

Regulatory Amendment 11

Issues Paper

March 18, 2011

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Issue to be addressed There are those who believe data exists to show the deepwater stocks* may be managed in a way that decreases the socio-economic effects expected from the regulations in Amendment 17B while maintaining or increasing the biological protection expected from the regulations in Amendment 17B to speckled hind and warsaw grouper. More specifically, there are those who believe that the harvest of blueline tilefish off the coast of North Carolina could be allowed without negatively affecting the mortality of speckled hind and warsaw grouper.

*Species considered to be deepwater stocks include speckled hind, warsaw grouper, snowy grouper, blueline tilefish, yellowedge grouper, misty grouper, queen snapper, and silk snapper

Background information

The tables and figures below outline the following for the deepwater stocks: (1) regulations; (2) limits and targets; (3) levels of bycatch; (4) level of landings; and (5) estimates of socio-economic effects.

Table 1. Current commercial regulations for deepwater species.

SPECIES	COMMERCIAL REGULATIONS				
	Limited access, gear restrictions, area closures	Possession limit	Size limits	Trip limits	In-season AM
Speckled Hind	√	No possession ¹			
Warsaw Grouper	√				
Golden Tilefish	√			4,000 lbs until 75% of quota taken; after 75%, trip limit= 300 lbs. ²	Prohibit possession when ACL projected to be met
Snowy Grouper	√	No possession beyond 240 ft depth ¹		100 lbs	Prohibit possession when ACL projected to be met
Blueline Tilefish	√				
Yellowedge Grouper	√				
Misty Grouper	√				
Queen Snapper	√		12" TL		
Silk Snapper	√		12" TL		

¹Effective January 31, 2011

²The trip limit is not adjusted downwards unless percent specified is captured on or before September 1

Table 2. Current recreational regulations for deepwater species.

SPECIES	Gear restrictions, area closures	Possession limit	RECREATIONAL REGULATIONS	
			Size limits	Post-season AM
Warsaw Grouper	√	No possession.		
Speckled Hind	√	No possession.		
Snowy Grouper	√	-1 per vessel per day ¹ -Included in 3 grouper per person per day -No possession beyond 240 ft depth		Shorten length of following fishing season to ensure landings do not exceed rec. ACL the following year; use 3 year running average ¹
Golden Tilefish	√	-1 per person per day -Included in 3 grouper per person per day		Shorten length of following fishing season to ensure landings do not exceed rec. ACL the following year; use 3 year running average ¹
Blueline Tilefish	√	-Included in 3 grouper per person per day -No possession beyond 240 ft depth ¹		
Yellowedge Grouper	√	-Included in 3 grouper per person per day -No possession beyond 240 ft depth ¹		
Misty Grouper	√	-Included in 3 grouper per person per day -No possession beyond 240 ft depth ¹		
Queen Snapper	√	-Included in 10 snapper per person per day -No possession beyond 240 ft depth ¹	12" TL	
Silk Snapper	√	-Included in 10 snapper per person per day -No possession beyond 240 ft depth ¹	12" TL	

¹Effective January 31, 2011

Table 3. Current limits and targets for the deepwater species and those proposed in the Comprehensive ACL Amendment.

Limits and Targets	OFL (lbs ww)	ABC (lbs ww)	ACL (lbs ww)		ACT (lbs ww)
			commercial	recreational	recreational
Speckled hind	Unknown	0 (landings)	0 (landings)		
Warsaw grouper	Unknown	0 (landings)	0 (landings)		
Snowy grouper	Yield at MFMT	ABC = rebuilding plan 102,960 (87,254 lbs gw)	97,822	523 fish	
Golden tilefish	None specified	None specified	316,757 ⁴	1,578 fish ⁴	
Blueline tilefish ¹	Not specified	105,242 ³	98,931	43,719	21,860
Yellowedge grouper ¹	Not specified	19,471 ³			
Silk snapper ¹	Not specified	17,937 ³			
Misty grouper ¹	Remove from FMU				
Queen snapper ¹	Remove from FMU				

¹ Represents the current preferred alternatives in the Comprehensive ACL Amendment

² OFL not specified under preferred alternative in Comprehensive ACL Amendment

³ 75% median landings 1999-2008

⁴ Effective January 31, 2011

Table 4. The levels of bycatch for the deepwater species as reported in Amendment 17B.

Levels of Bycatch	<u>Pre-Amendment 17B Measures*</u> (average number annually 05-08; all sectors)	<u>Estimated Post-Amendment 17B Measures</u>
Speckled hind	3,627	Not estimated
Warsaw grouper	80	
Snowy grouper	1,447	
Blueline tilefish	5,107	
Yellowedge grouper	18	
Misty grouper	0	
Queen snapper	2	
Silk snapper	530	

*As reported in Amendment 17B

Table 5. Average annual landings (2005-2008) as reported in Amendment 17B

Levels of Landings¹ (pounds whole weight)	<u>Commercial</u>	<u>Headboat</u>	<u>Charterboat</u>	<u>Other rec.</u>
Speckled hind	15,765	1,207	1,283	470
Warsaw grouper	2,267	1,034	2,285	7,922
Snowy grouper	193,962	671	59,642	470
Blueline tilefish	207,169	513	179,644	88,635
Yellowedge grouper	52,063	30	428	0
Misty grouper	1,697	1	0	0
Queen snapper	6,444	0	0	352
Silk snapper	24,207	2,131	399	263

¹As reported in Amendment 17B

See Appendix A, Minority Report, for commercial landings of snowy grouper and blueline tilefish off a portion of North Carolina

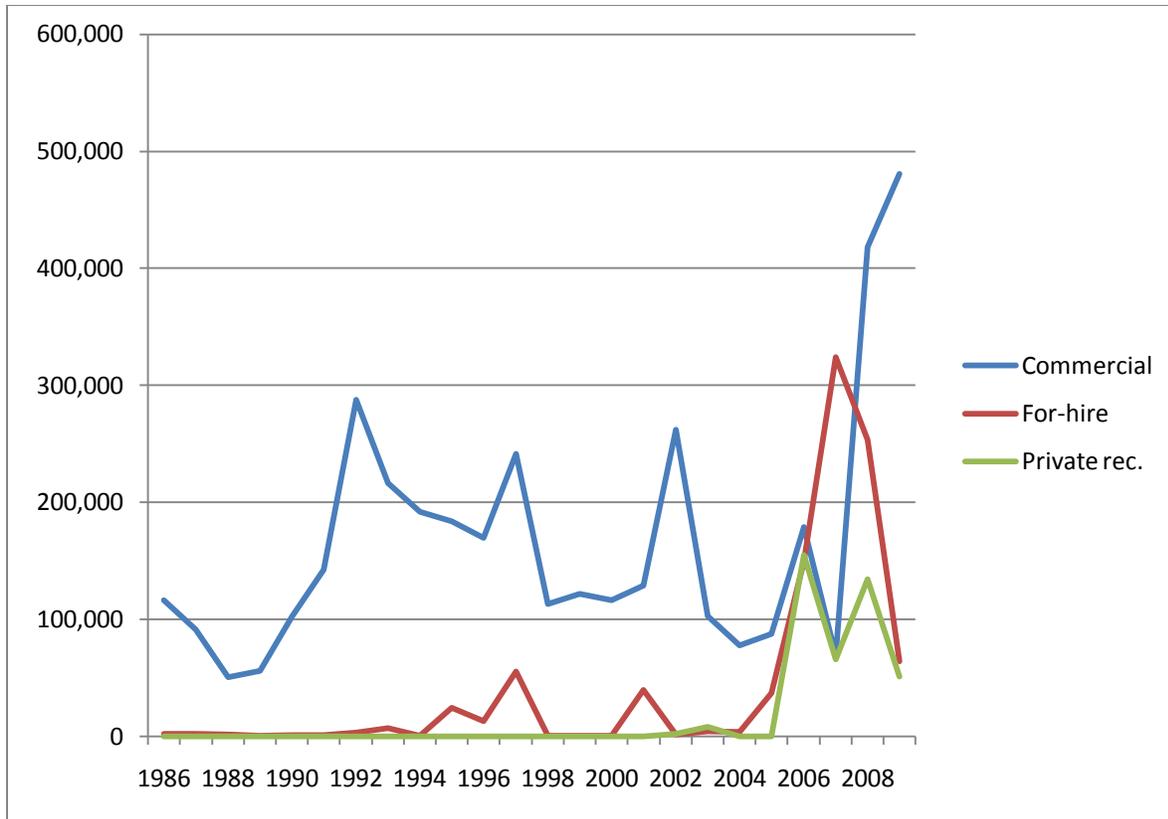


Figure 1. Commercial, for-hire (charterboat and headboat), and private recreational landings (lbs whole weight) as reported by ALS, MRFSS, and Headboat Survey.

NEED DISCARD DATA

Table 6. The socio-economic effects as reported in Amendment 17B. NEED TO ADD

Socio-economic Effects		
Speckled hind		
Warsaw grouper		Level of socio-economic effects expected from the regs in 17B
Snowy grouper		Level of bycatch expected from the regs in 17B
Blueline tilefish		
Yellowedge grouper		
Misty grouper		
Queen snapper		
Silk snapper		

Approach Evaluate the following data sets to determine where deepwater species are being encountered and what species are caught on the same trips:

- Logbook, discard logbook, state trip ticket, MARMAP, any other pertinent historic data
- Species caught with speckled hind and warsaw grouper in Gulf since no sale restriction
- Data from MPAs that are being monitored by Science Center
- Trip ticket data from all states;
- USGS

Evaluate data sets to determine socio-economic effects of Amendment 17B regulations and those proposed in Regulatory Amendment 11.

Steps and timing

1. Form IPT –[complete](#)
2. Evaluate current data sets – [ongoing](#)
3. Distribute issues paper to IPT – [January 31](#)
4. IPT call to discuss issues paper and NEPA checklist– [February 24](#)
5. IPT sections due - [TBD](#)
6. Briefing Book to Gregg Waugh – [February 8, NOON](#)
7. At March 2011 Council meeting, present necessary data sets, draft language of purpose and need, and preliminary range of alternatives

Purpose and need statement

Note: Once information becomes available, the purpose and need should be more refined, especially in terms of the statement “modify regulations” and “biological protection”.

Purpose for Action

Modify regulations pertaining to the deepwater species in order to reduce the socio-economic effects expected from the regulations in Amendment 17B to the Snapper-Grouper FMP while maintaining or increasing the biological protection to speckled hind and warsaw grouper in the South Atlantic.

Need for Action

Manage the stocks to achieve the optimum yield.

Alternatives – *The Council added the following alternatives at the March 2011 Council meeting.*

1. Allow harvest of blueline tilefish in the South Atlantic in the deep water (seaward of the 240 ft depth contour).
2. Allow harvest of blueline tilefish off North Carolina in the deep water (seaward of the 240 ft depth contour).
3. Allow harvest of blueline tilefish off North Carolina north of Cape Hatteras in the deep water (seaward of the 240 ft depth contour).
4. Exclude blueline tilefish from the deepwater closure south of Cape Canaveral.

5. Open the closed area in the South Atlantic seaward of 500 ft. The intent is for closed area to extend from 240 to 500 ft. transit and possession provisions would need to be added).
6. Allow harvest of snowy grouper in the South Atlantic in the deep water (seaward of the 240 ft depth contour).
7. Allow harvest of snowy grouper off North Carolina in the deep water (seaward of the 240 ft depth contour).
8. Allow harvest of snowy grouper off North Carolina north of Cape Hatteras in the deep water (seaward of the 240 ft depth contour)
9. Exclude snowy grouper from the deepwater closure south of Cape Canaveral.

The Council clarified that “open” entails maintaining the current commercial and recreational regulations.

Issues to consider

The Council will establish ACLs, ACTs, and AMs for blueline tilefish through the Comprehensive ACL Amendment. The current preferred alternatives would establish ACLs of 98,931 and 43,719 lbs whole weight for the commercial and recreational sectors, respectively. The current preferred alternative would also establish an ACT of 21,860 lbs whole weight for the recreational sector. If these catch levels are implemented, the closure beyond a depth of 240 feet may be necessary to restrict blueline tilefish mortality to the ACL.