

Regulatory Amendment 35

Red Snapper Catch Levels and Snapper Grouper Release Mortality Reduction

Decision Document

March 2024

Background

The South Atlantic Fishery Management Council (Council) is considering action to respond to the most recent stock assessment for South Atlantic red snapper (SEDAR 73 2021). The results of SEDAR 73 indicated that South Atlantic red snapper are overfished, overfishing is occurring, and the overfishing is being primarily driven by high numbers of dead discards¹ by the recreational sector. Stock assessment summary information, a history of management, and the most recent fishery performance report for red snapper can be found in its [Fishery Overview](#). While the number of red snapper dead discards has an especially strong impact on allowable harvest levels for red snapper, dead discards also affect allowable harvests of other stocks managed under the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP). Therefore, actions to adjust red snapper catch levels based on the SEDAR 73 (2021) stock assessment and to reduce dead discards for all species in the snapper grouper fishery management unit by limiting the number of hooks per line are considered in this framework amendment.

This framework amendment is the first of a multi-step approach by the Council to end overfishing of South Atlantic red snapper. While SEDAR 73 indicated red snapper continue to be overfished, the assessment also showed that the stock is increasing in abundance and is

¹ This document denotes fish caught and released alive by the recreational fishery as recreational “releases” or “discards”. These terms are used interchangeably in this document, noting that “discards” is typically used in stock assessment and amendment documents, while “releases” is used in the Council’s Best Fishing Practices materials or “Released Alive (Type B2)” used by the Marine Recreational Information Program.

making progress toward rebuilding. In addition to this framework amendment, several other ongoing management actions and projects (Best Fishing Practices Outreach and Education Expansion, Snapper Grouper Management Strategy Evaluation, Snapper Grouper Amendment 46 (Private Recreational Permit and Education), scientific projects, etc.) are described in the draft amendment document. These actions are expected to have the cumulative effect of ending overfishing of red snapper and improving management of the snapper grouper fishery overall.

In March 2023, the Council approved Regulatory Amendment 35 to be submitted for secretarial review. Before the amendment was submitted, in December 2023, the Council rescinded its approval of Regulatory Amendment 35 so they could further discuss other management measures to potentially include in the amendment. The Council requested the information compiled below to aid in this discussion. Previously presented information is linked to past Council documents that are available online.

Proposed management changes in this amendment

Descriptions and preferred alternatives for actions can be found in the Draft Regulatory Amendment 35 document for the March 2024 Council Meeting Briefing Book.

Action 1. Reduce the acceptable biological catch, total annual catch limit, and sector annual catch limits, and establish an annual optimum yield for South Atlantic red snapper

Action 2. Prohibit the use of more than one hook per line for the snapper grouper recreational sector

Objectives for this meeting

- Review compiled analyses.
- Discuss whether additional actions should be included in the amendment and analyzed more comprehensively (addition of any actions would require an additional public comment period prior to Council approval).

Purpose and Need Statements

Purpose: The *purpose* of this framework amendment is to reduce the acceptable biological catch and annual catch limits for red snapper in the South Atlantic based on the results of the latest stock assessment; and implement management measures to reduce dead discards for the South Atlantic snapper grouper fishery.

Need: The *need* for this framework amendment is to ensure red snapper catch limits are based on the best scientific information available and to address overfishing of the South Atlantic red snapper stock by reducing dead discards of snapper grouper species, while minimizing negative

social and economic effects to the extent practicable, consistent with the Magnuson-Stevens Fishery Conservation and Management Act and its National Standards.

Compiled Information and Analyses

Summary

June 2022 Regulatory Amendment 35 Decision Document

In June 2022, Council staff presented a [decision document](#) that compiled information requested in March 2022. Information in this document includes:

- Fishery-independent (Southeast Reef Fish Survey) data on red snapper relative abundance by depth and latitude (2011-2019)
- Red snapper releases and release mortality by depth
- Review of previous analyses and discussions on ways to reduce dead discards (Snapper Grouper Amendments 17A and 17B)
- Literature review of snapper grouper spawning behavior and seasonality
- Summary of pros/cons and types of information available (qualitative or quantitative) to evaluate impacts of several potential management measures
- Release mortality rates by species and sector for assessed snapper grouper species

Information Presented in September 2022

In September 2022, several pieces of information and analyses were presented to the Council. The National Marine Fisheries Service (NMFS) Southeast Regional Office (SERO) presented a [summary](#) of the SEDAR 73 (2021) assessment and implications for management.

Council staff presented a [data report](#), developed in collaboration with NMFS SERO and the Southeast Fisheries Science Center, that included the following analyses:

- Private recreational discards (numbers) for all stocks in the snapper grouper complex by wave for NC, SC, GA, north FL, central FL, and south FL, 2005-2021.
- Recreational charter discards (numbers) for all stocks in the snapper grouper complex by wave for NC, SC, GA, north FL, central FL, and south FL, 2005-2021.
- Head boat discards (numbers) for all stocks in the snapper grouper complex by wave for NC, SC, GA, north FL, central FL, and south FL, 2005-2021.
- Private recreational landings (numbers and pounds) for all stocks in the snapper grouper complex by wave for NC, SC, GA, north FL, central FL, and south FL, 2005- 2021.
- Recreational charter landings (numbers and pounds) for all stocks in the snapper grouper complex by wave for NC, SC, GA, north FL, central FL, and south FL, 2005-2021.
- Head boat landings (numbers and pounds) for all stocks in the snapper grouper complex by wave for NC, SC, GA, north FL, central FL, and south FL, 2005-2021.
- A discard-only projection ($F_{\text{landed}}=0$) and ABC recommendation for red snapper. This projection assumes no landings occur and gives perspective on the minimum number of red snapper removals (in this case, all removals would be dead discards) that must be reduced to end overfishing.

- Analysis of discard hot spots as described by the SEFSC.

December 2022 Hypothetical SEDAR 73 Model Run

In December 2022, the SEFSC presented a [report](#) that evaluated a hypothetical run of the SEDAR 73 (2021) model with general recreational discards reduced by 50% from the base model data and 100% usage of descender devices for impaired or otherwise vented fish.

Snapper Grouper Vision Blueprint

The Council’s [Snapper Grouper Vision Blueprint](#) is published on the Council’s Snapper Grouper Vision Blueprint [webpage](#). Following stakeholder engagement from 2012 to 2015, the Council developed two amendments: [Regulatory Amendment 26](#) addressed recreational management measures and [Regulatory Amendment 27](#) focused on improving commercial fishery management.

In September 2022, the Council approved adopting the Vision Blueprint’s goals and objectives as the goals and objectives of the [Snapper Grouper Fishery Management Plan](#) (when following the link, hit “+” next to each Goal to expand and show its Objectives) through Snapper Grouper Amendment 49.

Southeast Reef Fish Survey (SERFS)

In December 2022, the Council requested review of the red snapper SERFS index since the last stock assessment. The [2022 SERFS Report](#) was presented at the September 2022 Council Meeting. Information specifically for red snapper is included below (Figures 1 and 2). The terminal year of index data included in SEDAR 73 (2021) was 2019.

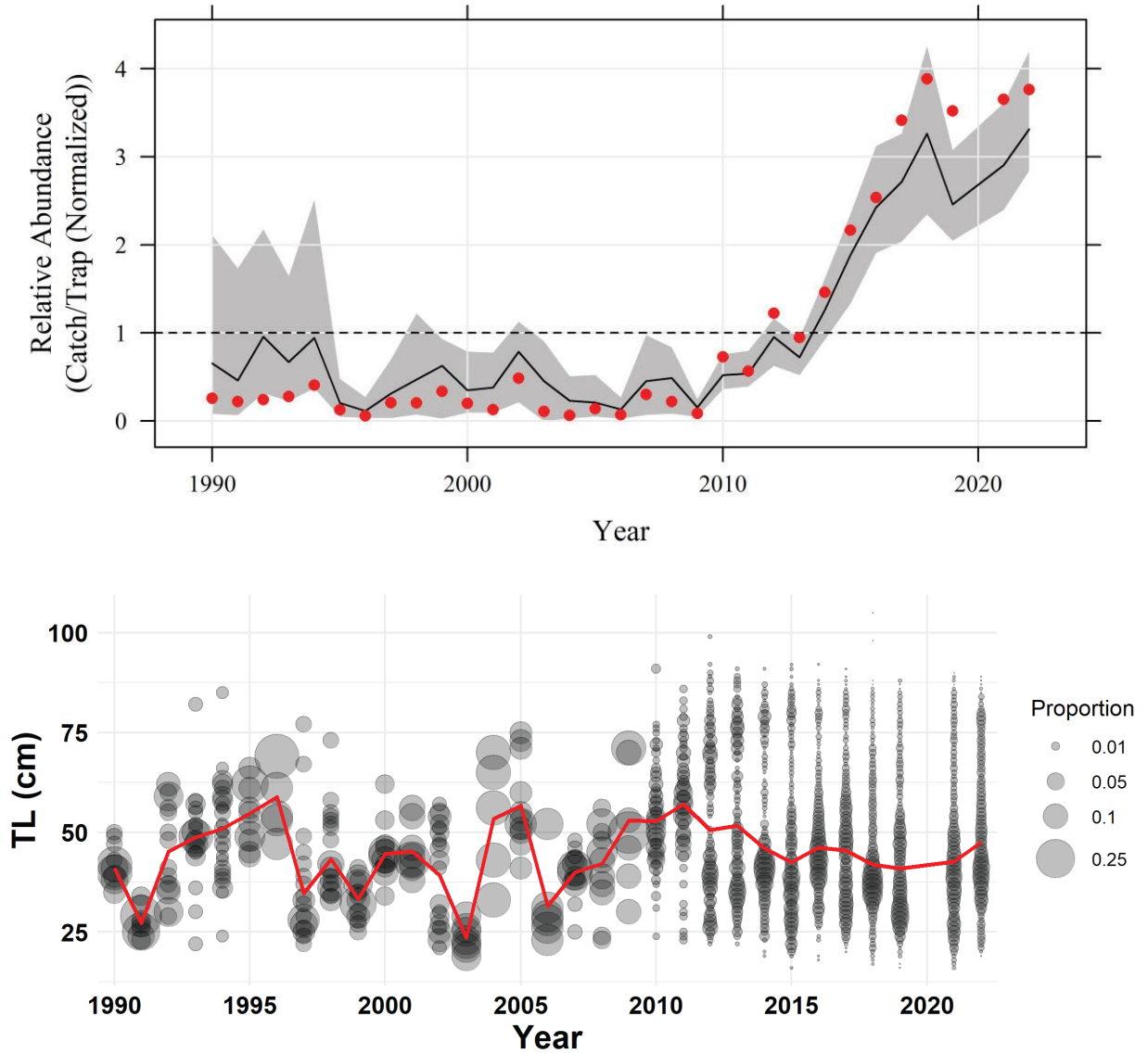


Figure 1. [Figure 17 in the 2022 SERFS Report] Chevron trap index of abundance and length compositions for Red Snapper A) Normalized nominal and ZINB standardized abundance with 95% CI. B) Total lengths (cm) caught by year.

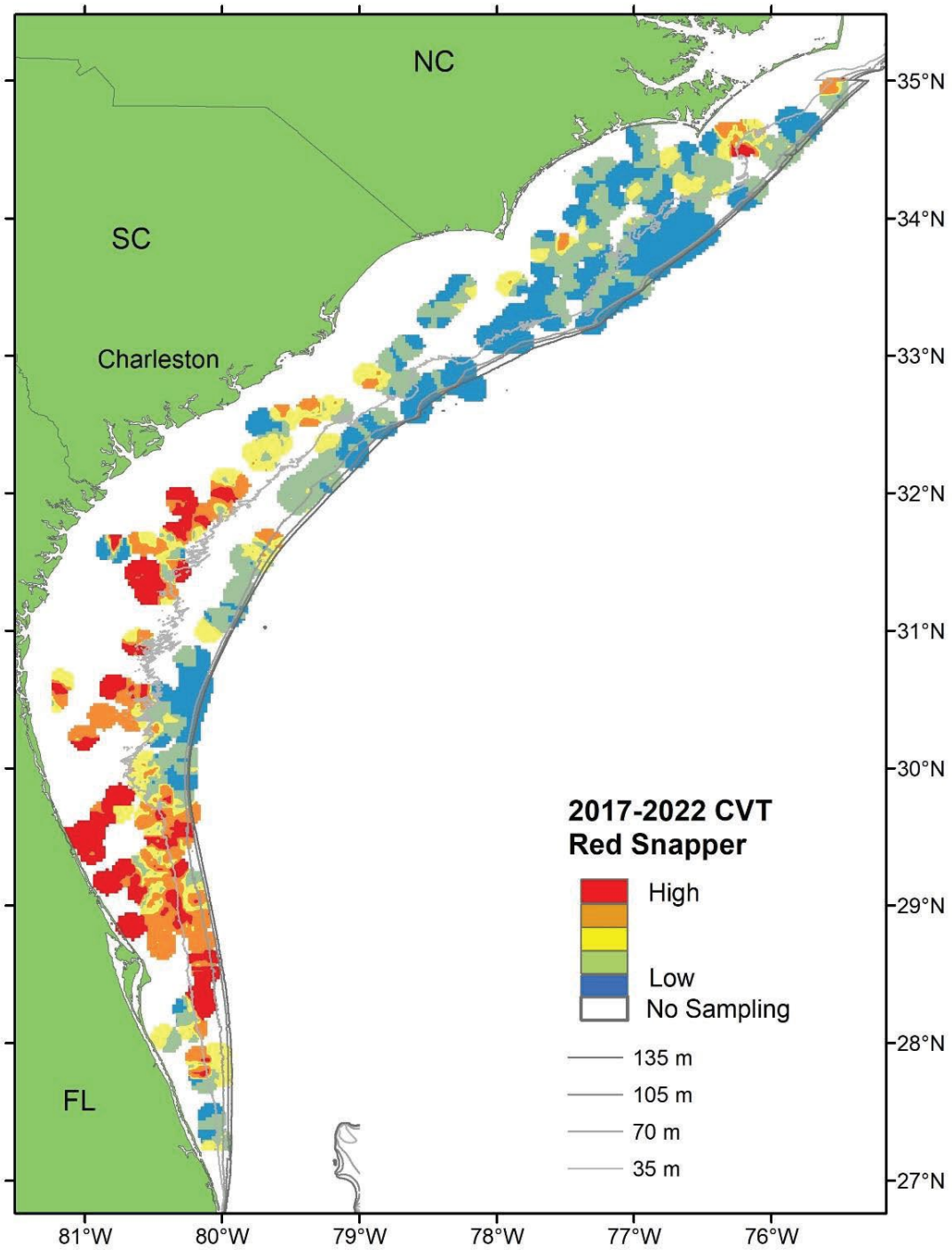


Figure 2. [Figure 18 in the 2022 SERFS Report] Distribution map of Red Snapper catch from CVT in 2017-2022.

Law Enforcement Advisory Panel

In December 2023, the Council requested that the Law Enforcement Advisory Panel (LE AP) have a conceptual discussion about enforcement concerns or adjustments associated with potential temporary, rotating closures for some areas within the region. The LE AP met in January 2024 and had the following comments:

- Enforcement capacity (i.e. on-the-water patrols and monitoring) would need to increase considerably to enforce rotating closures. Agencies would have to pool their resources.
- The further offshore a closed area is, the more difficult it is to enforce.
- A positive aspect of an area closure is that enforcement can focus their efforts in that area.
- Generally, 40 to 50 miles offshore is the farthest distance from shore that enforcement can handle. In some areas, available assets only allow enforcement out to 20 to 25 miles.
- Rotating bottom closures would pose a significant challenge from an enforcement perspective. “Rotating” would need to be clarified. Are the same locations opening and closing at different times each year? Or, are the locations of opening/closing areas changing from year to year (or from a multi-year time period to another)? The latter scenario especially creates challenges to effectively communicating open/closed areas to the public.
- A closed area would need to be in place for at least one year before the public can be expected to know about it and abide by the regulations. It took 3 years for the Research Area within the Gray’s Reef National Marine Sanctuary to enter the public’s awareness.
- Would need to work with the industry to spread information regarding closed areas through electronic platforms (e.g., GPS charts). Industry has a vested interest.
- Closed areas need to be large enough to accomplish their goal and for law enforcement to be able to prove intent during a violation. If the area is too small, it is more challenging to prove intent.
- The prosecutorial side of enforcing closed areas is extremely important.
- Patrolling of closed areas is accomplished through Joint Enforcement Agreements (JEA). If more areas were to come online, the JEA budget would need to increase.
- Investigations often take a long time, but when a violator is caught and held accountable, this can have beneficial ripple effects.
- Increasing public awareness of violations could improve compliance.
- Effective communication of closed areas/times can deter violations for much of the public. Reduce ‘ignorant’ violations, so law enforcement can be more focused toward true ‘bad actors’.
- NOAA OLE has a record of 700 cases of MPA violations since 2010. To this day, fishermen still claim they didn’t know about the closures.

Recreational Aggregate Bag Limits

Current South Atlantic federal regulations allow recreational anglers to continue to bottom fish to catch daily bag limits for multiple species and groups within the 55 species snapper grouper complex. For example, recreational anglers may harvest a maximum of 43-47 fish per day per person, depending on the time of year (Table 1).

Florida Fish and Wildlife Commission has applied for exempted fishing permits to test management strategies for the recreational sector of the snapper grouper fishery. One strategy

includes an aggregate snapper grouper bag limit of 15 fish per person, subject to individual species limits. Current federal size limits and seasons (including closures due to annual catch limits being met) would continue to apply for species in the snapper grouper aggregate bag limit, where applicable. This strategy also includes a requirement that when an individual reaches the 15 fish per person snapper grouper aggregate limit, they must stop bottom fishing. They may fish in other ways to target other species (e.g., coastal migratory pelagics and dolphinfish) for the remainder of the trip. The expected outcome from such a management strategy would be a reduction in discards across many different snapper grouper species.

While the proposed EFP study would test different amounts of red snapper retention this proposed aggregate bag limit does **not** include recreational red snapper retainment outside of the recreational seasons as currently defined. Table 1 compares the proposed aggregate bag limit to current bag limits for snapper grouper species throughout the year.

The 15-fish snapper grouper aggregate proposed by FWC is as follows:

- Only 1 fish can be a gag, black, or scamp grouper
- Up to 2 fish can be red, yellowfin, or yellowmouth grouper, coney, graysby, red hind, or rock hind
- Only 1 fish can be a red porgy, blueline tilefish, or golden tilefish
- Only 1 fish can be greater amberjack
- Up to 3 fish can be lesser amberjack, almaco jack, or banded rudderfish
- Up to 5 fish can be black sea bass
- Up to 5 fish can be gray triggerfish
- Up to 10 fish can be grunts
- Up to 10 fish can be Atlantic spadefish or bar jack
- Up to 10 fish can be porgies (red porgy excluded)
- Up to 10 can be schoolmaster, gray, lane, yellowtail, queen, silk, or blackfin snapper
- Up to 5 can be vermilion, cubera, or mutton snapper

Table 1. Maximum allowable recreational catch under current federal regulations as of November 17, 2023, and FWC’s proposed snapper grouper aggregate bag limit. “Other sp.” includes the species listed under the federal “South Atlantic snapper-grouper combined aggregate”.

Bag limit per person	Jan-Mar	Apr	May-Jun	Jul-Aug	Sept	Oct-Dec
Current	44 fish, including: 1 golden tilefish 1 gr. amberjack 20 “other sp.” 10 snapper 5 vermilion 7 black seabass	43 fish, including: 1 golden tilefish 20 “other sp.” 10 snapper 5 vermilion 7 black seabass	47 fish, including: 3 grouper/tilefish 1 gr. amberjack 1 red porgy 20 “other sp.” 10 snapper 5 vermilion 7 black seabass	46 fish, including: 3 grouper/tilefish 1 gr. amberjack 20 “other sp.” 10 snapper 5 vermilion 7 black seabass		
Proposed	15 fish, excluding: any grouper, blueline tilefish, red porgy	15 fish, excluding: any grouper, blueline tilefish, gr.amberjack, red porgy	15 fish No exclusions	15 fish, excluding: snowy grouper, red porgy	15 fish, excluding: snowy grouper, blueline tilefish, red porgy	15 fish, excluding: snowy grouper, blueline tilefish, red porgy
<p><u>15 fish aggregate bag limit:</u> Only 1 fish can be a gag, black, or scamp grouper Up to 2 fish can be red, yellowfin, yellowmouth, coney, graysby, red hind, or rock hind Only 1 fish can be a red porgy, blueline tilefish, or golden tilefish Only 1 fish can be greater amberjack Up to 3 fish can be lesser amberjack, almaco jack, or banded rudderfish Up to 5 fish can be black sea bass Up to 5 fish can be gray triggerfish Up to 10 fish can be grunts Up to 10 fish can be Atlantic spadefish or bar jack Up to 10 fish can be porgies (red porgy excluded) Up to 10 can be schoolmaster, gray, lane, yellowtail, queen, silk, or blackfin snapper Up to 5 can be vermilion, cubera, or mutton snapper</p>						

Shertzer et al. Paper Exploring Management Procedures

In December 2023, the Council requested review of a paper by Shertzer et al. by the SSC and presentation of this information to the Council. Due to a full schedule for the February 2024 webinar meeting, the SSC is scheduled to discuss this work at their in-person meeting in April 2024.

The published paper is cited and linked below for reference:

Shertzer, K., Crosson, S., Williams, E., Cao, J., DeVictor, R., Dumas, C., & Nesslage, G. (2024). Fishery management strategies for Red Snapper in the southeastern U.S. Atlantic: A spatial population model to compare approaches. *North American Journal of Fisheries Management*.

<https://afspubs.onlinelibrary.wiley.com/doi/abs/10.1002/nafm.10966>

Other Ongoing Council Projects

In December 2023, the Council noted that discussions of further changes to Regulatory Amendment 35 should occur with context of other ongoing Council projects that are relevant to management of the recreational sector of the snapper grouper fishery, such as Snapper Grouper Amendment 46 (Private Recreational Permit and Education) and the Snapper Grouper Management Strategy Evaluation.

Committee Action:

- PROVIDE DIRECTION TO STAFF ON ANY CHANGES THAT SHOULD BE MADE TO REGULATORY AMENDMENT 35.
 - NOTE: ANY ADDITIONAL ACTIONS OR ALTERNATIVES OUTSIDE OF THE CURRENT RANGES WOULD REQUIRE AN ADDITIONAL PUBLIC COMMENT PERIOD.