoring Systems are suitable for the Gulf shrimp fleet. The Council decided to create a working group to reconcile issues with the technical specifications, data collection and security needs, and the needs of the industry before moving forward with the document.

Scientific and Statistical Committees

The Council populated its Special Coral and Special Shrimp Scientific and Statistical Committees. The Scientific and Statistical Committees are comprised of professional biologists, economists, sociologists, and other scientists that advise the Council on the scientific, technical, social, and economic aspects of the fisheries in the Gulf. The list of people who have been selected to serve for a three-year term can be found [here](#).

The Council updated its Statement of Organization Practices and Procedures to better define membership and desired expertise for members of the Standing Scientific and Statistical Committee. The Council reduced the total membership to 17 people, increased the required number of stock assessment or quantitative biologists to 8, and specified that the required number of economists and social scientists must be at least two of each, and 5 other scientists. The Council also chose to increase the Scientific and Statistical Committee member daily stipend rate from \$300 to \$350 per day.

Historical Captain Permit Conversion

In 2020, people holding historical captain permits that were valid as of October 25, 2018 were given the option to replace them with standard federal charter/headboat permits with the same permit capacity as the historical captain permit it replaces. Today, only two of 61 permits issued before October 25, 2018 have not been converted. Additionally, there are six historical captain permits issued after October 25, 2018 that are not eligible for conversion. The Council requested that staff initiate work on an action that will allow conversion of recently issued historical captain permits to conventional permits.

Electronic Reporting VMS Equipment Failure

The Council continued work on a Framework Action to ensure that for-hire and commercial trips are not delayed or canceled in the event of VMS equipment failures. Vessels with commercial reef fish permits are currently required to be equipped with satellite VMS systems that transmit location data to NOAA Fisheries. Vessels with Charter/Headboat permits for reef fish or coastal migratory pelagics will soon be required to be equipped with a satellite or cellular position reporting unit that operates 24-hours a day, collects location data, and automatically transmits data to NOAA Fisheries. The Council plans to continue work to develop exemptions to location monitoring requirements due to equipment failure at the October Council meeting.

Individual Fishing Quota Programs

The Council continued to work on Reef Fish Amendment 36B which considers requiring some or all individual fishing quota shareholder accounts to be associated with a commercial reef fish permit. The Council chose additional preferred alternatives that would: require shares acquired from inheritance or other legal proceedings to be associated with a permit within 3 years of the date of transfer; not limit shares in permit-exempt shareholder accounts beyond the existing share caps; and would not allow closed accounts to be permit-exempt if re-opened.

The Council briefly discussed Reef Fish Amendment 36C which considers a mechanism for distributing shares reclaimed by NOAA Fisheries from non-activated accounts, establishing a quota bank, and requiring accuracy for the estimated weights in advanced landing notifications. The Council decided to move the action addressing accuracy of estimated weights in advanced landing notifications to considered but rejected.

The Council also decided to form a small, facilitated focus group to define the changes needed to improve the Individual Fishing Quota programs. Specifically, the group should address minimizing discards, fairness and equity, and new entrants. Findings should be reported to Scientific and Statistical Committee and appropriate Advisory Panels for review. The Council will pause further work on Reef Fish Amendment 36B while the focus group is being organized.

Sector Separation

Sector separation is the partitioning of the recreational sector and quota into a federal for-hire component and a private angling component. The Council heard a presentation on sector separation for red grouper, gag, greater amberjack, and gray triggerfish. This could involve establishing a separate federal for-hire and private angling components for some or all of the proposed species, apportioning resources between components, and creating separate accountability measures for each component. The Council took no action during this meeting.

DESCEND Act

The Council was presented with proposed regulations that are expected to be implemented through the DESCEND Act of 2020. Beginning in January 2022, anglers, including spearfishers, aboard vessels fishing for Gulf reef fish in federal waters will be required to have a venting tool or descending device rigged and ready for use while fishing. These requirements will remain in effect until January 14, 2026. NOAA Fisheries indicated that it will solicit feedback on these requirements before final rulemaking and implementation.