

# Snapper Grouper Committee

## September 2013 Report

Charleston Marriott  
Charleston, SC

The Snapper Grouper Committee met in Charleston, South Carolina, on September 17 & 18, 2013.

### SERO and SEFSC Reports

The Committee received reports from the Southeast Regional Office (SERO) on the status of commercial landings for snapper grouper species. Updated recreational landings were unavailable.

### Update on Amendments under Review

The Committee received an update from SERO staff on the status of snapper grouper amendments under review:

Regulatory Amendment 13 – Regulations became effective on July 17.

Regulatory Amendment 15 – Regulations became effective on September 12.

Amendment 28 – Regulations became effective on August 23.

Amendment 27 – Notice of Availability published in the Federal Register on September 18.

Comment period closes on November 18.

Regulatory Amendment 18 – Regulations became effective on September 5.

Regulatory Amendment 19 – Final Rule package under review at NMFS Headquarters. The ACL increase for black sea bass will be effective immediately upon publication of the final rule.

The black sea bass pot closure will become effective 30 days after publication of the final rule.

### Presentations

The Committee received a presentation from Mel Bell on deployment of artificial reef material in the Charleston Deep Reef MPA.

### Regulatory Amendment 14 (management measures for various SG species)

Council staff guided the Committee through the actions proposed in Regulatory Amendment 14. The Committee made the following motions:

MOTION: APPROVE THE IPT'S SUGGESTED EDITS TO THE NEED STATEMENT OF REG 14

Enhance economic yield from commercial harvest of greater amberjack; allow harvest of black sea bass and vermilion snapper to occur during times of the year when harvest of co-occurring species is occurring; extend the commercial fishing season for gag; and ensure overfishing of greater amberjack, gag, black sea bass, and vermilion snapper does not occur.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**Action 1. Modify the commercial and recreational fishing years for greater amberjack**

MOTION: APPROVE RECOMMENDED EDITS TO ALTERNATIVES UNDER ACTION 1

**Alternative 1 (No Action).** The current commercial and recreational fishing years begin on May 1 and ends on April 30.

**Preferred Alternative 2.** Modify the commercial and recreational fishing years for greater amberjack to begin on January 1 and end on December 31.

**Alternative 3.** Modify the commercial and recreational fishing years for greater amberjack to begin on March 1 and end on February 28.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: CHANGE THE COUNCIL'S PREFERRED TO ALTERNATIVE 1 (NO ACTION)

SUBSTITUTE MOTION: CHANGE PREFERRED TO ALTERNATIVE 3

**Alternative 3.** Modify the commercial and recreational fishing years for greater amberjack to begin on March 1 and end on February 28.

SUBSTITUTE MOTION APPROVED

MAIN MOTION APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**Action 3. Modify the recreational accountability measure for black sea bass**

MOTION: APPROVE SUGGESTED EDITS TO ALTERNATIVES

**Alternative 1. (No Action).** If the recreational sector black sea bass ACL is met or is projected to be met, independent of stock status, prohibit the harvest and retention of black sea bass. If the recreational sector black sea bass ACL is exceeded, independent of stock status, the Regional Administrator shall publish a notice to reduce the recreational sector ACL in the following season by the amount of the overage. ~~ACL paybacks are not required when new projections are adopted that incorporate ACL overages and the ACLs are adjusted in accordance with those projections.~~

**Alternative 2.** For the black sea bass recreational sector, NMFS will annually announce the recreational fishing season start and end dates in the Federal Register and by other methods, as deemed appropriate. The fishing season will start on April 1 and end on the date NMFS projects the recreational ACL will be met. ~~If landings exceed the recreational ACL, NMFS will reduce the length of the following recreational fishing season to ensure recreational landings do not exceed the recreational ACL in the following fishing year. If landings are less than the recreational ACL, NMFS will adjust the length of the following fishing season by the amount necessary to ensure the recreational ACL is landed.~~

**Alternative 3.** For the black sea bass recreational sector, NMFS will annually announce the recreational fishing season start and end dates in the Federal Register and by other methods, as deemed appropriate. The fishing season will start on April 1 and end on the

date NMFS projects the recreational ACT will be met. If landings exceed the recreational ACL, NMFS will reduce the length of the following recreational fishing season to ensure recreational landings do not exceed the recreational ACL in the following fishing year. If landings are less than the recreational ACL, NMFS will adjust the length of the following fishing season by the amount necessary to ensure the recreational ACL is landed.

**Alternative 4.** If the recreational sector black sea bass ACL is met or is projected to be met, independent of stock status, prohibit the harvest and retention of black sea bass.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: SELECT ALTERNATIVE 2 AS THE PREFERRED

**Alternative 2.** For the black sea bass recreational sector, NMFS will annually announce the recreational fishing season start and end dates in the Federal Register and by other methods, as deemed appropriate. The fishing season will start on April 1 and end on the date NMFS projects the recreational ACL will be met.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

#### **Action 4. Modify the fishing year for the black sea bass commercial sector**

MOTION: APPROVE RECOMMENDED EDITS TO ALTERNATIVES UNDER ACTION 4

**Alternative 1 (No Action).** The commercial fishing year for black sea bass begins on June 1 and ends on May 31. Black sea bass pots are prohibited from November 1 through April 30. The trip limit is 1,000 pounds for both the pot and hook-and-line sectors.

**Alternative 2.** Modify the commercial fishing year for black sea bass to begin on July 1 and end on June 30. Black sea bass pots are prohibited from November 1 through April 30. The trip limit is 1,000 pounds for both the pot and hook-and-line sectors.

**Alternative 3.** Modify the commercial fishing year for black sea bass to begin on January 1 and end on December 31. Black sea bass pots are prohibited from November 1 through April 30. From May 1 to October 31, the trip limit would be 1,000 lbs gw for pots. From May 1 to December 31, the trip limit would be 1,000 lbs gw weight for the hook-and-line sector and from January 1 to April 30, the hook and line sector would be restricted to a trip limit of:

**Sub-alternative 3a.** 100 lbs gw

**Sub-alternative 3b.** 200 lbs gw

**Sub-alternative 3c.** 300 lbs gw

**Alternative 4.** Modify the commercial fishing year for black sea bass to begin on May 1 and end on April 30. Black sea bass pots are prohibited from November 1 through April 30. The trip limit is 1,000 pounds for both the pot and hook-and-line sectors.

APPROVED BY COUNCIL

MOTION: SELECT ALTERNATIVE 3, SUB-ALTERNATIVE 3C AS PREFERRED:

**Alternative 3.** Modify the commercial fishing year for black sea bass to begin on January 1 and end on December 31. Black sea bass pots are prohibited from November 1 through April 30. From May 1 to October 31, the trip limit would be 1,000 lbs gw for pots. From May 1 to December 31, the trip limit would be 1,000 lbs gw weight for the hook-and-line sector and from January 1 to April 30, the hook and line sector would be restricted to a trip limit of:

**Sub-alternative 3c.** 300 lbs gw

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**Action 5. Modify the commercial fishing seasons for vermilion snapper**

MOTION: APPROVE RECOMMENDED EDITS TO ALTERNATIVES UNDER ACTION 5.

**Preferred Alternative 1 (No Action).** The commercial fishing year for vermilion snapper is split into two seasons of equal duration, each with its own ACL. The first season begins on January 1 and ends on June 30 (6 months). The second season begins on July 1 and ends on December 31 (6 months). The commercial ACL is split equally between the two seasons with a commercial trip limit of 1,000 lbs gw (1,110 lbs ww). When 75% of the commercial vermilion snapper ACL has been met or is projected to be met, the commercial trip limit is reduced to 500 lbs gw (555 lbs ww).

**Alternative 2.** The commercial fishing year for vermilion snapper is split into two seasons, each with its own ACL. 100% of the new ACL implemented through Regulatory Amendment 18 is applied to the second season. The commercial trip limit is 1,000 lbs gw (1,110 lbs ww) and is reduced to 500 pounds gw (555 lbs ww) when 75% of the commercial vermilion snapper ACL has been met or is projected to be met.

**Sub-alternative 2a.** Second season start date remains at July 1.

**Sub-alternative 2b.** Second season start date begins on June 1.

**Sub-alternative 2c.** Second season start date begins on May 1.

**Alternative 3.** The commercial fishing year for vermilion snapper is split into two seasons, each with its own ACL. 25% of the new ACL implemented through Regulatory Amendment 18 is applied to the first season and 75% of the new ACL implemented through Regulatory Amendment 18 is applied to the second season. The commercial trip limit is 1,000 lbs gw (1,110 lbs ww) and is reduced to 500 pounds gw (555 lbs ww) when 75% of the commercial vermilion snapper ACL has been met or is projected to be met.

**Sub-alternative 3a.** Second season start date remains at July 1.

**Sub-alternative 3b.** Second season start date begins on June 1.

**Sub-alternative 3c.** Second season start date begins on May 1.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**Action 6. Modify the trip limit for the commercial sector for gag**

MOTION: CHANGE PREFERRED SUB-ALTERNATIVE TO 2E

**Sub-alternative 2e.** Reduce the trip limit to 500 lbs gw  
APPROVED BY COMMITTEE

SUBSTITUTE MOTION: CHANGE THE PREFERRED TO SUB-ALTERNATIVE 2C

**Sub-alternative 2c.** Reduce the trip limit to 300 lbs gw  
MOTION FAILS

MAIN MOTION APPROVED BY COUNCIL

**Action 7. Modify the recreational accountability measure for vermilion snapper**

MOTION: APPROVE RECOMMENDED EDITS TO PREFERRED ALTERNATIVE 4  
UNDER ACTION 7

Preferred Alternative 4. If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL, the AA will file a notification to close the recreational fishery for the remainder of the fishing year. Payback of a recreational overage would only take place if vermilion snapper are overfished and the Total ACL is exceeded due to an overage in the recreational ACL. The amount of the overage would be deducted from the following year's recreational ACL.

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: APPROVE CODIFIED TEXT FOR REGULATORY AMENDMENT 14 AS  
NECESSARY AND APPROPRIATE

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: APPROVE REGULATORY AMENDMENT 14 FOR SUBMISSION TO THE  
SECRETARY OF COMMERCE

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: GIVE THE COUNCIL CHAIR EDITORIAL LICENSE TO MAKE NECESSARY  
CHANGES AND RE-DEEM THE CODIFIED TEXT AS APPROPRIATE

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

**Amendment 29 (ABC Control Rule Amendment)**

Council staff guided the Committee through the Decision Document for Amendment 29. The Committee made the following motions:

MOTION: APPROVE THE RECOMMENDED SCALAR SCHEME FOR RISK OF OVEREXPLOITATION:

| <b>Risk of Overexploitation</b> | <b>Scalar Value</b> |
|---------------------------------|---------------------|
| Low                             | 2                   |
| Moderate Low                    | 1.75                |
| Moderate                        | 1.5                 |
| Moderate High                   | 1.25                |

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: SELECT SUB-ALTERNATIVE 2D AS PREFERRED

**Sub-alternative 2d.** Use 0.90(catch statistic x scalar) for stocks with low risk of overexploitation, 0.80(catch statistic x scalar) for stocks with moderate risk of overexploitation, and 0.70(catch statistic x scalar) stocks with **moderately** high risk of overexploitation

**MOTION WITHDRAWN**

MOTION: REMOVE BLUELINE TILEFISH FROM AM 29 AND INCLUDE A 3-YEAR REVIEW PROVISION FOR THE ORCS SPECIES IN THE AMENDMENT

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

\*\*\*GUIDANCE TO INCLUDE A PROVISION THAT A REVIEW COULD HAPPEN SOONER AT THE REQUEST OF THE COUNCIL. AT THE 3-YEAR REVIEW, THE AP SHOULD REVIEW EACH SPECIES AND PROVIDE THEIR INPUT PRIOR TO THE SSC'S REVIEW\*\*\*\*

MOTION: ADD ACTIONS RELATED TO GRAY TRIGGERFISH THAT WERE PREVIOUSLY INLCUDED IN REG AM 14. IN ADDITION, INCLUDE ACTIONS TO ESTABLISH A COMMERCIAL SPLIT SEASON AND TRIP LIMIT.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

## **Amendment 22 (Recreational Tag Program)**

MOTION: ADOPT THE REVISED PURPOSE AND NEED:

**Purpose:** create a recreational tag program for the South Atlantic region that could be applied to any snapper grouper species with a small ACL as determined by the SAFMC and the RA.

**Need:** achieve OY without overfishing the resource. Such a program is intended to maintain harvest at or below the recreational ACLs. A tag program for species with small ACLs would constrain the harvest to sustainable levels ensuring fairness and equitability.

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: REMOVE ACTIONS 5 & 6 FROM THE OPTIONS PAPER.

Action 5. Address transferability of recreational harvest tags.

Action 6. Establish a data collection program for fish harvested under the tag program.

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: REMOVE ACTION 2 FROM THE OPTIONS PAPER

Action 2. Establish criteria for adding and removing species from the program.

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: REMOVE ALTERNATIVE 3 FROM ACTION 1 AND REMOVE THE WORD “PRIVATE” FROM ALTERNATIVE 2

Alternative 3. Establish a recreational harvest tag program for the private recreational sector and the for-hire sector.

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

\*\*\*SERO STAFF WILL WORK ON A MODEL TO PRESENT AT THE DECEMBER 2013 COUNCIL MEETING TO EXPLORE OPTIONS FOR A RECREATIONAL HARVEST TAG PROGRAM\*\*\*\*

## **Regulatory Amendment 16 (Black Sea Bass Pot Closure)**

MOTION: APPROVE THE PURPOSE AND NEED

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: MODIFY THE PURPOSE STATEMENT AS FOLLOWS:

The purpose of Regulatory Amendment 16 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region is to ADDRESS THE BALANCE BETWEEN ESA-LISTED WHALES PROTECTION AND THE SOCIOECONOMIC IMPACTS IMPOSED ON BSB POT FISHERMEN INITIATED BY THE annual November 1 to April 30 prohibition on the use of black sea bass pot gear.

APPROVED BY COMMITTEE  
APPROVED BY COUNCIL

MOTION: EDIT ALTERNATIVE 4 AS FOLLOWS:

**Alternative 4.** The black sea bass pot closure applies only in designated right whale critical habitat in the South Atlantic region.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: DIRECT STAFF TO DEVELOP AN ALTERNATIVE THAT WOULD RESTRICT THE USE OF POT GEAR WITHIN A SPECIFIED DEPTH CONTOUR

APPROVED BY COUNCIL

### **Regulatory Amendment 17 (MPAs for speckled hind and warsaw grouper)**

MOTION: REQUEST PRESENTATIONS FOR THE DECEMBER 2013 MEETING FROM SAFMC STAFF, MARMAP, NOAA LAW ENFORCEMENT AND NMFS SEFSC ON WHICH OF THE NEEDS IDENTIFIED IN AMENDMENT 14 HAVE BEEN MET AND WHICH ARE OUTSTANDING.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: DIRECT STAFF/IPT TO WORK ON A SYSTEM MANAGEMENT PLAN FOR THE EXISTING 8 MPAs.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: APPROVE THE FOLLOWING PURPOSE AND NEED FOR REGULATORY AMENDMENT 17:

**Purpose:** Develop options to reduce bycatch of speckled hind and warsaw grouper by reconfiguration of deepwater MPAs (Amendment 14) and/or addition of new MPAs that contain evidence of occurrence and/or spawning of speckled hind or warsaw grouper. Develop and implement monitoring/evaluation/enforcement plans for any new marine protected areas.

**Need:** Protect speckled hind and warsaw grouper and their deepwater habitat from fishing and monitor and assess the effectiveness of MPAs, as outlined in a system management plan, in meeting the stated goals.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

\*\*\*GUIDANCE TO CLARIFY THAT RECONFIGURATION INCLUDES MODIFICATION TO SIZE, ETC.\*\*\*



MOTION: DIRECT STAFF TO STRUCTURE THE ACTIONS/ALTERNATIVES WITH ONE ACTION FOR EACH STATE AND ALTERNATIVES, INCLUDING NO ACTION, FOR EACH STATE.

ACTON 1. NC (REPEAT FOR OTHER STATES)

ALTERNATIVE 1. NO ACTION

ALTERNATIVE 2. MODIFICATION OF EXISTING SITES

- a. SUB-OPTION 1. SITE X
- b. SUB-OPTION 2. SITE Y
- c. AND SO ON FOR OTHER SITES FROM THE LIST RECOMMENDED BY THE EXPERT WORKING GROUP

ALTERNATIVE 3. SPAWNING SITES

- a. SUB-OPTION 1. SITE X
- b. SUB-OPTION 2. SITE Y
- c. AND SO ON FOR OTHER SITES FROM THE LIST RECOMMENDED BY THE EXPERT WORKING GROUP

ALTERNATIVE 4. NEW SITES WITH OCCURRENCE

- a. SUB-OPTION 1. SITE X
- b. SUB-OPTION 2. SITE Y
- c. AND SO ON FOR OTHER SITES FROM THE LIST RECOMMENDED BY THE EXPERT WORKING GROUP

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

MOTION: STATE THAT THE MPAs BEING CONSIDERED IN REG AM 17 ARE TYPE 2 MPAs

APPROVED BY COUNCIL

MOTION: DIRECT STAFF TO PREPARE A DRAFT REGULATORY AMENDMENT 17 DOCUMENT FOR REVIEW AT THE DECEMBER 2013 MEETING; APPROVE FOR SCOPING (ASSUMING AN ENVIRONMENTAL IMPACT ASSESSMENT IS NECESSARY) AT THE DECEMBER 2013 MEETING; CONDUCT IN-PERSON SCOPING MEETINGS IN JANUARY 2014; REVIEW SCOPING COMMENTS AT THE MARCH 2014 MEETING TO PROVIDE GUIDANCE FOR MORE COMPLETE ANALYSES; REVIEW ANALYSES AND APPROVE FOR PUBLIC HEARINGS AT THE JUNE 2014 MEETING; CONDUCT PUBLIC HEARINGS IN AUGUST 2014; REVIEW COMMENTS AT THE SEPTEMBER 2014 MEETING TO APPROVE ACTIONS; AND FINAL REVIEW TO APPROVE FOR SECRETARIAL REVIEW AT THE DECEMBER 2014 MEETING.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

## **Other Business**

MOTION: REQUEST A PRESENTATION FROM SEFSC AND OFFICE OF LAW ENFORCEMENT ON THE OCULINA EXPERIMENTAL CLOSED AREA AT THE DECEMBER 2013 MEETING

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

## **Timing and Tasks**

MOTION: ADOPT THE TIMING AND TASKS PRESENTED BELOW:

- PREPARE REGULATORY AMENDMENT 14 FOR SUBMISSION TO THE SECRETARY OF COMMERCE.
- IN NOVEMBER 2013, THE SNAPPER GROUPER AP WILL REVIEW THE RECOMMENDED ABCs FOR “ORCS” SPECIES IN AMENDMENT 29 AND PROVIDE THEIR INPUT FOR THE COUNCIL’S CONSIDERATION.
- FOR AMENDMENT 22, CONVENE THE IPT AND STATE REPRESENTATIVES, AS APPROPRIATE, TO DISCUSS DETAILS OF THE POSSIBLE RECREATIONAL TAG PROGRAM SUCH AS ADMINISTRATION, COST, ETC.
- REVISE THE OPTIONS PAPER FOR AMENDMENT 22 FOR THE DECEMBER 2013 MEETING
- DEVELOP REGULATORY AMENDMENT 16 FOR COUNCIL REVIEW AND APPROVAL FOR SCOPING AT THE DECEMBER 2013 MEETING
- REQUEST THAT NICK FARMER AND ROGER PUGLIESE PARTICIPATE IN THE DATA WORKSHOP AT THE DECEMBER MEETING TO MEET ONE-ON-ONE WITH COUNCIL MEMBERS TO DEMONSTRATE THE TOOLS AVAILABLE FOR MPA SITE SELECTION.
- INFORM THE MPA PRESENTERS FOR DECEMBER THAT THE PRESENTATIONS ARE TO BE DONE ON A SITE BY SITE BASIS (E.G. SAMPLING LEVEL, MAPPING, ABUNDANCE OF SPECIES, CHANGES IN MARMAP CPUE, ETC.) AND THAT PRESENTATIONS ARE TO BE INCLUDED IN THE 2ND BRIEFING BOOK AT THE LATEST.
- MPA SCOPING SESSIONS ARE TO BE IN-PERSON SCOPING DURING THE JANUARY 2014 HEARINGS/SCOPING MEETINGS.

APPROVED BY COUNCIL