

Snapper Grouper Fishery of the South Atlantic Region

Abbreviated Framework Amendment 3

Decision Document

Annual Catch Limit (ACL) Adjustment for Blueline Tilefish in the South Atlantic



Background¹

Abbreviated Framework Amendment 3

In October 2017, a benchmark assessment (SEDAR 50) of the Atlantic stock of blueline tilefish was completed with data through 2015, as a joint assessment between the South Atlantic Fishery Management Council (South Atlantic Council) and the Mid-Atlantic Fishery Management Council (Mid-Atlantic Council). The South Atlantic Council's Scientific and Statistical Committee (SSC) reviewed results of SEDAR 50 (2017) at their October 2017 meeting and provided catch level recommendations for blueline tilefish for the area south of Cape Hatteras, North Carolina. The South Atlantic Council's SSC stated that based on the results of SEDAR 50 (2017), blueline tilefish south of Cape Hatteras, North Carolina, is not undergoing overfishing and is not overfished. Moreover, the status of the stock is unknown north of Cape Hatteras due to insufficient data.

In November 2017, due to increased fishing activity in the Mid-Atlantic, the final rule for Amendment 6 to the Tilefish Fishery Management Plan (FMP)² added the stock of blueline tilefish north of the North Carolina/Virginia border to the Mid-Atlantic Council's jurisdiction. Blueline tilefish was previously only managed by the South Atlantic Council, and the implementation of Amendment 6 resulted in blueline tilefish becoming a managed species in federal waters north of the Virginia/North Carolina border.

¹ A longer history of blueline tilefish can be found in Appendix A of this document.

² More information can be found here:

<https://www.greateratlantic.fisheries.noaa.gov/sustainable/species/tilefish/index.html>.

During the December 2017 South Atlantic Council meeting, Southeast Fisheries Science Center staff presented the SEDAR 50 (2017) assessment results. The results of that assessment produced separate estimates of sustainable catch for the areas north and south of Cape Hatteras. The north of Hatteras results were from a data-limited model but did not provide a method for separating the catch levels between the jurisdictions of the two Councils along the North Carolina and Virginia border. Therefore, both Council's SSCs formed a joint workgroup whose task was to ensure that the sum of the two regional catches did not result in overfishing of the north of Hatteras stock by determining a suitable approach to obtaining an acceptable biological catch (ABC) for the area between Cape Hatteras and the North Carolina and Virginia border that would be appropriate under the existing management structure (ABC workgroup). The Mid-Atlantic Council's SSC reviewed results of the ABC workgroup³ recommendation at their March 2018 meeting, and the South Atlantic Council's SSC reviewed the results during their May 2018 meeting. In June 2018, the South Atlantic Council's Snapper Grouper Committee reviewed the South Atlantic Council's SSC recommendations on setting an ABC for blueline tilefish; however, further development of management measures were delayed by other priorities.

At their October 2018 meeting, the South Atlantic Council's SSC was presented with the results of the revised SEDAR 50 (2017) blueline tilefish stock assessment that utilized the newly calibrated Marine Recreational Information Program data using the Fishing Effort Survey in place of the original Coastal Household Telephone Survey. The South Atlantic Council's SSC was scheduled to further review results from the revision assessment for blueline tilefish during a webinar on January 25, 2019. However, due to the government furlough during January 2019, the webinar was rescheduled, and took place on February 25, 2019. At their April 2019 meeting, based on the review, the South Atlantic Council's SSC did not deem the revised assessment useful for making catch level recommendations and reaffirmed their previous ABC recommendations from SEDAR 50 (2017) and the blueline tilefish ABC Workgroup. During their June 2019 meeting, the Council discussed moving forward to adjust fishing levels for blueline tilefish in the South Atlantic based on the ABC recommendations for the South Atlantic region developed as part of SEDAR 50 (2017), in combination with the approved ABC workgroup recommendations for the area north of Cape Hatteras, North Carolina.

Commercial management measures for blueline tilefish are expected to be implemented through Vision Blueprint Commercial Regulatory Amendment 27 (Regulatory Amendment 27), which was approved at the September 2018 South Atlantic Council meeting for formal review by the Secretary of Commerce. Regulatory Amendment 27 considers an action to reduce the commercial trip limit for blueline tilefish from 300 pounds gutted weight (lbs gw) to 100 lbs gw from January 1 through April 30. To expedite the process of updating the ABC and establishing ACLs in the South Atlantic, Southeast Regional Office and South Atlantic Council staff co-leads recommended at the June 2019 meeting that the South Atlantic Council consider developing Abbreviated Framework Amendment 3 to the Snapper Grouper FMP rather than continuing development of Amendment 38.

³ The working group recommended the following:

- 1: The South Atlantic Council's SSC agrees with the Mid-Atlantic Council's SSC that the output of the DLMTTool Analysis is an estimate of OFL, not ABC. The SSC has decided to split the OFL that came from the DLMTTool Analysis using the allocation derived from the fishery-independent longline survey and then apply their ABC control rule to derive the ABC for the portion from Cape Hatteras to the NC/VA border (ABC = 55,968 lbs).
2. Given all the uncertainties, the South Atlantic SSC accepted the 56% of the north of Cape Hatteras ABC to the Mid-Atlantic Council, and 44% to the South Atlantic Council, split that was calculated using the independent survey. This method should be used for 3 years and then should be re-evaluated at that time. The South Atlantic SSC is unable to determine status of the portion of the blueline tilefish stock north of Cape Hatteras due to lack of data and means to estimate benchmarks.

Proposed action in this abbreviated framework amendment

The South Atlantic Council approved a motion at their June 2019 meeting to initiate development of Abbreviated Framework Amendment 3 to adjust the ABC and total ACLs for blueline tilefish in the South Atlantic.

Expected abbreviated framework amendment timing

June 2019	The South Atlantic Council voted to begin work on Abbreviated Framework Amendment 3.
September 2019	The South Atlantic Snapper Grouper Committee and South Atlantic Council will review actions to be included in Abbreviated Framework Amendment 3 and provide guidance to staff.
December 2019	The South Atlantic Council will review analyses, consider public comment provided during the meeting, and consider approving Abbreviated Framework Amendment 3 for formal review.

Proposed Action

The **current** stock OFL for blueline tilefish in the South Atlantic was 226,500 lbs ww, and the stock ABC was 224,100 lbs ww. The OY and the total ACL for blueline tilefish in the South Atlantic were set equal to 78% of the stock ABC (equal to 174,798 lbs ww) to account for landings in the Mid-Atlantic region (those landings have been accounted for during the ABC Workgroup's discussions that generated the proposed recommended ABC for the area between Cape Hatteras and the North Carolina/Virginia border; see below). The recreational annual catch target (ACT) is based on the ACT equation where recreational $ACL \cdot (1 - PSE)$ or recreational $ACL \cdot 0.5$, whichever is greater. The sector allocations are 50.07% commercial and 49.93% recreational.

The **proposed** OFL for blueline tilefish in the South Atlantic based on SEDAR 50 (2017) is 328,985 lbs ww, and the total ABC is 233,968 lbs ww, for 2020 through 2022 until modified (Table 1). This abbreviated framework action would change ACLs based on $ACL = \text{total ABC}$ (South Atlantic). Due to SEDAR 50 (2017) accounting for catch in the mid-Atlantic jurisdiction, the ACL is fixed to the ABC. The previous buffers between ABC and ACL were implemented temporarily as a buffer to account for management uncertainty that is now accounted for in SEDAR 50 (2017). The recreational ACT would continue to be based on the ACT equation where recreational $ACL \cdot (1 - PSE)$ or recreational $ACL \cdot 0.5$, whichever is greater. Sector allocations would remain 50.07% commercial and 49.93% recreational (Table 2). South Atlantic blueline tilefish commercial and recreational landings, ACLs, and closure dates in lbs ww from 2001-2018 are presented in Tables 3 and 4 respectively.

Table 1. Proposed blueline tilefish OFLs and ABCs (lbs ww) in the South Atlantic Council’s jurisdiction for the areas south and north of Cape Hatteras, North Carolina, and the combined total ABC for the South Atlantic, based on recommendations from the South Atlantic Council’s SSC based on SEDAR 50 (2017).

Year	South of Cape Hatteras, NC		North of Cape Hatteras, NC		Total South Atlantic	
	OFL	ABC	OFL	ABC	OFL	ABC
2020-2022	225,000	178,000	103,985	55,968	328,985	233,968

Table 2. Current and proposed total ACLs (lbs ww) for blueline tilefish in the South Atlantic. The total ACL equals ABC, and sector allocations are 50.07% commercial and 49.93% recreational.

	Total South Atlantic ACL	Commercial ACL	Recreational ACL	Recreational ACT
Current (2019)	174,798	87,521	87,277	54,653
Proposed (2020-2022)	233,968	117,148	116,820	70,886

Table 3. South Atlantic blueline tilefish commercial landings, ACLs, and closure dates in lbs ww from 2001-2018.

Year	Landings (lbs ww)	ACL	ACL%	Closed
2018	93,128	87,521	106.4	8/22/2018
2017	85,536	87,521	97.7	7/18/17; Re-opened 10/24/17-11/1/17
2016	97,798	87,521	111.7	6/1/16; Re-opened 7/13/16; 8/30/16
2015	78,900	17,841	442.2	4/7/2015
2014	156,371	112,207	139.4	6/23/2014
2013	276,764	*Prior to 2014, blueline tilefish was managed as part of the deepwater complex.		
2012	367,578			
2011	138,414			
2010	443,018			
2009	480,650			
2008	419,169			
2007	69,152			
2006	178,706			
2005	87,549			
2004	77,751			
2003	102,413			
2002	261,748			
2001	128,499			

Source: Southeast Fisheries Science Center commercial ACL dataset (10/23/18) and in-season monitoring. Note: 2018 landings are preliminary.

Table 4. South Atlantic blueline tilefish recreational landings, ACLs, and closure dates in lbs ww from 2001-2018.

Year	Landings (lbs ww)	ACL	ACL%	Closed
2018	116,597	87,277	133.6	
2017	153,875	87,277	176.3	
2016	185,539	87,277	212.6	
2015	44,866	17,791	252.2	6/10/2015
2014	85,883	111,893	76.8	
2013	343,938	*Prior to 2014, blueline tilefish was managed as part of the deepwater complex.		
2012	106,844			
2011	42,779			
2010	78,752			
2009	139,621			
2008	338,809			
2007	422,219			
2006	242,492			
2005	32,325			
2004	12,564			
2003	35,293			
2002	3,317			
2001	23,246			

Source: SEFSC recreational MRIP CHTS ACL dataset (7/25/19).

IPT comments/recommendations:

The main objective for this meeting is to review Abbreviated Framework Amendment 3 action to modify the ACLs for blueline tilefish in the South Atlantic. The IPT had several other questions that need to be addressed:

- Does the the South Atlantic Council want to consider alternatives for determining the ACL, other than $ABC=ACL$?**
- Does the the South Atlantic Council want to consider alternatives for determining the recreational ACT, other than recreational $ACL*(1-PSE)$ or recreational $ACL*0.5$, whichever is greater?***
- **However, if other alternatives are considered, the amendment will become a regular framework amendment (with actions/alternatives) and would need to follow the framework process.

COMMITTEE ACTION: PROVIDE GUIDANCE ON THE FOLLOWING:

Appropriateness of the revised South Atlantic ACL and reaffirmation in completion of Abbreviated Framework Amendment 3 for approval at December Council meeting to expedite implementation in 2020.

Appropriateness of the revised South Atlantic Recreational ACT.

Appendix A: History of Recent Management of Blueline Tilefish

Emergency Action, Regulatory Amendment 21, and Amendment 32

In 2013, a Southeast Data, Assessment, and Review (SEDAR; SEDAR 32 (2013)) stock assessment was conducted that applied to the blueline tilefish stock along the entire U.S. east coast. SEDAR 32 (2013) used data through 2011 and found the stock of blueline tilefish in the Atlantic to be overfished and undergoing overfishing. The South Atlantic Fishery Management Council's (South Atlantic Council) Scientific and Statistical Committee's (SSC) recommended an acceptable biological catch (ABC) of 224,100 lbs whole weight (ww), referred to as the "stock" ABC. At their December 2013 meeting, the South Atlantic Council initiated development of Amendment 32 to the Fishery Management Plan (FMP) for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP) (Amendment 32) and voted to request emergency action to reduce overfishing of blueline tilefish immediately while Amendment 32 was being developed.

- The **emergency rule** for the South Atlantic Snapper Grouper FMP, which was effective on April 17, 2014, temporarily set the blueline tilefish annual catch limit (ACL) at the yield at 75 percent of the fishing mortality (F) that produces the maximum sustainable yield (MSY) ($75\%F_{MSY} = 224,100$ pounds whole weight (lbs ww)).
- **Regulatory Amendment 21** to the Snapper Grouper FMP, effective on November 6, 2014, changed the definition of the minimum stock size threshold (MSST) for several snapper grouper species with low natural mortality, including blueline tilefish. Under the revised definition ($MSST = 75\% SSB_{MSY}$), the blueline tilefish stock was no longer considered overfished.
- **Amendment 32** to the Snapper Grouper FMP, effective on March 30, 2015, removed blueline tilefish from the Deepwater Complex, and established the ACL for blueline tilefish at 98% of the ABC. The South Atlantic Council specified a buffer of 2% to account for landings north of North Carolina based on average landings at the time. The ABC was based on projections at the recommended P* level according to the South Atlantic Council's ABC control rule. The commercial and recreational ACLs were specified based on existing sector allocations (50.07% commercial and 49.93% recreational).

However, although the blueline tilefish stock was assessed as one stock along the entire U.S. east coast, regulations resulting from the final rule for Amendment 32 only applied to vessels in the South Atlantic Council's area of jurisdiction. Both the South Atlantic Council and the Mid-Atlantic Fishery Management Council (Mid-Atlantic Council) were concerned about rapidly increasing commercial and headboard/charter landings of blueline tilefish north of the North Carolina/Virginia boundary, particularly in New Jersey. In response, both the South Atlantic and Mid-Atlantic Councils requested NMFS take emergency action north of the South Atlantic Region.

Emergency Action in the Mid-Atlantic

In February 2015, in response to reports from increased blueline tilefish landings north of North Carolina, the Mid-Atlantic Council requested that the National Marine Fisheries Service (NMFS) take emergency action to implement a commercial trip limit of 300 lbs ww and a recreational possession limit of seven fish per person within its jurisdiction. The Mid-Atlantic Council also initiated development of an amendment to their Golden Tilefish FMP to include blueline tilefish in the Fishery Management Unit (FMU) and implement permanent management measures before the emergency rule regulations expired.

At the March 2015 South Atlantic Council meeting, the South Atlantic Council voted to request NMFS take emergency action to apply the Amendment 32 measures north of the North Carolina/Virginia border. Representatives from the Mid-Atlantic Council attended this meeting. The South Atlantic Council's request was contingent on their SSC review of SEDAR 32's applicability to the area north of North Carolina; that SSC review was scheduled to occur at the SSC's April 2015 meeting. At their April 2015 meeting, the SSC (including members who are also on the Mid-Atlantic Council's SSC) determined that the SEDAR 32 assessment constituted the best scientific information available and should be applicable to the blueline tilefish stock throughout its range along the U.S. east coast. Therefore, on May 6, 2015, the South Atlantic Council Chair submitted an emergency rule request to NMFS that reflected the South Atlantic Council's motion passed at their March 2015 Council meeting.

On June 4, 2015, NMFS approved the Mid-Atlantic Council's request for emergency action to control harvest of blueline tilefish and reduce the risk of overfishing on this stock, and implemented a commercial trip limit of 300 lbs ww and a recreational possession limit of seven fish per person. On November 30, 2015, the emergency rule was extended through June 3, 2016, give the Mid-Atlantic Council time to develop long-term management measures for blueline tilefish in Federal waters north of the Virginia and North Carolina border.

In September 2015, the South Atlantic Council's SSC raised concerns about the utility of projections from SEDAR 32 (2013) in specifying the ABC and concluded that the ABC projections did not represent the best scientific information available and were not adequate to support blueline tilefish fishing level recommendations for either current or future years. Based on that determination, the South Atlantic Council's SSC revised their blueline tilefish ABC recommendation to set the ABC at the equilibrium yield at $75\%F_{MSY}$, equal to 224,100 lbs ww for 2016 and 2017, for blueline tilefish along the entire U.S. east coast based on results of the SEDAR 32 (2013) stock assessment. The 224,100 lbs ww was also the ACL contained in the emergency rule issued in April 2014 while the South Atlantic Council developed Amendment 32 to implement fishing levels based on the SEDAR 32 (2013) projections. The South Atlantic Council accepted the SSC's recommendations and determined that this revised ABC, referred to as the "stock ABC," was sufficient to prevent overfishing of blueline tilefish. In a letter to the South Atlantic Council dated October 23, 2015, NMFS stated that it would not implement the South Atlantic Council's emergency rule request. NMFS's justification for not implementing the request, as stated in the letter, was based on the following: the South Atlantic Council's SSC had increased their recommendation for the blueline tilefish ABC; the South Atlantic Council was intending to move forward with a framework amendment (Regulatory Amendment 25) to implement less restrictive management measures and catch levels for blueline tilefish in the South Atlantic; and temporary measures via an emergency rule were already in place to limit blueline tilefish harvest in the Mid-Atlantic.

Regulatory Amendment 25 to the Snapper Grouper FMP

Also in September 2015, the South Atlantic Council's Snapper Grouper Committee reviewed an Options Paper for Amendment 38 to the Snapper Grouper FMP, to extend the blueline tilefish fishery management FMU north of the North Carolina and Virginia border and adjust fishing levels to account for landings in the area north of the South Atlantic Council's jurisdiction⁴. However, the South Atlantic Council opted to not move forward with development of Amendment 38 at the time pending the completion of studies on the stock structure of blueline tilefish and to allow time for the Mid-Atlantic Council to develop a management strategy for blueline tilefish in their jurisdiction. Instead, actions to adjust fishing levels for blueline tilefish (based on the SSC's recommendations) and revise management measures were moved to

⁴ The South Atlantic Council had considered extending the FMU previously during development of Amendment 18 to the Snapper Grouper FMP, but did not take action at the time.

Regulatory Amendment 25 to the Snapper Grouper FMP. Alternatives in Regulatory Amendment 25 provided percentages to deduct from the recommended ABC to account for blueline tilefish landings in the area north of the South Atlantic Council's jurisdiction (north of the North Carolina/Virginia border). Based on a comparison of the landings between the South Atlantic and Greater Atlantic Regions (Maine through Virginia) which indicated that 22 percent of the landings from 2011–2014 originated in the Greater Atlantic Region, Regulatory Amendment 25 set the total ACL (and optimum yield (OY)) for the South Atlantic region at 78 percent of the stock ABC ($ACL=OY=78\%(\text{stock ABC})$). These fishing level specifications included a temporary buffer between the ABC and the total ACL to account for the high level of uncertainty in the current fishing levels pending an update to the blueline tilefish stock assessment that was expected in 2017, and results from genetic studies to establish the stock structure of blueline tilefish. In addition to increasing the OY and ACLs for blueline tilefish based on the revised ABC recommendation from the South Atlantic Council's SSC, the final rule for Regulatory Amendment 25, effective August 12, 2016, also increased the commercial trip limit from 100 to 300 lbs gutted weight, and established a recreational bag limit for blueline tilefish of 3 fish/person/day during May through August within the grouper aggregate bag limit.