

Regulatory Amendment 33 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region *(Red Snapper Seasons)* Decision Document

Background

In this framework amendment, the Council is proposing removing the minimum number of days (currently four) necessary to open commercial or recreational harvest in the South Atlantic region to increase access to red snapper. Additionally, the Council is proposing changing the start date for the commercial season to optimize fishing opportunities while minimizing discard mortality.

Actions in this framework amendment

1. Remove the minimum number of days for the South Atlantic red snapper seasons
2. Modify the start date for the red snapper commercial season

Objectives for this meeting

- Review analyses and Council's rationale
- Recommend approval for formal review

Expected amendment timing

Process Steps		Dates
✓	Review draft options paper	June 2019
✓	Approve for public hearings	June 2019
✓	Public hearings	August 2019
✓	Review public hearing comments, select preferred alternatives, and approve all actions and alternatives.	September 2019
	Final action to approve for Secretarial review	December 2019

Purpose and Need Statement

The purpose and need of this framework amendment is to remove the minimum number of days to allow commercial or recreational harvest of red snapper in the South Atlantic and modify the red snapper commercial season to increase the socio-economic benefits to fishermen and fishing communities while minimizing discard mortality.

Committee Action

- REVIEW PURPOSE AND NEED STATEMENT AND MODIFY AS APPROPRIATE
- OTHERS?

Actions and Alternatives

Note that table numbers correspond to Draft Regulatory Amendment 33 (Attachment 6b)

Action 1. Remove the minimum number of days for the South Atlantic red snapper seasons

Alternative 1 (No Action). If the projected commercial or recreational fishing season is determined by the National Marine Fisheries Service to be three days or less then the commercial or recreational fishing season will not open for that fishing year.

Preferred Alternative 2. Remove the requirement specifying the red snapper commercial and recreational seasons in the South Atlantic would not open if projections indicate the commercial or recreational season would be three days or fewer.

Discussion:

- The proposed action is expected to result in neither positive nor negative biological effects to the South Atlantic red snapper stock relative to **Alternative 1 (No Action)** since overall harvest would continue to be limited to the annual catch limits (ACL).
- Under circumstances where the projected red snapper fishing season is determined to be more than three days, there would be no difference in the economic effects of **Preferred Alternative 2** relative to **Alternative 1 (No Action)** because the length of the fishing season would be the same between the two alternatives and overall harvest would continue to be limited to the ACL.
- If the recreational season were to take place in three days or fewer, **Preferred Alternative 2** would result in economic benefits relative to **Alternative 1 (No Action)** through increased consumer surplus (CS) for recreational anglers, increased revenue for for-hire (charter and headboat) businesses, and increased business activity for recreational fishing related businesses (**Table 4.1.2.1**). For the commercial sector, there are no expected direct or indirect economic benefits from **Preferred Alternative 2** relative to **Alternative 1 (No Action)** since commercial harvest of red snapper is expected to continue to occur as it has in recent years.

Table 4.1.2.1. Estimated change in recreational CS under **Alternative 2** of **Action 1** relative to the status quo (**current regulations**).

	If the season is greater than three days	If the season is three days or less
Estimated change in recreational landings (number of fish)	0	29,656
Estimated change in consumer surplus (2018 dollars)*	\$0	\$2,491,104

*Assumes a CS value of \$84 (2018 dollars) per red snapper (Carter and Liese 2012).

- **Preferred Alternative 2** could exacerbate existing derby fishing conditions where fishermen feel pressure to complete fishing trips regardless of safety considerations placing vessels in direct competition in conditions that may be dangerous. In this respect, **Preferred Alternative 2** could result in negative social impacts relative to **Alternative 1 (No Action)**. However, while safety at sea considerations are important, allowing for the harvest of red snapper in South Atlantic waters, regardless of season length, is likely to be perceived as having positive social effects, as the past closures of this portion of the snapper grouper fishery have been highly controversial.

IPT Recommendations/Comments:

- None

Snapper Grouper Advisory Panel (AP) Comments and Recommendations:

April 2019:

The AP received a briefing of the Council's intent at their April 2019 meeting, before the Council reviewed the wording of possible actions and alternatives at their June 2019 meeting. Hence, the AP did not have specific recommendations for each action. The AP approved the motion below:

MOTION #1: RECOMMEND THAT THE COUNCIL CONSIDER NOT ALLOWING HARVEST OF RED SNAPPER DURING THEIR PEAK SPAWNING SEASON (JULY AND AUGUST). CONSIDER COMMERCIAL HARVEST IN THE SPRING (MAY-JUNE) AND ANOTHER SEASON IN SEPTEMBER-DECEMBER.
APPROVED BY AP (UNANIMOUS)

October 2019:

The AP reviewed the proposed actions during their meeting in October 2019. AP members provided comment below. Public comment was submitted to the AP and is available [HERE](#).

- AP members expressed support for removing the 3-day minimum threshold for red snapper harvest citing potential economic benefits.

Public Comments:¹

Public Hearings – August 2019. Comments through 8/19/19:

- 11 comments in support of Alternative 2

DRAFT Council's Rationale:

- Management has changed fishermen's behavior as it relates to red snapper. Even if the season were to be one day, people would likely behave in the same way. Ultimately, it is the individual's responsibility to decide whether it is safe to go fishing or not.

¹ Includes public comments submitted through the Council's website: <https://safmc.wufoo.com/reports/snapper-grouper-regulatory-amendment-33-report/>

- Short-term fisheries like red snapper are necessarily going to create accessibility issues.
- It could be argued that safety-at-sea concerns (National Standard 10 – conservation and management measures shall, to the extent practicable, promote the safety of human life at sea) already exist under the current approach to open recreational harvest of red snapper but could also exist on any given Saturday when the weather is nice.
- Tournaments also create “derby” style fishing.

Committee Action:

- CONSIDER AP AND PUBLIC COMMENT
- REVIEW ANALYSES AND DRAFT RATIONALE AND MAKE MODIFICATIONS, AS APPROPRIATE
- OTHERS?

Action 2. Modify the the red snapper commercial season

Alternative 1 (No Action). The commercial red snapper season begins on the second Monday in July, unless otherwise specified.

Preferred Alternative 2. Modify the commercial red snapper season to start May 1, unless otherwise specified.

Alternative 3. Modify the commercial red snapper season to start the second Monday in June, unless otherwise specified.

Discussion:

- The season for commercial harvest of red snapper has not been open during May (**Preferred Alternative 2**) or June (**Alternative 3**) since 2009, hence it is not possible to obtain catch rates to predict how long the season would last under the current commercial ACL. However, it is reasonable to expect that, since fishery-independent trends in red snapper abundance and anecdotal information from fishermen suggest that the red snapper stock has increased substantially since 2009, **Preferred Alternative 2** could result in the commercial ACL being met earlier in the year relative to **Alternative 1 (No Action)** and **Alternative 3**.
- According to commercial discard logbook data, total discards of red snapper are higher in May compared to other months (**Table 4.2.1.2**). This suggests higher discards of red snapper occur when the Shallow-Water Grouper Complex opens on May 1st of each year. If this sub-sample is representative of the fishery, **Preferred Alternative 2** could result in reduced discards of red snapper in May when fishermen begin targeting shallow-water grouper. **Alternative 3** (June opening) may result in slightly lower numbers of discarded red snapper as **Alternative 1 (No Action)**.

Table 4.2.1.2. Annual commercial red snapper discards (numbers of fish) by month, 2007-2018.

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2007	146	78	216	71	173	522	426	149	123	128	255	326
2008	344	455	554	532	462	178	381	622	480	448	307	694
2009	200	103	198	167	273	236	192	82	217	51	40	34
2010	297	445	294	384	1,719	1,690	499	557	451	109	376	327
2011	1,162	899	615	287	1,895	1,466	1,981	876	651	433	543	338
2012	1,231	503	147	180	1,662	840	1,473	675	340	127	78	60
2013	706	506	236	59	1,264	1,249	1,183	623	133	947	474	403
2014	1,014	1,525	1,100	1,773	2,797	1,381	607	432	1,155	1,415	771	327
2015	1,256	776	1,231	2,168	2,234	665	1,038	987	468	416	371	515
2016	1,306	792	873	422	2,916	939	3,236	865	532	326	380	304
2017	701	366	400	615	1,264	1,026	932	1,584	726	508	188	109
2018	391	411	174	643	1,062	827	584	121	258	179	132	154
Total	8,754	6,859	6,038	7,301	17,721	11,019	12,532	7,573	5,534	5,087	3,915	3,591

- Whereas **Preferred Alternative 2** could result in reduced red snapper discards in May, it could potentially increase the mortality of released fish later in the year. If commercial catch rates remain as they are, the commercial ACL could be met by early summer, when increased water temperature can negatively affect the survivorship of discarded fish. As such, in terms of discard mortality, negative biological impacts could be greatest under **Alternative 1 (No Action)**, followed by **Preferred Alternative 2** and **Alternative 3**.
- According to commercial logbook data from 2016 through 2018, gag were most often caught on trips that caught a red snapper in the South Atlantic (**Table 3.2.1**).

Table 3.2.1. Number of commercial trips that caught red snapper in 2016-2018 in the South Atlantic and percent co-occurrence with select snapper grouper species.

Species	Total (lbs)	Trips	Percent co-occurrence
Red Snapper	199,480	2,765	100.0
Gag	102,627	722	26.1
Black Sea Bass	25,172	621	22.5
King Mackerel	137,026	604	22.0
Vermilion Snapper	208,779	510	18.4
Gray Triggerfish	89,561	482	17.4

- The economic effects of Action 2 would likely be similar across the alternatives since commercial harvest would continue to be limited to the commercial ACL and landings and trip revenue would be similar among the alternatives.
- **Alternative 1 (No Action)**, **Preferred Alternative 2**, and **Alternative 3** are all anticipated to provide social benefits by allowing commercial fishermen to keep red snapper that would have otherwise been discarded. However, the alternative that offers the most positive social effects may depend on where a stakeholder resides with regard to a preferred opening date as red snapper are incidental catch in some areas and a targeted fishery in others.
- **Preferred Alternative 2** could provide the longest season and result in social benefits to commercial fishermen. However, since data indicate the abundance of red snapper has increased in recent years, **Preferred Alternative 2** may also result in an ACL closure earlier in the year than under **Alternative 1 (No Action)** and **Alternative 3**. Ensuring commercial harvest of red snapper remains open during the fall months would be most beneficial for fishermen targeting other species in the spring or operating in areas that experience inclement weather early in the year.

IPT Recommendations/Comments:

- None

Snapper Grouper Advisory Panel Comments and Recommendations:

April 2019:

The AP received a briefing of the Council's intent at their April 2019 meeting, before the Council reviewed the wording of possible actions and alternatives at their June 2019 meeting. Hence, the AP did not have specific recommendations for each action. The AP approved the motion below:

**MOTION #1: RECOMMEND THAT THE COUNCIL CONSIDER NOT ALLOWING HARVEST OF RED SNAPPER DURING THEIR PEAK SPAWNING SEASON (JULY AND AUGUST). CONSIDER COMMERCIAL HARVEST IN THE SPRING (MAY-JUNE) AND ANOTHER SEASON IN SEPTEMBER-DECEMBER.
APPROVED BY AP (UNANIMOUS)**

October 2019:

The AP reviewed the proposed actions during their meeting in October 2019. AP members provided comments below. Public comment was submitted to the AP and is available [HERE](#).

- One AP member pointed out that the level of discards differs by area and time of the year; hence the interest in discussing regional management approaches for species like red snapper.
- Some AP members expressed concern over the commercial season beginning ahead of the recreational opening.
- One AP member acknowledged that red snapper have a lengthy spawning season so whether the fish are harvested at the beginning or end of the spawning season may make no biological difference to the stock.
- Some AP members expressed interest in re-considering a harvest tag system with reporting for red snapper.
- AP members inquired as to whether the Council would consider a start date of August 1 for the commercial sector, as several commenters from Florida proposed.
- One AP member from North Carolina explained that the proposed May 1 start date for the red snapper commercial season would be beneficial to fishermen off North Carolina who also fish for red grouper since that species will no longer be available in May off the Carolinas once Regulatory Amendment 30 is implemented. In addition, the vermilion snapper ACL, as implemented through Abbreviated Framework 2, will diminish annually possibly leading to early closures. If that is the case, having red snapper available beginning May 1 would be beneficial.

Public Comments:

Public Hearings – August 2019. Comments through 8/19/19

- 3 comments in support of no change
- 1 comment in support of Alternative 4 (May opening with no harvest in July-August)
- 12 comments requesting opening for commercial season in the beginning of August or leave as is. August start would provide white fish to market when other species are no longer available.
- 1 comment in support of opening in September- December, and that if quota is not met it be re-opened in May of the following year to fill the previous year's quota.

DRAFT Council's Rationale:

- The Council acknowledged the AP's concern about harvest during peak spawning. However, there are two studies (Brown-Peterson et al. 2008; White and Palmer 2004) that indicate red snapper peak spawning goes through September. Therefore, there is less of a concern about allowing harvest in July and August.
- The Council acknowledged they removed the language "to reduce mortality during the red snapper spawning season" from the Purpose and Need of this amendment (done in June 2019).
- Allowing commercial harvest of red snapper at the same time grouper harvest opens on May 1 would help reduce discards. Council emmbers stated that May and June are when most discards of red snapper occur.
- The Council acknowledged commercial season opening before the recreational season may result in conflict between the sectors; however, reducing discards is what is best for the resource.
- The trip limit reduction or closure for vermilion snapper, a staple fishery in the region, usually occurs in the spring of the year. Allowing red snapper retention when grouper harvest opens on May 1 would be beneficial to commercial fishermen. Later in the year, when vermilion snapper and triggerfish are available in July, it is a lot easier to fill the boat with other fish and make a trip.
- If commercial harvest was to be allowed beginning on May 1, and since commercial harvest of red snapper has lasted about 38 days in the past couple of years, the Council did not see the need to pause harvest during July and August (as the AP recommended).

Committee Action:

- CONSIDER AP AND PUBLIC COMMENT
- REVIEW ANALYSES AND DRAFT RATIONALE AND MAKE MODIFICATIONS, AS APPROPRIATE
- OTHERS?

DRAFT MOTION: APPROVE SNAPPER GROUPER REGULATORY AMENDMENT 33 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.