NOTE: THE LANDINGS DATA IN THIS DOCUMENT NEED TO BE UPDATED.

## **RED GROUPER: Case Study for Probability of Rebuilding (50% vs 75%)**

## **Background**

In 2010, a Southeast Data, Assessment, and Review benchmark assessment (SEDAR 19) was completed for South Atlantic red grouper. Based on the results of SEDAR 19, the National Marine Fisheries Service (NMFS) determined that red grouper was undergoing overfishing and was overfished. In response, the Council developed, and NMFS implemented, management measures to end overfishing of red grouper through Amendment 24 to the FMP (Amendment 24; SAFMC 2011). A 10-year rebuilding plan was established that began in 2011, with a projected end date of 2020. Amendment 24 also set the ACL equal to the ABC recommended by the Council's SSC.

During the June 2017 meeting, the Council discussed options for addressing the overfished and overfishing determinations for red grouper and staff explained that the projections delivered with the assessment were based on management starting in 2017. The Council passed a motion to request projections based on management starting in 2018, under both high and low recruitment scenarios for exploitation levels of 75% F<sub>MSY</sub> and F<sub>MSY</sub>. In September 2017, the Council directed staff to develop an abbreviated framework amendment to adjust the ACL based on an expected ABC recommendation from the SSC using the low-recruitment scenario. The SSC convened on October 24-26, 2017 to review the red grouper projections and they recommended an ABC based on the low-recruitment scenario to manage the red grouper stock over the short-term. The abbreviated framework was submitted for formal review on December 21, 2017.

The recent red grouper assessment (SEDAR 53) indicated that the stock is undergoing overfishing and is not making adequate progress towards rebuilding, which is supposed to take place by 2020 under the current rebuilding plan. The Council was formally notified of the red grouper stock status via a letter from NMFS dated September 17, 2017. The Council has moved to end overfishing through the revised ABC and ACL for red grouper that was implemented via Abbreviated Framework Amendment 1 (effective August 18, 2018) but has not yet revised the red grouper rebuilding plan. In March 2018, the Council directed staff to begin development of an amendment to revise the current rebuilding plan before the next red grouper assessment is completed (currently scheduled as a standard assessment in 2021) to meet the statutory deadline of September 17, 2019. The Council discussed options at their June 2018 meeting and directed staff to consolidate management measures addressing red grouper into Regulatory Amendment 30. The Council is scheduled to approve the amendment in December 2018.

#### **Probability of Rebuilding**

The Magnuson Stevens Act (MSA) currently requires that the Councils set ABC/ACL such that they have at least a 50% probability of rebuilding an overfished stock to the biomass at maximum sustainable yield within the identified rebuilding timeframe. S1520 considers increasing this to 75% for stocks that are identified as not making adequate progress towards rebuilding. While this appears to be a sound approach it is like asking a high jumper that cannot make it over the bar at 5 feet to jump over the bar at 7.5 feet. This approach also places all the

responsibility for the stock not rebuilding on fishermen. If we look at red grouper, we can show the shortcoming of such an approach.

In Amendment 24, the Council specified a 10-year rebuilding time period ending in 2020; 2011 was Year 1. Regulations became effective July 11, 2012. The ABC specified by the Council had at least a 50% chance of rebuilding to the spawning stock biomass at MSY by 2016 and an 81% chance of rebuilding by 2020, the end of the rebuilding time period. Despite starting out with a probability of rebuilding of 81%, red grouper have not rebuilt.

A logical conclusion would be that landings/removals have exceeded the recommended catch levels; however, this has not been the case. Red grouper total landings in 2011 were 325,377 pounds or 57% of the total ACL (573,000 pounds). In 2012, only 40% of the total ACL was landed and the percentage of the total ACL landed declined thereafter to around 25% in 2015 and 2016 (see Table 1.3.1 on page 10). Preliminary total 2017 landings of 136,920 pounds are the lowest on record in recent years and indicate only 18% of the total ACL (780,000 pounds) was harvested.

From 2012 onwards, total landings did not approach the total ACL, much less exceed it. Thus, direct catches or fishing mortality was not a factor in red grouper not rebuilding. We do not know why the stock has not rebuilt but low recruitment appears to be the primary reason. Why recruitment has been low is unknown; however, changes to the ecosystem (e.g., pollution, changes in water currents due to changing weather patterns, invasive lionfish proliferation, impacts to juvenile habitats inshore, and red snapper predation) may all be part of the reason for poor recruitment. Fishing mortality or catches are not the reason for poor recruitment. Restricting catch based on a 75% probability of rebuilding would not benefit the stock.

Our experience with red grouper shows that raising the minimum probability of overfishing from 50% to 75% for species not making adequate progress towards rebuilding would not be effective. Further, it places all the cause and cost for rebuilding on fishermen, which are not the cause of poor recruitment in this case.

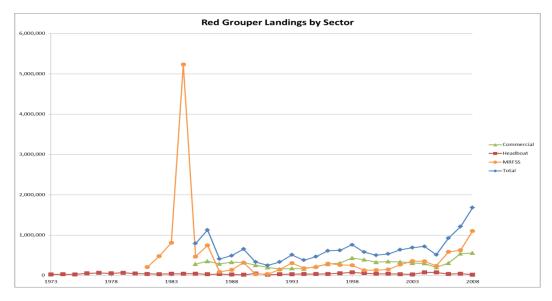
For other species, for example snowy grouper, we will know our progress when we get the assessment in mid-2020. The SEDAR 36 assessment (conducted in 2013) provided rebuilding projections at 50% and 70% probability of rebuilding. These projections indicated 2018 landings at 50% were 237,000 pounds and at 70% landings would be 172,000 pounds. In the case of snowy grouper, if the minimum probability of rebuilding was increased to 75%, the ACL would have to be reduced by over 75,000 pounds, over a 32% reduction. The lesson to be learned is that raising the probability of rebuilding puts the cost directly on fishermen regardless of whether the ACL was exceeded.

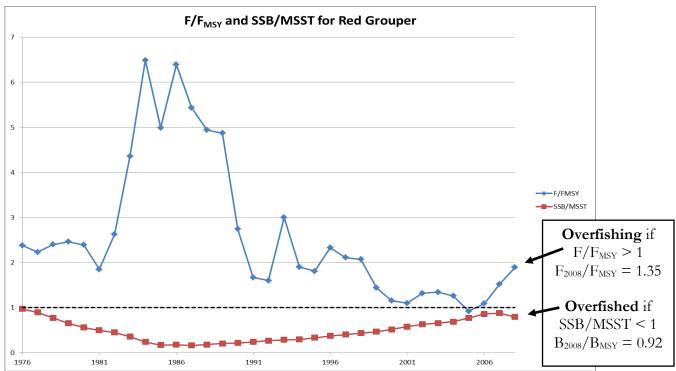
A more appropriate response is for the Council to revisit the rebuilding time period and ABC/ACL while research is being conducted to determine the causes of low recruitment. This is exactly what the South Atlantic Council is proposing through Abbreviated Framework 1 and Regulatory Amendment 30:

- 1. **Abbreviated Framework 1** using the new projections (based on low recruitment), the total ACL is reduced from 780,000 pounds to 139,000 pounds in 2018, 150,000 pounds in 2019, and 162,000 pounds in 2020 until modified. (under Secretarial review)
- 2. **Regulatory Amendment 30** evaluating new rebuilding time periods of 6, 8, and 10 years with 2018 being year 1. (public hearing at September Council meeting where the Council will choose alternative for analysis; approve for formal Secretarial review at December 2018)

# **Individual Red Grouper Amendments** (taken directly from the amendments) *Amendment 24 (Red Grouper)*

The stock assessment of red grouper in the South Atlantic Council's area was completed in 2010 using data through 2008. The assessment showed red grouper to be **overfished** (the number of red grouper in the water is too low) and **undergoing overfishing** (red grouper are being removed from the population too quickly) (see figures below). The South Atlantic Council and National Marine Fisheries Service (NOAA Fisheries Service) are required by law to implement a <u>rebuilding plan</u> to end overfishing and rebuild the spawning stock of red grouper.





# Management Measures/Actions

# 1. Maximum Sustainable Yield (MSY)

Alternatives		Equation	F <sub>MSY</sub>	MSY Values (lbs whole weight)			
Alternative 1 (No Action)		Do not change the current definition of MSY for red grouper. Currently, MSY equals the yield produced by F <sub>MSY</sub> . F <sub>30%SPR</sub> is used as the F <sub>MSY</sub> proxy.	F <sub>30%SPR</sub> =0.189 <sup>1</sup>	not specified			
	rnative 2 eferred)	MSY equals the yield produced by F <sub>MSY</sub> or the F <sub>MSY</sub> proxy. MSY and F <sub>MSY</sub> are recommended by the most recent SEDAR/SSC.	0.221 <sup>2</sup>	1,110,000³			
<sup>1</sup> Estimate from the Beaufort Assessment Model (BAM) <sup>2,3</sup> SEDAR 19 (2010) addendum							

# 2. Minimum Stock Size Threshold (MSST)

Alternatives	MSST Equation	M equals	MSST Values (Ibs whole weight)
Alternative 1 (No Action)	Do not change the current definition of MSST for red grouper. MSST equals SSB <sub>MSY</sub> ((1-M) or 0.5, whichever is greater).	0.14 <sup>1</sup>	4,914,053
Alternative 2	MSST equals 50% of SSB <sub>MSY</sub>	n/a	2,857,162
Alternative 3 (Preferred)	MSST equals 75% of SSB <sub>MSY</sub>	n/a	4,285,742
Alternative 4	MSST equals 85% of SSB <sub>MSY</sub>	n/a	4,857,175
Alternative 5	MSST at which rebuilding to the MSY level would be expected to occur within 10 years at the MFMT level. <sup>2</sup>		

# 3. Rebuilding Schedule

Alternatives	Definition
Alternative 1 (No Action)	Do not implement a rebuilding plan for red grouper. There currently is not a rebuilding plan for red grouper. Snapper Grouper Amendment 4 (regulations effective January 1992) implemented a 15-year rebuilding plan beginning in 1991, which expired in 2006.
Alternative 2	Define a rebuilding schedule as the shortest possible period to rebuild in the absence of fishing mortality (T <sub>MIN</sub> ). This would equal <u>3 years</u> with the rebuilding time period ending in 2013. 2011 is Year 1.
Alternative 3	Define a rebuilding schedule intermediate between the shortest possible and maximum recommended period to rebuild. This would equal <u>7 years</u> with the rebuilding time period ending in 2017. 2011 is Year 1.

Alternative 4
Alternative 5
(Preferred)

Define a rebuilding schedule of <u>8 years</u> with the rebuilding time period ending in 2018. 2011 is Year 1.

Define a rebuilding schedule as the maximum period allowed to rebuild  $(T_{MAX})$ . This would equal <u>10 years</u> with the rebuilding time period ending in 2020. 2011 is Year 1.

4. Rebuilding Strategy and Acceptable Biological Catch (ABC)

Reduinding Strate	Rebuilding	ABC (Ibs whole	ABC (lbs whole		
	(F <sub>oy</sub> Equ		weight)	`weight)	
Alternatives	Scenario F rate		Landings & Discards	Landings (Preferred)	
Alternative 1 (No Action)	F45%SPR	0.1055	399,000 (2011) 468,000 (2012) 537,000 (2013) 602,000 (2014)	374,000 (2011) 442,000 (2012) 511,000 (2013) 575,000 (2014)	
Alternative 2	FREBUILD (10 years)	0.181	665,000 (2011) 737,000 (2012) 806,000 (2013) 866,000 (2014)	622,000 (2011) 693,000 (2012) 762,000 (2013) 822,000 (2014)	
Alternative 3 (Preferred)	75%F <sub>MSY</sub>	0.166	613,000 (2011) 687,000 (2012) 759,000 (2013) 821,000 (2014)	573,000 (2011) 647,000 (2012) 718,000 (2013) 780,000 (2014)	
Alternative 4	65%F <sub>MSY</sub>	0.144	535,000 (2011) 610,000 (2012) 683,000 (2013) 749,000 (2014)	501,000 (2011) 575,000 (2012) 648,000 (2013) 713,000 (2014)	
Alternative 5	FREBUILD (7 years)	0.157	583,000 (2011) 657,000 (2012) 730,000 (2013) 794,000 (2014)	545,000 (2011) 619,000 (2012) 691,000 (2013) 755,000 (2014)	
Alternative 6	FREBUILD (8 years)	0.168	620,000 (2011) 695,000 (2012) 765,000 (2013) 828,000 (2014)	580,000 (2011) 654,000 (2012) 724,000 (2013) 787,000 (2014)	

Alternative 3 (Preferred). Define a rebuilding strategy for red grouper that sets ABC equal to the yield at  $75\%F_{MSY}$ . Under this strategy, the fishery would have at least a 50% chance of rebuilding to  $SSB_{MSY}$  by 2016 and 81% chance of rebuilding to  $SSB_{MSY}$  by 2020.

#### 5. Allocations

Alternative 2. Specify allocations for the commercial and recreational sectors based on criteria as outlined in one of the following options: (using SEDAR 19 data; Table S-1)

**Subalternative 2a**. Commercial = 52% and recreational = 48% (Established by using average landings from 1986-2008).

**Subalternative 2b**. Commercial = 54% and recreational = 46% (Established by using average landings from 1986-1998).

**Subalternative 2c.** Commercial = 49% and recreational = 51% (Established by using average landings from 1999-2008).

**Subalternative 2d**. Commercial = 41% and recreational = 59% (Established by using average landings from 2006-2008).

**Subalternative 2e (Preferred)**. Commercial = 44% and recreational = 56% (Established by using 50% of average landings from 1986-2008 + 50% of average landings from 2006-2008).

## 6. Annual Catch Limits (ACLs) and Optimum Yield (OY)

**Alternative 2 (Preferred)**. ACL = OY = ABC. Specify commercial and recreational ACLs for red grouper for 2012, 2013, and 2014 and beyond. The ACL for 2014 would remain in effect until modified. ACLs in 2013 and 2014 will not increase automatically in a subsequent year if present year projected catch has exceeded the total ACL.

**Alternative 5 (Preferred).** Eliminate the commercial sector aggregate ACL of 662,403 lbs gw for black grouper, gag, and red grouper. Eliminate the in-season AM that specifies a prohibition on possession of all shallow water groupers once the commercial aggregate ACL is projected to be met.

Alternative 6 (Preferred). Eliminate the recreational sector aggregate ACL of 648,663 lbs gw for black grouper, gag, and red grouper. Eliminate the in-season AM that specifies a prohibition on possession of black grouper, gag, and red grouper once the ACL is projected to be met if any one of the three species is listed as overfished. Eliminate the post-season AM that specifies a reduction in a subsequent year's ACL by the amount of an overage if landings exceed the aggregate ACL. Eliminate the regulation that states that the recreational landings are evaluated relative to the ACL as follows: For 2010, only 2010 recreational landings will be compared to the ACL; in 2011, the average of 2010 and 2011 recreational landings will be compared to the ACL; and in 2012 and subsequent fishing years, the most recent 3-year running average recreational landings will be compared to the ACL.

#### PROPOSED 2012 ACL VALUES

Red Grouper ACL = 647,000 pounds whole weight Commercial Sector ACL (44%) = 284,680 pounds whole weight Recreational Sector ACL (56%) = 362,320 pounds whole weight

# 7. Commercial Annual Catch Target (Com ACT)

**Alternative 1 (No Action) (Preferred).** Do not specify a commercial ACT for red grouper. Currently, there is no commercial ACT for red grouper (The proposed commercial ACL would equal 284,680 pounds whole weight in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

#### 8. Recreational Annual Catch Target (Rec ACT)

**Alternative 4 (Preferred).** The recreational ACT equals the recreational ACL\*(1-PSE) or ACL\*0.5, whichever is greater (The proposed recreational ACT would equal 271,740 pounds ww in 2012 but would increase in 2013 and 2014 as long as the total ACL is not exceeded).

Table S-6. Red grouper recreational ACTs. Values are in lbs whole weight.

		Recreational Sector ACT					
Year	Preferred Recreational Sector ACL	Alt 2; ACT=85%(ACL)	Alt 3; ACT=75%(ACL)	Alt 4 (Preferred); ACT equals sector ACL*(1-PSE) or ACL*0.5, whichever is greater			
2012	362,320	307,972	271,740	271,740			
2013	402,080	341,768	301,560	301,560			
2014+	436,800	371,280	327,600	327,600			

## 9. Commercial Accountability Measures (Com AMs)

**Alternative 2 (Preferred).** If the commercial ACL is met or is projected to be met, all subsequent purchase and sale of red grouper is prohibited and harvest and/or possession is limited to the bag limit.

**Alternative 3 (Preferred).** If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following season by the amount of the overage.

NOTE: Paybacks are not required when new projections are adopted that incorporate ACL overruns and the ACLs are adjusted in accordance with those projections.

## 10. Recreational Accountability Measures (Rec AMs)

**Alternative 2.** Specify the recreational AM trigger.

**Subalternative 2a.** Do not specify a recreational AM trigger.

**Subalternative 2b (Preferred).** If the current year recreational landings exceed the recreational ACL in a given year.

**Subalternative 2c.** If the mean recreational landings for the past three years exceed the recreational ACL.

**Subalternative 2d.** If the modified mean recreational landings exceed the recreational ACL. The modified mean is the most recent 5 years of available recreational landings data with highest and lowest landings estimates from consideration removed.

**Subalternative 2e.** If the lower bound of the 90% confidence interval estimate of the MRFSS landings' population mean plus headboat landings is greater than the recreational ACL.

#### **Alternative 3.** Specify the recreational in-season AM.

Subalternative 3a. Do not specify a recreational in-season AM.

**Subalternative 3b** (**Preferred**). The Regional Administrator shall publish a notice to close the recreational sector when the recreational ACL is projected to be met.

#### **Alternative 4.** Specify the recreational post-season AM.

**Subalternative 4a.** Do not specify a recreational post-season AM.

**Subalternative 4b.** For recreational post-season accountability measures, compare the recreational ACL with recreational landings over a range of years. For 2011, use only 2011 landings. For 2012, use the mean landings of 2011 and 2012. For 2013 and beyond, use the most recent three-year running mean.

**Subalternative 4c.** Monitor following year. If the recreational ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator would take action as necessary.

**Subalternative 4d.** Monitor following year and shorten season as necessary. If the recreational ACL is exceeded, the following year's landings would be monitored in-season for persistence in increased landings. The Regional Administrator will publish a notice to reduce the length of the recreational fishing season as necessary.

**Subalternative 4e.** Monitor following year and reduce bag limit as necessary. If the recreational ACL is exceeded, the following year's landings would be monitored for persistence in increased landings. The Regional Administrator will publish a notice to reduce the recreational bag limit as necessary.

**Subalternative 4f.** Shorten following season. If the recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce the length of the following recreational fishing

year by the amount necessary to ensure landings do not exceed the recreational ACL for the following fishing season.

**Subalternative 4g (Preferred).** Payback. If the recreational ACL is exceeded, the Regional Administrator shall publish a notice to reduce the recreational ACL in the following season by the amount of the overage.

NOTE: Paybacks are not required when new projections are adopted that incorporate ACL overruns and the ACLs are adjusted in accordance with those projections.

## Abbreviated Framework 1 (Red Grouper)

On June 23, 2017, the Council requested the Southeast Fishery Science Center (SEFSC) produce rebuilding projections for red grouper based on SEDAR 53. The Council's SSC reviewed four rebuilding projections produced by the SEFSC at their October 2017 meeting. The projections were based on fishing mortality rates of FMSY and FREBUILD, each with long-term (expected) recruitment and low recruitment scenarios. Due to poor recruitment trends for the red grouper stock in recent years, the SSC recommended the projections at F<sub>MSY</sub> and the low recruitment scenario for the overfishing limit (OFL), and projections for F<sub>Rebuild</sub> under the low recruitment scenario for the ABC. The Council is following the recommendations of their SSC by taking a conservative approach in this abbreviated framework amendment by proposing new ACLs based on the ABC from the FREBUILD low recruitment scenario to increase the likelihood of stock rebuilding. Table 1.2.1 shows projections of catch levels developed by the SEFSC needed to end overfishing and rebuild the stock using the low recruitment scenario (stochastic projections). The total projected ACL is 139,000 pounds whole weight (lbs ww) for 2018, 150,000 lbs ww for 2019, and 162,000 lbs ww for 2020 (Table 1.2.1). This abbreviated framework action would change ACLs beginning in 2018 to address overfishing until a new rebuilding plan is implemented through Amendment 42. The current total, commercial, and recreational ACLs are 780,000, 343,200, and 436,800 lbs ww, respectively. Sector allocations are 56% recreational and 44% commercial.

**Table 1.2.1.** Proposed red grouper OFLs, ABCs, and ACLs beginning in 2018 in lbs ww based on recommendations from the Council's SSC. Sector allocations are 56% recreational and 44% commercial. Amendment 24 set the total ACL equal to the ABC (SAFMC 2011).

	OFL	ABC	Total ACL	Commercial ACL	Recreational ACL
2018	183,000	139,000	139,000	61,160	77,840
2019	191,000	150,000	150,000	66,000	84,000
2020 until modified	202,000	162,000	162,000	71,280	90,720

# What are the Biological Effects of the Action?

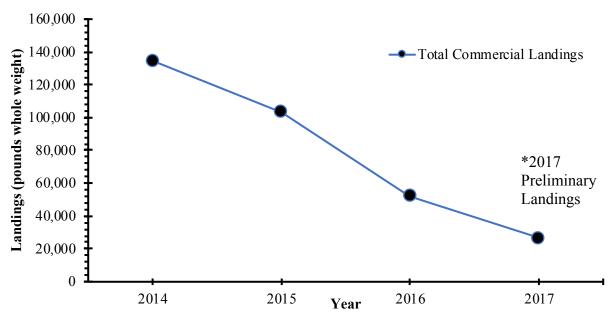
At their October 2017 meeting, the SSC recommended ABCs based on FREBUILD with the low recruitment scenario projections (SSC 2017). Setting ACLs (equal to ABCs) for red grouper at the SSC's recommended levels is expected to provide biological benefits to the red grouper

stock. The lower ACLs could constrain future harvest and prevent overfishing if the stock experiences a year of high recruitment and additional red grouper are available for harvest. However, based on recent commercial and recreational landings, the projected ACLs would result in minimal actual reduction in harvest despite the large reduction in total ACL (from 780,000 to 139,000 lbs ww for 2018).

Since 2013, South Atlantic red grouper annual landings have totaled less than 30% of the stock ACL of 780,000 lbs ww. In 2016, the commercial sector only landed 13% of their ACL, and in 2015 the sector landed 19% of its ACL. Recreational landings since 2012 have been highly variable, ranging from a low of 38,756 lbs ww in 2014 (9% of the recreational ACL) to a high of 155,271 lbs ww in 2016 (36% of the recreational ACL) (**Table 1.3.1**). Current commercial landings in 2017 (as of November 13, 2017) are 29,362 lbs ww (9% of commercial ACL) which shows a continuing declining trend in landings, especially in that sector (**Figure 1.3.1**). The reduced level of observed landings is supported by anecdotal information received from commercial and recreational stakeholders who often state that red grouper are not being seen in large quantities in the South Atlantic. A productivity regime shift and certain environmental factors could be driving the low observed numbers of fish, and the recent (since 2005) poor recruitment may or may not continue into the future (SEDAR 53 2017).

Table 1.3.1. Red grouper landings and ACLs in lbs ww.

Table 1.3.1. Neu grouper landings and ACLS in ibs ww.									
	Total ACL	Total Landings	% ACL	Commercial		Recreational			
				Landings	ACL	% ACL	Landings	ACL	% ACL
2016	780,000	200,266	26%	44,995	343,200	13	155,271	436,800	36
2015	780,000	194,823	25%	66,610	343,200	19	128,213	436,800	29
2014	780,000	186,630	24%	147,874	343,200	43	38,756	436,800	9
2013	718,000	204,917	29%	117,794	315,920	37	87,123	402,080	22
2012	647,000	259,083	40%	157,479	284,680	55	101,604	362,320	28

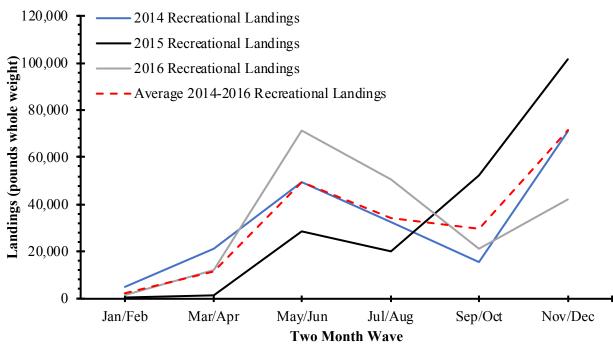


**Figure 1.3.1.** South Atlantic red grouper commercial landings (lb ww) by year for 2014-2017. The 2017 landings are preliminary and are only available from January 1 to October 24, 2017.

Expected Closure Dates of the Commercial and Recreational Sectors Under Proposed ACLs

Final commercial landings for 2014, 2015, and 2016 were provided from the SEFSC on October 5, 2017, and preliminary 2017 landings were provided on October 24, 2017. Combining the preliminary 2017 landings (26,770 lbs ww) for January through October with average 2014-2016 landings for November and December (8,666 lbs ww) results in total 2017 commercial landings (35,436 lbs ww) being below any of the proposed commercial ACLs. If the decline in commercial landings of red grouper continues or levels out, then the proposed commercial ACL would likely not be exceeded in 2018 and would result in no commercial closure.

A recreational landings dataset was provided from the SEFSC on October 4, 2017. This dataset includes landings from the Southeast Headboat Survey and Marine Recreational Information Program. To follow the method used to set the ACL, the South Atlantic landings were modified to include those from Monroe County, Florida. Recreational landings from 2014, 2015, 2016, and average 2014-2016 were summarized (**Figure 1.3.2**). Average landings from 2014-2016 were used as a proxy for future landings. Predicted closure dates for the recreational sector based on the proposed recreational ACL, using average 2014-2016 landings, are presented in **Table 1.3.2**. The closure dates range from July 26 to August 19.



**Figure 1.3.2.** South Atlantic red grouper recreational landings (lbs ww) by wave for 2014-2016, and average landings for 2014-2016.

**Table 1.3.2.** Predicted South Atlantic red grouper recreational closure dates for the recreational ACLs. Predicted landings are based on the average 2014-2016 recreational landings.

	Year				
	2018	2019	2020		
ACL	77,840 lbs ww	84,000 lbs ww	90,720 lbs ww		
Closure Date	26-Jul	6-Aug	19-Aug		

# Regulatory Amendment 30 (Red Grouper Rebuilding)

A Southeast Data, Assessment, and Review (SEDAR) standard stock assessment for South Atlantic red grouper (SEDAR 53) was completed in February 2017, with data through 2015, that indicated the stock was overfished and undergoing overfishing. The results of the assessment showed that rebuilding would not be possible by 2020, which is the terminal year of the current rebuilding plan, even with no fishery present (F=0) and the stock would likely take until at least 2030 to rebuild at F=0. The South Atlantic Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) reviewed SEDAR 53 at their April 2017 meeting and stated that the assessment is based on the best scientific information available. In reaction to the results of the stock assessment, on September 27, 2017, the Council received a letter from the National Marine Fisheries Service (NMFS) stating that red grouper are overfished, undergoing overfishing, and not making adequate rebuilding progress. The letter specified that the Magnuson-Stevens Fishery Management and Conservation Act (MSA) requires the Council and NMFS to prepare and implement regulations within two years of the notice to end overfishing

immediately and rebuild the red grouper stock. In the letter, NMFS recommended that the Council revise the rebuilding plan for South Atlantic red grouper based on the results of SEDAR 53.

The Council has moved to end overfishing through the revised ABC and ACL for red grouper that was implemented via Abbreviated Framework Amendment 1 (effective August 18, 2018) but has not yet revised the red grouper rebuilding plan. In March 2018, the Council directed staff to begin development of an amendment to revise the current rebuilding plan before the next red grouper assessment is completed (currently scheduled as a standard assessment in 2021) to meet the statutory deadline of September 17, 2019. The Council discussed options at their June 2018 meeting and directed staff to consolidate management measures addressing red grouper into Regulatory Amendment 30. Hence, actions to modify the seasonal closure of red grouper in the EEZ off the Carolinas were moved over from the Visioning Amendments (Regulatory Amendments 26 & 27). In addition, the Council added an action to consider a trip limit for red grouper. Public hearings for this amendment will be held during the September 2018 meeting. The Council is scheduled to approve the amendment for formal Secretarial review in December 2018.