

Possible Snapper Grouper Amendment 22 Actions

August 17, 2010

Purpose and need

There is a need to adjust management as the red snapper stock rebuilds. As the stock rebuilds, some level of harvest may eventually be allowed and the closed area may be incrementally reduced in size or eliminated. In order to maintain long-term harvest levels of red snapper at or below the ACL, the Council has requested that an amendment be developed to explore alternative management methods for the species.

Actions and Alternatives

The following table summarizes the alternatives.

| Alternative | Action-type | Species Applied To |
|--------------------|---|---|
| 1 | No action. | n/a |
| 2 | Trip limits for the commercial sector. | Red snapper |
| 3 | Recreational tag program for all snapper grouper species in FMU. | All species in FMU |
| 4 | Commercial and for-hire catch share program; recreational tag program | Red snapper |
| 5 | Commercial, for-hire, and recreational tag program | Red snapper |
| 6 | Recreational and for-hire tag program; commercial catch share program | Red snapper |
| 7 | Commercial catch share program; recreational catch share program | Red snapper |
| 8 | Commercial and for-hire catch share; recreational tag program for red snapper and 10 top co-occurring species | Red snapper + 10 top co-occurring species |
| 9 | Commercial, for-hire, private recreational red snapper tag system in area between 28 degrees north (Stuart, Florida) to 33 degrees north (Cape Romain, South Carolina) (Rejected Alternative from 17A). | Red snapper |

Alternative 1 (No Action). Continue the 20-inch total length minimum size limit (commercial and recreational) and the recreational 2 fish bag limit (included in the 10 snapper per person limit). Amendment 17A, if fully approved, would prohibit all commercial and recreational fishing for, harvest, and possession of red snapper year-round in the South Atlantic EEZ. Prohibition of red snapper applies in the South Atlantic on board a vessel for which a valid Federal charter vessel/headboat or commercial permit for South Atlantic snapper grouper has been issued, without regard to where such species were harvested, i.e., in state or Federal waters. Prohibit commercial and recreational fishing for, harvest, and possession of all species in the snapper grouper fishery management unit (FMU) year-round in an area that includes commercial logbook grids 2880, 2980, and 3080 from 98 feet (16 fathoms; 30 m) to 240 feet (40 fathoms; 73 m). Changes to size of closed area, seasonal openings in harvest, and other actions may be changed through framework actions.

Alternative 2. Institute trip limits for red snapper for the commercial sector.

Alternative 3. Implement a tag program for all snapper grouper species for the recreational sector.

Alternative 4. Establish a catch share program for the commercial and for-hire sectors, and establish a tag program for the recreational sector.

- Catch shares are more easily applied to commercial and for-hire vessels than private recreational vessels since their landing history can be tracked.

Option A. The ACL would be divided into a share pool for the commercial and for-hire sectors, and tag bank for the private recreational sector based on average landings. X number of red snapper tags would be made available. Tags would be made available via a lottery system the application for which would be made available on NMFS web site or through direct purchase from NMFS permits office. All tag recipients would be required to record pre-determined landings data in order to be eligible for tags the following year. Tags are non-transferable. Tags must be affixed to each legal sized red snapper when caught.

Snapper grouper shares would be issued to commercial and for-hire vessels based on landings histories between the years of xxxx-xxxx. Other qualifying criteria.....?

Option B. The ACL would be divided into a share pool for the commercial and for-hire sectors, and tag bank for the private recreational sector based on average landings. X number of red snapper tags would be made available. Tags would be made available via a lottery system the application for which would be made available on NMFS web site or through direct purchase from NMFS permits office. All tag recipients would be required to record pre-determined landings data in order to be eligible for tags the following year. Tags are transferable, but not resellable. Tags must be affixed to each legal sized red snapper when caught.

Snapper grouper shares would be issued to commercial and for-hire vessels based on landings histories between the years of xxxx-xxxx. Other qualifying criteria.....?

Alternative 5. Establish a tagging program for the recreational red snapper fishery, including for-hire vessels, and the commercial sector.

- Tags could be issued for a designated area, designated time of the year, and for designated gear types.
- Tags can either allowances for harvest of a certain number of individual, or they can be physical tags that have to be affixed to harvested fish.
- Price of tags can be made dependent upon residency.
- Allocation mechanisms may include direct sale, ie.,(from the permits office), auction, or lottery.
- Tags are typically non-renewable and have only limited transferability if any.
- Number of tags issued to any one person can be fixed at a set number.
- Voluntary compliance with harvest tag programs would likely depend on the extent to which anglers accept and support tag-based mechanisms.
- Tags can be issued with conditions that the harvester provides specific data regarding their catch. Penalties for non-reporting in the form of fines or withholding the next year's tags may be required to increase reporting.

Option A. X number of red snapper tags would be made available. X% of the tags would be allocated to the commercial sector, and X % would be allocated to the recreational sector. Commercial tags would be issued based on landings history between the year of xxxx-xxxx. Recreational tags would be made available via a lottery system the application for which would be made available on NMFS web site. All tag recipients would be required to record pre-determined landings data in order to be eligible for tags the following year. Tags are non-transferable. Tags must be affixed to legal size red snapper when harvested.

Option B. X number of red snapper tags would be made available to the commercial sector for use with hook and line gear. X number of tags would be made available to the private recreational sector. X number of tags would be made available to the for-hire sector. Tags would be available for purchase from NMFS permits office for x\$ per tag. All tag recipients would be required to record pre-determined landings data in order to be eligible for tags the following year. Tags are non-transferable. Tags must be affixed to each legal sized red snapper when landed.

Option C. X number of red snapper tags would be made available. Tags may be purchased from the NMFS permits office. Tags are non-transferable. One tag must be attached to each red snapper when caught.

Alternative 6. Establish a tagging program for the recreational fishery, including for-hire vessels, and a catch share program for the commercial sector.

- A catch share program for the commercial fishery could mirror the catch share programs established in Amendment 21.

Option A. The ACL would be divided into a bank of commercial shares, and a recreational tag bank, based on historical landings of the two sectors. X number of tags would be made available to the private recreational fishery, and X number of tags would be made available for the for-hire sector. Tags would be made available via a lottery system. Tags would be non-transferable. One tag must be attached to each legal sized red snapper upon harvest. Red snapper shares would be allocated to commercial fishery participants based on landings histories between the years of xxxx and xxxx.

Option B. The ACL would be divided into a bank of commercial shares, and a recreational tag bank, based on historical landings of the two sectors. X number of tags would be made available to the private recreational fishery, and X number of tags would be made available for the for-hire sector. Tags would be made available via direct sale from the NMFS permits office. Tags would be non-transferable. One tag must be attached to each legal sized red snapper upon harvest. Equal red snapper shares would be issued to commercial fishery participants if they meet qualifying criteria, ie., 20% of their earned income is from fishing, or they have landed xxx lbs of snapper-grouper in each of three most recent three years.

Alternative 7. Establish separate catch share programs for the commercial and recreational sectors.

- A catch share program for the recreational sector could be difficult to implement especially when determining who is eligible to receive what level of shares.
- Recreational shares can be issued with conditions such as requiring the harvester to report specific data regarding their catch.
- Recreational shares can be issued in set amounts that are distributed via a lottery system. A fee could be charged for applying to the lottery in order to recover costs.

Option A. Divide the ACL into share pools for the recreational and commercial sectors based on average landings. Issue equal shares to private recreational and for-hire fishery participants via a lottery system. Issue percentage shares to commercial participants based on landings histories between the years of xxxx and xxxx.

Option B. Divide the ACL into two share pools, one for the recreational sector and one for the commercial sector based on average landings. Issue shares (one recreational share = x number of fish) to private recreational participants via a lottery system or direct sale from NMFS permits office. Issue percentage shares from the recreational share pool to for-hire fishery participants based on landings histories between the years of xxxx and xxx. Issue percentage shares to commercial participants based on landings histories between the years of xxxx and xxxx.

Alternative 8. Establish catch share programs for the commercial and for-hire sectors, and require tags for private recreational harvest of red snapper *and* the top 10 co-occurring snapper-grouper species.

- Requiring tags for co-occurring species would reduce bycatch mortality of red snapper because they would have to stop targeting red snapper *and* co-occurring species when their tags run out.

Option A. The ACL would be divided into a share pool for the commercial and for-hire sectors, and a tag bank for the private recreational sector based on average landings. X number of snapper grouper tags would be made available. Tags would be made available via a lottery system the application for which would be made available on NMFS web site. All tag recipients would be required to record pre-determined landings data in order to be eligible for tags the following year. Tags are non-transferable. Tags must be affixed to fish when caught.

Snapper-grouper shares would be issued to commercial and for-hire vessels based on landings histories between the years of xxxx-xxxx. Other qualifying criteria.....?

Alternative 9 (This was rejected alternative 36 in Amendment 17A to the Snapper Grouper FMP). Allow harvest, possession, and retention of snapper grouper species in the closed area from 28 degrees north (Stuart, Florida) to 33 degrees north (Cape Romain, South Carolina) if fishermen possess a red snapper permit. Once the allowable harvest of red snapper for a permitted fishermen is reached all harvest, possession, and retention of snapper grouper species would be prohibited within the closed area. All harvest, possession, and retention of red snapper outside the closed area would be prohibited.

Allocation

Allocate a portion of the 79,000 lb whole weight ACL as non-directed removals; i.e., bycatch mortality, between the closure area and outside the closure area.

Sub-Alternative 10A. Define allocations for red snapper based upon landings from the ALS, MRFSS, and headboat databases. The allocation would be based on the following formula for each sector: Sector apportionment = (50% * average of long catch range (lbs) 1986-2008) + (50% * average of recent catch trend (lbs) 2006-2008). The allocation would be 28% commercial; 28% for-hire commercial; and 43% private recreational.

Sub-Alternative 10B. Define allocations for red snapper based upon landings from the ALS, MRFSS, and headboat databases. The allocation would be based on landings from the years 2006-2008. The allocation would be 23% commercial and 76% recreational.

Sub-Alternative 10c. Define allocations for red snapper based upon landings from the ALS, MRFSS, and headboat databases. Allocate 40% commercial and 60% recreational.

Table 4-9. Red snapper landings by sector in Sub-Alternatives 10A, 10B, and 10C.

| Allocation Alternative | Commercial | For-Hire | Private Rec |
|------------------------|------------|----------|-------------|
| Sub-Alt 10a | 8,373 | 8,672 | 12,859 |
| Sub-Alt 10b | 6,878 | 21,831 | |
| Sub-Alt 10c | 11,962 | 17,943 | |

Number of Permits

Establish designate vessels to fish in closed area. (Details to be inserted; see GA DNR’s rules for administering a lottery system). NMFS-SERO shall issue permits in the initial or any subsequent permit year by lottery devised and operated by the agency. Council to consider alternatives on number of permits issued. Allocation action would be used to divide the number of permits among sectors.

Sub-Alternative 10D. Set number of red snapper permits at 1,000 (This is the maximum number Law Enforcement indicates it can monitor). Use allocation action to divide the number of permits among sectors.

Sub-Alternative 10B. Set number of red snapper permits at 500.

Sub-Alternative 10C. Set number of red snapper permits at 150.

Table 4-10. Allocations under Alternative 10

| | Commercial | For-Hire | Private Rec | Total |
|---------------------------|------------|----------|-------------|----------|
| Allocation | 28% | 29% | 43% | 100% |
| Allowable catch | 8,373.4 | 8,672.5 | 12,859.2 | 29,905.0 |
| Number or Permits Alt 10D | 280 | 290 | 430 | 1,000 |
| Catch per vessel lbs ww | 30 | 30 | 30 | 30 |
| Number or Permits Alt 10E | 140 | 145 | 215 | 500 |
| Catch per vessel lbs ww | 60 | 60 | 60 | 60 |
| Number or Permits Alt 10F | 42 | 43 | 65 | 150 |
| Catch per vessel lbs ww | 199 | 199 | 199 | 199 |

Requirements of Permitted Fishermen

The following requirements would apply to fishermen with red snapper permits.

Table 4-11 Tracking and accountability measures for fishermen possessing red snapper permits.

| Tracking and Accountability Measures | Commercial | For-Hire | Private Rec |
|--------------------------------------|------------|----------|-------------|
| Circle hooks | X | X | X |
| Bio sampling (if selected) | X | X | X |
| RS permit taken if violation | X | X | X |
| VMS Required | X | X | X |
| Electronic logbooks or similar | X | X | - |
| Real time message reporting | - | - | X |
| Video monitoring | X | X | - |
| Observers (if selected) | X | X | X |

Outside the closure area: Subtract poundage allotment for area south of 28 degrees north and north of 33 degrees north (Cape Romain), off the 79,000 lb whole weight ACL.

South of 28 degrees (approx. Stuart FL) – 25,048 lbs whole weight

North of 33 degrees (Cape Romain SC) – 24,047 lbs whole weight

49,095 lbs whole weight (non-directed removals)

subtracted from the 79,000 lbs whole weight ACL.

Closure area: Using sub-alternative 10A, allocate the remaining poundage (79,000 – 49,095 lbs = 29,905 lbs whole weight) as directed removals to the three sectors based on Table 2, Alternative 3; Attachment 30:

28% - commercial 8,373 lbs

29% - for hire 8,673 lbs

43% - recreational 12,859 lbs

Commercial

The red snapper commercial ACL within the closed area is 8,373 lbs whole number. Make X number of permits available to those that hold a Federal Snapper Grouper Commercial Permit that would allow the permit holder to fish for species in the Snapper Grouper FMU inside of the limited, designated snapper-grouper bottom fishing zone(s) using circle hooks. Commercial permit holders selected to fish the designated fishing zone would be selected by a lottery system. (Details to be inserted; see GA DNR’s rules for administering a lottery system). NMFS-SERO shall issue permits in the initial or any subsequent permit year by lottery devised and operated by the agency. A subset would

be selected by the SEFSC to bring in red snapper for biological sampling. If real-time reporting requirements are violated, the permit holder would be subjected to severe sanctions, up to and including permit revocation. Once the real-time monitoring indicates the poundage [i.e., red snapper discards] allocated to the commercial sector has been taken, all permits for that sector are rescinded.

The following tracking and accountability measures would be required for those with a permit to fish in the zone:

- VMS
- Real time electronic catch (directed and non-directed) reporting via electronic logbooks or team alternative real time reporting technology
- Video monitoring or observers (if selected)
- (The Council discussed requiring observers in at least in the first year to validate the video monitoring.)

For-Hire (Headboat and Charterboat)

The red snapper for-hire ACL within the closed area is 8,673 lbs whole weight. Make X number of permits available to those that hold a Federal Snapper Grouper For-Hire Permit that would allow the permit holder to fish for species in the Snapper Grouper FMU inside of the limited, designated snapper-grouper bottom fishing zone(s) using circle hooks. For-hire permit holders selected to fish the designated fishing zone would be selected by a lottery system. (Details to be inserted; see GA DNR's rules for administering a lottery system). NMFS-SERO shall issue permits in the initial or any subsequent permit year by lottery devised and operated by the agency. A subset would be selected by the SEFSC to bring in red snapper for biological sampling. If real-time reporting requirements are violated, the permit holder would be subjected to severe sanctions, up to and including permit revocation. Once the real-time monitoring indicates the poundage [i.e., red snapper discards] allocated to the for-hire sector has been taken, all permits for that sector are rescinded.

The following tracking and accountability measures would be required for those with a permit to fish in the zone:

- Mandatory species ID training
- VMS
- Real time catch (directed and non-directed) reporting via logbooks??
- Video monitoring or Observers (if selected)
- (The Council discussed requiring observers in at least in the first year to validate the video monitoring.)

Private Recreational

The red snapper private recreational ACL within the zone is 12,859 lbs weight. Make X number of permits available that would allow the permit holder to fish for species in the Snapper Grouper FMU inside of the limited, designated snapper-grouper bottom fishing zone using circle hooks. Private recreational permit holders selected to fish the designated fishing zone would be selected by a lottery system. (Details to be inserted; see GA DNR's rules for administering a lottery system). NMFS-SERO shall issue permits in the initial or any subsequent permit year by lottery devised and operated by the agency. A subset would be selected by the SEFSC to bring in red snapper for biological sampling. If real-time reporting requirements are violated, the permit holder would be subjected to severe sanctions, up to and including permit revocation. Once the real-time monitoring indicates the poundage [i.e., red snapper discards] allocated to the private recreational sector has been taken, all permits for that sector are rescinded.

The following tracking and accountability measures would be required for those with a permit to fish in the zone:

- Mandatory species ID training
- VMS
- Real time text message reporting of catch (B1s and B2s)
- Video monitoring

Permit Numbers

At the September 2009 Council meeting, NMFS Law Enforcement personnel indicated that they could adequately monitor up to 1,000 vessels, using VMS. Under that scenario, the following number of permits would be distributed each year:

| | |
|--------------------------------------|------------|
| 28% - commercial | 280 boats |
| 29% - for hire X 10 to obtain boat # | 290 boats |
| 43% - recreational | 430 boats |
| | 1000 boats |

These calculations were brought forward by a Council member. It may not be possible to divvy this small number of fish among this many boats. Perhaps you can, if fishermen can really stay off the snapper, as the commercial guys assert that they can.

There was discussion that attrition in the commercial and for hire sectors would be so substantial as to allow everyone remaining to participate, so that a lottery wouldn't be necessary for that sector.

Costs

Applicant to procure the monitoring technology. VMS can be reimbursed; other technology such as video monitoring, electronic logbooks, etc. would be responsibility of the applicant.

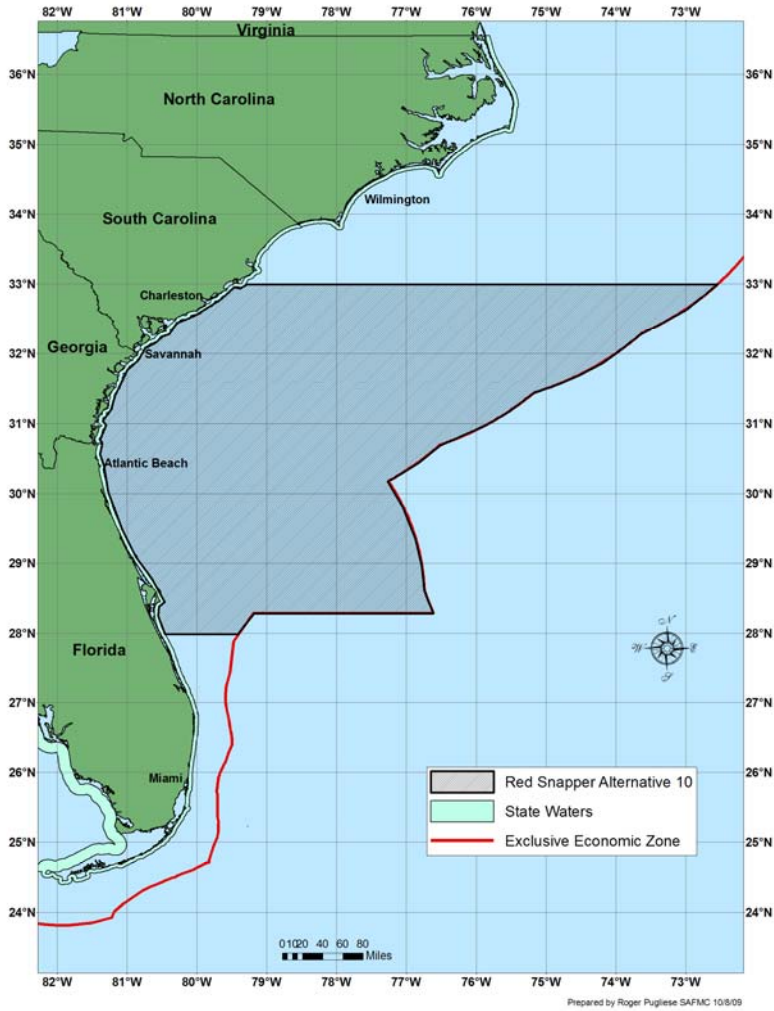


Figure 4-11 Map of proposed lottery program area under Alternative 10.

Rational for elimination: Examination of historical landings during 2003-2008 suggest the individual allocations among fishermen could be filled very quickly if there is no reduction in harvest (Table 4-25).

Table 4-25. Average red snapper landings during 2003-2008, average pounds caught per day during 2003-2008, allowable catch within proposed closed area, and estimated number of days to fill allocation for each sector assuming no reduction in effort or ability to avoid red snapper.

| Landings | Commercial | For-Hire | Private |
|---------------------------|------------|----------|---------|
| Pounds gw | 78,418 | 149,020 | 206,674 |
| pounds/day | 215 | 408 | 566 |
| Allowable landed catch | 8,373 | 8,673 | 12,859 |
| # days to fill allocation | 39 | 21 | 23 |

Table 4-26 shows fishing in the closed area would last for a longer period of time if all red snapper were discarded. However, tracking discards would require fishermen to record weight or length, which would be converted to weight, prior to discarding a red snapper.

Table 4-26. Average red snapper landings during 2003-2008, average pounds caught per day during 2003-2008, allowable discards within proposed closed area, and estimated number of days to fill allocation for each sector assuming no reduction in effort or ability to avoid red snapper. Assumes 40% and 90% release mortality rates for the commercial and recreational sectors, respectively.

| Landings | Commercial | For-Hire | Private |
|---------------------------|------------|----------|---------|
| Pounds gw | 78,418 | 149,020 | 206,674 |
| pounds/day | 215 | 408 | 566 |
| Allowable catch | 9,303 | 21,683 | 32,148 |
| # days to fill allocation | 43 | 53 | 57 |

Landings and discards of red snapper would be tracked for each of the sectors via real time electronic reporting, which would require the instillation of electronic log books and additional administrative personnel to track the data provided. Permit holders assigned a red snapper allocation would be required to estimate the length and weight of all discarded red snapper. In order to accurately record the weight discarded red snapper the instillation of a scale onboard each vessel may be necessary, but not practical. Not only would each vessel fishing under the lottery system be required to install electronic logbook equipment, they would also be required to carry VMS, and carry observers, if selected. Both of which may be cost prohibitive for fishery participants or NOAA Fisheries Service.

This alternative could result in a substantial reduction in the number of historical participants and also result in the fishery for snapper grouper species being closed for a large part of the year. Additionally, fishermen could choose to split their allocation and auction off portions of it to the highest bidders, which could increase the number of boats on the water and possibly

increase bycatch. It is unlikely a program this complex could be implemented by the time a final rule for Amendment 17A is published or even shortly thereafter.

Other Action Ideas??