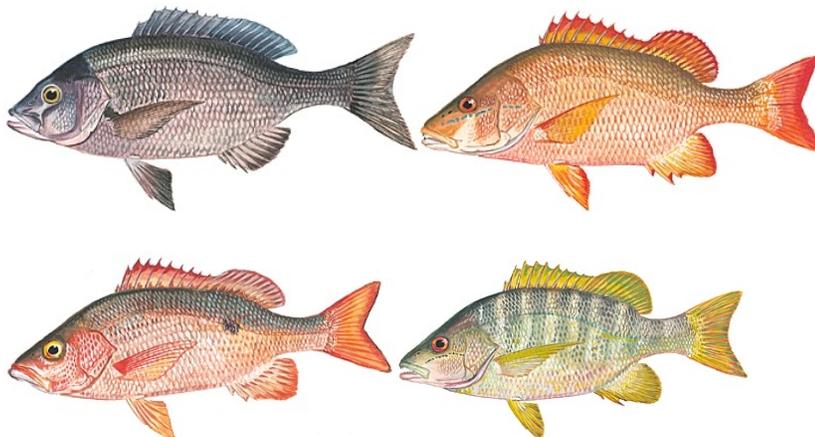


**Amendment 35 to the Fishery Management Plan
For the Snapper Grouper Fishery of the South Atlantic Region:
Remove Species
from the Snapper Grouper FMU and Clarify Regulations
for Golden Tilefish Longline Endorsements**

DECISION DOCUMENT



November 17, 2014

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WHY IS THE COUNCIL CONSIDERING ACTION?

Action 1 – Removing Species

The South Atlantic Council is considering removing black snapper, dog snapper, mahogany snapper, and schoolmaster from the FMP because they have extremely low commercial landings in state and federal waters, almost all harvest (recreational and commercial) occurs in South Florida, and the Florida Fish and Wildlife Conservation Commission (FWC) has agreed that, if the four species are removed from the FMP, they will extend state regulations for those species into federal waters. Additionally, the South Atlantic Council desires consistent regulations for snapper grouper species, especially for species caught primarily in South Florida. Some regulations for snapper grouper species caught in South Florida are subject to inconsistent regulations across the jurisdictional boundaries of Florida state waters, Gulf of Mexico federal waters, and South Atlantic federal waters (**Table S-1**). Inconsistent regulations make enforcement difficult and may negatively affect overall sustainability of species harvested primarily in that area. More information on the regulatory consistency aspect of this action may be found in **Section 4.1.4** Administrative Effects.

Table S-1. Regulations for the four subject species in Florida state waters, Gulf of Mexico federal waters, and South Atlantic federal waters.

Species	FL State Regulations*	Gulf of Mexico Federal Regulations	South Atlantic Federal Regulations**
Black Snapper	Commercial: None Rec: No size limit, 10 per person	Commercial: None Rec: None	Commercial: Managed as part of the deepwater species complex. Current ACL = 60,371 lbs ww. ACL = 131,634 lbs ww if Amendment 32 is implemented.*** Rec: Deepwater complex ACL = 19,313 lbs ww. ACL = 38,644 lbs ww if Amendment 32 is implemented. 10 snapper per person aggregate.
Dog Snapper	Commercial: 12-inch size limit. Rec: 12-inch (TL) size limit, 10 per person.	Commercial: None Rec: None	Commercial: Managed as part of the snapper complex. Current ACL = 215,662 lbs ww. ACL = 344,884 lbs ww if Amendment 29 is implemented. 12 in minimum size limit. Rec: ACL = ACL of 728,577 lbs ww. ACL = 1,172,832 lbs ww if Amendment 29 is implemented. ACL = 344,884 lbs ww if Amendment 29 is implemented. 12 in minimum size limit. 10 snapper per person aggregate.
Mahogany Snapper	Commercial: 12-inch (TL) size limit. Rec: 12-inch (TL) size limit, 10 per person.	Commercial: None Rec: None	Commercial: Managed as part of the snapper complex. ACL = 215,662 lbs ww. ACL = 344,884 lbs ww if Amendment 29 is implemented. 12 in (TL) size limit. Rec: ACL = ACL of 728,577 lbs ww. ACL = 1,172,832 lbs ww if Amendment 29 is implemented. ACL = 344,884 lbs ww if Amendment 29 is implemented. 12 in (TL) size limit. 10 snapper per person aggregate.
Schoolmaster	Commercial: 10-inch (TL) size limit. Rec: 10-inch (TL) size limit, 10 fish per person.	Commercial: None Rec: None	EC Species, no Regulations or ACLs.

*Florida regulations state a federal permit (Gulf Reef Fish Permit or Snapper Grouper Unlimited or 225 lb Permit) is required to harvest in commercial quantities and sell “Reef Fish” species in Florida.

** Commercial harvest of black snapper, dog snapper, and mahogany snapper is prohibited when their respective species group complex commercial ACLs are met or projected to be met. If the combined

recreational landings for the Snappers Complex exceed the recreational ACL, then recreational landings will be monitored for a persistence in increased landings and, if necessary, the length of following recreational fishing season would be reduced by the amount necessary to ensure recreational landings do not exceed the recreational ACL.

*** An emergency rule has temporarily removed blueline tilefish from the Deepwater Complex and specified ACLs of 60,371 lbs ww for the commercial sector and 19,313 lbs ww for the recreational sector. Amendment 32 would permanently remove blueline tilefish from the Deepwater Complex and incorporate new ABCs from Amendment 29 for silk snapper and yellowedge grouper, which are contained in the Complex. For the Deepwater Complex, Amendment 32 proposes a commercial ACL of 131,634 lbs ww and a recreational ACL of 38,644 lbs ww.

Action 2 – Clarification of Commercial Golden Tilefish Regulations

The final rule for Amendment 18B to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region (78 FR 23858, April 23, 2013) established a longline endorsement program for the commercial golden tilefish component of the snapper grouper fishery and modified the golden tilefish commercial trip limits. Currently, there are separate quotas and trip limits for the longline and hook-and-line sectors. An endorsement is required to fish with longline gear. Furthermore, one of the regulations regarding golden tilefish trip limits implemented by the final rule for Amendment 18B states, “Vessels with a golden tilefish longline endorsement are not eligible to fish for golden tilefish using hook-and-line gear under this 500-lb (227-kg) trip limit.” The golden tilefish endorsement, along with sector quotas and trip limits was put in place because the commercial annual catch limit/quota was being caught very rapidly with longline gear, and fishermen who had historically used hook-and-line gear to target golden tilefish were not able to participate in the golden tilefish portion of the snapper grouper fishery.

In August 2014, the South Atlantic Council was made aware that some golden tilefish longline endorsement holders were transferring their golden tilefish longline endorsement to another vessel so they could fish for golden tilefish using hook-and-line gear, or they were renewing their Federal commercial snapper grouper vessel permit at one time but waiting to renew their golden tilefish longline endorsement so they could fish on the hook-and-line quota while their endorsement was not valid. Based on comments during the June 2012 Council meeting, neither scenario was the intent of the South Atlantic Council at that time. This amendment would clarify the regulations in accordance with the South Atlantic Council’s intent.

PURPOSE & NEED FOR ACTION

Approved in September 2014:

Purpose: The purpose of Amendment 35 is to: remove 4 species from the Snapper Grouper Fishery Management Unit (FMU) that do not need federal management. Taking into account mandated specifications to provide ACLs and AMs for species in a fishery management plan other than annual stocks or designated ecosystem component species, the Council is simplifying its system of ACLs by removing some of the less frequently landed species that are not in need of federal management.

Need: The need for Amendment 35 is to: Simplify federal management without reducing the protection for 4 species rarely caught in states other than Florida.

IPT's suggested changes to Purpose & Need Statements:

Purpose: The purpose of Amendment 35 is to ensure that only snapper grouper species that require federal management are included in the Snapper Grouper FMP, that regulations for snapper grouper species in south Florida are as consistent as possible across state and federal jurisdictional boundaries, and that regulations implemented to govern the use of golden tilefish longline endorsements are aligned with the South Atlantic Council's intent for establishing the endorsement program.

Need: In accordance with national standards set forth in the Magnuson-Stevens Fishery Conservation and Management Act, the need for Amendment 35 is to simplify federal management of the snapper grouper fishery without reducing protection for species rarely caught in states other than Florida, make regulations consistent across jurisdictional boundaries, and ensure that regulations for commercially harvested golden tilefish are clear as to what quota golden tilefish longline endorsement holders may fish under; while minimizing, to the extent practicable adverse socioeconomic impacts.

Rationale for suggested revision: P & N was revised based on PPI comments. Purpose should not be a list of actions, but needs to describe a broader purpose. Need statement has to tie in to national standards. Revisions were also made based on the addition of the golden tilefish endorsements action.

COMMITTEE ACTION:

OPTION 1. REJECT THE IPT'S EDITS TO THE PURPOSE & NEED

OPTION 2. MODIFY THE PURPOSE & NEED (COMMITTEE TO SPECIFY MODIFICATIONS) AND APPROVE

OPTION 3. ACCEPT THE IPT'S EDITS TO THE PURPOSE & NEED

OPTION 4. OTHERS?

Action 1. Remove species from the Snapper Grouper Fishery Management Unit (FMU)

Alternative 1. No Action. Retain the four species in the Snapper Grouper FMU.

Alternative 2. Remove black snapper (*Apsilus dentatus*) from the Snapper Grouper FMU.

Alternative 3. Remove dog snapper (*Lutjanus jocu*) from the Snapper Grouper FMU.

Alternative 4. Remove mahogany snapper (*Lutjanus mahogoni*) from the Snapper Grouper FMU.

Alternative 5. Remove schoolmaster (*Lutjanus apodus*) from the Snapper Grouper FMU.

***Note this species is currently an ecosystem component species.**

Scoping Comments:

One comment was received from Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS). SFA ECFS supports the actions to remove black snapper, dog snapper, mahogany snapper, and schoolmaster from the Snapper Grouper FMU.

Snapper Grouper AP Recommendations:

MOTION: RECOMMEND ALTERNATIVES 2-5 AS PREFERRED
APPROVED BY AP (1 OPPOSED)

MOTION: RECOMMEND THAT THE STATE OF FLORIDA REQUIRE A VALID SG PERMIT FOR THE SALE OF THESE SPECIES
APPROVED BY AP (1 OPPOSED)

Summary of Effects

Biological Effects

Because **Alternative 1 (No Action)** would maintain current recreational and commercial AMs for dog snapper, mahogany snapper, and black snapper; but would allow confusion due to an inconsistent regulatory environment, the overall biological impacts of this alternative are expected to be neutral.

Alternative 2 would remove black snapper from the snapper grouper FMP. Total annual landings (recreational and commercial), in state and federal waters, of black snapper were 0 pounds whole weight (lbs ww) from 1986 through 1990; less than 500 lbs ww in 1991 and 1992; less than 5,000 lbs ww in 1993 and 1994; less than 600 lbs ww with some years of 0 lbs ww from 1995 through 2013. There were no landings of black snapper in Georgia through North Carolina from 1986 through 2013. **Table S-2** shows that 90% of commercial landings from 2004 through 2013 were from federal waters and zero percent of recreational landings were from federal waters. Despite a high percentage of black snapper harvest being from federal waters, the total pounds landed commercially from federal waters from 2004 through 2013 is just over 900 lbs ww (average 90 lbs ww/year).

Table S-2. Total recreational and commercial landings of dog snapper, schoolmaster, mahogany snapper, and black snapper from 2004-2013.

	Dog Snapper			Schoolmaster			Mahogany Snapper			Black Snapper		
	Federal	State	Not Defined	Federal	State	Not Defined	Federal	State	Not Defined	Federal	State	Not Defined
	Commercial											
Pounds (ww)	3,019	302	659	1,052	6	50	213	212	0	929	32	76
Percentage	75.9	7.6	16.6	94.9	0.5	4.5	50.1	49.9	0.0	89.6	3.1	7.3
	Recreational											
Pounds (ww)	6,087	27,877	2,178	9,855	39,811	4,434	1,154	133	266	0	0	2
Percentage	16.8	77.1	6.0	18.2	73.6	8.2	74.3	8.5	17.1	0	0	100

Black snapper, dog snapper, and mahogany snapper are each managed as part of species complexes in federal waters with sector ACLs and accountability measures (AMs) to ensure overfishing does not occur. The Snappers Complex, including mahogany snapper and dog snapper, has a proposed recreational ACL of 1,172,832 lbs ww, a commercial ACL of 344,884 lbs ww, and a recreational annual catch target (ACT) 984,898 lbs ww, which are updated values proposed in Amendment 29 to the Snapper Grouper FMP, currently in the rulemaking process. ACLs and AMs are at the Complex level; there are no individual AMs for species that comprise species complexes.

Removal of black snapper from the snapper grouper FMP would remove current federal regulations for the Deepwater Complex that apply to black snapper. Without black snapper, the Deepwater Complex ACL proposed for implementation in Amendment 32 to the Snapper Grouper FMP would be reduced from 170,279 lb ww to 169,896 lb ww, a difference of 382 lbs ww. **Table S-3** illustrates how the ACL for the Deepwater Complex is determined as well as the how the Complex ACL would change in the absence of black snapper.

Table S-3. ACLs and recreational ACT for the Deepwater Complex. Values reflect those proposed in Amendments 29 and 32 to the FMP*

Species	Total ACL (lbs ww)	Commercial ACL (lbs ww)	Recreational ACL (lbs ww)	Recreational ACT (lbs ww)
Yellowedge grouper	55,596	50,464	5,132	736
Silk snapper	90,323	66,794	23,529	7,407
Misty grouper	2,863	2,388	475	237
Sand tilefish	7,983	1,770	6,213	3,107
Queen snapper	9,466	8,756	710	355
Black snapper	382	366	16	8
Blackfin snapper	3,665	1,096	2,569	1,284
Deepwater Complex ACL	170,278	131,634	38,644	13,134
Deepwater Complex ACL without black snapper	169,896	131,266	38,628	13,126

*ACLs and the recreational ACT are only for the Deepwater Complex. There are not individual ACLs or recreational ACTs for species contained within the Deepwater Complex.

Alternatives 3 and 4 would remove dog snapper and mahogany snapper from the FMP, respectively. Removing them from the FMP would also remove them from the Snappers Complex. Similar to the Deepwater Complex, each species in the Snappers Complex contributes to the Complex ACL. Therefore, removing dog snapper and mahogany snapper from the Snappers Complex would remove their species-specific ACLs from the Complex ACL. **Table S-4** illustrates how the ACL for the Snappers Complex is determined as well as the how the Complex ACL would change in the absence of dog snapper and mahogany snapper.

Table S-4. ACLs and recreational ACT for the Snappers Complex with and without dog and mahogany snapper. Values reflect those proposed in Amendment 29 to the FMP.

Species	Total ACL (lbs ww)	Commercial ACL (lbs ww)	Recreational ACL (lbs ww)	Recreational ACT (lbs ww)
Gray snapper	1,247,132	302,180	944,952	837,605
Lane snapper	203,486	30,014	173,472	132,428
Cubera snapper	63,266	12,381	50,885	13,103
Dog snapper	3,285	273	3,012	1,506
Mahogany snapper	548	36	512	256
Total	1,517,716	344,884	1,172,832	984,898
Snappers Complex ACL without Dog Snapper (Alt 3)	1,514,431	344,611	1,169,820	983,392
Snappers Complex ACL without Mahogany Snapper (Alt 4)	1,517,168	344,575	1,172,320	984,642
Snappers Complex ACL without Dog and Mahogany Snapper	1,513,883	344,575	1,169,308	983,136

*ACLs and the recreational ACT are only for the Snappers Complex. There are not individual ACLs or recreational ACTs for species contained within the Snappers Complex.

Total annual landings (recreational and commercial) of dog snapper, in state and federal waters combined, were less than 8,000 lbs ww from 1986 through 2013 except in 2007 when landings increased to about 25,000 lbs ww. Total landings in Georgia through North Carolina from 1986 through 2005 were 0 lbs ww except in 2000 when total landings were less than 6,000

lbs ww; from 2006 through 2013, total landings were less than 400 lbs ww. Total annual landings (recreational and commercial) of mahogany snapper, in state and federal waters combined, were less than 600 lbs ww from 1986 through 2013 except 1999 and 2007 when landings increased to about 4,000 lbs ww. There were no landings of mahogany snapper in Georgia through North Carolina from 1986 through 2013 except in 2010 when total landings for these states were less than 500 lbs ww.

Alternative 5 would remove schoolmaster from the FMP. Schoolmaster was designated an EC species in 2012 through the Comprehensive ACL Amendment (SAFMC 2011c). Total annual landings (recreational and commercial) of schoolmaster, in federal and state waters combined, were less than 15,000 lbs ww from 1986 through 2013. There were no landings of schoolmaster in Georgia through North Carolina from 1986 through 2013 except in 1995 when less than 500 lbs ww were landed. Although there are currently no federal regulations for schoolmaster in the South Atlantic or Gulf of Mexico, the FWC does manage them in state waters with a 10-inch (TL OR FL) size limit and a 10 fish per person bag limit. If schoolmaster were removed from the Snapper Grouper FMP and Florida state regulations for the species were extended into federal waters off Florida in the South Atlantic and Gulf of Mexico, schoolmaster would be subject to Florida harvest restrictions. Therefore, removing schoolmaster from the FMP may have positive biological benefits for schoolmaster if the state of Florida were to manage it through consistent regulations in state and federal waters of the South Atlantic and Gulf of Mexico. However, because schoolmaster are not heavily targeted by commercial or recreational fishermen, the potential biological benefit may be limited.

Designating schoolmaster as an EC species allowed the species to stay in the FMP without assigning management measures or ACLs to it. One of the advantages of EC designation rather than removal from a FMP is that the fishery management council maintains the ability to implement management measures and establish ACLs, AMs, and ACTs for those species without having to add them back into the FMP. If schoolmaster is removed from the Snapper Grouper FMP, and the South Atlantic Council were to decide in the future that the species was in need of some form of management, schoolmaster would need to be added back to the roster of species included in the Snapper Grouper FMP through a plan amendment before harvest controls could be implemented. The same would be true for black snapper, mahogany snapper, and dog snapper.

In the long term, biological effects of removing these species from the FMP could be negative if they are in need of federal management and the South Atlantic Council is unable to establish harvest controls in a timely manner. However, any negative biological impacts that could arise in this situation are likely to be minimal because the South Atlantic Council would have the ability to add those species back into the FMP if they feel such an action is warranted. Alternatively, removal of these species could have positive biological effects if the state of Florida establishes consistent regulations in state and federal waters of the South Atlantic and Gulf of Mexico. However, because harvest of these species is so minor, any biological effect would also be expected to be minor.

Removing species from a federal FMP may have implications for Essential Fish Habitat (EFH). The effectiveness of EFH conservation recommendations can be strengthened when a habitat type (or parcel) is identified and described as EFH for multiple species as well as multiple life-

stages of multiple species. As species are removed from management under the Magnuson-Stevens Act individual habitat types (or parcels) also lose the associated EFH identification and description for those species and life-stages. While the ecological importance of a habitat type (or parcel) remains the same, the effectiveness of future EFH consultations for those habitat types (and parcels) can be diminished because of the reduced relative value and importance of that habitat to federally managed species. In other words, the same species and species life-stages still rely on that habitat type (or parcel) for "spawning, breeding, feeding, and growth to maturity" but fewer of them would be managed under the Magnuson-Stevens Act. Therefore, Alternatives 2-5 of this action may result in some low level of indirect adverse impact on the biological environment, specifically related to EFH and the EFH consultation process.

Economic Effects

This action proposes to remove 4 species from the Snapper Grouper FMU managed by the SAFMC. Choosing **Alternative 2, 3, 4** and/or **5** would result in administrative changes and are not likely to affect the catchability of black snapper, dog snapper, mahogany snapper, or schoolmaster by fishery participants.

Further, removing these species, which will be managed by the state of Florida, is expected to result in more efficient management of all snapper grouper species. Specifically, Florida will obtain management authority over the four species that occur largely in southern Florida. Complicating matters is the fact that South Florida waters are managed by both the SAFMC and GMFMC. A stated goal by both of these councils is to have consistency in regulations in southern Florida. Allowing Florida to manage these species would assist in achieving that goal. Turning over management of these species to Florida would allow federal resources (labor and capital) to be used more effectively in the management of the remaining snapper grouper species.

If the species are not removed from federal management, as would be the case under **Alternative 1 (No Action)**, annual catch limits (ACLs), accountability measures (AMs), and annual catch targets (ACTs) would need to be enforced for three of the four species. No management measures are in place for schoolmaster as it is considered an ecosystem component species. By removing 4 of the current 59 (approximately 7%) species currently in the FMU, the administrative costs of federally managing snapper could be reduced under **Alternatives 2-5**, and potentially in a proportional manner (e.g., federal administrative costs might be reduced by 7%).

Therefore, in general, the net economic effects of removing species from the Snapper Grouper FMU are expected to result in net benefits rather than losses. More specifically, the more species removed, net economic benefits are expected to be maximized. Because the removal of species from the Snapper Grouper FMU is an administrative action, and thus does not directly affect participants in the snapper grouper fishery, these net economic benefits are the result of indirect rather than direct economic effects.

Social Effects

Maintaining status quo under **Alternative 1 (No Action)** would not be expected to have negative effects on fishermen or communities, although this alternative would likely not result in

any benefits expected from removing species under **Alternatives 2-5**. As noted above, black snapper is included in the Deepwater Complex and removal from the FMU (**Alternative 2**) would result in a lower Deepwater Complex ACL. Change to a multi-species ACL may have some negative effects on commercial fishermen and recreational fishing opportunities if access to other species in the complex becomes limited due to a lower ACL. However the difference in the ACL under **Alternative 2** would be minimal (**Table S-3**) and would not be expected to affect fishermen targeting other species in the Deepwater Complex. This would be similar to expected effects on fishermen under **Alternatives 3** and **4** in that removal of dog snapper and mahogany snapper, both included in the Snappers Complex, would result in a small change in the Snappers Complex ACL (**Table S-4**) and likely have minimal effects on fishermen targeting other species in the snapper complex.

Because schoolmaster was designated as an ecosystem component species in the Comprehensive ACL Amendment (SAFMC 2011c) and landings are low, **Alternative 5** is not expected to have negative or positive effects on fishermen and communities.

COMMITTEE ACTION:

- OPTION 1. DO NOT SELECT PREFERRED ALTERNATIVE(S) AT THIS TIME**
- OPTION 2. SELECT ALTERNATIVES 2-5 AS PREFERRED**
- OPTION 3. OTHERS?**

Action 2. Clarify regulations for the golden tilefish longline endorsement to reflect the South Atlantic Council's intent regarding to which gear-specific quota endorsement holders may fish under

SEPTEMBER 2014 MOTION: ADD AN ACTION TO AMENDMENT 35 TO ADDRESS GOLDEN TILEFISH ENDORSEMENT ISSUE.

DIRECTION TO STAFF: MODIFY THE P&N OF AM 35 AS APPROPRIATE
APPROVED BY COUNCIL

COMMITTEE ACTION ON WORDING OF ACTION 2:

OPTION 1. MODIFY WORDING OF ACTION 2 (COMMITTEE TO SPECIFY) AND APPROVE

OPTION 2. APPROVE WORDING OF ACTION 2 AS SUGGESTED BY THE IPT

OPTION 3. OTHERS?

Alternative 1 (No Action). Vessels with golden tilefish longline endorsements *are not* eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit (50 CFR 622.191(2)(ii)).

Alternative 2. Revise the golden tilefish longline endorsement regulations to indicate that vessels that have valid or renewable golden tilefish longline endorsements *are not* eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit.

Alternative 3. Revise the golden tilefish longline endorsement regulation to indicate that vessels that have valid or renewable golden tilefish longline endorsements anytime during the golden tilefish fishing year *are not* eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit.

Alternative 4. Revise the golden tilefish longline endorsement regulations to indicate that vessels with golden tilefish endorsements *are* eligible to fish for golden tilefish using hook-and-line gear under the 500-pound gutted weight golden tilefish hook-and-line trip limit.

IPT recommendation: The IPT recommends removing this alternative as it does not meet the purpose and need for the amendment.

Snapper Grouper AP Recommendations:

MOTION: RECOMMEND ALTERNATIVE 3 UNDER ACTION 2 AS PREFERRED
APPROVED BY AP (0 OPPOSED)

MOTION: RECOMMEND THAT THE COUNCIL CONSIDER CHANGING THE START DATE OF THE FISHING YEAR FOR THE COMMERCIAL HOOK-AND LINE GOLDEN TILEFISH FISHERY TO MARCH 15.

APPROVED BY AP

COMMITTEE ACTION ON ALTERNATIVE 4:

OPTION 1. RETAIN ALTERNATIVE 4 IN THE DOCUMENT FOR ANALYSIS

OPTION 2. MOVE ALTERNATIVE 4 TO THE CONSIDERED BUT REJECTED APPENDIX

OPTION 3. OTHERS?

Summary of Effects

Biological Effects

The golden tilefish hook-and-line quota is 135,324 lbs gutted weight (gw), and the longline quota is 405,971 lbs gw. Together these quotas equal the commercial sector ACL of 541,295 lbs gw. Each quota is managed with its own AM. If commercial hook-and-line landings reach or are projected to reach the hook-and-line quota, the hook-and-line component of the commercial sector will be closed for the remainder of the fishing year. If commercial longline landings reach or are projected to reach the longline quota, the longline component of the commercial sector will be closed for the remainder of the fishing year. After the commercial ACL for the longline component is met or is projected to be met, golden tilefish may not be fished for or possessed by a vessel with a golden tilefish longline endorsement. Regardless of which alternative the South Atlantic Council chooses under this action, including **Alternative 1 (No Action)**, no biological impacts are expected because overall harvest in the commercial sector is limited to the commercial ACL by the commercial hook-and-line and longline AMs.

Alternative 2 would revise the current golden tilefish longline endorsement regulations to include the phrase “valid or renewable” to indicate that longline endorsement holders may not fish on the hook-and-line quota if their endorsement is valid or renewable. Though inclusion of this verbiage clarifies, to some extent, the South Atlantic Council’s intent to not allow longline endorsement holders to fish on the hook-and-line quota, it does not address the issue of endorsement holders transferring their endorsement to another vessel with a valid or renewable Unlimited or 225 Snapper Grouper Permit once the longline quota is reached in order to be able to legally fish on the hook-and-line quota.

Alternative 3 is the only alternative that addresses both the endorsement transfer issue as well as clarifying that holders of valid or renewable golden tilefish longline endorsements may not fish on the hook-and-line quota at any point during the fishing year. By explicitly stating that fishermen who have a valid or renewable golden tilefish longline endorsement anytime during the golden tilefish fishing year are not eligible to fish for golden tilefish using hook-and-line gear under the 500-lbs gw hook-and-line trip limit, transferring an endorsement to another vessel in order to be able to fish on the hook-and-line quota after the longline quota has been reached would be prohibited.

Alternative 4 would allow golden tilefish endorsement holders to harvest golden tilefish with hook-and-line gear on the hook-and-line quota under the 550 lbs gw commercial trip limit. This alternative would not limit harvest by endorsement holders in any way, other than limiting overall harvest to the gear specific quotas and the overall commercial ACL. In essence, this

alternative negates the purpose of establishing the gear-specific allocations as outlined in Amendment 18B to the FMP (SAFMC 2013a).

Economic Effects

The intent of this action is to close an unintended loophole created by Amendment 18B (SAFMC 2013a). As explained previously, anecdotal information indicates that one or more golden tilefish longline endorsement holders have exploited the loophole in the regulatory text that implemented the endorsement program.

It is not clear how many participants in the fishery have been fishing with hook-and-line gear and have a renewable golden tilefish since data for 2014 are not complete. However, fishermen who participated in both the longline and hook-and-line fishery would potentially have direct negative economic effects based on foregone losses from not being able to participate in the hook-and-line fishery. Presumably, because **Alternative 3** has more stringent criteria than **Alternative 2** in terms of keeping golden tilefish endorsement holders from participating in the hook-and-line fishery, **Alternative 3** would affect more golden tilefish longline endorsement participants. Nonetheless, golden tilefish longline endorsement holders who also participated in the hook-and-line fishery would cause the hook-and-line portion of the commercial ACL for golden tilefish to be caught earlier.

As both the longline portion of the commercial ACL and the hook-and-line portion of the ACL are caught each year prior to the end of the fishing year, there is not expected to be any overall economic loss, just a shifting of who is eligible to participate in the fishery.

From the perspective of longline endorsement holders, **Alternative 4** would have the largest direct, positive economic effects, followed by **Alternative 1 (No Action)**. **Alternative 3** and **Alternative 2** would result in the largest direct, negative economic effects. From the perspective of the hook-and-line participants in the fishery, **Alternative 4** would have the largest direct, negative economic effects, followed by **Alternative 1 (No Action)**. **Alternative 3** and **Alternative 2** would result in the largest direct, positive economic effects. But because the number of longline endorsement holders who have participated in the hook-and-line portion of the fishery is considered very low, the size of the economic effects, positive or negative, is also small.

Social Effects

Golden tilefish is an increasingly important species for the commercial sector, especially in certain areas on the central east coast of Florida (see **Section 3.3.2**), and the growing popularity may have contributed to increased competition among resource users, and the race to fish. Regulations in Amendment 18B (SAFMC 2013a) were intended to reduce the potential for user conflict, but fishermen have reported a loophole allowing longline endorsement holders to access both longline and hook-and-line quota. **Alternatives 1 (No Action)** and **4** would allow longline endorsement holders to continue to have access to the hook-and-line quota, which could result in increased user conflicts between the gear types. **Alternatives 1 (No Action)** and **4** would be the most beneficial to the longline endorsement holders by maintaining access to the hook-and-line quota, relative to the restrictions for longline endorsement holders under **Alternatives 2** and **3**.

For hook-and-line fishermen, **Alternatives 1 (No Action) and 4** would be the least beneficial because the longline fishermen could continue to access the hook-and-line quota after the longline quota was caught. This could result in fairness concerns for the hook-and-line fishermen because the longline component was allocated 75% of the commercial ACL, and participation in the longline component is limited through the endorsement program. **Alternatives 2 and 3** would be more beneficial to the participants in the hook-and-line component by reducing the number of snapper grouper permit holders who can access the hook-and-line quota.

COMMITTEE ACTION ON SELECTING PREFERRED(S):

- OPTION 1. DO NOT SELECT A PREFERRED ALTERNATIVE AT THIS TIME**
- OPTION 2. SELECT ALTERNATIVE 3 AS PREFERRED**
- OPTION 3. OTHERS?**

COMMITTEE ACTION ON PUBLIC HEARINGS:

- OPTION 1. DO NOT APPROVE AMENDMENT 35 FOR PUBLIC HEARINGS**
- OPTION 2. APPROVE AMENDMENT 35 FOR PUBLIC HEARINGS**
- OPTION 3. OTHERS?**