

# Summary Report

## Snapper Grouper Advisory Panel Meeting

### October 18-20, 2022

The South Atlantic Council's Snapper Grouper Advisory Panel (AP) convened in Charleston, SC on October 18-20, 2022.

The AP approved the transcript from the April 2022 meeting and the agenda for the October 2022 meeting.

#### **1. Committee Chair Remarks**

Jessica McCawley, Chair of the Snapper Grouper Committee for the South Atlantic Fishery Management Council (Council), provided opening remarks along with a framework for what the Council was expecting from the AP at the meeting.

#### **2. Update on Recent Regulation Changes and Status of Amendments**

Council staff updated the AP on the status of recent and developing Council actions that were not scheduled for discussion in this AP meeting, including Snapper Grouper Amendments 50 (Red Pogy Rebuilding and Allocations), 49 (Greater Amberjack and Recreational Annual Catch Targets), 51 (Snowy Grouper), 52 (Golden Tilefish and Blueline Tilefish), 46 (Recreational Permitting and Reporting), and 44 (Yellowtail Snapper), as well as the Comprehensive Acceptable Biological Catch Control Rule Amendment.

An overview and progress update on Snapper Grouper Amendment 48 (Wreckfish ITQ Program Modernization) was also provided. The Council requested an alternative be added to Amendment 48 that would allow for harvest or sale of wreckfish with a permit for South Atlantic Snapper Grouper, removing the requirement for the permit holder to also be a wreckfish shareholder. AP members expressed interest in considering removal of the requirement for wreckfish commercial permit holders to also be shareholders, noting that this could allow more flexibility in who could potentially lease shares. The AP requested additional information as this part of Amendment 48 is developed and recommended a scheduled discussion of this topic at the April 2023 AP meeting.

#### **3. Regulatory Amendment 35 – Red Snapper and Snapper Grouper Release Mortality Reduction**

Council staff presented an overview of Regulatory Amendment 35, which considers updating the catch levels for South Atlantic red snapper to reflect the most recent acceptable biological catch and overfishing limit recommendations based on SEDAR 73. This regulatory amendment also considers changes to gear regulations, including prohibitions of electrically- or hydraulically-powered reels and fishing with multiple hooks per line, to reduce dead releases in the recreational snapper grouper fishery. The AP provided the following comments and recommendations, and approved the following motions:

#### **Action 1. Revise the South Atlantic red snapper acceptable biological catch, total annual catch limit, annual optimum yield, and sector annual catch limits**

**MOTION 1: RECOMMEND THE COUNCIL SELECT ALTERNATIVE 2 AS PREFERRED FOR ACTION 1.**

APPROVED BY AP (10-0-4ABS)

**Alternative 2.** Reduce the red snapper acceptable biological catch and set it equal to the most recent recommendation from the Scientific and Statistical Committee. Revise the total annual catch limit and establish an annual optimum yield for red snapper and set them **equal to the recommended acceptable biological catch**. Red snapper may only be harvested or possessed in or from the South Atlantic Exclusive Economic Zone during the commercial and recreational fishing seasons. The 2027 total annual catch limit and annual optimum yield would remain in place until modified.

<b>Fishing Year</b>	<b>ABC (numbers of fish)</b>	<b>Annual OY=Total ACL (numbers of fish)</b>	<b>Commercial ACL (lbs ww)</b>	<b>Recreational ACL (numbers of fish)</b>
2023	28,000	28,000	77,016	19,119
2024	31,000	31,000	85,268	22,119
2025	33,000	33,000	90,769	24,119
2026	35,000	35,000	96,270	26,119
2027+	36,000	36,000	99,021	27,119

- The AP continued to express disagreement with the stock status and recommended catch levels based on SEDAR 73 and dissatisfaction with needing to reduce harvest of red snapper given the stock’s current high and increasing biomass.

**Action 2. Prohibit the use of electrically or hydraulically-powered reels for the snapper grouper recreational sector**

- The AP provided input on the current usage of electrically or hydraulically-powered reels in the snapper grouper recreational sector:
  - General impression from the AP is that use of electric reels is not widespread throughout the snapper grouper fishery
    - One member suggested less than 10% of anglers use this gear
    - Bottom-fishing tackle shops do not typically even sell electric reels
  - When snapper grouper fishing, electric reels are typically used to target deep water fish
    - Most deep water fish are not being released
    - Restricting use nearer to shore would better target fish with a reasonable chance of survival; some suggested depths included 350 feet, 400 feet, and 500 feet, beyond which the use of electric reels would be allowed
- Implementing this restriction on a seasonal basis may be more palatable
- The AP expressed several concerns with a potential prohibition of electric reels:
  - Concerns about access to deep water fish for older or disabled individuals
  - Effects on other fisheries:

- Electric reels are use when targeting pelagic species such as billfish and tuna. Electric reels can be used to rig for “kite” fishing baits without having hooks attached. Clarifications on enforcement would be needed.
- Some trips bottom fish for snapper grouper species after fishing for pelagic species. These vessels could have electric reels onboard and possibly rigged, but do not typically use the electric reels when fishing for snapper grouper;
- Regulatory language could accommodate other forms of fishing by being written for electric reels to be “1 step away” from being usable while snapper grouper fishing (reference *Oculina* bank enforcement).
- Concerns about enforcement difficulty:
  - Trips that target snapper grouper often include other target species with different modes of fishing. Gear restrictions for one specific fishery could be confusing
  - Few historical enforcement intercepts; if fishermen do not follow a rule, there likely won’t be repercussion;
  - Buy-in from the fishery would be essential.
- Concerns about the value of this action toward reducing dead releases:
  - Use of electric reel is minimal when targeting some of the most frequently released species (e.g., red snapper), so there may be little benefit to those stocks;
  - Positive effects from slowed fishing may be negated by increased opportunities for shark depredation.

**MOTION 2: RECOMMEND THE COUNCIL SELECT ALTERNATIVE 1 (NO ACTION) FOR ACTION 2 (UNTIL INFORMATION ON EFFECTS CAN BE BETTER EVALUATED). APPROVED BY AP (14-0-2ABS)**

**Action 3. Prohibit the use of more than one hook per line for the snapper grouper recreational sector**

- The AP was asked to comment on areas, components, or target species in the snapper grouper recreational fishery where lines with more than one hook are typically used, including how prominent use is in those areas or components of the fishery.
- The AP provided input on the current usage of multiple hooks per line in the snapper grouper recreational sector:
  - Lower FL Keys – single hooks used in less than 100 ft; multiple hooks sometimes used for deep dropping
  - Ponce Inlet, FL – frequent use of 2-hook rig for snapper grouper species; use single hook when targeting larger fish
  - SC – 2 hooks used when targeting smaller species (e.g., vermilion snapper, black sea bass, triggerfish) or a wider variety of species; common for headboats
  - General impression for most areas was that two hooks are used more commonly in shallower water and when targeting smaller species
    - Given 1-fish or fewer bag limits for several deeper water and grouper species, a prohibition of multiple hooks per line may be acceptable. With a 1-fish limit, only 1 hook should be used anyway to avoid regulatory discards.
- Possible catch size frequency shift if prohibition of multiple hooks is implemented.
- Single hook requirement would likely have impacts on fishing mortality for fish that could be retained as well

- For fish with minimum size limits (e.g., black sea bass), single hooks would lower the chance of catching a legal-sized fish and could lower harvest for those species.
- Concerns about being able to legally maintain ability to fish with a sabiki rig for bait
  - Could exempt sabiki rigs according to hook size
  - Sabiki rigs are typically used in less than 150 feet, most often in less than 100 feet depths
- Some snapper grouper species (e.g., vermilion) may be caught in deep water but off the bottom (higher in water column)

**MOTION 3: RECOMMEND THE COUNCIL PROHIBIT MULTIPLE HOOKS PER LINE AT 150 FEET AND DEEPER FOR THE RECREATIONAL SECTOR.**

**MOTION APPROVED (13-2-1ABS)**

- Discussion surrounding Motion 3 included comments from some AP members that supported single hook rigs being required for all depths, some that supported targeting depths where red snapper are most frequently encountered (noting regional differences), some that supported a depth limit that would allow multiple hooks per line to be used beyond 300 feet depth, and some that believed enforcement and compliance difficulties could limit effectiveness of this measure.

**MOTION 4: RECOMMEND THE COUNCIL INCLUDE IN REGULATORY AMENDMENT 35: ESTABLISH A SMALL MARINE PROTECTED AREA OFF NORTH CAROLINA IN THE RANGE OF 60 AND 120 FEET DEPTH TO PROTECT GAG GROUPER AND TO HELP REBUILD RED SNAPPER (MAXIMUM HALF MILE SQUARED AREA).**

**APPROVED BY AP (12-1-3ABS)**

- Some support for including the recreational fishery in some of the special management zones off North Carolina that were recently closed to commercial fishing.
- Consider including a sunset clause.
- Involve fishermen in determining location to increase effectiveness and buy-in.

General Comments

- Some support for more education-based entry into the fishery (both sectors).
  - Staff noted that education component is being addressed through Snapper Grouper Amendment 46.
  - Some support for Action 2 being postponed until after Amendment 46 is completed.
- Thinner gauge hook requirement could be an alternative strategy to reduce catch efficiency without having to bring fish to surface; would be size selective (lower chance of harvesting large fish)

Best Fishing Practices Comments

Regulatory Amendment 35 includes an appendix discussing best fishing practices (BFP) education and outreach, and how these efforts could be expanded to reduce dead releases in the snapper grouper fishery. The AP was asked about current fishing practices and ways information is spread throughout the fishery, as well as potential directions for future outreach and education efforts.

Observations on current BFP usage:

- SC – ‘Tournament-quality’ fishermen (including charter/for-hire) are typically good about using best fishing practices, particularly descending devices. About half of “general public” (recreational anglers that do not fish very frequently) use BFPs 100% of the time. Those “general public” that don’t often closely comply with BFPs seem to be private, possibly newer boat-owning locals.
- NC – Few use or have descending devices on boat; improper venting practices are common; expense of Seaqualizer or other professionally made devices can be an excuse or deterrent.
- FL (Ponce) – Professional fishermen have been using descending devices; most coastal residents are using them. Inland fishermen are less likely to use.
- FL Keys – Charter fishermen use; some private recreational fishermen are resistant to using due to infrequency of fishing (will carry to be in compliance but not use).
- NC/SC – Carry onboard but infrequent use; when you get in the “groove” of fishing, many people do not take the time out to descend.
- Central/South FL – Infrequent BFP use (private or for-hire); less concern with BFPs for snapper grouper (e.g., more with mahi).
  - Some unawareness of regulation; some fishermen know the regulation and don’t comply; some confusion about rules and “who’s who” between FWC (or state agency) and Council.
  - Lack of trust in regulations deters compliance.
- NC – Lack of enforcement, people catch beyond regulatory limits in place (e.g., size limit or bag limit), so not likely to use descending devices.
- Confusion between “rigged and ready” versus “onboard”.
- GA – Devices are used in the for-hire component, especially for larger fish.
  - Volume of fish and hooking rate can sometimes deter use; takes time to descend.
- Some professionally made devices are not of adequate size to descend large fish; knowledge is lacking on the weight necessary to descend large fish.
  - ~1 pound of weight/5 pounds fish; can rig multiple devices
  - Venting can sometimes get fish down partially, but not all the way
- Some resistance to descending due to fears of shark depredation.
  - Drymon et al. (2020) indicates shark depredation does not typically occur during release with a descending device; sharks seem to be more interested in fish coming up than going down.

Comments on methods to communicate, promote, and educate on BFPs:

- Signage at public docks and tackle shops stating requirement
- **Education/video tied to recreational (private or for-hire) permit**
- Education topics:
  - Device requirements (“rigged and ready”)
  - Proper descending device use: necessary amounts of weight, depth settings, how to handle/descend fish (especially larger fish)
  - Descending device care and maintenance (e.g., lubrication)
  - Venting education

- Venting is more common because it is quicker; however, improper venting greatly increases a fish’s injuries and decreases chance of survival
    - Proper venting techniques can increase survival in situations when using a descending device is less practical (e.g., headboat with many people on board and fast rate of hook ups)
  - Value of implementing practices for assessment/management (greater release survival means more fish available for harvest; need a success story)
    - Show egg production of a released fish to convey benefits of safer release
- “Gamify” on some trips (e.g., have kids descend fish as their way to help out on trips)
- Boat manufacturers that cater to first-time boat buyers can include descending device and educational information with purchases
- YouTube is a common platform that fishermen use for educational purposes (e.g., rigs, knots, techniques). Develop influencer videos and advertising (similar to public health ads to promote seat belt use, resistance to drug use, or forest fire prevention).
  - Potential method to reach young adults (~18-25). Some resistance to BFP use particularly among this age group.
  - Need influencer collaborations from outside of the Council. Need more known and more trusted names.
- Sportfishing publications
- Increased law enforcement education on what needs to be enforced; violations can be a motivating tool.
  - Evaluate penalty for non-compliance; is penalty severe enough to deter non-compliance?
- Facebook fishing groups for geographic areas
- Advertising or outreach via weather and regulatory applications
- VHF radio announcements (similar to whale closures)
- Collaborations with recreational fishing organizations and major brands
- The AP provided names of specific applications, influencers, brands, and organizations that Council staff can follow up with about future collaborations.
  - The AP did note that collaborations with outside entities will likely require a significant financial investment or compensation for services.
- **Long-term continued output is needed; need to show benefits of using BFPs and negative impacts of not using**

#### 4. Snapper Grouper Management Strategy Evaluation

In 2021, the Council directed a management strategy evaluation (MSE) to be conducted for the South Atlantic snapper grouper fishery to develop management strategies that will consider addressing the number of released fish to improve yield throughout the snapper grouper fishery, while balancing the needs for fishery access and resource use while preventing overfishing and rebuilding overfished stocks. Dr. Tom Carruthers and Dr. Adrian Hordyk of Blue Matter Science presented the MSE process, and the AP provided input to be used in the MSE. The AP posed questions to clarify understanding. Drs. Carruthers and Hordyk also presented an MSE demonstration, applying the process hypothetically to red snapper and gag grouper.

## **5. Amendment 53 – Gag Grouper**

Amendment 53 responds to the most recent gag stock assessment (SEDAR 71 2021), which indicated that the South Atlantic stock of gag is both overfished and experiencing overfishing. Amendment 53 will establish a rebuilding plan and update the ABC, ACL and OY, allocations, and management measures for gag. Due to identification concerns between gag and black grouper, changes to black grouper management measures are being considered in this amendment as well. Council staff presented Amendment 53 as developed to this point. The AP provided the following comments and recommendations, and approved the following motions:

### **Action 1. Establish a rebuilding plan for gag**

- An AP member noted concerns over the success of the rebuilding plan because of how quickly the catch levels increase throughout the rebuilding timeframe

### **Action 4. Modify the commercial management measures for gag**

#### **Sub-action 4a. Reduce the commercial trip limit for gag**

### **Action 5. Modify the recreational management measures for gag**

#### **Sub-action 5a. Establish a recreational vessel limit for gag**

### **Action 7. Modify the recreational management measures for black grouper**

#### **Sub-action 7a. Establish a recreational vessel limit for black grouper**

#### Non-consensus feedback on Sub-Action 4a, Sub-Action 5a, and Sub-Action 7a

- Commercial-NC: Opposed to May closure because it is a very important month for the fishery
  - Would prefer a lower trip limit over a longer closure
- Spawning activity noticed in May
  - Less spawning activity noted in December vs May
- Commercial/Recreational: May is an important month for both sectors
- Commercial-FL: Opposed to a May closure as this is the best time to catch them off Florida, after May they migrate north
- Recreational-FL: Opposed to May closure because of concerns with discards while fishermen target other shallow water grouper species
- Prefer to rely on trip limits and MPAs during the rebuilding plan
- Recreational-NC: Opposed to a December closure
- For-Hire-GA: Opposed to May closure, December would be OK for the charter vessels
- SC: Opposed to May closure because it is a very important month for the fishery
- Suggestion of closing a portion of May and portion of December or matching the spawning closure of gag with red grouper
- Concerns noted over the abuse of the “per-day” vessel limit under Sub-Action 5a  
4 fish/vessel/trip preferred for both components of the recreational sector
- Selby Lewis (NC) provided a summary of a comparison of gag grouper catch between rod/reel and dive fishing methods

**Sub-action 4b. Modify the commercial spawning season closure for gag**

- Tradeoff between commercial trip limit (**Sub-Action 4a**) and commercial spawning closure (**Sub-Action 4b**)
  - NC: Prefer a 200 lbs trip limit to closing entire month of May
  - NC: 200 lbs trip limit, open May 15<sup>th</sup>

**Sub-action 5c. Prohibit the retention of gag by captain and crew**

**MOTION 5:** RECOMMEND THE COUNCIL CONSIDER ALTERNATIVE 2 AS THE PREFERRED FOR SUB-ACTION 5C.  
**APPROVED BY AP (UNANIMOUS)**

**Alternative 2.** The gag bag limit for captain and crew on a for-hire vessel with a Federal for-hire snapper-grouper permit is zero.

**Action 6. Revise the gag recreational accountability measures**

**MOTION 6:** RECOMMEND THE COUNCIL CONTINUE TO CONSIDER PREFERRED ALTERNATIVE 4 AS THE PREFERRED FOR ACTION 6.  
**APPROVED BY AP (15-0-1ABS)**

**Preferred Alternative 4.** Retain the current recreational in-season accountability measures. If recreational landings exceed the recreational annual catch limit, reduce the length of the following year's recreational fishing season by the amount necessary to prevent the recreational annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best scientific information available, that it is not necessary.

**Sub-action 7b. Modify the recreational spawning season closure for black grouper**

**MOTION 7:** RECOMMEND THE COUNCIL CONSIDER ALTERNATIVE 1 (NO ACTION) FOR ACTION 7B AS THE PREFERRED.  
**APPROVED BY AP (8-2-6ABS)**

**Sub-action 7c. Prohibit the retention of black grouper by captain and crew**

**MOTION 8:** RECOMMEND THE COUNCIL CONSIDER ALTERNATIVE 2 FOR ACTION 7C AS THE PREFERRED.  
**APPROVED BY AP (13-0-2ABS)**

**Alternative 2.** The captain and crew on a for-hire vessel may retain the same daily bag limit of black grouper as allowed for each passenger.

**CONSENSUS RECOMMENDATION:** CONTINUE TO EXCLUDE ANY AND ALL COMMERCIAL MODIFICATIONS FOR BLACK GROUPE IN



## AMENDMENT 53.

### 6. Commercial Electronic Logbook Amendment

This amendment is being developed jointly with the Gulf of Mexico Fishery Management Council to require commercial logbooks be submitted via electronic reporting forms instead of the currently used paper-based forms for the South Atlantic Snapper Grouper, Atlantic Dolphin Wahoo, Atlantic and Gulf of Mexico Coastal Migratory Pelagics, and Gulf Reef Fish Fishery management plans.

Council staff presented some background and progress to date on the amendment, a short video demonstrating how eTRIPs is used to enter a trip, and a spreadsheet to compare current data fields and modifications that would be required for implementing an electronic logbook (eTRIPs). The AP provided the following comments:

- Overall the AP was supportive of the proposed change to an electronic platform for the coastal logbook.
- An AP member asked whether the “end of year” economic questions would continue to be required.
- AP members asked how reporting requirements would be affected for those who own multiple permits under separate corporations.

### 7. Update on FL Keys Sanctuary Restoration Blueprint

The AP was referred to and provided with a presentation given to the Council in September 2022 on proposed regulatory changes affecting the Florida Keys National Marine Sanctuary as a result of NOAA’s comprehensive review of the management plan, zoning plan, and regulations for the sanctuary. The AP provided the following comments and recommendations, and approved the following motions:

- Council’s response should be to protect and enhance the fishing industry in that area
- Richie Gomez (FL) provided some comments on potential effects of the proposed regulations, as well as how current and past regulations in the Florida Keys Sanctuary have affected fishing in the area. **The AP requests that when the transcript of this meeting is available, that Richie Gomez’s comments be considered to be appended/included in the Council’s letter.**
- Council should recommend that greater consideration be given to:
  - Equity between fishermen and divers.
  - Effects of other harmful factors in area such as stormwater runoff.
  - Large amount of population growth (including tourists and part-time residents) and development in the Keys.
  - Responses to degradation other than limiting fishing areas.

**MOTION 9: SNAPPER GROUPE AP DOES NOT SUPPORT ANY ADDITIONAL FISHING CLOSURES WITHOUT FURTHER RESEARCH INTO OTHER FACTORS AFFECTING THE FLORIDA KEYS SANCTUARY (DEVELOPMENT, RUNOFF, DIVING, WATER QUALITY, ETC.). THE AP ALSO RECOMMENDS THAT SOME OF THE**

MANAGED AREAS BE CONSIDERED FOR FISHING ACTIVITIES ONLY (DIVING WOULD BE EXCLUDED).

**APPROVED BY AP (12-0-1ABS)**

## **8. Update on NOAA Proposed Vessel Speed Regulations to Further Protect North Atlantic Right Whales**

NMFS Office of Protected Resources is proposing changes to the North Atlantic right whale (NARW) vessel speed rule to reduce the likelihood of lethal vessel collisions. The Council received a brief presentation on the proposed rule at their September 2022 meeting and directed staff to provide comments to NMFS on how the proposed regulations may affect fishermen in the South Atlantic region. The AP approved the following motion:

**MOTION 10:** RECOMMEND THE COUNCIL INCLUDE THE FOLLOWING IN THEIR NARW COMMENT LETTER:

- USE DYNAMIC MANGEMENT ZONES ONLY, FOR VESSELS 25-64 FEET IN LENGTH.
- CONCENTRATE SPEED RESTRICTIONS AROUND ONLY INLETS WHERE BOATING ACTIVITY FUNNELS.
- DESCRIBE THE ECONOMIC CONSEQUENCES TO SNAPPER GROUPE FISHING, ESPECIALLY THE CHARTER/HEADBOAT INDUSTRY
- LEVERAGE NEW TECHNOLOGY TO BETTER MONITOR REAL TIME NARW LOCATIONS

**MOTION APPROVED (UNANIMOUS)**

## **9. Other Updates**

SEDAR and Council staff provided updates on the following programs:

- a. SEDAR – Overall scheduling, participation in upcoming stock assessments of golden tilefish, blueline tilefish, and red snapper
  - i. SEDAR 76 (Black Sea Bass) Data Questions and Update
    - Council staff will follow up with the AP via email to address questions related to black sea bass release mortality.
  - b. Citizen Science – SMILE project, Dolphin Stakeholder Workshops, CitSci Initial Program Evaluation Interviews, SAFMC Release, and FISHstory
  - c. Climate Change Scenario Planning – Overview of work completed thus far this year and upcoming work and Summit Meeting in 2023

## **10. Other Business**

- One AP member reiterated a previous recommendation for the black sea bass recreational minimum size limit to be reduced.
- Vermilion snapper – consider increase of the trip limit or permit stacking. Request as an agenda item for a future meeting
- Enable quicker switching of permits between vessels
- Points for consideration for future management:
  - Implement spatial closings by state with expiration dates
  - Rotate closed areas within each state on a timely basis

- Require AIS for bottom fishing
- Recreational permit with educational and reporting requirement
- Per MSA, rebuild habitat (Reef Act of 2022)
- Promote aquaculture
- Will the Council set a target number of permits for removing 2 for 1 policy?
- Barrelfish – consider inclusion in FMP (requested by Florida Keys commercial AP member)
- Some items of interest to the AP become rushed, omitted, or shortchanged due to time constraints and the number of items that must be addressed. An earlier start time or other time adjustments could be considered for future AP meetings.