The South Atlantic Fishery Management Council's

South Atlantic Update

Published for fishermen and others interested in marine resource conservation issues **Winter 2010**

Snapper Grouper Amendment 17B Approved by Council

Amendment addresses 9 species listed as undergoing overfishing, will create deepwater closed area

After reviewing input from its Scientific and Statistical Committee (SSC) and public comments received during a series of eight public hearings, the Council approved Amendment 17B to the Snapper Grouper Fishery Management Plan for submission to the Secretary of Commerce during its December meeting in Atlantic Beach, NC.

The amendment includes measures to end overfishing and establish Annual Catch Limits (ACLs) and Accountability Measures (AMs) for 9 species currently listed as undergoing overfishing: golden tilefish, snowy grouper, speckled hind, warsaw grouper, black grouper, black sea bass, gag, red grouper, and vermilion snapper. The measures are mandated by the reauthorized Magnuson-Stevens Act for all species undergoing overfishing by 2010 and for all other species managed by the Council by 2011. Overfishing of red snapper is being addressed through separate regulations proposed in Amendment 17A (see page 4).

Annual Catch Limits (in pounds or numbers of fish) are specified levels that prevent overfishing and do not exceed the limits set forth by the SSC. Accountability Measures must also be established to make sure that ACLs are not exceeded, such as in-season monitoring programs, and provide corrective measures if they do.

Deepwater Area Closure

Perhaps one of the more contentious measures in Amendment 17B involves the proposed closure of waters 240 feet seaward to the harvest of deepwater species (snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, and silk snapper) by both commercial and recreational fishermen. The year-round closure is being proposed in order to help end overfishing of speckled hind and warsaw grouper, two species highly susceptible to overfishing. Both species are long-lived, have complex life cycles, and few survive the trauma of being released when caught from deep waters.

Photo: John Reed, HBOI

A speckled hind swims along the edge of deepwater *Oculina varicosa* coral. Amendment 17B includes a measure to close waters deeper than 240 feet to fishing for deepwater species (snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, and silk snapper) in order to help protect both speckled hind and warsaw grouper, two species highly susceptible to overfishing. In addition to the deepwater closure, speckled hind and warsaw grouper would be prohibited from harvest throughout South Atlantic federal waters. The Council has submitted Amendment 17B for approval by the Secretary of Commerce in order to meet mandates required by the reauthorized Magnuson-Stevens Act to end overfishing and rebuild stocks.

The Council's SSC recommended the Allowable Biological Catch (ABC) for both speckled hind and warsaw grouper be set at 0 (landings only), given the current stock status listing and the uncertainty of data currently available for these species. Current regulations for warsaw and speckled hind restrict one fish per vessel per trip as part of the 3-grouper aggregate bag limit, and prohibit any sale or purchase. With

(Continued page 10)

March 1- 5, 2010 Council Meeting
Jekyll Island, GA

Informal Question & Answer Session
Plus
Open Public Comment Session
Wednesday, March 3 beginning at 5:30 PM

Inside This Issue:

The South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405;
Telephone: (843) 571-4366 or Toll Free 866/SAFMC-10; FAX: (843) 769-4520; E-mail: safmc@safmc.net

Editor's Note

The South Atlantic Update is published by the South Atlantic Fishery Management Council. Its purpose is to report developments in fisheries management that would be of interest to its readers. Please credit the Council when reprinting articles used in this newsletter. Anyone wishing to submit information or articles pertaining to fishing or fisheries management, or letters to the editor on a pertinent issue, is invited and encouraged to do so. Submissions may be mailed to Kim Iverson, Editor, *South Atlantic Update*, 4055 Faber Place Dr., Suite 201, N. Charleston, SC 29405, or may be sent via the internet; Email address: kim.iverson@safmc.net.

A publication of the South Atlantic Fishery Management Council Pursuant to National Oceanic and Atmospheric Administration Award No. NA05NMF4410004.

Snapper Grouper Amendment 15B Implemented

Bag-limit sales prohibited, sea turtle dehooking tools and protected species handling/release guidelines/protocols required

NOAA Fisheries Service published the final rule for Amendment 15B to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region on November 16, 2009. The final rule:

The sale of any snapper grouper species now requires a Federal Commercial Snapper Grouper Permit.

- Prohibits the sale of snapper grouper harvested under the bag limits unless the vessel owner has been issued a Federal Commercial Snapper Grouper Permit.
- Allocates 95% of the total allowable catch of snowy grouper to the commercial sector and 5% to the recreational sector.
- Allocates 50% of the total allowable catch of red porgy to the commercial sector and 50% to the recreational sector.
- Decreases the snowy grouper quota from 84,000 pounds to 82,900 pounds, and increases the red porgy quota from 127,000 pounds to 190,050 pounds (all lbs. in whole weight).
- Revises the stock status determination for golden tilefish.
- Expands the allowable transfer of a commercial vessel permit under the limited access program and extends the allowable period for renewal to one year.
- Requires an owner and operator of a vessel (for which a commercial or charter vessel/headboat permit has been issued and that has on board any hook-and-line gear) to comply with sea turtle and smalltooth sawfish release protocols and possess on board specific gear to ensure proper release of such species that are incidentally caught.
- Implements a bycatch monitoring program, which requires any vessel (commercial or recreational) fishing for snapper grouper in the Exclusive Economic Zone, (if selected by NOAA Fisheries Service) to carry an observer and install an electronic logbook and/or video monitoring system.

Implementation Dates:
The provisions expanding the allowable transfer of a commercial vessel permit under the limited access program and implementing a bycatch monitoring program will be effective at a future date to be announced by NOAA Fisheries Service. All other actions in the amendment are currently effective.

Frequently Asked Questions for Snapper Grouper Amendment 15B can be found at: http://sero.nmfs.noaa.gov.

In the News:

Council Member Robert H. Boyles, Jr. Elected ASMFC Chair

Robert Boyles

Robert Boyles, Jr., the Council representative for the S.C. Department of Natural Resources, has been elected to serve as Chairman of the Atlantic States Marine Fisheries Commission.

In assuming the chairmanship, Robert spoke enthusiastically about his new position, "I am honored to be elected and look forward to working with my colleagues from the 15 Atlantic coast states, federal marine fishery management agencies, the Potomac River Fisheries Commission, and the District of Columbia to ensure the continued conservation and management of Atlantic coast marine fishery resources."

He will continue to serve on the Council as the SCDNR representative. Learn more about ASMFC at: www.asmfc.org.

Catch Shares Workshop Planned for Council Members at March Meeting

Workshop to review current status of catch share programs

A Catch Shares Workshop is scheduled for Monday, March 1, 2010 from 8:30 AM until 12:00 Noon prior to the beginning of the Council's March meeting in Jekyll Island, Georgia. The Workshop is being conducted by the Council for all Council members interested in discussions regarding the future of catch shares in South Atlantic fisheries.

Staff will provide information on the new NOAA catch shares policy and any other guidance offered by NOAA Fisheries Service (NMFS), a summarization of past advisory panel and workgroup motions and reports regarding catch shares (wreckfish, golden tilefish, and snapper grouper), and an outline of the process and timeline for a catch shares amendment from a joint NMFS/ Council perspective. There will also be a discussion of possible outcomes from no action on catch share type programs, voluntary catch shares programs, pilot catch shares programs, sector allocation programs, and a full scale catch share program.

The meeting is open to the public but discussions are limited to participating Council members. For additional information, contact Kate Quigley, Staff Economist at kate.quigley@safmc.net or contact the Council office. For additional information regarding the Council meeting at Jekyll Island, visit www.safmc.net.

New Economic Survey of Federal South Atlantic Shrimp Permit Holders

Survey information will help assess the financial and economic state of the South Atlantic shrimp fishery.

Starting March 2010, the National Marine Fisheries Service's Southeast Fisheries Science Center will begin mailing a two-page economic survey to selected holders of federal South Atlantic penaeid (white, brown, and pink) shrimp and rock shrimp permits. The survey will be sent annually to a random sample of 20% to 33% of permitted shrimp vessels in the Southeast.

The information will be used to assess trends in the financial and economic state of the fishery, and to determine the economic and social effects of regulations and other factors affecting the South Atlantic shrimp fishery.

The information requested by the survey - annual operating expenses and the cost of owning a shrimp vessel in 2009 - should be readily available from accounting and tax records. If selected, participation is a requirement for permit renewal.

Amendment 7 to the South Atlantic Shrimp Fishery Management Plan authorizes the National Marine Fisheries Service to collect economic information from shrimp permit holders, if selected, to allow the NOAA Fisheries Service to conduct analyses and fully understand how proposed management measures will impact shrimp fishermen and dealers. The individual information is confidential, and only summary statistics are released to the public. The due date to return the survey in the pre-paid envelope will be April 30, 2010.

This survey adds the South Atlantic shrimp fisheries to the 'Annual Economic Survey of Federal Shrimp Permit Holders', which has been successfully conducted for the last 3 years in the Gulf of Mexico.

More information, including results for the Gulf shrimp fishery from 2007 through 2008, can be found on the Web at:www.sefsc.noaa.gov/shrimpecon.jsp.

Please direct any further questions to Christopher Liese, NOAA Fisheries Service, (305) 365-4109.

Photo: Anna Martin

Recent cold weather throughout the southeast may result in a closure of portions of federal waters to shrimp harvest to help protect overwintering stocks. A new survey will help managers better understand the economic impacts of regulations and other factors affecting the shrimp fishery.

Council Chooses Preferred Alternative for Area Closure

Prohibition of all snapper grouper fishing in area is designed to end overfishing of red snapper

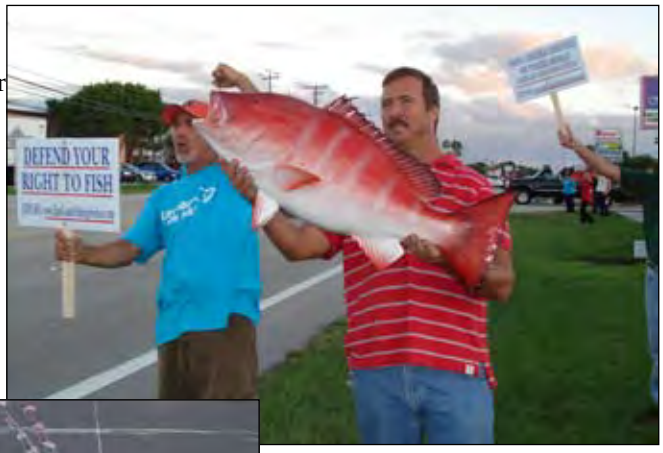
Red Snapper Closure

Beginning January 4, 2010 the red snapper fishery in the South Atlantic closed for both commercial and recreational fishermen. The closure, implemented through an interim rule approved by NOAA Fisheries Service, was requested by the Council in March 2009 as a short-term measure to help end overfishing of red snapper. The proposed closure has been a contentious issue since the 2008 stock assessment found the South Atlantic stock overfished and undergoing overfishing.

The interim rule closing the red snapper fishery will be effective until June 2, 2010 and could extend for another 186-day period. The decision regarding the extension will be made by NOAA Fisheries Service.

As fishery managers began to look at long-term management measures to end overfishing for red snapper and nine other species in the snapper grouper management complex through Amendments 17A and 17B to the Snapper Grouper Fishery Management Plan, it has become increasingly obvious that simply closing the fishery will not be sufficient to end overfishing for red snapper due to incidental catch release mortality.

Additional measures, including management alternatives for closing large areas to fishing for all snapper grouper species where red snapper catches are highest, are being considered.



Fishermen demonstrated their opposition to the red snapper closure during public hearings in Cape Canaveral and Jacksonville, Florida. Over 800 people attended public hearings from Key Largo, FL to Newport News, VA in November.

The Council began development of Amendment 17 in 2008 to implement long-term management measures for the 10 species listed in the annual Report to Congress as undergoing overfishing. Because of the magnitude of the management alternatives associated with ending overfishing for red snapper, the Council decided to divide Amendment 17 into separate amendments. Red snapper management measures are addressed in Amendment 17A, and Amendment 17B includes measures to address the remaining nine species (see page 1).

The reauthorized Magnuson-Stevens Act requires that regional fishery management councils implement long-term measures to end overfishing and rebuild overfished stocks by 2010. This includes the establishment of Annual Catch Limits (ACLs) and Accountability Measures (AMs) to help ensure the ACLs are not exceeded.

Stringers of vermilion snapper surround a red snapper inside a charter vessel fish box. A closure of the red snapper fishery is not adequate to end overfishing. Because the red snapper stock is part of a multi-species snapper grouper fishery, the Council is considering closing areas to all snapper grouper fishing where high landings of red snapper occur to meet requirements of the reauthorized Magnuson-Stevens Act. A benchmark red snapper stock assessment is planned for 2010 (see page 6).

These ACLs (in pounds or numbers of fish), set by the councils, cannot exceed the recommendations of the councils' Scientific and Statistical Committees. Examples of AMs include corrective measures if overages occur and implementation of an in-season monitoring program.

Area Closures

Despite size limits and bag limits implemented in 1992, overfishing has been occurring for red snapper since 1970 at about 8 times the sustainable limit. The 2008 red snapper stock assessment, conducted through the Southeast Data, Assessment and Review (SEDAR) process, indicates that the total mortality of red snapper must be reduced 83% in order to end overfishing. The total mortality includes both the fish that are landed and the estimated number of fish that die when released. The majority of red snapper landings are from the recreational fishery.

Between 2000 and 2006, recreational fishermen accounted for approximately 72% of the total landings for red snapper. Release mortality rates for red snapper are estimated at 40% for the recreational fishery and 90% for the commercial fishery (due to deeper waters fished and some handling practices).

To address the release mortality, the Council is considering management alternatives that would close large areas to all snapper grouper fishing where red snapper catches are the highest.

Because the red snapper stock is part of the multi-species snapper grouper fishery, discard mortality of red snapper will continue to occur as fishermen pursue other species in the fishery that occupy the same habitat at the same time. For example, red snapper co-occur with vermilion snapper, tomtate, scup, red porgy, white grunt, black sea bass, red grouper, scamp, and others. The closure alternatives target areas where red snapper are most

(Continued next page)

Preferred Alternative 4D for a Snapper Grouper Area Closure

Map 1: Following bathymetric lines

Map 2: Generalized boundary using fewer waypoints

In *addition* to a year-round closure of the red snapper fishery, the Council has chosen a preferred alternative for an area closure in Amendment 17A to end overfishing of red snapper by further reducing fishing mortality. The area ranges in depth from 98' to 300'. The two maps represent variations of the western boundary with Map 1 using a higher number of waypoints to define the boundary. The specifc configuration will be determined by the Council in March. **Fishing for, harvest, and possession of all species in the snapper grouper management complex (with a proposed exception for black sea bass pots and spearfishing) would be prohibited within the proposed closed area.** Trolling for pelagic species such as dolphin, wahoo, and tuna would still be allowed within the area. A transit provision is included in the amendment for having snapper grouper species onboard with gear stowed. The Council's Law Enforcement Advisory Panel will provide additional input in March.

prevalent in order to reduce encounters with red snapper and thereby limit discard losses.

Choosing Preferred Alternatives

During its December meeting in Atlantic Beach, North Carolina, Council members reviewed comments received during a series of public hearings held in November, written comments, and recommendations from its Scientific and Statistical Committee. The Council also held an open Q&A session and formal comment period during its December meeting, where area fishermen voiced their concerns over the continued closure of the red snapper fishery and proposed area closures, including concerns about shifts in effort northward.

Council members reviewed all of the management alternatives in Amendment 17A, including a continued closure of the snapper grouper fishery throughout federal waters in the South Atlantic for both commercial and recreational fishermen. In addition to the red snapper closure, several scenarios were presented to the Council regarding configurations for large area closures, where fishing for all snapper grouper species, including commonly targeted species such as black sea bass, vermilion snapper, grouper, porgies, and amberjack would be prohibited year round. The scenarios took into account the reductions in mortality necessary to end overfishing while considering factors such as shifts in effort, reductions in release mortality, and compliance.

After much discussion and review of area closures, the Council chose an alternative known as "4D" as its current preferred alternative, encompassing an area ranging in depth from 98 feet seaward to 300 feet. The northern boundary is 33 degrees N. Latitude (near Bulls Bay, SC) and the southern boundary extends to 28 degrees N. Latitude (between Melbourne and Vero Beach, FL). The area encompasses 10,293 square miles, or approximately 5.4% of federal waters in the South Atlantic region.

" We are still looking at options even though there is a preferred alternative. The Council hasn't stopped looking at options that will provide some relief to the fishing community but still end overfishing."
Duane Harris
Council Chairman

The exact configuration of the area closure depends upon the number of waypoints chosen to designate the western boundary by the Council during its March meeting in Jekyll Island, Georgia. The northern and southern boundaries of the current preferred alternative area remain consistent. The maps above represent the different configurations.

The Council is considering allowing the use of commercial black sea bass pots and spearfishing within the closed area because of the selectivity of gear and lack of red snapper release mortality associated with these fisheries. In addition, the preferred alternative allows for transit through the area with snapper grouper species onboard and gear stowed.

Amendment 17A also includes alterna- ***(Continued page 6)***

Council Chairman Addresses Congress Regarding Reauthorized Magnuson-Stevens Act

Council Chairman Duane Harris

Council Chairman Duane Harris was invited to testify before Congress on the Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. Below is a condensed version of his testimony to the Subcomittee on Insular Affairs, Oceans and Wildlife, House Committee on Resources in Washington, D.C. on October 27, 2009. A full text version of the testimony is available at www.safmc.net.

Madam Chair and members of the Committee, thank you for allowing me to appear before you today. My name is Duane Harris and I represent the State of Georgia on the South Atlantic Fishery Management Council where I serve as Chairman. Madam Chair, I attended Tumon High School on Guam in 1962 and '63 and that is where my interest in marine science was kindled.

My testimony today will detail how the South Atlantic Council has worked to implement the 2006 amendments to the Magnuson-Stevens Act and how I believe marine fisheries management under the Act can be improved.

The best example I can use to illustrate how the South Atlantic Council is dealing with provisions of the reauthorized Act is to detail our efforts with respect to red snapper. A stock assessment for red snapper was completed in 2008. This assessment found that red snapper was overfished and undergoing overfishing. In March, the Council requested NOAA Fisheries implement an Interim Rule to close the red snapper fishery throughout the South Atlantic until the plan amendment could be completed.

Snapper-Grouper Amendment 17A will: End overfishing of red snapper; Set Annual Catch Limits; Establish Accountability Measures; Rebuild the red snapper stock; and Establish a red snapper monitoring program. Depending on the rebuilding strategy selected by the Council, an 84 to 88 percent reduction in total kill of red snapper is needed to end overfishing. Because of the high discard mortality of red snapper, simply closing the fishery will not end overfishing. Therefore, the most likely scenario will be a large area closure to all bottom fishing.

A complete closure of the red snapper fishery coupled with the large closed areas being proposed to end overfishing of red snapper come at a time when nationally, economic stimulus packages are being touted - and the irony is not being lost on fishermen.

The short term social and economic impacts of a large area bottom fishing closure are significant. Anglers are very unhappy. They do not agree with the stock assessment. Recreational anglers argue that the present 20-inch minimum size and 2-fish bag limit is working and the stock is recovering. Lawsuits are threatened and Florida Congressman John Mica has introduced legislation to prevent the Secretary from closing the red snapper fishery.

Addressing overfishing for red snapper has not been easy. The Council's 7 to 6 vote to request the Interim Rule is an example of the difficulty the Council has with closing this fishery. Nonetheless, ending overfishing is essential and the long term benefits make necessary the action I believe the Council will take in December.

Now let me address data needs.

Fisheries management in the South Atlantic suffers from a chronic, yet well-documented, lack of basic data which hampers scientists' abilities to evaluate ***(Continued next page)***

Council Chooses Preferred (*continued from page 5)*

tives for establishing a Maximum Sustainable Yield (MSY) proxy for red snapper, a rebuilding plan for the red snapper stock, a requirement to use circle hooks, and the establishment of a red snapper monitoring program.

Timing

The Draft Environmental Impact Statement (DEIS) for Amendment 17A will allow for a 45-day public comment period beginning in early March. The Council selected a preferred alternative for the area closure in order to allow proper economic analysis and to give the public an indication of what would be included in the DEIS. All of the alternatives under consideration for Amendment 17A will be included in the DEIS, including several alternatives for area closures. The notice regarding the availability of the DEIS and public comment period will be posted on the Council's Web site at www.safmc.net as soon as it is announced.

The Council will continue to review the management measures in Amendment 17A during its March 2010 meeting. A final decision regarding the amendment is expected when the Council meets June 7-11, 2010 in Orlando, Florida.

Benchmark Stock Assessment Scheduled for Red Snapper in 2010

The Steering Committee for the Southeast Data Assessment and Review (SEDAR) stock assessment program has recommended that the planned update of South Atlantic red snapper stock assessment be conducted as a benchmark, and that the process be expedited for presentation to the Council in December 2010.

The benchmark process is the more appropriate approach for the assessment, as it will allow thorough consideration of numerous red snapper assessment issues raised by the South Atlantic Council in December 2009. Conducting a benchmark assessment will allow the workshop panels greater flexibility to incorporate new research and data sources and to reconsider key assessment assumptions in light of current information. Moreover, the benchmark process includes an independent peer review, which will help ensure that the methods and results are valid and robust, and offers increased opportunity for public input.

For additional information contact John Carmichael, Science and Statistics Program Manager at John.Carmichael@safmc.net or call 843/571-4366 (Toll Free 866/SAFMC-10).

(Testimony Continued)

exploited populations and managers' abilities to develop and ensure accountability with management measures. We need accurate catch statistics, adequate biological sampling, and comprehensive population monitoring. The lack of these data adds uncertainty. Accounting for this uncertainty means the Council must be more conservative in management specifications.

Research priorities identified by the Council will improve fisheries data and lead to improvements in accountability. Priorities for fisheries monitoring fall into three general classes: Catch statistics, Biological sampling, and Independent surveys. Greater reliance should be placed on electronic reporting and development of a single source of fisheries statistics to reduce duplication of efforts. The Council supports the efforts of the Atlantic Coastal Cooperative Statistics Program (ACCSP) to develop reporting standards and electronic reporting systems and encourages increased funding to the ACCSP so that its standards can be implemented throughout the region. Reliable statistics for discarded fish is another critical monitoring need in the South Atlantic.

The Council supports efforts underway to resolve recreational data collection issues through the Marine Recreational Information Program (MRIP), and the Council hopes that future programs will not only reduce uncertainty in estimates and considerably improve the timeliness of their availability, but also take advantage of current technology to address fishermen's willingness to submit information. Improving catch statistics will greatly improve the success of accountability measures and reduce overall uncertainly.

Despite the difficulty of the task at hand as illustrated by the South Atlantic red snapper fishery, ending overfishing, is, without question, in the best interest of the nation.

The final required component is independent monitoring of fisheries resources, essentially the information that is provided by scientific surveys of resources and habitats. There is no comprehensive monitoring program for fisheries resources of the South Atlantic. This becomes even more important as fisheries are closed and fishery dependent data are no longer available for stock assessments.

Finally, the ability of NOAA Fisheries to provide timely stock assessments must be enhanced. We need additional stock assessment scientists in the Southeast Region as our SEDAR assessment process provides stock assessments for not only the South Atlantic, Caribbean, and Gulf of Mexico Fishery Management Councils but also the Atlantic States and Gulf States Marine Fisheries Commissions and NMFS Highly Migratory Species Branch.

Madam Chair, in closing I want to thank you and the Sub-committee for allowing me to appear before you on behalf of the South Atlantic Fishery Management Council. We appreciate you holding this hearing and your Sub-committee's interest in how the Council is implementing the new provisions in the Magnuson-Stevens Fishery Conservation and Management Act.

Snapper Grouper Regulations Snap Shot

Shallow-Water Grouper

Closed January 1st through April 30th - Both commercial and recreational fisheries • includes gag, black grouper, red grouper, scamp, rock hind, red hind, coney, graysby, yellowfin grouper, yellowmouth grouper, and tiger grouper

Grouper Aggregate Bag Limit

3 grouper per person/day includes:
black, gag, misty, red, scamp, snowy, speckled hind, tiger, warsaw, yellowedge, yellowfin, yellowmouth grouper, and also includes blueline tilefish, golden tilefish, sand tilefish, coney, graysby, red and rock hind

Note:

- No more than 1 may be a gag ***or*** black grouper (each 24" TL)
- Speckled hind and warsaw - 1 per *vessel* per trip. May not be sold or traded; no transfer at sea
- No more than 1 fish may be snowy grouper
- No more than 1 fish may be golden tilefish

Goliath grouper and Nassau grouper - Closed to harvest or possession

Wreckfish - Only ITQ shareholders or their designees may harvest or possess wreckfish

Snapper

- Vermilion snapper closed for recreational fishery November 1 through March 31
- Aggregate bag limit of 10 snapper per person/day (excluding vermilion snapper)
- In addition to the aggregate bag limit, 5 vermilion snapper per person/day (except during the recreational closure) - 12" TL

Note:

- Beginning January 4, 2010, the red snapper fishery is closed to commercial and recreational harvest for a period of 180 days with a possible extension of 186 days (Interim Rule).
- Maximum of 2 cubera snapper per person (not to exceed 2 per vessel) for fish 30" Total Length (TL) or larger off Florida. These are not included in the 10 snapper bag limit Cubera less than 30" TL are included in the 10 fish bag limit.

Fishermen may also retain

- 1 greater amberjack per person/day (in April, for-hire/charter vessels limited to 1 per person/day or 1 per person/trip)
- Limit of 15 black sea bass per person/day - 12 " TL
- 5 hogfish per person/day, off east coast of Florida - 12" FL
- 3 red porgy per person/day or 3 per person/trip, whichever is more restrictive - 14" TL

Other Regulations

An aggregate bag limit of 20 fish per person inclusive of all fish in the snapper grouper management unit currently not under bag limit, excluding tomtates and bluerunners. You may catch your bag limits and in addition retain up to 20 other fish for which there is no bag limit.

- Dehooking tools are required for both commercial and recreational fishermen to use when necessary while fishing for snapper grouper species.

- Sale of bag limit snapper grouper prohibited unless the vessel owner has been issued a Federal Commercial Snapper Grouper Permit.

Visit www.safmc.net for additional information

Science Profile

Coral Reef Restoration in the South Atlantic

Q & A with Ken Nedimyer, President of Coral Restoration Foundation

by Anna Martin
photos by Ken Nedimyer

Ken Nedimyer has developed a passion for coral reef protection and restoration throughout the Florida Keys. His techniques mirror those of a farmer. He salvages coral fragments, rears them in an offshore nursery and replants cuttings of mature coral branches on depleted reefs. Nedimyer's non-profit organization, the Coral Restoration Foundation, has recently played an integral role in a multi-partner effort to garner $3.3 million in federal stimulus funds over the next three years to expand this work. This momentum comes at a time when Nedimyer and his daughter, Julia, recently witnessed one of their transplanted staghorn corals spawning at a reef site in the Florida Keys National Marine Sanctuary. This never-before-documented spawning event means that their restoration endeavors are working and that the transplanted corals are thriving and capable of reproducing on their own.

Ken serves on the Council's Coral Advisory Panel and at a recent meeting in Charleston, SC, answered some of our questions about his work.

Q. How did you become interested in coral reef restoration in Florida?

A. I came to the Keys in 1978 and began working at a fish hatchery where I collected and sold tropical species. A hobby turned into a profession and in 1981, I started my own business, Sea Life Inc., which included harvesting octocorals and live rock, rock composed of an assemblage of living marine organisms, from underwater rubble zones. The State of Florida banned the harvest of live rock in the 1980s. Soon thereafter, the SAFMC began looking at phasing out the fishery in federal waters to protect degradation of stocks and decrease negative impacts that coral reefs were experiencing. The reefs were stressed because of disease outbreaks and fluctuating water temperatures. When the Council developed a live rock aquaculture program to replace the wild harvest, I applied for and received the first federal permit, which allowed me to hand place material on a designated nursery area along the ocean bottom. After a few years of planting, corals began to settle all over our live rock, and I noticed we had some areas where staghorn coral was growing. In September of 1998, Hurricane George clocked the Florida Keys, and staghorn stopped settling at my site. I realized that this stony coral was in a lot of trouble and shifted my focus away from harvesting and selling corals towards restoration.

A series of bleaching events in the 1990s led to declining populations of staghorn coral. Bleaching occurs when corals are stressed from disease, warming temperatures, hurricanes and other disturbances. Staghorn coral populations have declined up to 98% throughout their native range.

Q. How does your offshore nursery operation work? Do you restore staghorn coral primarily?

A. I became interested in staghorn because it was settling on my live rock. I began to look at all the details associated with this particular coral and when I learned that it was in trouble, decided that I could help. I primarily work to restore staghorn; however, I have recently received additional permits and plan to establish nurseries with elkhorn coral, another threatened native species. In the nursery, located off of Tavernier Key, we place broken pieces of coral, grow them for several years until we get thousands of those particular corals and then replant them out on other reefs throughout southern Florida. We have a target size of about a ¾ inch coral cutting that we take from a staghorn branch to replant onto a depleted reef. In about a year's time, we can see healthy thickets of coral growing from the cuttings that we've planted. They can grow very quickly. This is what we've witnessed with our transplanting work on Molasses Reef in the Florida Keys National Marine Sanctuary, and everytime I go out there I get jazzed up! Our technique has evolved. We now use pedestal discs made of concrete as substrate for the coral in the nursery. Slots on all four sides of the discs allow us to stick coral branches into each side and mount them with special underwater epoxy. We assemble this arrangement in rows within our nursery, connect them with rebar rods for stability, and label and color code the corals by their genetic variety. We have 50 different genotypes and over 3,500 corals in our nursery now.

Each row in the nursery contains corals with the same genetic variety, separated so they are easily isolated in the event of a disease outbreak. Coral cuttings are affixed to concrete pedastals with epoxy and placed atop cement blocks, rasing them out of the sand. The blocks are tied to rebar rods, providing stability in the event of weather events.

Q. You recently witnessed staghorn coral spawning on the Molasses Reef. Tell me about the significance of this event and how you were able to capture this.

A. Documenting this spawning event shows that staghorn can be re-established and will spawn and re-seed our reefs. Being able to close this circle of life at this time is a huge slap on the back; it means that we're on the right track with our restoration work. We focus on propagating corals asexually, taking cuttings from our nursery and transplanting them to allow new colonies to grow. The spawning event tells us that the different genotypes of corals we transplanted are mixing and reproducing on their own. My daughter and I were able to witness this after receiving a tip that some of our transplants had spawned a few days earlier at the Molasses Reef. We set out with students from the SCUBAnauts International youth organization to catch a repeat performance. And we did. When we got in the water we noticed that one of the transplants had visible pink gamete bundles on some of the branches, so we set up there and waited. Finally, the polyps started to release the bundles and after gently bouncing around among the branches, they would float away. Larvae

(Continued next page)

Volunteers place staghorn coral fragments on a depleted reef site. The fragments are about 3/4" in size when transplanted and can grow around 16 inches in a year.

from this spawning event were later collected in settlement discs by researchers who will study their survival, density and other factors.

Q. Do you rely on volunteers to help with the maintenance requirements in the nursery?

A. We have gotten a lot of work out of dedicated volunteers and have had about 600 to participate. We work with many students, including those from Coral Shores High School, SCUBAnauts, the Island Christian School, the local community college here, as well as area dive shops. Volunteers help to clean the offshore nursery, where algae sometimes collect on the mounting discs and rebar, transplant cuttings to the reef sites, and assist with the construction of the cement discs. It's a well coordinated effort. We've also recently launched an Adopt-a-Coral Program, where participants can adopt staghorn nubbins, colonies, clusters and reefs providing us with funds to sustain this conservation work as well as spread news about our program.

Q. You are involved as one of the partners spearheading a project through funding from the American Recovery and Reinvestment Act. What are the plans?

A. A lot will be accomplished during the course of this project. I'll be working with six other partners including The Nature Conservancy, Mote Marine Laboratory, Nova Southeastern University, National Park Service, University of Miami and Florida Fish and Wildlife Commission. We are establishing coral nurseries in six regions throughout southern Florida and the Florida Keys as well as two regions in St. Thomas and St. Croix. The project will mimic what I've been doing, but building nurseries, enhancing biodiversity and developing fish habitat through coral reconstruction on a much larger scale.

For more information visit www.coralrestoration.org.

Student volunteers from SCUBAnauts International work to clean algae from around the staghorn coral modules, one of their many duties.

Management of South Atlantic Corals
...*at a glance*

Not only does the Council manage popularly targeted commercial and recreational species, they also manage coral. The Coral, Coral Reefs and Live / Hard Bottom Habitat Fishery Management Plan (Coral FMP) was developed in 1982 to address degradation of stocks, limited scientific information, resource susceptibility to stress, and lack of jurisdiction at the time. Under the FMP, only octocorals are allowed to be harvested, with the exclusion of two species of sea fans. The harvest of stony corals and "precious" corals, such as black coral, is prohibited. The harvested octocorals are sold for use in saltwater aquariums and a permit is required to harvest.

Based on recommendations from its Coral Advisory Panel and Habitat Advisory Panel, the Council recently proposed designation of five areas as Coral Habitat Areas of Particular Concern to protect deepwater coral ecosystems against potential impacts from bottom-tending fishing gear. Once the designation is in place, coral ecosystems in an area roughly the size of West Virginia, will be protected from fishing-related impacts. The Council also proposed establishment of "allowable gear areas" in the region to focus fishing activities away from known areas of deepwater coral ecosystems.

The Council is now developing an amendment to the Coral FMP to establish fishing levels for octocorals, such as Annual Catch Limits, in order to meet the mandates in the reauthorized Magnuson-Stevens Act. Currently, the harvest quota for octocorals in Federal waters of the South Atlantic and Gulf of Mexico, combined, is 50,000 colonies.

For more information on the Council's coral management efforts, visit www.safmc.net or contact Myra Brouwer, Fishery Scientist at myra.brouwer@safmc.net at the Council office.

Staghorn coral spawning at the Molasses Reef in the Florida Keys National Marine Sanctuary in August, 2009. Elkhorn and staghorn corals spawn once a year and different genotypes of coral must be present for successful spawning to occur. Polyps on the branches release pink gamete bundles into the water column. The larvae live in plankton for several days looking for suitable substrate areas to settle and grow into new colonies.

an ABC of zero, the amendment prohibits any harvest of these two species throughout federal waters in the South Atlantic. In addition, the deepwater area closure beyond 240 feet is necessary to further reduce mortality of speckled hind and warsaw grouper and provides additional protection to other deepwater species found in the same area. Fishermen would still be allowed to troll for species such as dolphin, wahoo, and tuna.

During public hearings held in November, fishermen from the Florida Keys were especially concerned about the impacts of the proposed deepwater closure. Deepwater fisheries are relatively close to shore in South Florida and the Keys, giving fishermen easier access to species such as snowy grouper. Fishermen are also concerned about the cumulative impacts of the deepwater closure given the recent implementation of the January through April spawning season closure for shallow-water grouper (see page 7).

"You know, we're having a hard time down here," said Bruce Anderson, a charter captain and member of the Islamorada Charter Boat Association. "It's getting to the point where we're going to have a hard time figuring out what to go fishing for each day 'cause of all the different closures you're doing. You're stacking them up against us during the time of year we need them to stay in business."

Setting Annual Catch Limits and Accountability Measures – *How to monitor an ACL of 523 fish?*

Amendment 17B also addresses ACLs and AMs for the nine species listed as undergoing overfishing. For black sea bass, snowy grouper, and vermilion snapper, the ACL values are based on previous amendments (Amendments 13C and 16). ACLs are established in Amendment 17B for golden tilefish, a deepwater species that has historically been harvested commercially. Allocations between recreational and commercial sectors are based on historical landings. The ACL set for the recreational snowy grouper fishery is 523 fish, with a slightly higher recreational ACL of 1,578 fish for the golden tilefish fishery. Monitoring such small numbers of fish offer an unprecedented challenge.

The commercial fishery is monitored by a quota and can be closed if the quota is reached or projected to be reached. In Amendment 17B, if the recreational ACL is exceeded, the fishing season would be shortened the following year to ensure landings do not exceed the ACL. In order to overcome the challenges of monitoring such a low, and highly variable level of recreational landings, the recreational ACL would be compared with the actual recreational landings over a range of years. For 2010, only 2010 landings would be used. For 2011, the average of 2010 and 2011 landings would be used. For 2012 and beyond, the most recent three year running average would be used.

The amendment retains the current gag ACLs for both commercial and recreational fisheries. In addition, a combined ACL is used for gag, red grouper, and black grouper and AMs are specified as well (see side bar). Stock assessments are currently being conducted for black grouper and red grouper through the Southeast Data Assessment and Review (SEDAR) process and will be complete in 2010. The Council moved forward to approve Amendment 17B in order to meet the deadlines established by the Magnuson-Stevens Act to end overfishing within the specified timeline.

Amendment 17B will be submitted to the Secretary of Commerce for review in February 2010. The Secretary of Commerce may either approve, partially approve, or disapprove the management measures in the amendment.

Measures in Amendment 17B

for South Atlantic federal waters:

Prohibit harvest of **speckled hind** and **warsaw grouper** throughout South Atlantic federal waters;

Prohibit fishing for, possession, and retention of **deepwater species** (snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, and silk snapper) seaward of 240 feet;

Reduce the recreational bag limit of **snowy grouper** to one fish per *vessel* per trip. The commercial Annual Catch Limit (quota) = 82,900 lbs. gutted weight (gw) and the recreational Annual Catch Limit (ACL) = 523 fish.

Sets an allocation for **golden tilefish** at 97% commercial and 3% recreational based on historic landings. The commercial ACL = 282,819 lbs.(gw) and recreational ACL = 1,578 fish.

ACLs and AMs for gag, black and red grouper:

Commercial:

Retain the current commercial ACL (quota) for **gag** of 352,940 lbs (gw) and prohibit commercial harvest of shallow-water groupers when projected to be met.

In addition, establish a *combined* ACL for **gag**, **black grouper**, and **red grouper** of 662,403 lbs (gw) and prohibit the commercial possession of shallow-water groupers when the gag *or* the combined gag, black grouper, and red grouper ACL is met.

Recreational:

Retain the current recreational ACL for **gag** at 340,060 lbs (gw). If landings reach or are projected to reach the ACL, and gag are overfished, the recreational fishery will close for the remainder of the year. If recreational landings exceed the ACL, the amendment specifies methods in which the overages must be addressed using a running average.

Establish a *combined* recreational ACL for **gag**, **black grouper**, and **red grouper** of 648,663 lbs.(gw). If recreational landings exceed ACLs, the amount of the overage will be reduced at the beginning of the following year.

Additionally, recreational landings will be evaluated relative to the ACL as follows: For black grouper, black sea bass, gag, red grouper, and vermilion snapper, compare recreational ACL with recreational landings over a range of years. For 2010, use only 2010 landings. For 2011, use the average landings of 2010 and 2011. For 2012 and beyond, use the most recent three-year running average.

Mark Your Calendar

Wednesday, March 3 at 5:30 PM
Informal *Q&A* Session

Join NMFS Regional Administrator Dr. Roy Crabtree and Council Chairman Duane Harris to discuss current fisheries issues.

Wednesday, March 3, following the Q&A Session
Open Public Comment

Interested persons will be provided the opportunity to present oral or written statements regarding matters on the Council agenda. (Time limits may apply based on the number of individuals wishing to comment.)

JOIN US LIVE! WATCH THE COUNCIL MEETING ***LIVE*** FROM JEKYLL ISLAND, GA. FOR MORE INFORMATION, INCLUDING THE DIRECT LINK FOR LIVE VIDEO FEED, GO TO WWW.SAFMC.NET.

SAFMC Meeting Dates and Locations 2010 Schedule

March 1-5, 2010
Jekyll Island Club Hotel
371 Riverview Drive
Jekyll Island, GA 31527
Phone: 1800/535-9547

June 7-11, 2010
Renaissance Orlando
5445 Forbes Place
Orlando, FL 32812
Phone: 1800/545-1985

September 13-17, 2010
Charleston Marriott Hotel
170 Lockwood Boulevard
Charleston, SC 29403
Phone: 1800/968-3569

December 5-10, 2010
Sheraton New Bern
100 Middle Street
New Bern, NC 28562
Phone: 1800/326-3745

Acronyms

ABC - Allowable Biological Catch

ACCSP - Atlantic Coast Cooperative Statistics Program

ACL - Annual Catch Limit

AM - Accountability Measure

ACT - Annual Catch Target

AP - Advisory Panel

ASMFC - Atlantic States Marine Fisheries Commission

BRD - Bycatch Reduction Device

EEZ - Exclusive Economic Zone

EFH - Essential Fish Habitat

EFH/HAPC - Essential Fish Habitat/ Habitat Area of Particular Concern

FMP - Fishery Management Plan

HMS - Highly Migratory Species

ITQ - Individual Transferable Quota

LAPP - Limited Access Privilege Program

MSY - Maximum Sustainable Yield

MRFSS - Marine Recreational Fishing Statistics Survey

NMFS - National Marine Fisheries Service

OY - Optimum Yield

SEDAR - Southeast Data, Assessment, and Review (stock assessment process)

SSC - Scientific & Statistical Committee

SFA - Sustainable Fisheries Act

TAC - Total Allowable Catch

VMS - Vessel Monitoring System

South Atlantic Fishery Management Council Meeting

March 1 - 5, 2010

Jekyll Island Club Hotel
371 Riverview Drive
Jekyll Island, GA 31527
Phone: 1800/535-9547

For a detailed agenda contact the Council office toll free at 1-866 SAFMC-10 or 843/571-4366. The agenda will also be available on the Council's web site www.safmc.net

MEETING AGENDA

Monday	**10:30 - 5:00**	**Information and Education Advisory Panel (AP)**
	Concurrent Sessions	
	8:30 - 12:00	**Catch Shares Workshop**
	1:30 - 4:00	**Catch Shares Committee**
	4:00 - 5:00	**Mackerel Committee**
	5:00 - 6:00	**SEDAR Committee**
Tuesday	**8:30 - 3:00**	**Information and Education AP**
		Concurrent Sessions
	8:30 - 10:30	**Ecosystem-Based Management Committee**
	10:30 - 3:30	**Joint Shrimp Committee / Shrimp AP / and Deepwater Shrimp AP**
	3:30 - 5:00	**Joint Executive/Finance Committee**
Wednesday	**8:30 - 9:30**	**AP Selection Committee** *(closed session)*
	9:30 - 10:30	**SSC Selection Committee** *(closed session)*
	10:30 - 12:00	**Information and Education Committee**
	1:30 - 3:30	**Joint Law Enforcement Committee and AP**
		Council Session
	3:30 - 5:30	**Snapper Grouper Committee**
	5:30 PM	***Informal Public Q&A Session followed by an Open Public Comment Session***
Thursday	**8:30 - 6:00**	**Snapper Grouper Committee**
Friday	**8:30 - 10:00**	**Snapper Grouper Committee**
	10:00 - 3:30	**Other Council session agenda items**

Mark your calendar...

2010

March 1 - 5	***South Atlantic Fishery Management Council Meeting*** Jekyll Island, GA www.safmc.net
April 12 - 15	***Gulf of Mexico Fishery Management Council Meeting*** Galveston, TX www.gulfcouncil.org
April 13-15	***Mid-Atlantic Fishery Management Council Meeting*** Duck, NC www.mafmc.org
April 26 - 30	***SAFMC Scientific and Statistical Committee Meeting*** Charleston, SC www.safmc.net
May 3 - 6	***Atlantic States Marine Fisheries Commission Meeting*** Alexandria, VA www.asmfc.org

South Atlantic Fishery Management Council Meeting
March 1-5, 2010
Jekyll Island, GA

NOTE: **Proposed area closure to end overfishing of red snapper included in this issue** - See page 4 for details

U.S. DEPARTMENT OF COMMERCE
National Oceanic And Atmospheric Administration

South Atlantic
Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

First Class
U.S. Postage
PAID
Charleston, SC
Permit G-19

www.safmc.net

Printed on
recycled paper