

Regulatory Amendment 30 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region



Options Paper



Revise the rebuilding plan for red grouper

Revised
05/21/18
Attachment 11

Why is the Council Considering Action?

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 developed Abbreviated Framework Amendment 1 the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (Snapper Grouper FMP) (Abbreviated Framework Amendment 1) to end overfishing of red grouper immediately through a revised acceptable biological catch (ABC) and annual catch limit (ACL). However, the rebuilding schedule of the rebuilding plan needs to be revised to reflect the updated stock information provided in SEDAR 53 and to address the NMFS comment that the stock is not making adequate progress under the current schedule and will not hit the rebuilding target within the previously set 10-year time period.

Background

In 2010, a SEDAR benchmark assessment (SEDAR 19) was completed for South Atlantic red grouper, with data through 2008. Based on the results of SEDAR 19, NMFS determined that red grouper was undergoing overfishing and was overfished. In response, the Council developed and NMFS implemented management measures to end overfishing through Amendment 24 to the Snapper Grouper FMP (Amendment 24). 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 SSC. The rebuilding strategy selected (F_{oy} equal to 75% F_{MSY}) in the amendment provided an 81% probability of rebuilding to SSB_{MSY} within 10 years. Despite this relatively high probability of achieving the rebuilding target within the mandated 10-year timeframe, rebuilding has not progressed as projected.

In June 2017, after SEDAR 53 was reviewed by the SSC, the Council requested that 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 F_{MSY} and $F_{Rebuild}$, each with long-term expected recruitment and low recruitment scenarios. Due to poor recruitment trends for the stock in recent years, the SSC recommended the projections at F_{MSY} and the low recruitment scenario for the overfishing limit, and projections for $F_{Rebuild}$ under the low recruitment scenario for the ABC, for the short term (next 5 years). The SSC noted that recruitment could increase in the future and become consistent with long-term levels that the stock is predicted to produce.

Objectives for This Meeting

- Review and provide guidance on draft purpose and need statements for the amendment.
- Review and provide guidance on draft action and alternatives to revise the rebuilding schedule for red grouper.
- Review the timing of amendment development and decide if the Council would like to send the amendment out for scoping.

DRAFT Purpose for Action

The *purpose* of this amendment is to modify the rebuilding schedule for the red grouper based on the results of the most recent stock assessment.

DRAFT Need for Action

The *need* of this amendment is to end overfishing and rebuild the red grouper stock while minimizing, to the extent practicable, adverse social and economic effects.

COMMITTEE ACTION: Provide guidance on purpose and need statements.

OPTION 1. APPROVE PURPOSE AND NEED STATEMENTS.

OPTION 2. COMMITTEE MODIFIES THE PURPOSE AND NEED STATEMENTS.

OPTION 3. OTHERS?

DRAFT MOTION: APPROVE INCLUSION OF THE PURPOSE AND NEED STATEMENTS, AS MODIFIED, IN SNAPPER GROUPE REGULATORY AMENDMENT 30.

Possible Action and Alternatives

DRAFT Action. Revise the Rebuilding Schedule for Red Grouper.

Alternative 1 (No Action). The current rebuilding schedule is set at the maximum time period allowed to rebuild (T_{\max}). This is equal to 10 years with the rebuilding time period ending in 2020. 2011 was Year 1.

Alternative 2. Revise the rebuilding schedule to equal the shortest possible time period to rebuild in the absence of fishing mortality (T_{\min}). This would equal 6 years with the rebuilding time period ending in 2023. 2018 would be Year 1.

Alternative 3. Revise the rebuilding schedule to equal 8 years with the rebuilding time period ending in 2025. 2018 would be Year 1.

Alternative 4. Revise the rebuilding schedule to equal the maximum time period allowed to rebuild (T_{\max}). This would equal 10 years with the rebuilding time period ending in 2027. 2018 would be Year 1.

Discussion:

Amendment 24 to the Snapper Grouper FMP established a 10-year rebuilding plan that began in 2011, with a projected end date of 2020 (**Alternative 1 (No Action)**). Amendment 24 also set the ACL equal to the ABC recommended by the Council's SSC. While there was a relatively high probability of achieving the rebuilding target within the mandated 10-year timeframe with the rebuilding strategy that was selected, rebuilding has not progressed as projected. The results of SEDAR 53 indicated that the red grouper stock will not rebuild by 2020, largely due to low observed recruitment for the species and the rebuilding schedule needs to be revised to incorporate the updated stock status results.

Guidance on how to define the upper and lower bounds of a rebuilding schedule are specified in the National Standard 1 (NS 1) of the National Standard Guidelines (<https://www.fisheries.noaa.gov/national/laws-and-policies/national-standard-guidelines>). In regards to the determining the minimum time for rebuilding a stock (T_{\min}), NS1 specifies that " *T_{\min} means the amount of time the stock or stock complex is expected to take to rebuild to its MSY biomass level in the absence of any fishing mortality. In this context, the term "expected" means to have at least a 50 percent probability of attaining the B_{msy} , where such probabilities can be calculated. The starting year for the T_{\min} calculation should be the first year that the rebuilding plan is expected to be implemented.*" In the case of red grouper, according to SEDAR 56, the minimum timeline for red grouper to rebuild in the absence of any fishing mortality is 6 years, thus T_{\min} is specified as being 6 years (**Alternative 2**).

With T_{\min} being specified as 6 years, NS 1 defines the maximum time for rebuilding a stock (T_{\max}) as being 10 years due to the guidance as follows; "*If T_{\min} for the stock or stock complex is 10 years or less, then T_{\max} is 10 years*". This upper bound of the potential rebuilding timeline is

captured in **Alternative 4**. **Alternative 3** has been proposed for 8 years as this is a midpoint between T_{\min} and T_{\max} . For **Alternatives 2, 3, and 4**, Year 1 for the revised rebuilding schedule would be 2018. This was selected as the initial year for rebuilding since Abbreviated Framework Amendment 1 to the Snapper Grouper FMP, which is intended to end overfishing, is expected to be implemented later this year.

Regardless of the alternative chosen, it is important to keep in mind the timing of future red grouper stock assessments and potential amendments, including the need to revisit the rebuilding schedule if low recruitment persists in the stock. The MSA requires the Council to act to revise the rebuilding schedule for red grouper, which is being addressed in this amendment. Over the next few years there are two stock assessments expected for red grouper that will provide updated information on the status of the stock and stock rebuilding. In the fall of 2018 or spring of 2019, a new stock assessment for red grouper will be available that is inclusive of MRIP revisions for recreational catch estimates of red grouper. This assessment will result in a revised ACL and could change the rebuilding projections. Approximately half of the landings of red grouper in the South Atlantic occur from the recreational sector, therefore there is the potential for notable changes in the stock assessment results. Depending on the results of this assessment, the Council may end up wanting to reconsider the rebuilding strategy for red grouper if the stock status or rebuilding projections change substantially. Unfortunately, there is no way to predict the extent to which revised MRIP estimates will affect the stock assessment until the new data are available and the revised assessment has been completed.

A standard assessment for red grouper, with revised methodology and updated data is also scheduled to start in 2021. The likely FMP amendment that will occur due to this standard assessment will correspond with the SSC's recommended timing to revisit the appropriate long-term recruitment assumption for red grouper. Despite current low recruitment in the stock, the long-term assumption of "normal" recruitment was used in SEDAR 53. Should low recruitment continue and become the "new normal" (i.e. the long-term recruitment assumption), the Council will likely need to make several revisions in how the stock is managed, including the rebuilding plan and schedule.

In summary, overfishing has been addressed in Abbreviated Framework Amendment 1 and revising the rebuilding schedule via this action will address the requirement to update the rebuilding plan under MSA. Given the statutory requirement limiting options for the Council, it makes sense to revise the rebuilding schedule now. The Council may then want to potentially revisit the red grouper rebuilding plan and schedule again in 2022 after the new standard stock assessment has been completed and there is more certainty regarding what the long-term recruitment assumption should be for red grouper, which has significant impacts on expectations and projections for how the red grouper stock can rebuild. As mentioned, in the meantime there will be some uncertainty over actions that the Council may need to take for red grouper that will be dependent on the MRIP revision stock assessment results which should be available sometime within the next 12 months.

COMMITTEE ACTION: Provide guidance on action and alternatives.

OPTION 1. APPROVE INCLUSION OF THE ACTION IN AMENDMENT 30 AND APPROVE THE RANGE OF ALTERNATIVES.

OPTION 2. ADD/MODIFY ALTERNATIVES UNDER THE ACTION (COMMITTEE TO SPECIFY) AND APPROVE THE RANGE OF ALTERNATIVES.

OPTION 3. DO NOT APPROVE INCLUSION OF THE ACTION IN AMENDMENT 30.

OPTION 4. OTHERS??

DRAFT MOTION: APPROVE INCLUSION OF THE ACTION AND RANGE OF ALTERNATIVES, AS MODIFIED, IN SNAPPER GROUPEL REGULATORY AMENDMENT 30.

Potential Timing of Amendment

In order to meet the MSA requirement to have a revised rebuilding schedule in place by the deadline of September 27, 2019, the Council needs to continue amendment development. To meet the September 2019 implementation date, final approval of an amendment would need to occur at the December 2018 meeting. The Council could direct staff to continue work on the framework amendment to revise the rebuilding schedule for red grouper and send the amendment out for scoping. Potential timing is as follows:

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| March 2018 | Council directed staff to start a framework amendment to revise the rebuilding schedule for red grouper. |
| June 2018 | Council reviews and provides guidance to staff on the draft framework amendment and approves the amendment for scoping. |
| Summer 2018 | Framework amendment is scoped via webinar. |
| September 2018 | Council makes final changes to purpose/need and action/alternatives of the framework amendment and approves for public hearings. |
| Fall 2018 | Public hearings via webinar. |
| December 2018 | Council takes final action on the framework amendment. |
| December 2018 | Framework amendment sent for Secretarial review. |

Moving the Amendment Forward

COMMITTEE ACTION: Provide guidance on moving the amendment forward.

OPTION 1. SEND SNAPPER GROUPEER REGULATORY AMENDMENT 30 OUT FOR SCOPING.

OPTION 2. DIRECT STAFF TO FURTHER DEVELOP THE OPTIONS FOR SNAPPER GROUPEER REGULATORY AMENDMENT 30 BASED ON INPUT FROM THE JUNE 2018 MEETING FOR CONSIDERATION AT THE SEPTEMBER 2018 MEETING.

OPTION 3. DIRECT STAFF TO STOP WORK ON SNAPPER GROUPEER REGULATORY AMENDMENT 30.

OPTION 4. OTHERS??

DRAFT MOTION: SEND SNAPPER GROUPEER REGULATORY AMENDMENT 30 (RED GROUPEER REBUILDNG), AS MODIFIED, OUT FOR SCOPING.