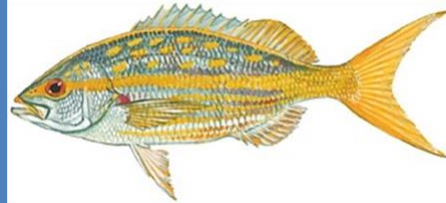


Regulatory Amendment 32

Revise accountability measures for yellowtail snapper



Decision Document

December 2018

Background

The commercial sector for yellowtail snapper met its annual catch limit (ACL) in 2015 and there was an in-season closure of the commercial sector from October 31 to December 31, 2015. In that same year, the recreational sector harvested 55% of its ACL, leaving 18% of the total ACL unharvested. In response, an amendment (Snapper Grouper Amendment 44) was initiated in 2016 to consider a mechanism to allow quota sharing between the commercial and recreational sectors or reallocating the total ACL between the sectors. The amendment was ultimately postponed pending revisions to recreational landings estimates as a result of changes to the Marine Recreational Information Program (MRIP). Also in 2016, the yellowtail snapper fishing year for both the commercial and recreational sectors was changed from January-December to August-July (Regulatory Amendment 25, SAFMC 2015) and there was no in-season closure in the fishery. The commercial sector for yellowtail snapper met its ACL again in 2017 and 2018 resulting in an approximate 2-month in-season harvest closure for the sector. In the meantime, the recreational sector harvested approximately half of its sector ACL.

Long-term management measures for yellowtail snapper will continue to be developed through Amendment 44; however, the South Atlantic Council acknowledged the need for short-term measures to alleviate adverse social and economic effects from recent in-season closures and the 2017 hurricanes. Hence, the South Atlantic Council is developing Regulatory Amendment 32 to consider modifying the yellowtail snapper AMs to minimize the probability of

in-season closures for the commercial sector and consequent adverse social and economic effects.

Per guidance from the October 2018 Council meeting, this amendment is scheduled to be approved for Secretarial review at the December 2018 Council meeting. After the October meeting, an error in the 2017 commercial data for the South Atlantic Region was identified, hindering the ability to provide analyses for the amendment using 2017 data in time for the initial posting of the December 2018 meeting briefing book. As such, the IPT recommended 2016 as the terminal year for data in the amendment. An updated analysis that is inclusive of 2017 data will be presented to the Council at the December 2018 meeting.

Proposed management change in this amendment

- Revise accountability measures for yellowtail snapper to reduce the probability of in-season closures.

Objectives for this meeting

- Review analyses and make modifications as appropriate
- Consider approving for formal review

Expected amendment timing

December 2018 Obtain public input, modify the document as appropriate, and consider approval for formal review.

Purposed and Need Statement

Purpose for Action

The purpose of this **framework** amendment is to revise accountability measures to minimize the probability of in-season closures for yellowtail snapper.

Need for Action

The need for the **framework** amendment is to achieve optimum yield for yellowtail snapper while minimizing, to the extent possible, adverse social and economic effects due to in-season closures.

IPT Recommendation:

- Recommended changes are in the highlighted text above.

Committee Action:

- APPROVE IPT'S SUGGESTED EDITS
- DO NOT APPROVE IPT'S SUGGESTED EDITS
- OTHER?

Proposed Management Change

Revise accountability measures for yellowtail snapper to reduce the probability of in-season closures.

Council Options:

Current Regulations: The current commercial and recreational in-season AMs are to close the respective sector if that sector's ACL is met or is projected to be met.

Council Option 2. An in-season closure will not occur for either sector until the total ACL is met or is projected to be met. Close both sectors when the total ACL is met or is projected to be met.

Preferred Council Option 3. An in-season closure will occur for the commercial sector if the commercial ACL has been met and the total catch (commercial and recreational) reaches, or is projected to reach, 80% of the total ACL.

Council Option 4. An in-season closure will occur for the commercial sector if the commercial ACL has been met and the total catch (commercial and recreational) reaches, or is projected to reach, 70% of the total ACL.

Discussion:

- The phrasing of the management changes in the amendment was changed from the last time the Committee reviewed the amendment in October 2018. This amendment was recommended by the IPT to qualify as a categorical exclusion under NEPA, which reduces the necessary content of the amendment document. Instead of "alternatives", the Committee is being presented with "council options", but the wording is still the same between what were "alternatives" and are now "council options".
- **Council Option 2** and **Preferred Council Option 3** are expected to result in the commercial sector harvesting its ACL before the end of the season and extend commercial harvest to allow for combined landings (commercial and recreational) reaching 94% and 84% of the total ACL. **Council Option 4** and the **Current Regulations** are also expected to result in the commercial sector harvesting its ACL before the end of the season but commercial harvest will be capped at the sector ACL. Both of these council options are expected to result in 77% of the total ACL being harvested (**Table 1**).

- The proposed adjustments to the AMs will influence the projected closure dates of the commercial sector for **Council Option 2** and **Preferred Council Option 3**. The projected closure date for **Council Option 4** is the same as the **Current Regulations**, since at least 70% of the total ACL is projected to be landed by the time the commercial sector has landed its allocation of the total ACL.
- An in-season closure for the commercial sector would be expected in May under the **Council Option 4** and the **Current Regulations**. **Preferred Council Option 3** would extend the season by an estimated 29 days and **Council Option 2** would not result in an anticipated in-season closure at all, thereby extending the season by 81 days which would be until the end of the fishing year (July 31st) (**Table 2**).
- None of the alternatives considered are predicted to result in an in-season closure for the recreational sector, with the sector expected to land approximately 50% of its current sector ACL (**Table 2**).
- In general, the earlier the predicted closure, the greater the potential beneficial effects to the yellowtail snapper stock by closing the commercial sector when the fish are spawning. Therefore, biological benefits could be highest under **Current Regulations** and **Council Option 4**, followed by **Preferred Council Option 3** and **Council Option 2**.
- In terms of direct net economic benefits, **Council Option 2** is expected to generate the most economic benefits due to increased commercial landings of yellowtail snapper followed by **Preferred Council Option 3**, and **Council Option 4** being tied with the **Current Regulations** (**Table 3**).
- Maintaining the current commercial yellowtail snapper AMs would be expected to result in negative effects on some communities in Florida resulting from continued in-season closures of the commercial sector.
- More flexibility in when an in-season closure would occur, as proposed under **Council Option 2**, **Preferred Council Option 3**, and **Council Option 4** would be expected to be more beneficial to fishing communities. **Figure 1** shows the top communities in terms of regional quotient for yellowtail snapper, with the top three communities being Key West, Marathon, and Miami, Florida.

Table 1. Projected landings [pounds (lbs) whole weight (ww)] of yellowtail snapper under Council proposed options in Regulatory Amendment 32. The current recreational ACL is 1,440,990 lbs ww; current commercial ACL is 1,596,510 lbs ww. The combined (total) ACL is 3,037,500 lbs ww. Current fishing year for yellowtail snapper is August 1 through July 31 for both the recreational and commercial sectors.

Alternative	Projected Recreational Landings	Projected Commercial Landings	Projected Total Landings	% of Total ACL Landed
Current Regulations	738,194	1,596,510	2,334,704	77%
Council Option 2	738,194	2,102,729	2,840,923	94%
Preferred Council Option 3	738,194	1,810,256	2,548,450	84%
Council Option 4	738,194	1,596,510	2,334,704	77%

Table 2. Projected commercial and recreational closure dates under Council proposed options for yellowtail snapper in Regulatory Amendment 32.

Council Option	Projected Recreational Closure Date	Projected Commercial Closure Date	Change in Days That Commercial Harvest is Open
Current Regulations	No closure	May 11	0
Council Option 2	No closure	No closure	81
Preferred Council Option 3	No closure	June 9	29
Council Option 4	No closure	May 11*	0

*70% of the total ACL is met before the commercial sector is expected to reach its sector ACL (1,596,510 lb ww) due to the combined landings of both the commercial and recreational sectors, and therefore, the commercial sector is projected to close when the commercial ACL is reached as projected under the current regulations.

Table 3. Estimated change in annual commercial landings (lbs gw), gross revenue, net cash flow, and economic profit (2017 dollars) from commercial landings of yellowtail snapper for options considered in Regulatory Amendment 32.

Council Option	Change in Annual Commercial Landings	Change in Annual Gross Revenue	Change in Annual Net Cash Flow	Change in Annual Economic Profit	Economic Rank
Current Regulations	0	\$0	\$0	\$0	3T*
Council Option 2	456,053	\$957,712	\$348,607	\$158,980	1
Preferred Council Option 3	192,564	\$556,510	\$202,570	\$92,381	2
Council Option 4	0	\$0	\$0	\$0	3T*

*"T" stands for "tied".

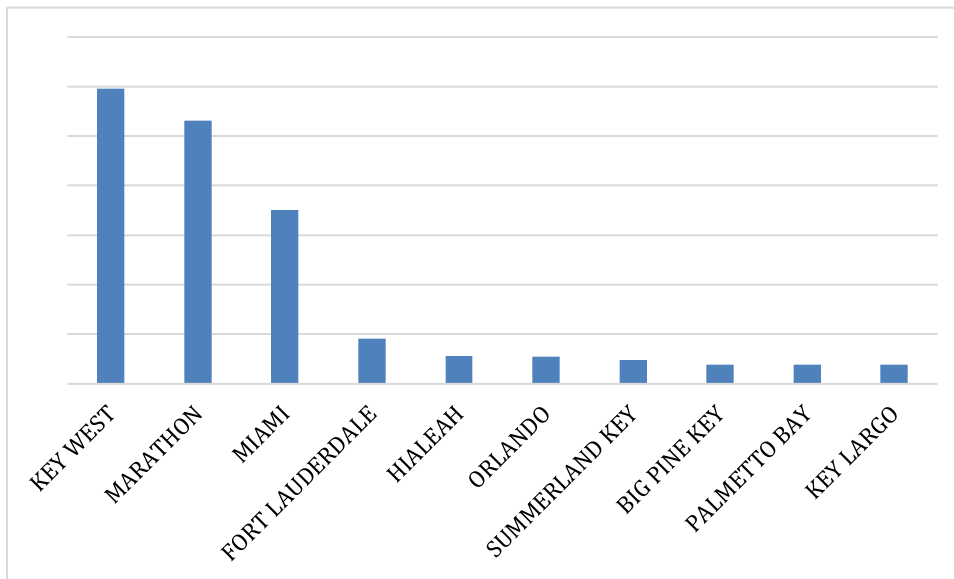


Figure 1. Yellowtail snapper pounds regional quotient for South Atlantic fishing communities, 2016. Source: NMFS SERO ALS Database (with dealer address) (2018).

Public Scoping Comments:

- One commenter from the Florida Keys stated that the fish house where she operates had a devastating season last year due to hurricanes and had to shut down during June and July because there were no yellowtail snapper available. She clarified that she was not speaking on the fish house's behalf but simply relating facts to illustrate the financial hardship of businesses that depend on yellowtail snapper. She expressed support for **Council Option 2**.
- One commenter from the Florida Keys expressed disappointment over the Councils' (South Atlantic and Gulf) pace at addressing the yellowtail snapper allocation issue. He stated the importance of the yellowtail snapper resource to the Florida Keys economy. He expressed support for combining the South Atlantic and Gulf ACLs for yellowtail snapper but agreed that **Council Option 2** would work over the short term.
- A third commenter from the Florida Keys also expressed support for **Council Option 2** to temporarily alleviate the issue of in-season closures.

SSC/Advisory Panel Recommendations:

The Snapper Grouper AP discussed Regulatory Amendment 32 during their October 17-19, 2018 meeting and offered the following:

- The yellowtail snapper fishery is well managed. It is a very important fishery both commercially and recreationally.
- The current fishing year (August-July) is working well for the commercial sector.
- In terms of marketability, the summer months are not the best. The price of yellowtail snapper diminishes substantially during this time.
- Yellowtail snapper fishermen on the AP stated their recent preference to wait until after the stock assessment is completed to make any management changes. Although commercial catch rates for yellowtail snapper have ramped up in recent years, fishermen do not think they will continue to increase very much.
- AP members also mentioned intentional discarding of small yellowtail snapper in the summer months. They suggested that in-season closures could benefit the stock by reducing the length of time this practice takes place.
- Another reason to support taking no action at this time is to allow the recent changes in management to play out. Fishermen claim that businesses that were affected by the 2017 hurricanes have stabilized.
- It was suggested that a bycatch trip limit could be established once a certain percentage of the yellowtail snapper ACL is met to minimize discarding when fishermen begin targeting mangrove snapper. Alternatively, it was suggested that historical landings of mangrove snapper could be examined such that a possible yellowtail snapper bycatch trip limit could be implemented during the time when landings of mangrove snapper tend to increase.

The AP approved the following motions regarding the amendment and yellowtail snapper:

MOTION: RECOMMEND ALTERNATIVE 1 (NO ACTION) FOR YELLOWTAIL SNAPPER.

APPROVED BY AP (15 IN FAVOR, 2 ABSTENTIONS)

Note: At the time, the “council options” were labeled as “alternatives”. Alternative 1 (No Action) is the equivalent of the **Current Regulations**.

MOTION: RECOMMEND THE COUNCIL EXPLORE A BYCATCH ALLOWANCE OF YELLOWTAIL SNAPPER IN THE MANGROVE SNAPPER SEASON. (LOOK PRE-2015 IN JUNE & JULY)

APPROVED BY AP (15 IN FAVOR, 2 ABSTENTIONS)

IPT Recommendations:

- The phrasing of the management changes in the amendment was changed from the last time the Committee reviewed the amendment in October 2018. This amendment was recommended by the IPT to qualify as a categorical exclusion under NEPA, which reduces the necessary content of the amendment document in a similar manner to abbreviated framework amendments. Instead of “alternatives”, the Committee is being presented with “council options”, but the wording is still the same between what were “alternatives” and are now “council options”.

Committee Action:

- **CONSIDER REVISED ANALYSES AND MAKE MODIFICATIONS AS APPROPRIATE**

Committee Action:

- **RECOMMEND APPROVAL OF REGULATORY AMENDMENT 32 FOR FORMAL REVIEW**
DRAFT MOTION: RECOMMEND APPROVAL OF SNAPPER GROUPER REGULATORY AMENDMENT 32 FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.
- **DO NOT RECOMMEND APPROVAL OF REGULATORY AMENDMENT 32 FOR FORMAL REVIEW**
- **OTHERS?**