

# Vision Blueprint Commercial Regulatory Amendment 27 for the Snapper Grouper Fishery of the South Atlantic Region

## Options Paper for the Snapper Grouper Advisory Panel



The Vision Blueprint Commercial Regulatory Amendment 27 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region proposes modifications to existing commercial management measures to address specific action items in the 2016-2020 Vision Blueprint for the Snapper Grouper Fishery of the South Atlantic Region.

October 2016

# Background

The 2016-2020 Vision Blueprint for the Snapper Grouper Fishery constitutes the long-term strategic plan for managing the fishery. The Council began developing the strategic plan through the Visioning project, which included extensive outreach to stakeholders throughout the region and across all sectors in the fishery. The Vision Blueprint identifies the goals, objectives, strategies, and actions that support the vision for the snapper grouper fishery and centers around four goal areas - Science, Management, Communication, and Governance. During 2015, the Council prioritized action items that would be addressed through amendments to the Snapper Grouper Fishery Management Plan over the short-term (within 5 years). Through a series of surveys, Council members selected several items to improve management of the recreational and commercial sectors. At their June 2016 meeting, the Council gave staff direction to begin development of an amendment that would address commercial management measures. The following items were selected for inclusion:

1. Split seasons for deepwater species and “small-mouthed” species. Evaluate apportionment of commercial ACL between split seasons to optimize catch and minimize discards.
2. Trip limits and step-downs (especially as they pertain to “traditional bandit boats”; lower vermilion trip limit in second season; trip limits by time-period (i.e., week or month), boat length
3. Re-evaluate shallow water grouper closure
4. Fishing year changes (i.e., golden tilefish hook-and-line)

In addition, an item the Council originally intended to address in Regulatory Amendment 24 (trip limit for Jacks Complex) has been included in this Options Paper.

## Commercial Split Seasons

The use of split seasons for the commercial sector is addressed under The Vision Blueprint’s Strategy 2.3 - *Support development of management approaches that account for the seasonality of the snapper grouper fishery*. One of the priority actions under that strategy states *Expand the use of split seasons for the commercial fishery*. The intent is to “line up” harvest for species that are often caught together to level out accessibility of the resource in different areas and to reduce regulatory discards.

### Deepwater species

The Council is interested in exploring concurrent commercial seasons for deepwater species, namely snowy grouper, yellowedge grouper, blueline tilefish, and golden tilefish. Wreckfish are also a deepwater species caught commercially; however, wreckfish harvest is managed through an Individual Transferable Quota (ITQ) program. Commercial harvest of golden tilefish is managed with gear endorsements, each with its respective trip limit and commercial ACL apportionment. Council members expressed interest in considering a commercial split season for the golden tilefish hook-and-line sector as there are indications that this fishery interacts with snowy grouper in certain areas.

The fishing year for the commercial sector for these deepwater species is currently the calendar year. While these deepwater species are often caught together, some areas report a very “clean” harvest of a single species. The Council could opt to establish seasons of equal or varying length and split the commercial ACL for each species in different ways (i.e., 50/50, 60/40, etc.) to optimize economic benefits for fishermen and consumers.

### Red Porgy

Currently, the Council manages commercial harvest of vermilion snapper and gray triggerfish under two six-month seasons, January-June and July-December. The split season for vermilion snapper was implemented through Amendment 16 in July 2009 whereas that for gray triggerfish became effective on July 1, 2015 and was implemented through Amendment 29. The commercial ACL for both species is apportioned equally between the two seasons and there is a rollover provision to allow the unused portion of the commercial ACL from Season 1 to roll over to Season 2. There is no rollover provision for the subsequent fishing year, however.

The Council and the Snapper Grouper Advisory Panel (AP) have held discussions on a possible commercial split season for red porgy that would mirror the existing seasons for vermilion snapper and gray triggerfish. Harvest of red porgy is prohibited annually for both the commercial and recreational sectors from January-April. Gray triggerfish and vermilion snapper are two species that can be harvested during this time. There is concern that commercial harvest of vermilion snapper and gray triggerfish is resulting in significant discards of red porgy. The expectation is that implementing a commercial split season for red porgy, together with excluding the species from the annual closure, would minimize discards. In addition, apportioning the red porgy commercial ACL into two seasons may extend commercial harvest of this species and impart economic benefits to fishermen and communities.

At their April 2015 meeting, the Snapper Grouper AP made the motions below regarding a commercial split season for red porgy

MOTION: AP RECOMMENDS THE COUNCIL CONSIDER A COMMERCIAL SPLIT SEASON FOR RED PORGY (SIMILAR TO VERMILION SNAPPER) AS WELL AS COMMERCIAL TRIP LIMITS.  
APPROVED BY AP

## **Possible Actions and Alternatives**

### **Implement commercial split seasons for snowy grouper, blueline tilefish, yellowedge grouper, and golden tilefish fishery (hook-and-line sector only)**

**Alternative 1 (No Action).** Commercial harvest of snowy grouper, blueline tilefish, yellowedge grouper, and golden tilefish is allowed from January 1 to December 31 until the respective commercial ACL is met or projected to be met.

**Alternative 2.** Allocate the directed commercial ACLs for snowy grouper, blueline tilefish, yellowedge grouper, and golden tilefish (hook-and line only) into two quotas: 50% to the period January 1 through June 30 and 50% to the period July 1 through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

**Alternative 3.** Allocate the directed commercial ACLs for snowy grouper, blueline tilefish, yellowedge grouper, and golden tilefish (hook-and line only) into two quotas: XX% to the period January 1 through June 30 and XX% to the period July 1 through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

**Alternative 4.** Allocate the directed commercial ACLs for snowy grouper, blueline tilefish, yellowedge grouper, and golden tilefish (hook-and line only) into two quotas: XX% to the period January 1 through \_\_\_\_\_ and XX% to the period \_\_\_\_\_ through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

Others?

### **Snapper Grouper Advisory Panel Recommendations:**

## **Exclude red porgy from the January through April annual prohibition on commercial harvest and establish a commercial split season**

**Alternative 1 (No Action).** Commercial and recreational harvest of red porgy is prohibited annually from January 1 to April 30. The commercial fishing year is the calendar year, January 1 to December 31.

**Alternative 2.** Remove the annual January 1 to April 30 spawning season closure for red porgy. Allocate the directed commercial red porgy ACL into two quotas: 50% to the period January 1 through June 30 and 50% to the period July 1 through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

**Alternative 3.** Remove the annual January 1 to April 30 spawning season closure for red porgy. Allocate the directed commercial red porgy ACL into two quotas: XX% to the period January 1 through June 30 and XX% to the period July 1 through December 31. Any remaining quota from season 1 would transfer to season 2. Any remaining quota from season 2 would not be carried forward.

Others?

## **Snapper Grouper Advisory Panel Recommendations:**

## Commercial Trip Limits and Trip Limit Step-Downs

The use of trip limits for the commercial sector is addressed under The Vision Blueprint's Strategy 2.1 – *Support development of management approaches that address retention of snapper grouper species*. The first priority action under this strategy is to consider bag limit and trip limit adjustments for the recreational and commercial sectors, respectively. Another priority under this strategy is to consider alternative approaches to managing traditional multi-day bandit boats/fishery (e.g. permit stacking, multi-day trip endorsement, sector/community shares, etc.).

### Vermilion Snapper

The Snapper Grouper AP has discussed recommending to the Council that the trip limit for vermilion snapper in the second season (July-December) be lowered. Currently, a 1,000-pound (gw) commercial trip limit is in effect until 75% of the commercial ACL is met or projected to be met. Thereafter, the trip limit is reduced to 500 pounds. Some AP members, however, are concerned that, unless there is a restriction placed on the number of trips, a lower trip limit in the second season would be ineffective in extending the harvest since some commercial operations would simply increase their effort.

### “Traditional Bandit Boats”

Similar concerns have prompted discussions among Council members on possibly tailoring the management approach (trip limits and possibly other management elements) to the needs of “traditional bandit boats” vs. “day boats”. Arguably, characterizing what constitutes a “traditional bandit boat” and a “day boat” would have to be the first step if the Council were to follow this approach. Vessel length has been mentioned as a variable that could be used to assign optimum trip limits and optimize performance of the commercial snapper grouper fleet.

### Golden Tilefish

Commercial harvest of golden tilefish and black sea bass is managed with gear endorsements and trip limits. There has been interest in exploring whether restrictions on the number of trips or trip frequency could be used to lengthen the season for the longline sector of the golden tilefish fishery. Through implementation of Amendment 18B, 23 vessels obtained endorsements to fish for 75% of the commercial golden tilefish ACL using longline gear under a 4,000 trip limit with no step-down. The remaining 25% of the commercial ACL was apportioned to the hook-and-line sector under a 500-pound trip limit.

### Jacks Complex

In December 2014, the Council directed staff to explore alternatives for an almaco jack commercial trip limit. During discussions, Council members agreed that the commercial ACL for almaco jack was being caught very early and the species is encountered very frequently when fishing commercially for other species in the management unit. Draft alternatives were included in the Options Paper for Regulatory Amendment 24, which was not developed. In April 2015, the Snapper Grouper AP approved the following motion:

MOTION: RECOMMEND THE COUNCIL CONSIDER COMMERCIAL TRIP LIMITS OF 300-500 POUNDS FOR ALMACO JACK  
APPROVED BY AP (3 OPPOSED)

## **Possible Actions and Alternatives**

- Modify the trip limit for the second commercial season for vermilion snapper
  - The commercial ACL for the second season (July 1 – December 31) would be harvested under a XXX pound trip limit.
  - During the second commercial season for vermilion snapper, vessels with a commercial unlimited snapper grouper permit would be restricted to X trips per month/week
  - Others?
  
- Evaluate and tailor management approaches to address the needs of “traditional bandit boats”
  - What constitutes a “traditional bandit boat”? – Vessels above XX feet engaging in multi-day trips? Vessels that meet certain catch history criteria? Vessels that originally qualified for the unlimited permit when the “2 for 1” program was implemented in 1998?
  - Consider aggregate trip limits for such vessels?
  - Consider assigning allowable number of trips per month/week?

*NOTE: May need to be developed through a plan amendment as opposed to a regulatory amendment.*
  
- Consider specifying trip frequency for vessels with golden tilefish longline endorsements
  - Specify number of trips per month or days at sea?
  - Add a trip limit step-down for the longline sector?
  - Others?
  
- Consider trip limits for the Jacks Complex or its component species:
  - Specify a commercial trip limit for almaco jack of XX pounds per trip
  - Specify an aggregate trip limit for the Jacks Complex only (almaco jack, banded rudderfish, and lesser amberjack) of XX pounds per trip
  - Specify an aggregate trip limit for the Jacks Complex including greater amberjack of XX pounds per trip.
  - Others?

## **Snapper Grouper Advisory Panel Recommendations:**

## Shallow Water Grouper Closure

The use seasonal closures to manage the snapper grouper fishery is addressed under the Vision Blueprint's Strategy 1.3 - *Consider use of alternative sub-regional management strategies that are not quota-based*. The first priority under this strategy is to use staggered spawning season closures to address latitudinal differences in spawning activity. In addition, under "Hot Topic" items, the Vision Blueprint identifies adjusting the seasonal spawning closure for shallow water groupers. The Council is considering making modifications to the shallow water grouper closure for the recreational sector in the Vision Blueprint Recreational Regulatory Amendment 26.

Implementation of Amendment 16 to the Snapper Grouper FMP (effective July 29, 2009) established an annual closure on the possession (commercial and recreational) of shallow water groupers from January through April in response to needed modifications to end overfishing of gag and to protect spawning fish. Species included in the closure were: gag, black grouper, scamp, tiger grouper, yellowfin grouper, red grouper, red hind, rock hind, yellowmouth grouper, graysby, and coney. The Council removed tiger grouper from the Fishery Management Unit in 2012 (Comprehensive ACL Amendment).

Rationale from Amendment 16 (SAFMC 2009 and references therein):

*Off the southeastern United States, gag spawn from December through May, with a peak in March and April (McGovern et al. 1998). There is some evidence that spawning may occur earlier off Florida than areas north. Gag probably make annual late-winter migrations to specific locations to form spawning aggregations and many of these locations are known by fishermen. McGovern et al. (2005) found gag were capable of extensive movement and suggested movement may be related to spawning. Gilmore and Jones (1992) indicated gag may be selectively removed from spawning aggregations because they are the largest and most aggressive individuals and the first to be taken by fishing gear.*

*In 1998, the Council took action to reduce fishing mortality and protect spawning aggregations of gag and black grouper. Actions included a March-April spawning season closure for the commercial sector. While a March-April commercial closure may offer some protection to spawning aggregations including the selective removal of males, a January-April spawning season closure (**Preferred Alternative 2**) would provide greater protection. Although gag spawn during December through May, aggregations are in place before and after spawning activity (Gilmore and Jones 1992). Therefore, males can be removed from spawning aggregations early in the spawning season and this could affect the reproductive output of the aggregation if there were not enough males present in an aggregation for successful fertilization of eggs. **Preferred Alternative 2** would also close the fishery for other shallow water groupers including black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, tiger grouper,*



*yellowfin grouper, graysby, and coney, which are also known to spawn during January-April (see Section 3.2.1). (Note: Red grouper and black grouper are listed as overfishing in the Stock Status Report to Congress.)*

*Like gag, the other shallow water grouper species are vulnerable to overfishing because they change sex, many are long lived, and some species (e.g., gag, black grouper, scamp, red hind, and tiger grouper) are known to form spawning aggregations at locations known to fishermen (Section 3.2.1). Therefore, extending the spawning season closure to other shallow water groupers could have positive biological effects including protecting spawning aggregations, increasing the percentage of males, enhancing reproductive success, and increasing the magnitude of recruitment.*

*In September 2007, the Snapper Grouper Advisory Panel (AP) recommended a January to March spawning closure, during which harvest and possession be prohibited. Their rationale was there is some spawning during January off Florida and gag form aggregations before spawning. Therefore, an earlier closure would help to protect males before they begin to spawn. There was some discussion during the AP meeting about adding two weeks on both ends of the current March/April closure.*

*The AP also felt any closure should be applied the commercial and recreational sectors. Extending the spawning season closure to the recreational sector would have positive biological benefits since approximately half of the gag are landed by recreational fishermen. Although recreational fishermen generally catch gag in shallower water than commercial fishermen, it is likely some spawning locations of gag are being targeted by recreational fishermen. Furthermore, gag are reported to form pre-spawning aggregations in shallow water before moving offshore to spawn, which would make them available to recreational fishermen. In addition to protecting gag while aggregated and during the spawning season, a seasonal closure could prevent high harvest rates during periods of cold water intrusion. During 2003, cold water upwelling may have caused gag to move inshore en masse where they may have become susceptible to harvest in large numbers by divers.*

*Gag are part of a multispecies fishery. Therefore, some bycatch of gag would be expected during a seasonal closure when fishermen target co-occurring species such as vermilion snapper, scamp, greater amberjack, red grouper, and others. However, since **Preferred Alternative 2** would close all shallow water groupers during January through April, bycatch of gag would likely be decreased since fishermen would not be targeting other co-occurring grouper species.*

At their April 2015 meeting, the Snapper Grouper AP made the motions below regarding the shallow water grouper closure.

MOTION: AP RECOMMENDS ALTERNATIVE 1, NO ACTION, ON REMOVING THE SPAWNING SEASON CLOSURE FOR SHALLOW WATER GROUPERS.

MOTION: THE AP RECOMMENDS THE COUNCIL MOVE FORWARD WITH IDENTIFYING SPAWNING AREAS FOR SHALLOW WATER GROUPERS THAT MAY BE APPROPRIATE, AT SOME POINT, TO DESIGNATE AS SPAWNING SMZs.

\*\*\*INTENT IS TO EVENTUALLY REMOVE THE SPAWNING SEASON CLOSURE ONCE SPAWNING AREAS ARE IDENTIFIED AND PROTECTED\*\*\*\*

## **Possible Actions and Alternatives**

*NOTE: Alternatives are the same as for the recreational sector in the Vision Blueprint Recreational Regulatory Amendment 26.*

### **Modify the annual commercial prohibition on harvest and possession of shallow water groupers**

**Alternative 1 (No Action).** During January through April each year, no person may fish for, harvest, or possess in or from the South Atlantic EEZ any South Atlantic shallow water grouper (gag, black grouper, red grouper, scamp, red hind, rock hind, yellowmouth grouper, yellowfin grouper, graysby, and coney). In addition, for a person on board a vessel for which a valid Federal charter vessel/headboat permit for South Atlantic snapper grouper has been issued, the provisions of this closure apply in the South Atlantic, regardless of where such fish are harvested, i.e., in state or Federal waters.

**Alternative 2.** Retain the annual prohibition on commercial harvest and possession of shallow water groupers from January 1 through April 30 but exclude the following species (*CAN CHOOSE MULTIPLE PREFERRED SUB-ALTERNATIVES*):

- Sub-alternative 2a.** gag
- Sub-alternative 2b.** black grouper
- Sub-alternative 2c.** red grouper
- Sub-alternative 2d.** scamp
- Sub-alternative 2e.** red hind
- Sub-alternative 2f.** rock hind
- Sub-alternative 2g.** yellowmouth grouper
- Sub-alternative 2h.** yellowfin grouper
- Sub-alternative 2i.** graysby
- Sub-alternative 2j.** coney

**Alternative 3.** Prohibit commercial harvest and possession of shallow water grouper species annually from:

- Sub-alternative 3a.** January – February off east Florida
- Sub-alternative 3b.** March – April off Georgia and South Carolina
- Sub-alternative 3c.** May – June off North Carolina

*NOTE: sub-alternatives presented here for discussion purposes only. Sub-alternatives would be refined based on scientifically determined spawning periodicity of affected species*

### **NOTE: Alternatives below modeled after those in the Joint South Florida Draft Amendment.**

**Alternative 4.** Remove the annual prohibition on commercial harvest and possession of shallow water groupers for all affected grouper species south of 28° North latitude.

**Alternative 5.** Modify the timing of the annual prohibition on commercial harvest and possession of shallow water groupers for all affected grouper species south of 28° North latitude.

- Sub-alternative 5a.** January – March
- Sub-alternative 5b.** February – March
- Sub-alternative 5c.** February – April
- Sub-alternative 5d.** February – May

**Alternative 6.** Exclude black grouper from the annual prohibition on commercial harvest and possession of shallow water groupers and establish a separate seasonal closure for black grouper.

- Sub-alternative 6a.** January – March
- Sub-alternative 6b.** January
- Sub-alternative 6c.** February
- Sub-alternative 6d.** March

**Alternative 7.** Exclude gag from the annual prohibition on commercial harvest and possession of shallow water groupers south of 28° North latitude.

**Alternative 8.** Exclude gag from the annual prohibition on commercial harvest and possession of shallow water groupers south of 28° North latitude and establish a separate seasonal closure for gag in that area.

- Sub-alternative 8a.** January – March
- Sub-alternative 8b.** January
- Sub-alternative 8c.** February
- Sub-alternative 8d.** March
- Sub-alternative 8e.** March – April

**Alternative 9.** Exclude red grouper and scamp from the annual prohibition on commercial harvest and possession of shallow water groupers south of 31° North latitude.

**Alternative 10.** Exclude red grouper from the annual prohibition on commercial harvest and possession of shallow water groupers south of 31° North latitude and establish a separate seasonal closure for red grouper in that area.

- Sub-alternative 10a.** February – April
- Sub-alternative 10b.** February – May
- Sub-alternative 10c.** March – April
- Sub-alternative 10d.** March – May

## **Snapper Grouper Advisory Panel Recommendations:**

## Modification to the Fishing Year for the Commercial Golden Tilefish Hook-and-Line Sector

At the request of the Snapper Grouper AP, the Council included an action to consider changing the start date of the fishing year for the hook-and-line component of the commercial golden tilefish fishery in Regulatory Amendment 23. However, the amendment was not developed pending an update to the golden tilefish stock assessment and the conclusion of the Visioning Project. In September 2016, the Council requested that the action be again included for consideration in the Options Paper for the Vision Blueprint Commercial Regulatory Amendment 27.

The rationale behind such a modification is to avoid market flooding early in the year when the longline vessels set out to harvest their portion of the commercial ACL. The longline fishery for golden tilefish is short-lived, however, and the abundance of product on the market tends to drive prices down early in the year. Commercial fishermen who harvest golden tilefish with hook-and-line gear would prefer to have their fishing year begin after the longline fleet has landed their ACL in order to spread out availability of product and optimize prices. Because the longline fleet is concentrated off central Florida, however, a shift in the fishing year may present benefits to one area at the expense of another. For instance, hook-and-line fishermen who target golden tilefish elsewhere in Florida would prefer a January 1 start date whereas fishermen off the Carolinas might benefit from a springtime start date due to weather. In addition, hook-and-line fishermen who target other deepwater species in addition to golden tilefish are concerned that different fishing years for deepwater species would result in increased discards. Commercial split seasons for deepwater species, as proposed earlier in this Options Paper, may be an avenue to address the concerns of hook-and-line fishermen who target golden tilefish.

At their April 2015 meeting, the Snapper Grouper AP approved a motion to request that the Council also consider a start date for the golden tilefish hook-and-line sector of March 15. In addition, AP members stated that the intent of modifying the fishing year start date for the hook-and-line sector would be to bring back the fall fishery.

## **Possible Actions and Alternatives**

### **Modify the fishing year start date for the hook-and-line sector of the commercial golden tilefish fishery**

**Alternative 1 (No action).** Do not modify the fishing year start date for the hook-and-line sector of the commercial golden tilefish fishery. The fishing year begins on January 1 and ends on December 31.

**Alternative 2.** Change the fishing year for the hook-and-line sector of the commercial golden tilefish fishery to:

**Sub-alternative 2a.** March 1 to February 28/29

**Sub-alternative 2b.** April 1 to March 31

**Sub-alternative 2c.** May 1 to April 30

### **Snapper Grouper Advisory Panel Recommendations:**

## Timing

- Guidance to prepare amendment – June 2016
- Review options paper and provide guidance on actions/alternatives and timing – September 2016
- Review and approve for scoping – December 2016
- Scoping hearings – January/February 2017
- Review scoping comments and revise actions/alternatives – March 2017
- Review effects analysis and approve for public hearings – June 2017
- Public hearings –August 2017
- Review public hearing comments & approve all actions/alternatives – September 2017
- Final action to approve for Secretarial review – December 2017