

November 14, 2025

Trish Murphey, Chair
South Atlantic Fishery Management Council
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RE: Ocean Conservancy's written comments on scoping Snapper Grouper Amendment 61

Dear Chair Murphey:

Ocean Conservancy¹ offers the following comments to the South Atlantic Fishery Management Council ("Council") as the Council undergoes scoping of Snapper Grouper Amendment 61. We appreciate the opportunity to provide comment and look forward to engaging with the Council on this topic.

In our comments, we recommend the following:

1. The Council should not move forward with Amendment 61 as there is not sufficient justification to consider removal of the 17 proposed stocks.
2. If the Council proceeds with Amendment 61, it must thoroughly consider a range of alternatives, comprehensively and transparently analyze compatibility with the National Standard Guidelines, include an option for an ecosystem component species designation for all species, and include options that ensure species are monitored with a path to bring them back into full management in the future.

As the Council deliberates on the rationale for and impacts of removing species from full management under the Snapper Grouper Fishery Management Plan (FMP), we urge consideration of these recommendations and expand on them in greater detail below.

- 1. The Council should not move forward with Amendment 61 as there is not sufficient justification to consider removal of the 17 proposed stocks.**

Ocean Conservancy does not support removing species from fishery management plans (FMPs) nor extensive recategorization of stocks such that they do not receive conservation and management. **We recommend the Council not move forward with Amendment 61.** We make this recommendation for

¹ Ocean Conservancy unites science, people and policy to protect our ocean, today and for generations to come.

several reasons. First, in reviewing meeting and scoping materials, the genesis and rationale for Amendment 61 is not readily apparent. The Council must explain the purpose and need for this action— why this, why now, and why these species? For example, as part of the briefing materials, it would be helpful to share the survey completed by the Snapper Grouper Committee members about the 17 species selected.

Several previous amendments by the Council have either removed other species from management or designated them as ecosystem component (EC) species, and many were from the same species groups or complexes. This suggests that the need for conservation and management of these complexes was previously reviewed, and during those reviews there was justification for their retention in the management unit. What new information is being revealed that these species no longer warrant federal management? While we acknowledge ongoing scientific capacity constraints in the region and other resource challenges, limited capacity is not a sufficient reason to exclude stocks from management. Lacking resources to assess and monitor a species and/or intending to reduce regulations are not considerations within the National Standard Guidelines regarding the need for conservation and management.²

Additionally, a preliminary look indicates that many of these species are likely to need conservation and management and do benefit from the science and management attention that federal management provides. Under the National Standard Guidelines (“Guidelines”) established to implement the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the general guidelines identify a series of ten factors for consideration as to whether a stock needs conservation and management.³ The guidelines specify that three factors (whether the stock is an important component in the marine environment, whether the stock is caught in the fishery, and whether an FMP can improve or maintain the condition of the stock), must be considered first and weigh in favor of retaining a stock in the FMP.⁴ Several of the species under consideration in Amendment 61 are routinely caught in the fishery or are a top species in terms of recreational landings. The recent preliminary aggregate limit analysis done by Council staff indicated that Atlantic spadefish, white grunt, tomtate were all within the top 10 species landed by recreational anglers from 2019-2024, and sailors choice was within the top 20 species.⁵ Similarly, the 2023 Snapper Grouper Stock Assessment and Fishery Evaluation (SAFE) report indicates that Atlantic spadefish and grunts were in the top species for directed recreational trips (targeted or landed) from 2016-2020.⁶ **For this reason alone, we do not support removal of these species from the**

² 50 CFR 600.305(c).

³ 50 CFR 600.305(c).

⁴ 50 CFR 600.305(c)(4) “Factors in [paragraphs \(c\)\(1\)\(i\) through \(iii\)](#) of this section should be considered first, as they address maintaining a fishery resource and the marine environment. See [16 U.S.C. 1802\(5\)\(A\)](#). These factors weigh in favor of continuing to include a stock in an FMP.”

⁵ South Atlantic Fishery Management Council. Preliminary Aggregate Bag Limit Analysis Developed by Council Staff. September 2025. Available at: https://safmc.net/documents/sg_a3_preliminary-aggregate-limit-analysis_202509-pdf/

⁶ South Atlantic Fishery Management Council. December 2023. Stock Assessment and Fishery Evaluation: Snapper Grouper FMP. Available at: https://safmc.net/wp-content/uploads/2025/01/SG-FMP-SAFE-Report-for-html.html#11_Top_Species

FMP. Additionally, some of the species proposed for removal primarily occur in deeper water, which is likely to be in federal waters. Removing management protections could open these species (of which some are known to aggregate) to increased directed fishing pressure in response to effort shifting.

Another factor is whether there is adequate management *already* in place by states, state/federal programs, or by other regulations or management bodies. North Carolina and South Carolina would have to undertake new rulemaking processes for species removed from management or designated as EC species, and Georgia does not manage the 17 species in state waters.⁷ These facts suggest that the species would be left without adequate management as a result of Amendment 61. Moving stocks out of federal management and relying fully on state management in many cases is likely to even further reduce the science and management attention. Moving stocks to solely state management can also create more of a burden for fishermen and stakeholders. Rather than provide input to one forum only (the Council), fishermen have to provide input via state fish and wildlife commission processes (potentially multiple processes) which often lack transparency. State management also creates greater strain on state budgets and staff that already tend to be more constrained. The Council should include additional detail and analyses regarding capacity of each state for regulating the proposed stocks.

In short, Amendment 61 would have negative conservation outcomes, create uncertainty for anglers, result in an increased management burden for state agencies, and take Council effort and time away from other higher priority initiatives.

- 2. If the Council proceeds with Amendment 61, it must thoroughly consider a range of alternatives, comprehensively and transparently analyze compatibility with the National Standard Guidelines, include an option for an ecosystem component species designation for all species, and include options that ensure species are monitored with a path to bring them back into full management in the future.**

If the Council proceeds with Amendment 61, it must prepare a thorough analysis of the need for conservation and management as required under the National Standard Guidelines and be transparent about how the factors are being evaluated. The Council must explain how each factor is being considered and weighed, and which data were used. Rather than relying on catch limits alone as an indicator, the Council should thoroughly analyze both landing and discard information for these proposed species. While catch limits may not be attained for many of these species, discards (as demonstrated with other stocks in the region) may represent a significant interaction in these fisheries that would indicate the need for continued Council management. It is also imperative that the Council's SSC review the analysis and make recommendations. A publicly available tool, such as the Shiny app that the Council has used previously, would be beneficial if paired with the report of the Council's full analysis. When identifying a reasonable range of alternatives for species that are determined to not

⁷ South Atlantic Fishery Management Council. September 2025. Snapper Grouper Amendment 61 Evaluation of the Fishery Management Unit. Available at: https://safmc.net/documents/sg_a7_sgfmuevaluation_202509-pdf/ at pg. 6.

require conservation and management, the Council must consider how removal of these species from full management could cause harm and/or unintended consequences.

To the limited extent that the EC designation should be used in general, it should be primarily to confer additional attention to stocks that were previously unmanaged, rather than to reduce management for stocks currently within an FMP. However, retaining stocks as EC species is still preferable to removing them from management altogether. After thorough analyses, if any of the 17 species are found not to be in need of conservation and management, **the Council should prioritize the EC species designation over full removal from the FMP.** Use of an EC species designation is also more closely aligned with the desire of several Snapper Grouper AP Committee members “that they do not want most of this group of species to be completely unregulated...”⁸

If the EC species designation is preferred, the Council should consider developing processes to monitor and assess their status as a whole. **As part of the EC species designation, the Council should prioritize retaining data collection and reporting of the 17 species.** There is persistent demand from anglers, managers and scientists for increased data and precision of catch information. Removing data collection programs for these species runs counter to the Council’s sustained discussions to improve data collection. Further, ongoing management actions could impact these species. For example, changes to recreational and commercial measures for other stocks that remain in the Snapper Grouper FMP could push effort toward these species, and it would be important to have a way to identify these shifts.

Finally, the EC species designation should not equate with ignoring stocks in perpetuity—the law obligates NOAA and the Councils to determine whether these species need conservation and management in an ongoing way. **An EC species designation should include a way to bring the species back into full management if a need for conservation and management is identified. This should include periodic review of the species and/or some set of triggers to initiate a re-evaluation.** Such a process should also be applied to the Council’s existing EC species.

Thank you for your consideration of our comments.

Sincerely,

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⁸ South Atlantic Fishery Management Council. September 2025. Snapper Grouper Amendment 61 Evaluation of the Fishery Management Unit. Available at: https://safmc.net/documents/sg_a7_sgfmuevaluation_202509-pdf/ at pg. 2