

Recreational Accountability Measures (AMs)

While reviewing possible actions for the ABC Control Rule Amendment, the South Atlantic Fishery Management Council (Council) decided at their December 2017 meeting to review recreational sector AMs for consistency and determine whether or not they can be modified through a framework amendment. This document represents the results of this investigation into existing recreational AMs.

I. Framework Amendments

There are three Fishery Management Plans (FMP) that currently have recreational AMs. They are the Snapper Grouper FMP, Coastal Migratory Pelagics FMP, and the Dolphin Wahoo FMP. All three have established framework procedures and all allow for AMs to be modified through framework action.

II. Current AMs

Snapper Grouper FMU -

1. Species with no recreational AM: *Speckled Hind, Warsaw Grouper*
2. Recreational AM:

If recreational landings reach or are projected to reach the recreational ACL, NMFS will close the recreational sector for the remainder of the fishing year, unless the RA determines that a closure is unnecessary, regardless if the stock status is overfished. If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species, or one or more species in a species complex, is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded. (SG Am 34)

Affected species: Atlantic Spadefish, Bar Jack, Black Grouper, Gag, Golden Tilefish, Gray Triggerfish, Greater Amberjack, Mutton Snapper, Red Grouper, Red Porgy, Scamp, Snowy Grouper, Wreckfish, Yellowtail Snapper, Jacks Complex: Almaco Jack/Banded Rudderfish/Lesser Amberjack, Snappers Complex: Gray Snapper/Lane Snapper/Cubera Snapper, Shallow-Water Groupers Complex: Red Hind/Rock Hind/Yellowmouth Grouper/Coney/Graysby, Porgy Complex: Jolthead Porgy/Knobbed Porgy/Saucereye Porgy/Scup/Whitebone Porgy

3. Recreational AM:

For the black sea bass recreational sector, NMFS will annually announce the recreational fishing season start and end dates in the Federal Register and by other methods, as deemed appropriate. The fishing season will start on April 1 and end on the date NMFS projects the recreational ACL will be met. NMFS will project the length of the recreational fishing season based on when NMFS projects the recreational ACL specified in this paragraph is expected to be met and announce the recreational fishing season end date in the Federal Register prior to the start of the recreational fishing year on April 1. (SG Reg 14)

Affected Species: *Black Sea Bass*

4. Recreational AM:

If recreational landings, as estimated by the Science and Research Director, exceed the recreational annual catch limit, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the length of the fishing season and the recreational annual catch limit in the following fishing year by the amount of the recreational overage, only if the species is overfished and the total annual catch limit (commercial annual catch limit and recreational annual catch limit) is exceeded. The length of the recreational season and recreational annual catch limit will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. (SG Am 32).

Affected Species: *Blueline Tilefish*

5. Recreational AM:

If recreational landings reach or are projected to reach the recreational annual catch limit, the recreational sector will close for the remainder of the fishing year, unless NOAA Fisheries determines that a closure is unnecessary. If recreational landings exceed the recreational annual catch limit, then during the following fishing year, landings will be monitored for a persistence in increased landings. If necessary, the length of fishing season and the recreational annual catch limit will be reduced in the following fishing year by the amount of the recreational overage, only if the species is overfished and the total annual catch limit is exceeded. The length of the recreational season and recreational annual catch limit will not be reduced if NOAA Fisheries determines a reduction is unnecessary. (SG Am 37)

Affected Species: *GA-NC Hogfish, FL Keys, E FL Hogfish*

6. Recreational AM:

In-season closure.

Affected Species: *Red Snapper*

7. Recreational AM:

If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL and species is overfished, based on the most recent Status of U.S. Fisheries Report to Congress, the AA will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year. Without regard to overfished status, if recreational landings exceed the ACL, the AA will file a notification with the Office of the Federal Register, at or near the beginning of the following fishing year, to reduce the ACL for that fishing year by the amount of the overage. Compare the recreational ACL with recreational landings over a range of years. For 2012 and subsequent fishing years, the most recent 3-year running average recreational landings will be compared to the ACL. (Am 17B) If recreational landings, as estimated by the SRD, reach or are projected to reach the recreational ACL, the AA will file a notification to close the recreational sector for the remainder of the fishing year. Payback of a recreational overage would only take place if vermilion snapper are overfished and the total ACL is exceeded due to an overage in the recreational ACL. The amount of the overage would be deducted from the following year's recreational ACL. (Reg 14)

Affected Species: *Vermilion Snapper*

8. Recreational AM:

If recreational landings, as estimated by the Science and Research Director, exceed the recreational annual catch limit, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the length of the fishing season and the recreational annual catch limit in the following fishing year by the amount of the recreational overage, only at least one species in the complex is overfished and the total annual catch limit (commercial annual catch limit and recreational annual catch limit) is exceeded. The length of the recreational season and recreational annual catch limit will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. (Am 32).

Affected Species: Deepwater Complex: Yellowedge Grouper/Silk Snapper/Misty Grouper/Sand Tilefish/Queen Snapper/Blackfin Snapper

9. Recreational AM:

If annual landings exceed ACL, 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 fishing season as necessary. (Comp ACL Am)

Affected Species: Grunts Complex: White Grunt/Sailor's Choice/Tomtate/Margate

Dolphin Wahoo FMU -

10. Recreational AM:

If recreational landings, as estimated by the SRD, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings. If necessary, the RA shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the RA determines, using the best scientific information available, that a reduction is unnecessary. (DW 5)

Affected Species: Dolphin, Wahoo

Coastal Migratory Pelagics FMU -

11. Recreational AM:

If the recreational sector quota (total ACL x recreational allocation) is exceeded and the Total ACL is exceeded, the RA shall publish a notice to reduce the bag limit by the amount necessary to ensure recreational landings may achieve the recreational annual catch target (ACT), but do not exceed the recreational ACL, in the following fishing year. Recreational landings will be evaluated relative to the ACL based on a moving three-year average of landings, as described in the FMP. Payback of recreational overage only if overfished and the Total ACL is exceeded (Am 18).

Affected Species: Atlantic Group King Mackerel, Atlantic Group Spanish Mackerel

12. Recreational AM:

Bag limit reverts to zero if fishermen have achieved or are expected to achieve their allocation, unless the best scientific information available determines

that a bag limit reduction is unnecessary. Also applies to Federal charter/headboat vessels without regard to where fish are harvested. (Am 18)

Affected Species: *Gulf Group King Mackerel*

13. Recreational AM:

If the stock ACL is reached or projected to be reached within a fishing year, close the fishery for the remainder of the fishing year (Am 18)

Affected Species: *Gulf Group Spanish Mackerel*

14. Recreational AM:

If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, recreational landings will be monitored for a persistence in increased landings. If necessary, the Regional Administrator shall publish a notice to reduce the recreational vessel limit for the following fishing year to ensure that recreational landings meet the recreational ACT but do not exceed the recreational ACL, based on the recreational landings in the previous year. The recreational vessel limit will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. The Regional Administrator will reduce the recreational vessel limit for the following fishing year only if the stock ACL (commercial ACL and recreational ACL) is exceeded. If necessary, the Regional Administrator shall publish a notice to reduce the length of the following fishing season to ensure that recreational landings meet the recreational annual catch target (ACT) but do not exceed the recreational ACL, based on the recreational landings in the previous year. The length of the recreational season will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary. The Regional Administrator will reduce the length of the following fishing year only if the stock ACL (commercial ACL and recreational ACL) is exceeded. (CMP Framework Am 4)

Affected Species: *Atlantic Group Cobia*

15. Recreational AM:

If recreational landings exceed the recreational annual catch limit (ACL), the stock ACL is exceeded and the stock is overfished, then the following year's recreational ACL will be reduced by the amount of the overage. If recreational landings exceed the recreational ACL, the Regional Administrator (RA) will evaluate the overage based on the most recent three years of landings under the current ACL. The length of the following fishing year will be reduced so that landings meet the recreational annual catch target (ACT) but not exceed the ACL (Am 18).

Affected Species: *Gulf Group Cobia – Florida East Coast Zone*

16. Recreational AM:

If the total ACT is reached or projected to be reached within a fishing year, close the fishery for the remainder of the fishing year (Am 18)

Affected Species: *Gulf Group Cobia – Gulf Zone*

III. Discussion

There are 14 different recreational AMs for the various recreationally caught species in the South Atlantic EEZ. Two species in the Snapper Grouper FMU, speckled hind and warsaw grouper, do not have AMs because no possession is allowed for them. The recreational AM for Gulf Group Cobia – Gulf Zone is shown as a way to compare it to the recreational AM for Gulf Group Cobia – Florida East Coast Zone. No fishing in the South Atlantic EEZ is affected by the recreational AM for Gulf Group Cobia – Florida East Coast Zone.

Most of the AMs take into consideration when a season will be closed, stock status, whether or not paybacks are required, whether or not the RA is given discretion to decide if a closure is necessary, or whether Annual Catch Limits (ACL) will be monitored for overages in future seasons before determining whether action needs to be taken. One species, black sea bass, has a specifically defined season prior to the start of the fishing year.

While the specific wording varies across FMPs and even species within an FMP, below are some groupings of species based on AM trigger criteria.

a) In-season closure when ACL is met, or projected to be met (unless determined not to be necessary)

Affected Species: Atlantic Spadefish, Bar Jack, Black Grouper, Gag, Golden Tilefish, Gray Triggerfish, Greater Amberjack, Mutton Snapper, Red Grouper, Red Porgy, Scamp, Snowy Grouper, Wreckfish, Yellowtail Snapper, Jacks Complex: Almaco Jack/Banded Rudderfish/Lesser Amberjack, Snappers Complex: Gray Snapper/Lane Snapper/Cubera Snapper, Shallow-Water Groupers Complex: Red Hind/Rock Hind/Yellowmouth Grouper/Coney/Graysby, Porgy Complex: Jolthead Porgy/Knobbed Porgy/Saucereye Porgy/Scup/ Whitebone Porgy, GA-NC Hogfish, FL Keys, E FL Hogfish, Red Snapper

b) In-season closure when ACL is met, or projected to be met (regardless of stock status):

Affected Species: Vermilion Snapper, Gulf Group King Mackerel, Gulf Group Spanish Mackerel

c) No in-season closure, but monitor future overages to determine if action is needed:

Affected Species: Blueline Tilefish, Deepwater Complex: Yellowedge Grouper/Silk Snapper/Misty Grouper/ Sand Tilefish/Queen Snapper/Blackfin Snapper, dolphin, wahoo

d) No in-season closure, but adjust next season's ACL, if necessary:

Affected Species: Grunts Complex: White Grunt/Sailor's Choice/Tomtate/Margate

- e) Reduction in ACL or shortened season in the season following the overage depending on stock status:

Affected Species: *Atlantic Spadefish, Bar Jack, Black Grouper, Gag, Golden Tilefish, Gray Triggerfish, Greater Amberjack, Mutton Snapper, Red Grouper, Red Porgy, Scamp, Snowy Grouper, Wreckfish, Yellowtail Snapper, Jacks Complex: Almaco Jack/Banded Rudderfish/Lesser Amberjack, Snappers Complex: Gray Snapper/Lane Snapper/Cubera Snapper, Shallow-Water Groupers Complex: Red Hind/Rock Hind/Yellowmouth Grouper/Coney/Graysby, Porgy Complex: Jolthead Porgy/Knobbed Porgy/Saucereye Porgy/Scup/ Whitebone Porgy, Blueline Tilefish, GA-NC Hogfish, Atlantic Group Cobia, Gulf Group Cobia – Florida East Coast Zone*

- f) No in-season closure, but reduce the next season's ACL if the total stock ACL is exceeded:

Affected Species: *Atlantic Group King Mackerel, Atlantic Group Spanish Mackerel*

IV. Summary Table of Recreational AMs Across Fishery Management Plans, as of 1/25/2018.

	SH/WG	MOST	BSB	BLT	Hogfish	RS	VS	DWC	Grunts	KM/SM	Cobia
None	X										
Monitor for Persistence		X		X	X			X	X		X
Reduce season as necessary									X		X
reduce season and rec ACL if overfished and total ACL exceeded		X		X	X			X			
Reduce season and ACL by overage regardless of status or total ACL							X				
in-season closure (regardless of overfished status)		X			X		X				
Payback of overage, if overfished and total ACL exceeded							X			X	
Pre-determined season + closure when ACL met			X								
In-Season Closure						X					
RA may determine a season or ACL reduction not necessary				X	X			X			X
RA may determine an in-season closure is not necessary		X			X						
Reduce bag if Rec and Total ACL exceeded										X	
Reduce vessel limit if total ACL exceeded, RA may overrule											X

V. Potential Ways to Modify Recreational AMs

The Council may choose to modify the recreational AMs for any or all recreational species through a single document that could be a framework amendment to the Snapper Grouper FMP, Dolphin Wahoo FMP, and/or the Coastal Migratory Pelagics FMP. Several factors could be considered, including which species to apply the revised AMs.

The Council has previously stated some areas in the recreational AMs they would like to consider revising. These include:

- Remove the “monitor for persistence” language
- Specify how landings are evaluated relative to ACLs
- Give flexibility in how to respond to overages by adjusting seasons/bag limits, etc.
- Removal of payback requirements

Draft Purpose

The purpose of this action is to address recreational landings uncertainty in determining when to apply recreational accountability measures.

Draft Need

The need of the action is to maintain optimum yield in recreational fisheries while limiting discard losses and promoting social and economic benefits to recreational anglers.

Action 1. Revise Recreational AMs

Alternative 1 (No Action). Section II. of this document lists all of the current recreational AMs for all species currently managed by the South Atlantic Fishery Management Council.

Alternative 2. Specify the criteria used to evaluate recreational fishery landings estimates against specified ACL values to determine if AMs must be applied.

Sub-alternative 2a. Use a 3-year moving geometric mean of recreational landings to determine that an ACL has been exceeded. AMs will be applied once the 3-year geometric mean landings exceed the 3-year geometric mean ACL.

Sub-alternative 2b. Use a 3-year cumulative total of recreational landings to determine if an ACL is exceeded. AMs will be applied if the 3-year landings total exceeds the 3-year total ACL.

Sub-alternative 2c. AMs will be applied only if there is a persistent overage. A persistent overage is defined as landings exceeding the ACL in two of the previous three fishing years.

Sub-alternative 2d. Establish recreational sector ACLs in numbers of fish and evaluate landings relative to ACLs using estimated numbers of fish.

Alternative 3. Only include MRIP catch estimates that have an annual South Atlantic PSE value less than 40% for calculating average or cumulative total evaluations of recreational landings against recreational sector ACLs.

Alternative 4. The South Atlantic Fishery Management Council will specify accountability measures in terms of adjusting fishing seasons, bag limits or vessel limits to address

recreational ACL overages so long as the accountability measures maintain optimum yield and limit discard losses and minimize negative social and economic effects.

Sub-alternative 3a. The Council will only adjust recreational management measures if the total ACL is exceeded.

Sub-alternative 3b. The Council will only adjust recreational management measures if the stock is overfished.

Alternative 5. The NMFS SERO regional administrator will annually announce the starting and ending dates of each recreational fishing season in the Federal Register and other media outlets to notify the public. Closure dates will be based on the date the NMFS SEFSC science director estimates the recreational ACL will be met.

Alternative 6. ???