

Options for removing greater amberjack, lesser amberjack, almaco jack, and banded rudderfish (“Jacks”) from the Snapper Grouper Fishery Management Plan

What is the Council’s intended purpose in removing these species from their current fishery management plan (FMP)?

- The Council should build a record and provide rationale.
- If the intent is to exclude these species from possible requirements for other species in the FMP (i.e., descending devices, recreational seasons), then the amendment that would implement said requirement(s) could be designed to exempt Jacks (see Option C below).

The Snapper Grouper FMP (1983) does not include specific rationale for inclusion of Jacks in the management unit, other than they are “associated reef species” and the Council concluded it would be more efficient and less costly to manage a multi-species fishery under one FMP.

Options for management modifications:

- A. Remove the species from the Snapper Grouper FMP and manage under a new FMP:
- Would require amending the Snapper Grouper FMP to remove the species.
 - Would require preparation of an FMP document with all the components required under the Magnuson-Sevens Act such as detailed description of the fishery, stock status (only greater amberjack have been assessed), Essential Fish Habitat, and specification of optimum yield, maximum sustainable yield, acceptable biological catch, annual catch limits, allocations, accountability measures, and management measures for the component species. May require considering the factors for stocks that require conservation and management at 50 C.F.R. § 600.305(c):

(c) Stocks that require conservation and management. (1) Magnuson-Stevens Act section 302(h)(1) requires a Council to prepare an FMP for each fishery under its authority that requires (or in other words, is in need of) conservation and management. 16 U.S.C. 1852(h)(1). Not every fishery requires Federal management. Any stocks that are predominately caught in Federal waters and are overfished or subject to overfishing, or likely to become overfished or subject to overfishing, are considered to require conservation and management. Beyond such stocks, Councils may determine that additional stocks require “conservation and management.” (See Magnuson-Stevens Act definition at 16 U.S.C. 1802(5)). Based on this definition of conservation and management, and other relevant provisions of the Magnuson-Stevens Act, a Council should consider the following non-exhaustive list of factors when deciding whether additional stocks require conservation and management:

- (i) The stock is an important component of the marine environment.

- (ii) The stock is caught by the fishery.
- (iii) Whether an FMP can improve or maintain the condition of the stock.
- (iv) The stock is a target of a fishery.
- (v) The stock is important to commercial, recreational, or subsistence users.
- (vi) The fishery is important to the Nation or to the regional economy.
- (vii) The need to resolve competing interests and conflicts among user groups and whether an FMP can further that resolution.
- (viii) The economic condition of a fishery and whether an FMP can produce more efficient utilization.
- (ix) The needs of a developing fishery, and whether an FMP can foster orderly growth.
- (x) The extent to which the fishery is already adequately managed by states, by state/Federal programs, or by Federal regulations pursuant to other FMPs or international commissions, or by industry self-regulation, consistent with the requirements of the Magnuson-Stevens Act and other applicable law.

B. Remove the species from the Snapper Grouper FMP and manage under the Coastal Migratory Pelagics (CMP) FMP:

- The CMP FMP is a joint plan with the Gulf Council. Both Councils would need to agree to including the species in the FMP. Need to explain why Jacks should be managed in this FMP rather than the Snapper Grouper FMP.
- The Gulf Council manages Jacks in their area of jurisdiction under the Reef Fish FMP. They may have to remove the Jacks from the Reef Fish FMP and transfer to the CMP FMP in order not to have the same species under two different FMPs in their area of jurisdiction.
- Permitting requirements may need to be revised under both the Snapper Grouper and CMP FMPs.
- The CMP FMP extends through the Mid-Atlantic Council's jurisdiction. While management of Jacks may not *have* to be extended (especially if catches are still uncommon north of NC), it would introduce inconsistency.

C. Amend the Snapper Grouper FMP and do not apply certain management measures to Jacks.