

Amendment 53 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region

Catch Level Adjustments, Rebuilding
Schedule, and Allocations for Gag and
Management Measures for Black Grouper



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Why is the Council Taking Action?

Gag

The most recent stock assessment for gag, SEDAR 71, was completed in 2021. The terminal year of the assessment is 2019. This assessment used revised estimates for recreational catch from the Marine Recreational Information Program (MRIP) based on

the Fishing Effort Survey (FES). The results of this assessment indicated that the stock is overfished and experiencing overfishing. The Council's Scientific and Statistical Committee (SSC) reviewed SEDAR 71 at their April 2021 meeting and determined that the assessment is based on the best scientific information available (BSIA).

SEDAR Assessment:

http://sedarweb.org/docs/sar/SEDAR_71_SAR_4.19.21_final_withaddendum.pdf/

The National Marine Fisheries Service (NMFS) notified the Council on July 23, 2021, that management action is necessary for gag as the stock is undergoing overfishing and remains overfished. The Magnuson-Stevens Fishery Conservation and Management Act requires the Council and NMFS to end overfishing immediately and implement a rebuilding plan within two years.

Under National Standard 1 guidelines, if a stock can be rebuilt in 10 years or less with no fishing, then the rebuilding plan cannot be longer than 10 years. Assessment projections showed the gag stock can rebuild in 7 years if no fishing were to be allowed; therefore, the rebuilding plan for gag cannot be over 10 years.

Fishery Overview: https://safmc-shinyapps.shinyapps.io/SA_FisheryDataGag/

How is Stock Status Determined?

Stock status is determined through the assessment process conducted by the Southeast Data, Assessment, and Review (SEDAR) process

Overfished means the stock biomass (total weight of fish in the population) is below the stock's minimum stock size threshold (MSST).

Overfishing means the current rate of fishing is above the rate of fishing that would maintain the maximum sustainable yield.

Black Grouper

The Southeastern stock of black grouper was scheduled to be assessed through SEDAR 48 in 2017; however due to concerns regarding uncertainty in the commercial landings history and the uncertainty around recreational estimates, the assessment process was stopped.

The Council is also considering changes to regulations for black grouper because of identification issues between gag and black grouper (in some areas the two species are hard to tell apart).

What would this amendment do?

- Establish a rebuilding plan for **gag**
- Adjust catch levels (acceptable biological catch and annual catch limit) and revise annual optimum yield for **gag**
- Revise sector allocations for **gag**
- Revise the commercial trip limit for **gag**
- Consider changes to recreational management for **gag** and **black grouper**

Amendment timing

June 2021	Council begins the plan amendment
October 2021	Council receives input from the snapper grouper advisory panel
January 2022	Council conducts scoping hearings to obtain public input
September 2022	Council review draft amendment, selects preferred alternatives, and approves for public hearings
October 2022	Council receives input from the snapper grouper advisory panel
January 2023	public hearings
March 2023	Council reviews final amendment and approves for submission to the National marine Fisheries Service

Council action at the last meeting (December 2022)

- **Purpose and Need:** Revised the purposed statement to ensure clarity between gag and black grouper actions.
- **Action 4b (Gag Commercial Spawning Season Closure):** removed consideration of this action.
- **Action 5a (Gag Recreational Vessel Limit):** Selected preferred alternatives: 2 fish/vessel/day for the private recreational component and 2 fish/vessel/trip for the for-hire recreational component.
- **Action 5b (Gag Recreational Spawning Season Closure):** removed consideration of this action.
- **Action 5c (Gag Captain and Crew Bag Limit):** Selected preferred alternative: Captain and crew cannot retain the recreational bag limit.
- **Action 7a (Black Grouper Recreational Vessel Limit):** Selected preferred alternatives: 2 fish/vessel/day for the private recreational component and 2 fish/vessel/trip for the for-hire recreational component.

- **Action 7b (Black Grouper Recreational Spawning Season Closure):** removed consideration of this action.
- **Action 7c (Black Grouper Captain and Crew Bag Limit):** Selected preferred alternative: Captain and crew cannot retain the recreational bag limit.

Have questions about other decisions made throughout the amendment process?

Visit the [Amendment Summary](#) on our website or contact the amendment lead for more information.

Overfishing Limit and Acceptable Biological Catch

The SSC recommended the following Overfishing Limit (OFL) and acceptable biological catch (ABC) levels, which assume 2023 would be the year of implementation (Table 1). Both sector’s landings are tracked in pounds gutted weight (lbs gw), so the proposed annual landings below are given in the same units. Currently, the gag ACL is 95% of the ABC (ABC = 773,000, ACL = 734,350).

OFL, ABC, and ACL

The **OFL** or overfishing limit is the catch level above which fish would be removed from the population faster than they would be replaced. The SSC determines this limit using information from the most recent stock assessment.

The **ABC** or acceptable biological catch is the highest catch level recommended by the SSC. The SSC determines that level by estimating a buffer between OFL and ABC that accounts for scientific uncertainty. More uncertainty means a larger buffer.

The **ACL** or annual catch limit is the limit for how many fish (or pounds of fish) can be landed in a year. The ACL is set by the Council and must be less than or equal to the ABC. The Council can set the ACL lower than the ABC to further decrease the risk of overfishing, but for many species ACL=ABC.

The recommended OFL and ABC levels include recreational landings estimates from the MRIP FES. The current catch levels use recreational landings estimates using the Coastal Household Telephone Survey (CHTS) method.

CHTS vs FES Recreational Estimates

In 2018 the Coastal Household Telephone Survey (CHTS) was replaced with MRIP's FES method due to the dwindling number of landline phones and decreased survey bias of FES methods.

This new method includes less bias and is considered more accurate.

To find more information about the new survey visit:

<https://www.fisheries.noaa.gov/recreational-fishing-data/effort-survey-improvements>

Table 1. South Atlantic gag OFL and ABC recommendations (in pounds gutted weight and numbers of fish) based on management starting in 2023.

Year	OFL Landings (lbs gw)	ABC Landings (lbs gw)
2023	367,235	175,632
2024	494,338	261,171
2025	605,227	348,352
2026	706,366	435,081
2027	808,266	524,625
2028	912,033	617,778
2029	1,011,133	711,419
2030	1,098,379	800,088
2031	1,171,120	879,758
2032	1,230,363	948,911

Proposed Actions

Action 1. Establish a rebuilding plan for gag

Purpose of Action

Establish a rebuilding plan to end overfishing and rebuild the stock of gag in the South Atlantic to address the overfished determination from the SEDAR 71 (2021) stock assessment.

Alternative 1 (No Action). The South Atlantic stock of gag is currently not under a rebuilding plan.

Alternative 2. Establish a rebuilding plan with a rebuilding timeframe to equal the shortest possible time to rebuild in the absence of fishing mortality (T_{min}). This would equal 7 years with the rebuilding period ending in 2029. 2023 would be Year 1.

Preferred Alternative 3. Establish a rebuilding plan with a rebuilding timeframe to equal T_{max} . This would equal 10 years with the rebuilding period ending in 2032. 2023 would be Year 1.

Rebuilding Plan Requirements – Could the rebuilding plan be longer than 10 years?

Under **National Standard 1**, if the stock is projected to rebuild in under 10 years with no fishing, then the rebuilding plan may not exceed 10 years.

Stock assessment projections showed that the stock could rebuild in **7 years** in the absence of fishing mortality; therefore, the rebuilding plan cannot be longer than **10 years**.

Action 2. Revise the acceptable biological catch, total annual catch limit, and annual optimum yield for gag

Purpose of Action

Revise the gag total ACL based on the new ABC recommendations of the SSC and the SEDAR 71 (2021) stock assessment.

Alternative 1 (No Action). The total annual catch limit and annual optimum yield for gag are equal to 95% of the **current** acceptable biological catch (734,350 pounds gutted weight). The current acceptable biological catch level is inclusive of recreational estimates from the Marine Recreational Information Program’s Coastal Household Telephone Survey.

Preferred Alternative 2. Revise the 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 annual optimum yield for gag and set them equal to the **recommended** acceptable biological catch. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Year	OFL (lbs gw)	ABC (lbs gw)	Annual OY (lbs gw)	Total ACL (lbs gw)
2023	367,235	175,632	175,632	175,632
2024	494,338	261,171	261,171	261,171
2025	605,227	348,352	348,352	348,352
2026	706,366	435,081	435,081	435,081
2027	808,266	524,625	524,625	524,625
2028	912,033	617,778	617,778	617,778
2029	1,011,133	711,419	711,419	711,419
2030	1,098,379	800,088	800,088	800,088
2031	1,171,120	879,758	879,758	879,758
2032	1,230,363	948,911	948,911	948,911

Alternative 3. Revise the 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 annual optimum yield for gag and set them equal to 95% of the **recommended** acceptable biological catch. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Year	OFL (lbs gw)	ABC (lbs gw)	Annual OY (lbs gw)	Total ACL (lbs gw)
2023	367,235	175,632	166,850	166,850
2024	494,338	261,171	248,112	248,112
2025	605,227	348,352	330,934	330,934
2026	706,366	435,081	413,327	413,327
2027	808,266	524,625	498,394	498,394
2028	912,033	617,778	586,889	586,889
2029	1,011,133	711,419	675,848	675,848

2030	1,098,379	800,088	760,084	760,084
2031	1,171,120	879,758	835,770	835,770
2032	1,230,363	948,911	901,465	901,465

Alternative 4. Revise the 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 annual optimum yield for gag and set them equal to 90% of the **recommended** acceptable biological catch. The recommended acceptable biological catch is inclusive of recreational estimates from the Marine Recreational Information Program’s Fishing Effort Survey.

Year	OFL (lbs gw)	ABC (lbs gw)	Annual OY (lbs gw)	Total ACL (lbs gw)
2023	367,235	175,632	158,069	158,069
2024	494,338	261,171	235,054	235,054
2025	605,227	348,352	313,517	313,517
2026	706,366	435,081	391,573	391,573
2027	808,266	524,625	472,163	472,163
2028	912,033	617,778	556,000	556,000
2029	1,011,133	711,419	640,277	640,277
2030	1,098,379	800,088	720,079	720,079
2031	1,171,120	879,758	791,782	791,782
2032	1,230,363	948,911	854,020	854,020

Discussion:

- The Council has specified OY=ACL=ABC for most snapper grouper species.
- OFL and ABC recommendations are for landed catch, as discards are estimated elsewhere in the assessment process.
- Recreational landings (blue line) were similar to commercial landings (orange line) in recent years (Figure 2).

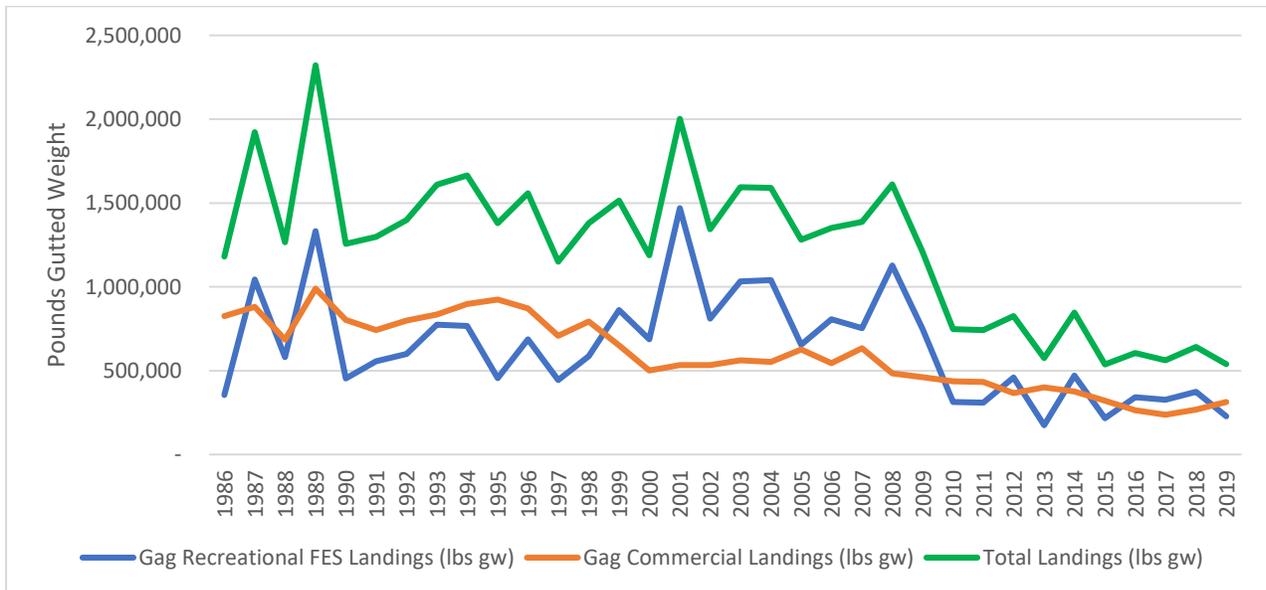


Figure 2. The recreational (MRIP FES) (blue), commercial landings (orange), and total landings (green) from 1986-2019.

- When compared to the average landings from 2015 to 2019 (in lbs gw, inclusive of MRIP FES recreational landings), the proposed ACLs are expected to constrain harvest until 2028, when the proposed ACLs are higher than the 5-year average (Figure 3).

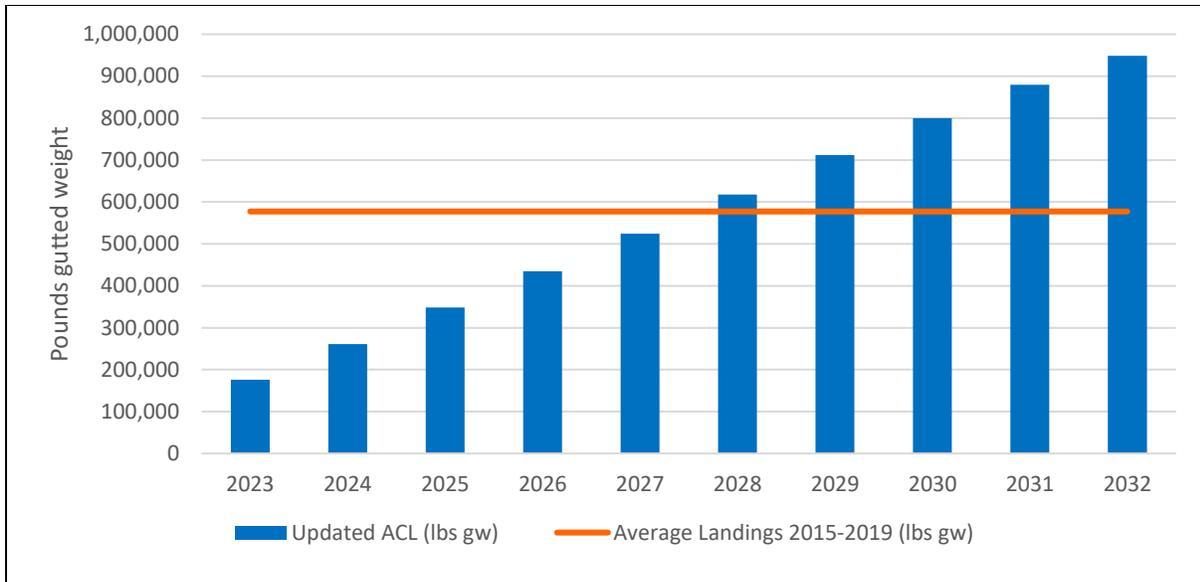


Figure 3. Average gag landings (commercial and recreational) from 2015 to 2019 (orange line) compared to proposed total ACLs (blue) under **Preferred Alternative 2** for **Action 2**.

Action 3. Revise the gag sector allocations and sector annual catch limits

Purpose of Action

Review sector allocations since recreational landings estimates were changed in the new assessment. Recreational landings are now estimated using data from the Fishing Effort Survey (FES) rather than the Coastal Household Telephone Survey (CHTS).

Table 2. A summary of alternatives for **Action 3**.

Alternative	Commercial/Recreational Allocation	Basis for allocation
Alternative 1 (No Action)	51.00%/49.00%	Landings distribution 1999-2003 used in Amendment 16 that incorporated CHTS recreational landings
Alternative 2	36.37%/63.63%	Updated landings distribution 1999-2003 incorporating MRIP FES recreational landings
Alternative 3	43.06%/56.94%	Comp ACL Amendment Allocation Formula that uses $(0.5 * \text{landings from 1986 to 2008}) + (0.5 * \text{landings from 2006 to 2008})$.
Preferred Alternative 4		
Sub-alternative 4a	Changes each year depending on initial decrease and subsequent increases	Distribution of commercial and recreational (MRIP FES) landings from 2017-2019
Preferred Sub-alternative 4b	Changes each year depending on initial decrease and subsequent increases	Distribution of commercial and recreational (MRIP FES) landings from 2015-2019

Note: all alternatives applied to the preferred alternative for the total ACL in **Action 2**.

Table 3. A summary of the 2023 sector ACLs and allocations for each alternative, assuming the total ACL from the Preferred Alternative for Action 2. To find sector ACLs for the entire rebuilding plan, see Chapter 2 of the Draft Amendment document.

Allocation Alternative	2023 Commercial ACL (lbs gw)	2023 Commercial Allocation	2023 Recreational ACL (lbs gw)	2023 Recreational Allocation
Alternative 1 (No Action)	89,571	51%	86,060	49%
Alternative 2	63,877	36.37%	111,755	63.63%
Alternative 3	75,627	43.06%	100,005	56.94%
Preferred Alternative 4				
Sub-Alternative 4a	68,281	39%	107,350	61%
Sub-Alternative 4b	85,326	49%	90,306	51%

Discussion:

- **Alternative 1 (No Action)** would retain the current allocation percentages that were determined through Regulatory Amendment 16 (2008) and would be based on CHTS recreational landings. **Alternative 2** would recalculate allocations using the same methods used in Regulatory Amendment 22 (2015) but would use the updated recreational landings estimates from the MRIP FES.
- **Alternative 3** would utilize the Comprehensive ACL Amendment’s Allocation Formula:

$$\text{Sector Allocation Percentage} = ((\text{sector's mean landings 2006 to 2008}) * 0.5) + ((\text{sector's mean landings 1986 to 2008}) * 0.5)$$

- **Preferred Alternative 4** is a novel allocation method that aims to implement equal reductions in harvest in year one, proportional on a percent-basis to the way the fishery is operating. After the initial year, as the ACLs increase, the annual increase in poundage is split equally between the sectors.
 - **Alternative 4a** uses the 3-year average landings from 2017-2019 to determine the allocation in year 1:

Table 4. The baseline years and average landings by sector used to determine allocations under **Sub-Alternative 4a** from **Action 3**.

Allocation Basis Years	Average 2017-2019 Commercial Landings (lbs gw)	Average 2017-2019 Recreational Landings (lbs gw)	Total Average 2017-2019 Landings (lbs gw)
3 Year Average from 2017-2019	231,736	364,331	596,067

Table 5. The resulting sector ACLs and percent allocation from the split reduction method used to determine year 1 allocations under **Sub-Alternative 4a** from **Action 3**.

Year	Total ACL (lbs gw)	Percent Reduction for each Sector Needed to Achieve Updated ACL	Commercial ACL (lbs gw)	Commercial Allocation %	Recreational ACL (lbs gw)	Recreational Allocation %
2023	175,632	71%	68,281	39%	107,350	61%

- **Preferred Alternative 4b** is based on the 5-year average landings from 2015-2019 to determine the allocation in year 1:

Table 6. The baseline years and average landings by sector used to determine allocations under **Preferred Sub-Alternative 4b** from **Action 3**.

Allocation Basis Years	Average 2015-2019 Commercial Landings (lbs gw)	Average 2015-2019 Recreational Landings (lbs gw)	Total Average 2015-2019 Landings (lbs gw)

5 Year Average from 2015-2019	280,440	296,804	577,244
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Table 7. The resulting sector ACLs and percent allocation from the split reduction method used to determine year 1 allocations under **Preferred Sub-Alternative 4b** from **Action 3**.

Year	Total ACL (lbs gw)	Percent Reduction for each Sector Needed to Achieve Updated ACL	Commercial ACL (lbs gw)	Commercial Allocation %	Recreational ACL (lbs gw)	Recreational Allocation %
2023	175,632	70%	85,326	49%	90,306	51%

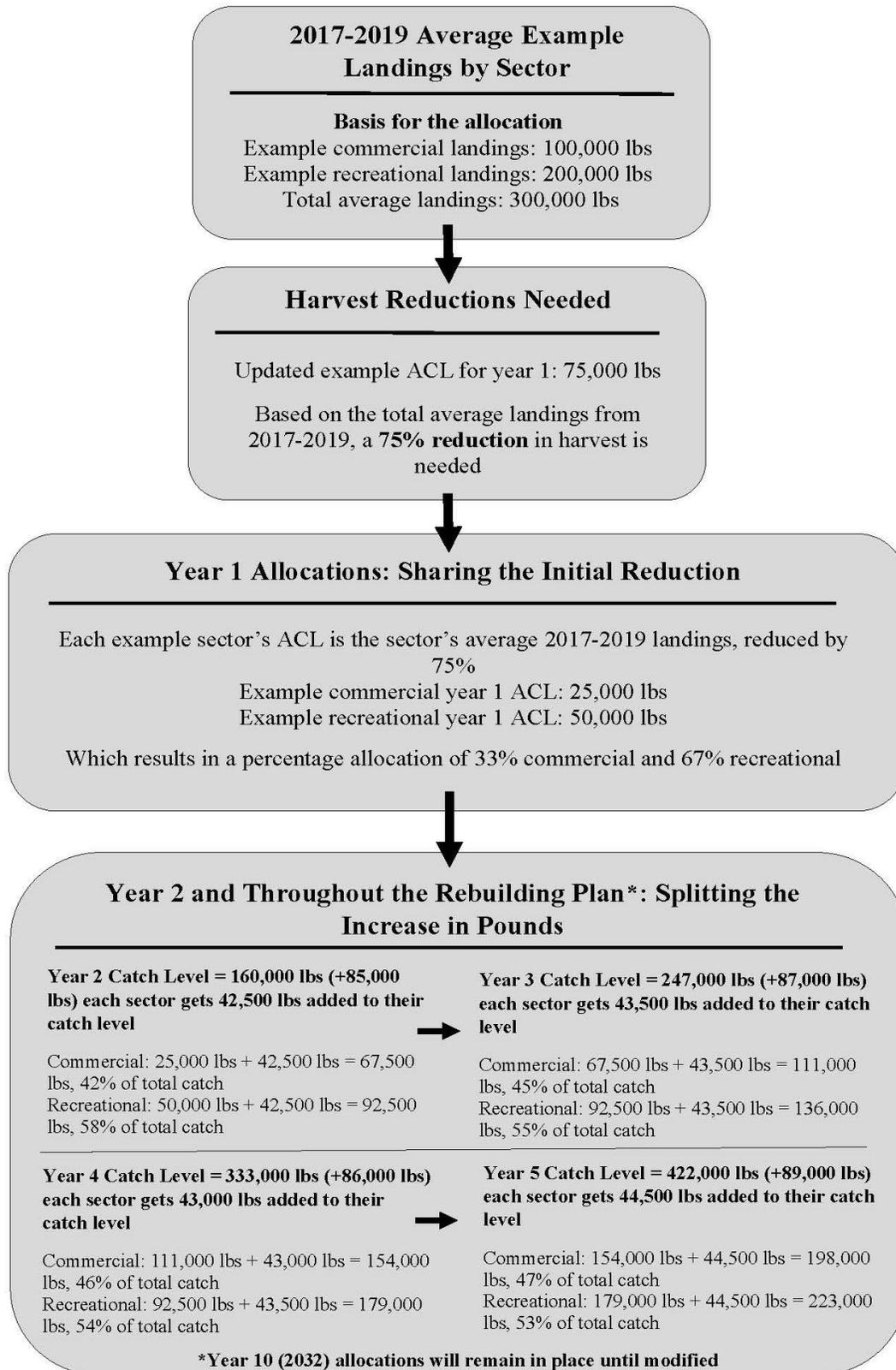


Figure 4. An example demonstrating the split reduction method of allocating

between sectors from Sub-Alternative 4a and Preferred Sub-Alternative 4b.

- From 2015 through 2019, both sectors harvested under their respective sector ACLs. There have been no in-season closures for gag from 2015-2019 for either sector.
- The proposed commercial ACLs for 2023-2027 for all alternatives (colored bars) are below the average commercial landings from 2015-2019 (blue dashed line), with **Alternative 1 (No Action)** nearing average landings in 2027 (**Figure 4**).

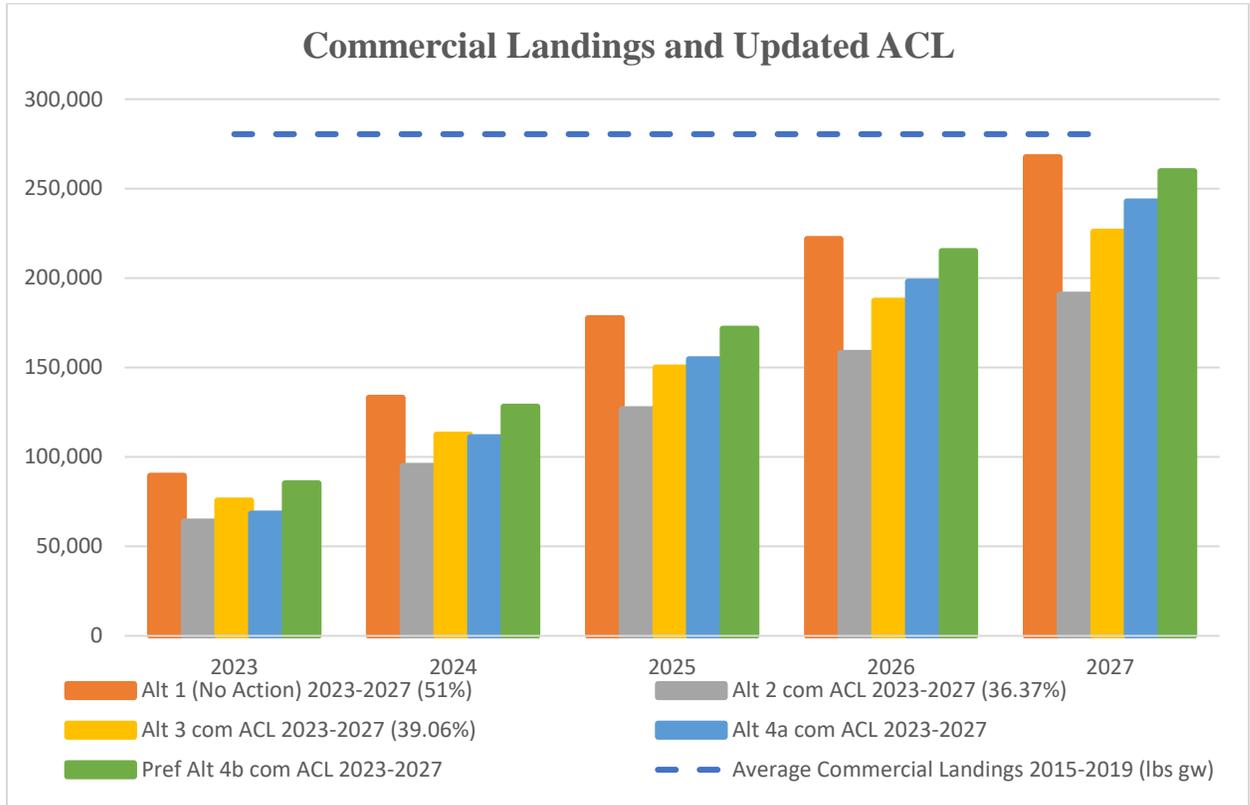


Figure 5. Average commercial landings (lbs gw) from 2015-2019 compared to the proposed ACLs from **Alternative 1 (No Action) – Preferred Sub-Alternative 4b** for **Action 3**.

- The proposed recreational ACLs for 2023-2027 for all alternatives (colored bars) are below the average recreational landings from 2015-2019 (blue dashed line), with **Alternative 2** and **Alternative 3** nearing average landings in 2027 (**Figure 5**).

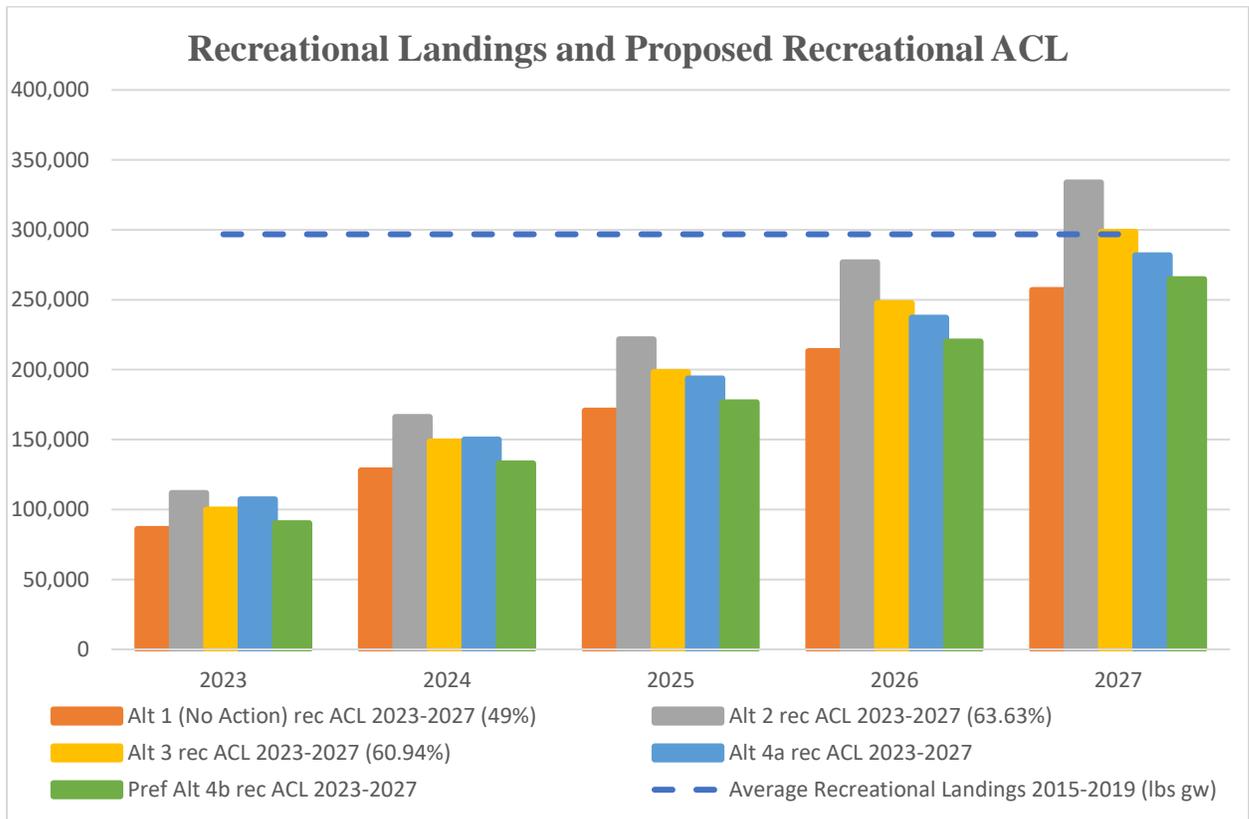


Figure 6. Average recreational landings (lbs gw) from 2015-2019 (MRIP FES units) compared to the proposed ACLs from **Alternative 1 (No Action) – Preferred Sub-Alternative 4b** for **Action 3**.

- The predicted season length for each sector is summarized in Table 8:
 - Commercial sector
 - Under **Sub-Alternatives 4a and 4b (Preferred)** the commercial sector is predicted to close for early June and end of June respectively, within the first year of the rebuilding timeframe (2023). In 2027 and thereafter, there are no expected closures.
 - Recreational sector
 - Under **Sub-alternatives 4a and 4b (Preferred)** a roughly 50-day season is expected in 2023 for both alternatives. Closures are predicted to continue through 2027 where the season is expected to close in early November for **Sub-Alternative 4a** and mid-October for **Preferred Sub-Alternative 4b**. By 2028 and thereafter, closures are not expected.
- See **Draft Amendment Appendix F** for full analysis.

Table 8. The projected South Atlantic gag commercial and recreational landings (lbs gw) and closure dates expected with each proposed annual catch limit alternative for **Action 3**.

Alternative 1 (No Action) of Action 3 is omitted since it is identical to Action 2 Alternatives.

Action 3, Alternative 2: 63.63% recreational and 36.37% commercial								
Year	Rec. ACL*	Predicted Rec. Landings	Rec. Closure Date	Days Open in Rec. Season	Comm. ACL	Predicted Comm. Landings	Comm. Closure Date	Days Open in Comm. Season
2023	111,755	311,339	Jun 28	58	63,877	231,667	Jun 9	39
2027	333,819		None	245	190,806		Nov 4	187
2032	603,792		None	245	345,119		None	245
Action 3, Alternative 3: 43.06% recreational and 56.94% commercial								
Year	Rec. ACL*	Predicted Rec. Landings	Rec. Closure Date	Days Open in Rec. Season	Comm. ACL	Predicted Comm. Landings	Comm. Closure Date	Days Open in Comm. Season
2023	100,005	311,339	Jun 22	52	75,627	231,667	Jun 18	48
2027	298,721		Dec 9	222	225,904		Dec 22	235
2032	540,310		None	245	408,601		None	245
Action 3, Sub-Alternative 4a: 3-year average shared reduction								
Year	Rec. ACL*	Predicted Rec. Landings	Rec. Closure Date	Days Open in Rec. Season	Comm. ACL	Predicted Comm. Landings	Comm. Closure Date	Days Open in Comm. Season
2023	107,350	311,339	Jun 26	56	68,281	231,667	Jun 12	42
2027	281,847		Nov 9	192	242,778		None	245
2032	493,990		None	245	454,921		None	245
Action 3, Preferred Sub-Alternative 4b: 5-year average shared reduction								
Year	Rec. ACL*	Predicted Rec. Landings	Rec. Closure Date	Days Open in Rec. Season	Comm. ACL	Predicted Comm. Landings	Comm. Closure Date	Days Open in Comm. Season
2023	90,306	311,339	Jun 17	47	85,327	231,667	Jun 25	55
2027	264,802		Oct 22	174	259,823		None	245
2032	476,945		None	245	471,966		None	245

Note: All sector allocation options considered in **Action 3** were applied to the revised total ACL of preferred Alternative 2 of Action 2. All ACLs and projected landings are in pounds gutted weight.

*The recreational ACLs presented are inclusive of recreational landings tracked using the MRIP Fishing Effort Survey.

Action 4. Reduce the commercial trip limit for gag

Purpose of Action

Reduce the commercial trip limit to achieve the reduction in harvest needed to constrain catch to the updated commercial ACLs, while maintaining an extended commercial season.

Alternative 1 (No Action). The commercial gag trip limit is 1,000 pounds gutted weight until 75% of the commercial annual catch limit is met, at which time the commercial trip limit is reduced to 500 pounds gutted weight for the remainder of the fishing year or until the commercial annual catch limit is met.

Alternative 2. Reduce the gag commercial trip limit to 200 pounds gutted weight.

Preferred Alternative 3. Reduce the gag commercial trip limit to 300 pounds gutted weight.

Alternative 4. Reduce the gag commercial trip limit to 400 pounds gutted weight.

Alternative 5. Reduce the gag commercial trip limit to 500 pounds gutted weight.

Alternative 6. Reduce the gag commercial trip limit to 300 pounds gutted weight in 2023 then increase the commercial trip limit to 500 pounds gutted weight in 2026 and to 1,000 pounds gutted weight in 2027 where the trip limit would remain 1,000 and thereafter until modified.

Discussion:

- The current gag commercial trip limit and step down were established through Regulatory Amendment 14 to the FMP (2014).
- Since its implementation, landings exceeded 75% of the commercial ACL in 2014, 2015, and 2016; however, the trip limit step-down was triggered in 2015 only.
 - From 2014 to 2019 there has been only one commercial closure, which occurred in November of 2014 (Table 9).

Table 9. Commercial landings history under the current trip limit and step-downs from 2014 (implementation) to 2019.

Year	% Commercial ACL Used	Trip Limit Reduction Y/N	Reduction Date
2019	74.5	N	NA
2018	71.5	N	NA
2017	61.8	N	NA
2016	78.9	N	N
2015	96.3	Y	October 18, 2015
2014	102.9	N	N

Analysis:

- 83% of trips landed 250 lbs or less of gag. 16.17% of trips landed 251 or more lbs of gag. (Figure 7).
- See **Appendix F** in draft amendment for full analysis.

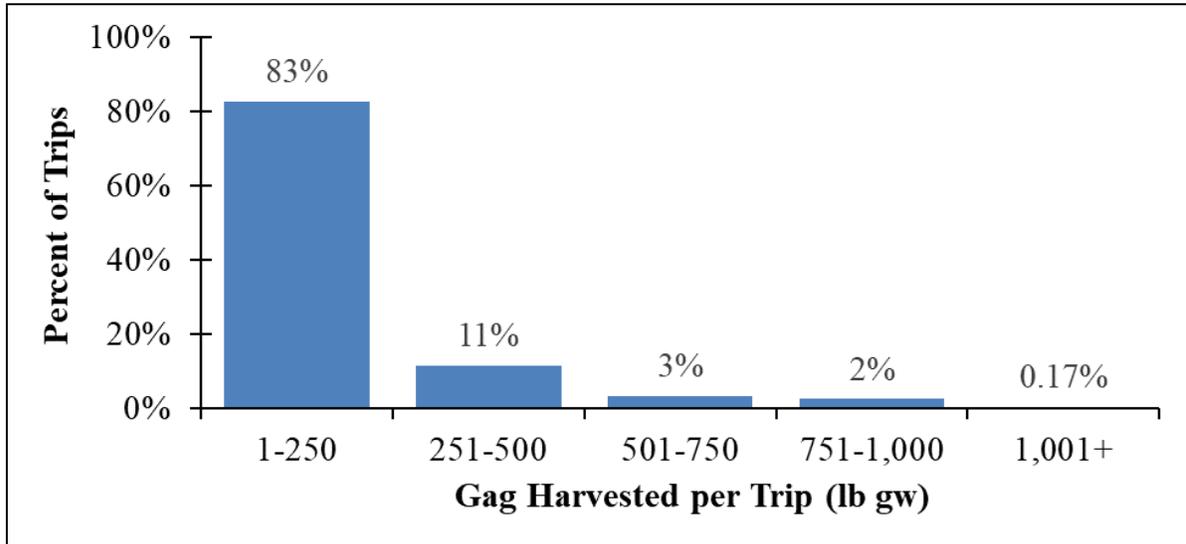


Figure 7. The percent of commercial trips (n=8,607) harvesting gag by poundage bin from 2017 through 2019. Source: SEFSC commercial logbook (May 6, 2021).

Table 10. The predicted percent change in landings per trip from the current 1,000 lbs gw trip limit.

Current Trip Limit (lbs gw)*	Potential Trip Limit (lbs gw)	Predicted Change in Landings
1,000	500	-8%
1,000	400	-13%
1,000	300 (Preferred)	-20%
1,000	200	-32%

* current trip limit includes a step down to 500 lbs gw when 75% of the commercial ACL is met.

- **Alternative 6** was developed based on the years when, according to projections, the commercial ACL would not be exceeded, and therefore would be appropriate to increase the commercial trip limit. Table 10 displays when overages are expected to end under different trip limits. The predicted commercial landings were determined using the [Commercial Decision Tool](#).

Table 11. The expected commercial ACL **overage** expected under the 300 lbs gw trip limit for **Alternative 6** for **Action 4**. Note: the total ACL used is ACL=OY=ABC, commercial ACL is

based on the Split Reduction, 5 yr basis allocation method (Preferred Alternative 4, Preferred Sub-Alternative 4b of Action 3).

Year	Allocations Alternative	Trip Limit	Commercial ACL Overage? Y/N	Overage %
2023	Split Reduction, 5 yr basis	300 lbs gw	Y	117%
2024	Split Reduction, 5 yr basis	300 lbs gw	Y	45%
2025	Split Reduction, 5 yr basis	300 lbs gw	Y	8%
2026	Split Reduction, 5 yr basis	300 lbs gw	N	-14%
2027	Split Reduction, 5 yr basis	300 lbs gw	N	-29%
2028	Split Reduction, 5 yr basis	300 lbs gw	N	-40%
2029	Split Reduction, 5 yr basis	300 lbs gw	N	-48%
2030	Split Reduction, 5 yr basis	300 lbs gw	N	-53%
2031	Split Reduction, 5 yr basis	300 lbs gw	N	-58%
2032	Split Reduction, 5 yr basis	300 lbs gw	N	-61%

Table 12. The date the commercial ACL is projected to be met under each trip limit alternative for **Sub-Action 4a**. Dates are based on a total ACL from **Preferred Alternative 2** from **Action 2** and sector ACLs from **Preferred Alternative 4b** from **Action 3**.

Year	Alternative	Alternative/Trip Limit	Approximate Date ACL will be Met
2023	Alternative 1 (No Action)	1,000 lbs gw	June 25th
2027	Alternative 1 (No Action)	1,000 lbs gw	No Closure
2032	Alternative 1 (No Action)	1,000 lbs gw	No Closure
2023	Alternative 2	200 lbs gw	Aug 5th
2027	Alternative 2	200 lbs gw	No Closure
2032	Alternative 2	200 lbs gw	No Closure
2023	Preferred Alternative 3	300 lbs gw	July 15th
2027	Preferred Alternative 3	300 lbs gw	No Closure
2032	Preferred Alternative 3	300 lbs gw	No Closure
2023	Alternative 4	400 lbs gw	July 5th
2027	Alternative 4	400 lbs gw	No Closure
2032	Alternative 4	400 lbs gw	No Closure
2023	Alternative 5	500 lbs gw	June 30th
2027	Alternative 5	500 lbs gw	No Closure
2032	Alternative 5	500 lbs gw	No Closure
2023	Alternative 6	300 lbs gw in 2023, 500 lbs gw in 2026, and 1,000 lbs gw in 2027	July 15th
2027	Alternative 6	300 lbs gw in 2023, 500 lbs gw in 2026, and 1,000 lbs gw in 2027	No Closure
2032	Alternative 6	300 lbs gw in 2023, 500 lbs gw in 2026, and 1,000 lbs gw in 2027	No Closure

Action 5. Modify the recreational management measures for gag

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

Purpose of Sub-action

Establish a recreational vessel limit to achieve the reduction in harvest needed to constrain catch to the updated recreational ACLs, while maintaining recreational access.

Alternative 1 (No Action). There is no recreational vessel limit for gag. The recreational gag bag limit is 1 fish per person per day within the 3 shallow water grouper aggregate (no more than 1 grouper may be gag or black grouper).

Preferred Alternative 2. Establish a private recreational vessel limit for gag of:

Preferred Sub-Alternative 2a. 2 fish per vessel per day not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Sub-Alternative 2b. 4 fish per vessel per day not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Alternative 3. Establish a for-hire recreational vessel limit for gag of:

Preferred Sub-Alternative 3a. 2 fish per vessel per trip not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Sub-Alternative 3b. 4 fish per vessel per trip not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Discussion:

- The proposed reduction in the recreational ACL will result in an approximately 70% reduction in harvest from 2019 catch levels to the updated catch levels for 2023. To maintain recreational access, a vessel limit would help to constrain catch to the updated catch levels.
- The current gag bag limit is tied to the grouper aggregate and specifies one gag OR one black grouper. The current alternatives do not modify the bag limit for black grouper, which would remain as 1 black grouper per person per day within the grouper aggregate.

Analysis:

- See **Appendix C** in the draft amendment for full analysis.
- Per Day vs Per Trip Analysis:
 - Within the MRIP data, information is not available on how many trips private recreational vessels make in a day.
 - No charter or headboat vessels within the dataset indicated multiple trips per day.
 - Within the headboat dataset, no headboats indicated multiple trips per day.

Table 13. The predicted percent change in landings per recreational trip (MRIP and Southeast Region Headboat Survey) from the current 1 fish per person per day limit.

Current Vessel Limit (# of fish)	Potential Vessel Limit (# of fish)	MRIP (Private and Charter Vessels) Predicted Change in Landings	SRHS (Headboat Vessels) Predicted Change in Landings
1 pp/day	6 per vessel	0%	-5%
1 pp/day	4 per vessel	-1%	-11%
1 pp/day	2 per vessel	-16%	-30%

- From 2017 through 2019, there were 33 charter trips and 21 private trips in the MRIP FES and 897 trips in the SRHS that reported harvesting gag in the South Atlantic. All trips reported landing one gag or fewer per person per day. Additionally, a majority of trips (82% charter and 71% private) in the MRIP FES and over half (57%) in the SRHS reported harvesting one gag or fewer per trip (Figure 9).

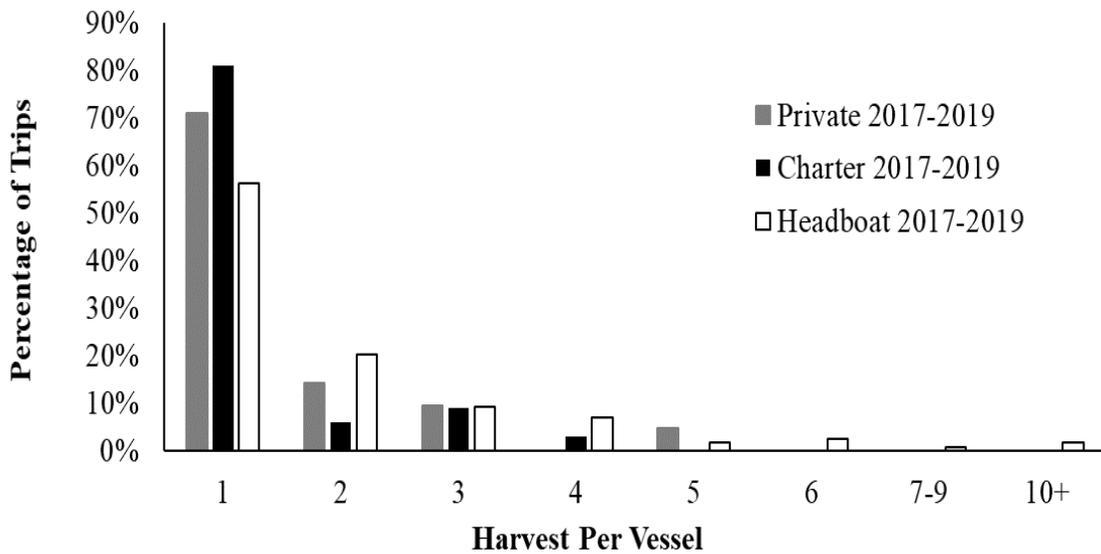


Figure 8. Distribution of South Atlantic gag harvested per vessel trip from the two recreational datasets: MRIP FES (n = 21 private trips and 33 charter trips), and SRHS (n= 897 headboat trips).

- Estimated reductions from projected landings for potential trip limits are shown in Table 14.

Table 14. The predicted percent change in landings per trip from the current 1 fish per person per day (pp/day) limit. Each **Sub-Action 5a** alternative specifies that a vessel limit or a 1 fish pp/day limit will be imposed, depending on whichever is more restrictive. Since current regulations already specify 1 fish pp/day, there is no predicted percent change in landings per trip should the bag limit of 1 fish pp/day be more restrictive.

Action 5 Alternatives	Potential Vessel Limit (# of fish)	Change Private Vessel Landings	Change in Charter Vessel Landings	Change in Headboat Landings
Alternative 1 (No Action)	1 fish pp/day	0%	0%	0%
Pref. Alternative 2	Private Vessel Limit			
Alternative 2a	2 fish p/v/d	-20%	--	--
Alternative 2b	4 fish p/v/d	-3%	--	--
Pref. Alternative 3	For-Hire Vessel Limit (Charter and Headboats)			
Pref Alternative 3a	2 fish p/v/d	--	-13%	-30%
Alternative 3b	4 fish p/v/d	--	0%	-11%

5.3 Sub-action 5b. Prohibit the retention of gag by captain and crew

Purpose of Action

Prohibit the retention of gag by captain and crew to constrain recreational harvest to the updated catch levels and contribute to rebuilding.

Alternative 1 (No Action): The captain and crew on a for-hire vessel with a Federal for-hire snapper-grouper permit may retain the daily bag limit of gag as allowed for each passenger.

Preferred 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.

Discussion:

- MRIP data do not categorize captain and crew, so the retention by captain and crew is assumed when the catch exceeds the party size. From 2017-2019 all for-hire and private trips reported no more than 1 gag per angler per trip.
- Assuming that the customer is retaining this fish, then prohibiting the retention of captain and crew bag limits may have little to no effect on the for-hire sector.

Action 6. Revise the gag recreational accountability measures

Purpose of Action:

Prevent recreational landings from exceeding the recreational ACL and correct for overages if they occur.

What are accountability measures and how do they work?

Accountability measures are safeguards put in place that help prevent and correct for annual catch limit overages. Landings information is collected in waves or time blocks which means that there is the potential for an ACL overage to occur and not be detected until the next wave. Accountability measures are split into two types: **in-season** and **post-season**.

In-season accountability measures help to prevent ACL overages for the *current* fishing season by closing the season before landings exceed the ACL. These measures are effective as long as the potential overage is detected in time.

Post-season accountability measures help to correct for overages that have occurred in the *current* fishing year, in the *following* fishing year by utilizing tools such as pay-backs

Table 15. Summary of recreational accountability measure alternatives for **Action 7**.

	In-Season AM		Post-Season AM	
	Triggers	AM	Triggers	AM
Alternative 1 (no change)	Recreational landings exceed/expected to exceed sector ACL	Current recreational season closes	<ul style="list-style-type: none"> Recreational landings exceed/expected to exceed the recreational ACL Total ACL exceeded Stock is overfished <p>*All triggers must be present for AM to occur</p>	<ul style="list-style-type: none"> Recreational landings are monitored during the following year and if necessary: Recreational ACL for the following year reduced by the overage Recreational season for the following year is reduced to ensure the recreational ACL is not exceeded
Alternative 2	NMFS will annually announce the recreational fishing season end date			

Alternative 3	NONE		Recreational landings exceed recreational ACL *No longer tied to stock status or total ACL	Recreational season for the following year is reduced by the amount necessary to prevent the recreational ACL from being exceeded
Preferred Alternative 4	Recreational landings exceed/expected to exceed sector ACL	Current recreational season closes	Recreational landings exceed recreational ACL *No longer tied to stock status or total ACL	Recreational season for the following year is reduced by the amount necessary to prevent the recreational ACL from being exceeded

What are the current *COMMERCIAL* accountability measures and why are they not being modified?

The current commercial accountability measure closes the season if the ACL is met and a post-season measure which requires a payback if the following occur: The commercial ACL is exceeded, the total ACL is exceeded, and the stock is overfished.

	In-Season AM		Post Season AM	
	Triggers	AM	Triggers	AM
Commercial Accountability Measure	Commercial landings reach/projected to reach commercial ACL	Current commercial season closes	<ul style="list-style-type: none"> Commercial landings exceed commercial ACL Total ACL exceeded Stock is overfished <p><i>*All 3 must occur for AM to take effect</i></p>	<ul style="list-style-type: none"> Commercial ACL for the following year reduced by the recreational overage Commercial season for the following year is reduced by the amount of the recreational overage

Commercial accountability measures are not being modified through Amendment 53 because the Council feels that they are not as effective given the shorter season.

Discussion:

- For other snapper grouper species with short recreational seasons, such as red porgy (Amendment 50), the in-season closure is being removed and post-season accountability measure triggers for the recreational sector will no longer be tied to the total ACL or to stock status.

- **Alternative 2** would operate similar to the season announcement for black sea bass except that NMFS would only be announcing the end of the season.

Action 7. Modify the recreational management measures for black grouper

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

Purpose of Sub-action

Establish a recreational vessel limit for black grouper because of concerns over misidentification between gag and black grouper in the recreational sector.

Black Grouper and Gag ID Issues

Currently, the regulations for gag and black grouper mirror each other for the recreational sector (24in min size, 1 fish/person/day bag limit, spawning season closure Jan 1 – Apr 30). Both species are part of the shallow water grouper complex and have similar life history traits.

Identification concerns, specifically in Florida, were discussed by the Council in September 2022. The Council felt that this issue was isolated to the recreational sector and included actions to modify recreational management measures with the intention to select the same preferred alternatives as gag. The goal is to prevent any identification issues from hindering gag rebuilding and maintaining consistent regulations across species.

Below: The shallow water grouper species ID guide, which provides tips for grouper identification, developed by the SAFMC Citizen Science Program for the [SAFMC Release App](#)



The Council provides tools to aid in grouper identification, developed by the Citizen Science Program for fishermen logging shallow water grouper catches through the SAFMC Release App. This guide is available for download, regardless of participation in the app on the [CitSci webpage](#).

Alternative 1 (No Action). There is no recreational vessel limit for black grouper. The recreational black grouper bag limit is 1 fish per person per day within the 3-grouper aggregate (no more than 1 grouper may be gag or black grouper).

Alternative 2. Establish a private recreational vessel limit for black grouper of:

Preferred Sub-Alternative 2a. 2 fish per vessel per day not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Sub-Alternative 2b. 4 fish per vessel per day not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Alternative 3. Establish a for-hire recreational vessel limit for black grouper of:

Preferred Sub-Alternative 3a. 2 fish per vessel per trip not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Sub-Alternative 3b. 4 fish per vessel per trip not to exceed the daily bag limit of 1 fish per person per day, whichever is more restrictive.

Discussion:

- Recent recreational catch-effort data from the MRIP FES and the SRHS were used to examine vessel limits in the South Atlantic black grouper recreational fishery. From 2017 through 2019, there were:
 - 9 charter trips and 28 private trips in the MRIP FES that reported black grouper
 - 144 trips in the SRHS that reported harvesting black grouper in the South Atlantic
 - All trips reported landing one black grouper or fewer per person per day
 - Majority of for-hire trips (100% charter and 54% headboat) and private trips (93%) reported harvesting one black grouper or fewer per trip (Figure 10).

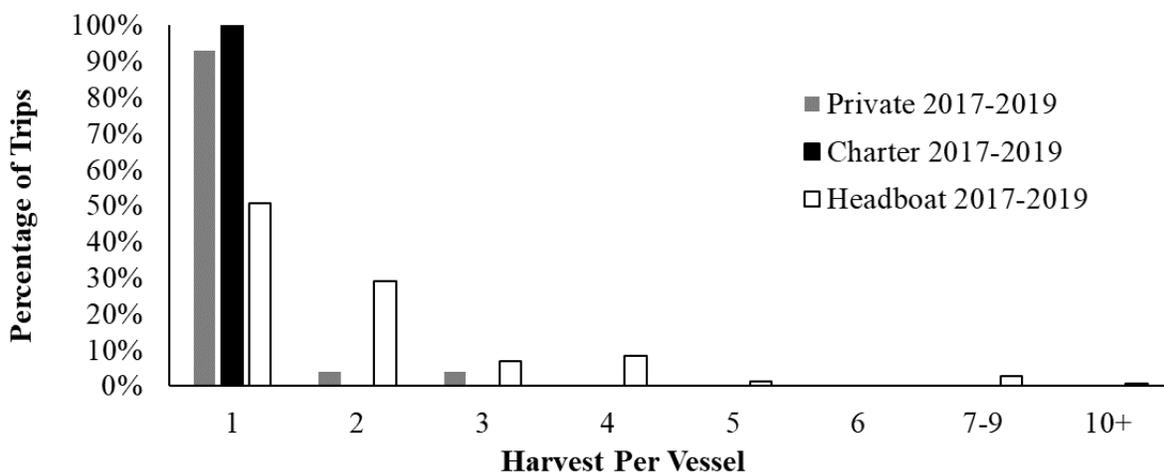


Figure 10. Distribution of South Atlantic black grouper harvested per vessel trip from the two recreational datasets: MRIP FES (n = 27 private trips and 9 charter trips), and SRHS (n= 144 headboat trips).

- Estimated reductions from projected landings for potential trip limits are shown in Table 15.

Table 15. The predicted percent change in landings per trip from the current 1 fish per person per day (pp/day) limit. Each **Sub-Action 7a** Alternative specifies that a vessel limit or a 1 fish pp/day limit will be imposed, depending on whichever is more restrictive. Since current regulations already specify 1 fish pp/day, there is no predicted percent change in landings per trip should the bag limit of 1 fish pp/day be more restrictive.

Action 7 Alternatives	Potential Vessel Limit (# of fish)	MRIP Private Predicted Change in Landings	For-hire Predicted Change in Landings
Alternative 1 (No Action)	1 fish pp/day	0%	0%
Alternative 2	2 per vessel	-6%	-24%
Alternative 3	4 per vessel	0%	-7%

- From 2017-2021, black grouper landings have averaged below 50% of the ACL, and therefore any reduction in landings as a result of a vessel or bag limit will make it even less likely that black grouper landings would meet or exceed the ACL (Table 16).

Table 16. The percentage of the black grouper ACL harvested from 2017-2021.

Year	Percentage of ACL Harvested
2017	52%
2018	73%
2019	19%
2020	49%
2021	44%
5-yr Average	47%

Source: Southeast Region Annual Catch limit Monitoring.

7.3 Sub-action 7b. Prohibit the retention of black grouper by captain and crew

Purpose of Action

Prohibit the retention of black grouper by captain and crew because of concerns over misidentification between gag and black grouper in the recreational sector.

Alternative 1 (No Action): The captain and crew on a for-hire vessel with a Federal for-hire snapper grouper permit may retain the daily bag limit of black grouper as allowed for each passenger.

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

Discussion:

- MRIP files do not categorize captain and crew, so the retention by captain and crew is assumed when the catch exceeds the typical party size. From 2017-2019 all for-hire and private trips reported no more than 1 black grouper per person per trip.
- Assuming that the customer is retaining this fish then prohibiting the retention of captain and crew will have little to no effect on the for-hire sector.

Submit Public Comment

The Council relies on public input during the amendment process, public comment can be submitted several ways:

1. Through the [Online Comment Form](#) on the Council's website. Click on the "Submit Comment" button on the right-hand side.
2. During the live public comment webinars taking place:
Tuesday January 10th at 6pm
Wednesday January 11th at 6pm
Webinar registration can be found on the [Public Hearing Event Page](#) on the website.
3. Through a handwritten submission. Written comments should be addressed to John Carmichael, Executive Director, SAFMC, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405. Written comments must be received by February 13, 2023, by 5 p.m.

Literature Cited

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- Thompson, R. and J.L. Munro. 1974. The biology, ecology and bionomics of Caribbean reef fishes: Lutjanidae (snappers). Zoology Dep., Univ. West Indies, Kingston, Jamaica Res.Rep. 3.
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