

South Atlantic Fishery Management Council Amendments Under Development



Prepared for the Law Enforcement Advisory Panel

February 2022

Atlantic King Mackerel (Coastal Migratory Pelagics Amendment 34)

The amendment addresses catch level adjustments for Atlantic King Mackerel based on the recent stock assessment update. It also adjusts sector allocations and management measures. The Council has removed actions related to modification of the minimum size limit from further consideration. The amendment will be considered for formal review in March 2022.

Commercial and recreational fishermen have reported increasing interactions with sharks or barracudas resulting in Atlantic king mackerel and Atlantic Spanish mackerel having their tails bitten off before they can be landed. The Council would like input from the Law Enforcement Advisory Panel (LE AP) on Action 7 in CMP Amendment 34, which considers allowing recreational fishermen to possess and offload ashore, cut-off (damaged) Atlantic king and Spanish mackerel that comply with the minimum size limit. Note: this provision already exists for the commercial sector.

State laws requires that fish be landed with heads and fins intact. Generally, the laws were put into place to keep fish from being cleaned or filleted before landing to avoid identification issues for law enforcement.

Requested LE AP Input: How could the issue of 'landing fish intact' be resolved from an enforcement perspective to allow recreational fishermen to possess and land cut-off/damaged fish?

Red Porgy (Snapper Grouper Amendment 50)

The amendment responds to the latest stock assessment which indicated red porgy are overfished and overfishing is occurring. The Council is required to establish a rebuilding plan by June 2022 and adjust catch levels and management measures to end overfishing. The amendment would establish a rebuilding plan, revise annual catch limits, sector allocations, management measures for the commercial and recreational sectors, and accountability measures for the recreational sector.

The Council's current preferred alternative for the recreational bag limit is to reduce to *1 per person per day, or 1 per trip, whichever is more restrictive*. Council members want to know if the regulation could be changed to "per person per trip per day".

The NOAA OLE representative on the amendment development team (IPT) advised that the "per trip" portion of the current recreational regulation is difficult to enforce currently. It is unlikely a vessel would be boarded twice in one day. Removing this language would not impact current enforcement efforts.

If removed, the action may affect other possession regulations-622.187 (c)(i)(ii):

(c) Possession limits.

(1) Provided each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the duration of the trip -

(i) A person aboard a charter vessel or headboat on a trip that spans more than 24 hours may possess no more than two daily bag limits of species other than red porgy.

(ii) A person aboard a headboat on a trip that spans more than 48 hours and who can document that fishing was conducted on at least 3 days may possess no more than three daily bag limits of species other than red porgy.

(2) A person aboard a vessel may not possess red porgy in or from the EEZ in excess of three per day or three per trip, whichever is more restrictive.

The Council is scheduled to approve the amendment for formal review in March 2022.

Requested LE AP Input: Comment on any enforcement issues associated with modifying the recreational possession regulation.

Greater Amberjack (Snapper Grouper Amendment 49)

The amendment responds to the latest stock assessment which indicated greater amberjack are not overfished and overfishing is not occurring. The amendment would adjust catch levels, sector allocations, and consider modifications to recreational and commercial management measures, including minimum size limits, seasonal commercial trip limits, and the April spawning closure. The amendment also proposes removing recreational annual catch targets for species managed under the Snapper Grouper FMP. The amendment will be considered for public hearings in March 2022.

The current spawning closure prohibits purchase or sale of greater amberjack during April and limits commercial possession to 1 fish per person per day or 1 fish per person per trip, whichever is more restrictive, regardless of whether the fish was harvested in state or federal waters. The Council is considering alternatives that would:

- a) prohibit all harvest, purchase, sale, or possession of greater amberjack during April (including both sectors) or
- b) remove the April spawning closure, allowing the Season 1 commercial trip limit to be harvested and sold during April.

Requested LE AP Input: Does the Law Enforcement AP foresee any challenges in enforcing either of these alternatives?

Snowy Grouper (Snapper Grouper Amendment 51)

The amendment responds to the latest stock assessment which indicated that snowy grouper are overfished and undergoing overfishing. The Council is required to adjust catch levels and management measures to end overfishing. A rebuilding plan is currently in place for the species. The amendment would adjust catch levels, sector allocations, and consider modifications to management measures and accountability measures. Approximately a 35% decrease in harvest is required to end overfishing.

The following items were included for public scoping (see *Attachment 1b*):

- Reduce the commercial trip limit (current trip limit: 200 lbs gutted weight)
- Modify the commercial season (current seasons: Jan 1- Jun 30 & Jul 1 – Dec 31)
- Modify recreational management measures (current measures: 1 fish/vessel/day, season: May 1 – Aug 31)
- Modify the recreational accountability measures

Requested LE AP Input: Comment on any enforceability issues

Golden Tilefish and Blueline Tilefish (Snapper Grouper Amendment 52)

The amendment responds to the latest stock assessment for golden tilefish which indicated that golden tilefish are not overfished and overfishing is not occurring. Catch levels would be increased by up to 18%.

The following items were included for public scoping (see *Attachment 1b*):

- Modify fishing year start date for the commercial golden tilefish longline and hook-and-line gear sectors
- Modify commercial and recreational accountability measures for golden tilefish

The amendment would also address blueline tilefish ACL overages and adjust management to be more effective at preventing overages. In the last six years, landings have often exceeded the sector and total annual catch limits. Overages of the recreational annual catch limit have been particularly large (average of 188%).

The following items were included for public scoping (see *Attachment 1b*):

- Modify recreational blueline tilefish accountability measures and modify if necessary
- Adjust recreational bag/possession limits
 - Different limits for captain and crew
 - Seasonal limits
- Adjust the length of the recreational season

Requested LE AP Input: Comment on any enforceability issues

Gag (Snapper Grouper Amendment 53)

The amendment responds to the latest stock assessment for gag which indicated gag are overfished and undergoing overfishing. The Council is required to establish a rebuilding plan and adjust catch levels and management measures to end overfishing. The amendment proposes to establish a 10-year rebuilding plan, adjust catch levels, sector allocations, commercial and recreational management and accountability measures. Approximately a 50% reduction in harvest is needed to end overfishing and begin rebuilding the stock.

The following items were included for public scoping (see *Attachment 1b*):

- Reduce the commercial trip limits (currently: 1,000 lbs gw, step down to 500 lbs gw when 75% of ACL is met) and recreational bag limit (currently 1 fish/person/day).
- Increase minimum size limit for both sectors (currently: 24 inches)
- Create a slot limit for both sectors
- Restrict or prohibit spear gear during the rebuilding plan
- Modify the recreational spawning season closure (currently Jan 1 – Apr 30)

Requested LE AP Input: Comment on any enforceability issues

Snapper Grouper Release Mortality Reduction Framework

The amendment responds to the latest stock assessment for red snapper (SEDAR 73), which indicated red snapper continue to be overfished and overfishing is occurring, mainly due to the large number fish that are released dead. Dead releases are a major issue in the snapper grouper fishery and affect many species within the complex. The amendment would consider management changes to reduce release mortality in the snapper grouper fishery that would lead to possible adjustment to the recommended ABC for Red Snapper.

The Council is currently considering actions that include restrictions on gear (single hook, leader length, hook size, lines per person), area closures (by depth range or by specified area), defined seasons for the entire jurisdiction or that vary by region within the jurisdiction, or a recreational per person weight limit for Red Snapper.

The Council is very early in this process, and some of the currently listed actions will likely be filtered out based on ability to accomplish the management goals of this framework amendment. Due to the desired time frame for this amendment, it is likely that only one or two of these actions would be implemented through this process.

Requested LE AP Input: Comment on any enforceability issues