

# Modification to the Recreational Red Snapper Annual Catch Target Buffers



## A.C.T.

**Framework Action  
to the Fishery Management Plan  
for Reef Fish Resources  
of the Gulf of Mexico**

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## ABBREVIATIONS USED IN THIS DOCUMENT

ABC	acceptable biological catch
ACL	annual catch limit
ACT	annual catch target
Council	Gulf of Mexico Fishery Management Council
GMFMC	Gulf of Mexico Fishery Management Council
Gulf	Gulf of Mexico
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation and Management Act
MRIP	Marine Recreational Information Program
NMFS	National Marine Fisheries Service
OFL	overfishing limit
SEDAR	Southeast Data, Assessment, and Review process
SEFSC	Southeast Fisheries Science Center
SERO	NMFS Southeast Regional Office
SRHS	Southeast region headboat survey
SSC	Scientific and Statistical Committee
TAC	total allowable catch
TPWD	Texas Parks and Wildlife Department

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# CHAPTER 1. INTRODUCTION

## 1.1 Background

The commercial red snapper sector has been managed using a quota and associated closure when the quota is reached since 1990. Quota-based management of recreational red snapper was implemented in 1997 (GMFMC 1997a) in response to a provision added to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by the Sustainable Fisheries Act of 1996. That provision, Section 407(d), requires that both the commercial and recreational red snapper harvests in the Gulf of Mexico (Gulf) be managed under a quota, and that fishing be prohibited when each respective quota is reached. From 1997 through 2013, the recreational quota was set at 49% of the total allowable catch (TAC). In 2011, the Generic Annual Catch Limit (ACL)/Accountability Measures (AMs) Amendment (GMFMC 2011) implemented ACLs and annual catch targets (ACTs); for red snapper, the quotas were determined to be equivalent to the ACL and the term “quota” was replaced with ACL. In 2015, under Amendment 40 (GMFMC 2014a), private angling and federal for-hire components of the recreational sector were established. The private angling component is comprised of private recreational anglers and for-hire operators who do not have a federal reef fish charter vessel/headboat permit. The federal for-hire component is comprised of all for-hire operators with a valid or renewable federal reef fish charter vessel/headboat permit. The recreational quota is allocated as 57.7% to the private angling component and 42.3% to the federal for-hire component.

Currently, the acceptable biological catch (ABC) is used to set the commercial and recreational quotas using the 51:49 allocation ratio as described above. Amendment 28 (GMFMC 2015a) revised the allocation ratio as 48.5:51.5, respectively, but was overturned by a court decision in March of 2017. Thus the commercial and recreational sector quotas were returned to the 51:49 allocation ratio.

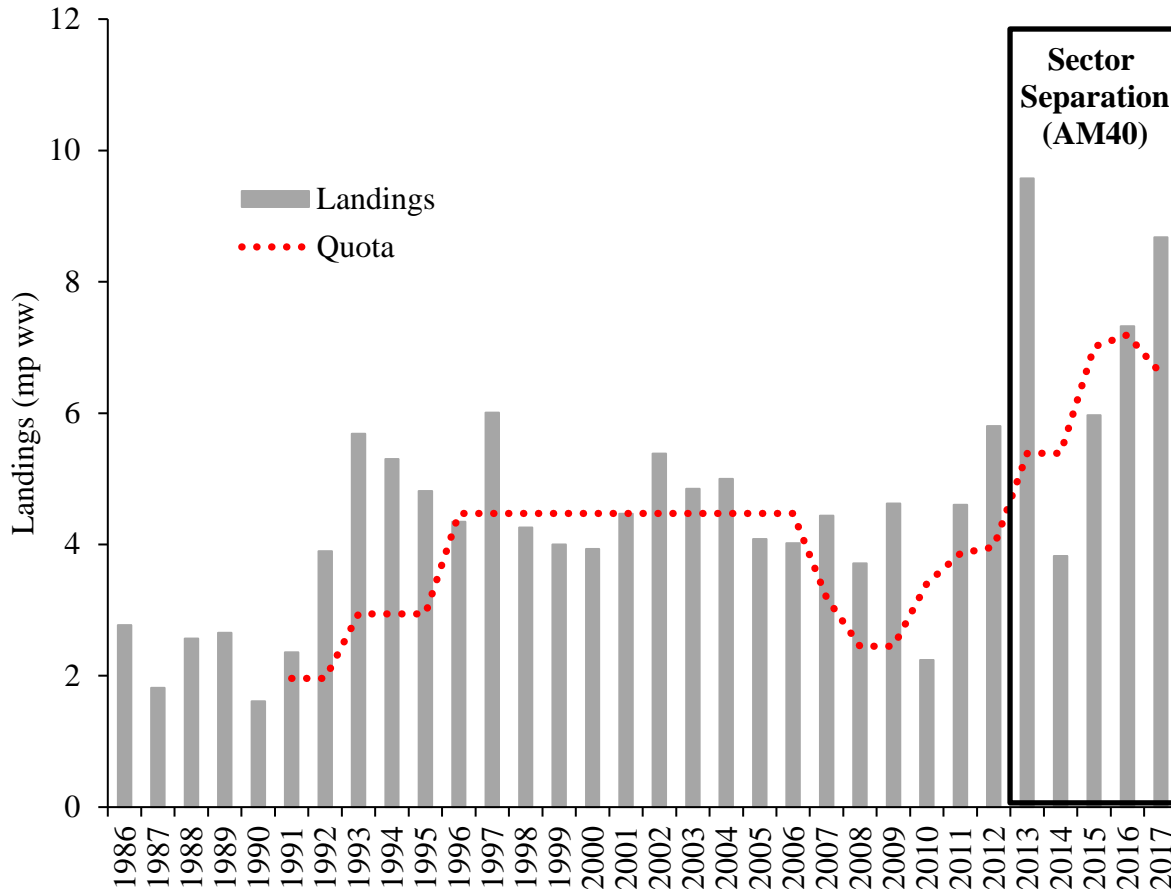
From 1997 – 2017, the recreational harvest has been at or below its quota only three times (Table 1.1.1). The recreational sector is managed with bag limits, minimum size limits, and seasonal closures. Since 1997, the recreational harvest was below its quota in 2006, 2010 (*Deepwater Horizon* oil spill); and 2014 (when a 20% ACT buffer was first applied to the recreational sector) (Table 1.1.1 and Figure 1.1.1). Preliminary landings estimates project that the 2017 combined recreational landings exceeded both the total recreational ACT and ACL.

**Table 1.1.1.** Red snapper federal recreational season lengths, quotas, and landings. Quotas (allowable catch limit) and landings are in millions of pounds (mp) whole weight.

Year	Federal Season	Days Open	Quota	Landings	%Quota	Source
1986	January 1 – December 21	365	-	3.48	-	MRFSS
1987	January 1 – December 22	365	-	2.07	-	MRFSS
1988	January 1 – December 23	365	-	3.14	-	MRFSS
1989	January 1 – December 24	365	-	2.94	-	MRFSS
1990	January 1 – December 25	365	-	1.62	-	MRFSS
1991	January 1 – December 26	365	1.96	2.89	147%	MRFSS
1992	January 1 – December 27	365	1.96	4.55	232%	MRFSS
1993	January 1 – December 28	365	2.94	7.04	240%	MRFSS
1994	January 1 – December 29	365	2.94	6.03	205%	MRFSS
1995	January 1 – December 30	365	2.94	5.41	184%	MRFSS
1996	January 1 – December 31	365	4.47	5.29	118%	MRFSS
1997	January 1 – November 27	330	4.47	6.69	150%	MRFSS
1998	January 1 – September 30	272	4.47	4.83	108%	MRFSS
1999	January 1 – August 29	240	4.47	4.90	110%	MRFSS
2000	April 21 – October 31	194	4.47	4.71	105%	MRFSS
2001	April 21 – October 31	194	4.47	5.24	117%	MRFSS
2002	April 21 – October 31	194	4.47	6.52	146%	MRFSS
2003	April 21 – October 31	194	4.47	6.09	136%	MRFSS
2004	April 21 – October 31	194	4.47	6.46	145%	MRFSS
2005	April 21 – October 31	194	4.47	4.68	105%	MRFSS
2006	April 21 – October 31	194	4.47	4.13	92%	MRFSS
2007	April 21 – October 31	194	3.19	5.81	182%	MRFSS
2008	June 1 – August 4	65	2.45	4.06	166%	MRFSS
2009	June 1 – August 14	75	2.45	5.60	228%	MRFSS
2010	June 1 – July 23; Oct 1 – Nov. 21 (Fri, Sat., & Sun.)	77	3.40	2.65	78%	MRFSS
2011	June 1 – July 18	48	3.87	6.73	174%	MRFSS
2012	June 1 – July 16	46	3.96	7.52	190%	MRFSS
2013	June 1 – June 28; Oct 1 – Oct 14	42	5.39	9.70	180%	MRIP
2014	June 1 – June 9	9	5.39	3.84	71%	MRIP
2015	June 1 – June 10 (private angling)	10	4.04	3.81	94%	MRIP
	June 1 – July 14 (federal for-hire)	44	2.96	2.15	73%	MRIP
2016	June 1 – June 11 (private angling)	11	4.15	5.30	128%	MRIP
	June 1 – July 16 (federal for-hire)	46	3.04	2.14	70%	MRIP
2017*	June 1 – June 3 (private angling) + 3-day weekends (June 16 – Sept 4)	42	3.76	6.52	173%	MRIP
	June 1 – July 19 (federal for-hire)	49	2.85	2.16	76%	MRIP

Source: Southeast Fisheries Science Center (SEFSC) Recreational ACL Data (November 2017), with SEFSC SEDAR 31 Update (2014) Access Point Angler Intercept Survey adjustments. Landings are based on the source data used to generate the quota to allow meaningful comparisons. \* 2017 data are preliminary.





**Figure 1.1.1.** Recreational red snapper quotas and landings. Quotas and landings are in millions of pounds (mp) whole weight (ww). Landings are based on the source data (i.e., MRFSS 1986-2012, MRIP 2013-2017) used to generate the quota to allow meaningful comparisons. 2017 data are preliminary.

**Table 1.1.2.** 2015, 2016 and preliminary 2017 landings of recreationally harvested red snapper in the Gulf of Mexico. Landings are in pounds whole weight (lbs ww).

2015 Recreational Landings (lbs ww)								
Species Complex	Open Season	Total Reported	ACT	ACL	ACT %	ACL %	Total Landings	% of Recreational ACL
Red snapper For-hire	Jun 1 - Jul 15	2,153,677	2,371,000	2,964,000	90.8%	72.7%	5,960,151	85%
Red snapper Private	Jun 1 - Jun 11	3,806,474	3,234,000	4,043,000	117.7%	94.1%		
2016 Recreational Landings (lbs ww)								
Species Complex	Open Season	Total Reported	ACT	ACL	ACT %	ACL %	Total Landings	% of Recreational ACL
Red snapper For-hire	Jun 1 - Jul 16	2,142,815	2,434,000	3,042,000	88.0%	70.4%	7,442,127	103%
Red snapper Private	Jun 1 - Jun 12	5,299,312	3,320,000	4,150,000	159.6%	127.7%		
2017 Preliminary Recreational Landings (lbs ww) *								
Species Complex	Open Season	Total Reported	ACT	ACL	ACT %	ACL %	Total Landings	% of Recreational ACL
Red snapper For-hire	Jun 1 - Jul 19	2,161,704	2,278,000	2,848,000	94.9%	75.9%	8,680,493	131%
Red snapper Private **	42 Days	6,518,789	3,004,075	3,755,094	217.0%	173.6%		

Source: [SERO ACL Monitoring webpage](#); accessed April 20, 2018.

\* 2017 recreational sector component ACT and ACL adjusted to account for the overage in 2016 and accompanying payback provision.

\*\* The red snapper private angling component season in 2017 was from June 1 – June 3, and 3-day weekends from June 16 – Sept 4.

### *History of Recreational Catch Quotas and ACT Buffers*

Until 2010, the red snapper TAC was set at the ABC level, which was equivalent to what is now called the overfishing limit (OFL). In 2009, the Council’s Scientific and Statistical Committee (SSC) reviewed a red snapper update assessment (SEDAR 7 Update 2009). The Council’s ABC Control Rule had not yet been developed. In the absence of a control rule, the SSC in 2010 set the ABC at 75% of the OFL (GMFMC 2009a). The ABC continued to be set at either 75% of OFL or the yield corresponding to 75% of the fishing mortality level at 26% of the spawning potential ratio ( $F_{26\% SPR}$ ) through 2012.

Prior to 2014, the recreational red snapper season length was based on the projected time for landings to reach the ACL. On March 26, 2014, in response to a legal challenge from commercial fishermen, the U.S. District Court for the District of Columbia ruled that the National Marine Fisheries Service (NMFS) failed to require adequate accountability measures for the recreational sector, failed to prohibit the retention of fish after the recreational ACL had been harvested, and failed to use the best scientific information available when determining whether there should be a 2013 fall fishing season. In April 2014, in response to the Court's decision and to reduce the probability of the recreational sector exceeding its ACL (quota), the Council reviewed an analysis of the likelihood of exceeding the ACL if the fishing season were projected to an ACT set at some percentage below the ACL (Figure 1.1.2). A 20% buffer between the ACL and ACT was expected to result in a 15% probability of exceeding the recreational ACL, and the Council requested, through an emergency rule, that NMFS implement an ACT that was 20% less than the 2014 recreational ACL and would be used to set the season length (Figure 1.1.2). An October 2014 framework action (GMFMC 2014b) subsequently established accountability measures (AM) including a recreational red snapper ACT that is 20% less than the recreational ACL and an overage adjustment in the year following a quota overage, if the stock is considered overfished.

## 2014 Red Snapper Season Lengths



Recreational Quota = 5.39 mp ww

Buffer (%)	Rec ACT (lbs ww)	Federal Season (days)	Prob. of Exceeding Quota
0%	5.39	17	50%
20%	4.312	11	15%
30%	3.773	8	5%
40%	3.234	5	<1%
60%	1.889	0	<1%

**Figure 1.1.2.** Analysis of probability of recreational red snapper quota being exceeded in 2014 at various ACT buffer levels.

Source: NMFS/SERO

The 20% buffer described above was derived by applying the ACL/ACT Control Rule developed in the Generic ACL/AM Amendment (GMFMC 2011a). The ACL/ACT Control Rule applies buffers to create target catch levels that account for management uncertainty in maintaining catches at or below the ABC. The ACL/ACT Control Rule is intended to be applied separately to the recreational and commercial sectors because each sector has different levels of management uncertainty. The ACL/ACT Control Rule recommended a 0% buffer for the commercial sector because the commercial red snapper harvest is managed by an individual fishing quota program, has accurate landings data, and has not exceeded its quota in the last seven years. Using the ACL/ACT Control Rule, the recommended red snapper recreational buffer was 20%, primarily because of the quota overages in three of the four years (2010-2013) used for calculating the buffer (GMFMC 2014b).

In the three years since the ACT was used to project season length, the actual recreational landings have been below the ACL twice (2014 and 2015), and over the ACL twice (2016 and 2017). The overage in 2016 was attributable to several Gulf states extending their state water seasons following the announcement of the federal fishing season. The overage in 2017 was attributable to the Department of Commerce extending the recreational red snapper season for private anglers following the initial federal fishing season announcement.

Amendment 40 (GMFMC 2014) divided the recreational sector into two components: the private angling and federal for-hire components. The private angling component was apportioned 57.7% of the recreational ACL, and the federal for-hire component 42.3%. The 20% buffer between the ACL and the ACT was applied to both components individually, meaning that the ACT for each recreational component was 20% lower than that component's allocation of the recreational ACL. Amendment 40 also established a sunset provision, which would end sector separation in three years. Amendment 45 (GMFMC 2016) extended the sunset date by five years, from 2017 to 2022. In the three years since the separate components were established, the private angling component exceeded its ACL in two years and exceeded its ACT in the other year (Table 1.1.2). The federal for-hire component did not exceed its ACL or ACT in any of the years (Table 1.1.2). Amendment 40 stipulated that if the stock is considered overfished, a recreational component exceeds its allocation of the recreational ACL, and the total recreational ACL is also exceeded, then in the following fishing year, the amount of the overage from the previous fishing year will be deducted from that component's allocation of the recreational ACL. The payback adjustment has only been applied once - to the 2017 private angling ACL because of a recreational ACL overage of 129,906 lb ww in 2016 (Table 1.1.2). The overage adjustment AM does not currently apply to red snapper because the stock is no longer considered overfished.

With the 20% ACT buffer in place, the total recreational harvest (private angling and for-hire vessels combined) was 28% below its ACL in 2014, 15% below its ACL in 2015, and is projected to be 3% over its ACL in 2016 and 31% over its ACL in 2017.

## 1.2 Purpose and Need

The purpose is to reduce the federal for-hire component's ACT buffer for the red snapper recreational sector to a level that will allow a greater harvest while continuing to constrain landings to the component ACL as well as the total recreational ACL.

The need is to allow the recreational sector components to harvest red snapper at a level consistent with achieving optimum yield while preventing overfishing, while rebuilding the red snapper stock.

### 1.3 History of Management

This history of management covers events pertinent to red snapper allocation and setting quotas. A complete history of management for the FMP is available on the Council's website at [http://www.gulfcouncil.org/fishery\\_management\\_plans/reef\\_fish\\_management.php](http://www.gulfcouncil.org/fishery_management_plans/reef_fish_management.php) and a history of red snapper management through 2006 is presented in Hood et al. (2007). The final rule for the Reef Fish FMP (with its associated environmental impact statement [EIS]) (GMFMC 1981) was effective November 8, 1984, and defined the reef fish fishery management unit, which included red snapper.

Recreational fishing for red snapper is managed with a 16-inch TL minimum size limit, 2-fish bag limit, and a season beginning on June 1 and ending when the recreational quota is projected to be caught. Other reef fish fishery management measures that affect red snapper fishing include permit requirements for the commercial and federal for-hire fleets as well as season-area closures (e.g., Madison-Swanson and the Edges).

*Red snapper allocation and quotas:* The final rule for **Amendment 1** (GMFMC 1989) to the Reef Fish FMP (with its associated Environmental Assessment (EA), Regulatory Impact Review (RIR, and Initial Regulatory Flexibility Analysis [IRFA]) was effective in February 1990. The amendment specified a framework procedure for specifying the total allowable catch (TAC) to allow for annual management changes. A part of that specification was to establish a species allocation. This was based on the percentage of total landings during the base period of 1979-1987. For red snapper, the commercial sector landed 51% and the recreational sector landed 49% of red snapper over the base period. The recreational quota was established through a 1997 regulatory amendment (with its associated EA and RIR) (GMFMC 1995) with a final rule effective in October 1997. Prior to 1997, the recreational sector had exceeded its allocation of the red snapper TAC, though the overages were declining through more restrictive recreational management measures (see Section 3, Table 3.1.2). With the establishment of a recreational quota, the Regional Administrator was authorized to close the recreational season when the quota is reached as required by the Magnuson-Stevens Act. Commercial and recreational quotas, recreational allocations, and commercial and recreational landings are provided in Table 3.1.2.

At its April 2014 meeting, the Council requested an emergency rule to revise the recreational accountability measures for red snapper by applying a 20% buffer to the recreational quota, which resulted in a recreational ACT of 4.312 million pounds whole weight (NMFS 2014). The Council's decision to request an emergency rule was made following the decision of the U.S. District Court for the District of Columbia in *Guindon v. Pritzker* (March 26, 2014). A 2014 framework action created an ACT and a quota overage adjustment to apply to the 2015 fishing year and beyond (GMFMC 2014b). The action adopted an ACT based on a 20% buffer to the recreational quota. The Council also selected as preferred an overage adjustment that applies

when red snapper are classified as overfished such that the amount by which the recreational quota is exceeded in a fishing season is deducted from the following year's quota.

The Council established a federal for-hire and a private angling component within the Gulf recreational sector fishing for red snapper through **Amendment 40** (with its associated EIS, RIR, and Regulatory Flexibility Act analysis) which was implemented by NMFS on May 22, 2015 (GMFMC 2014a). The federal for-hire component is comprised of all for-hire operators with a valid or renewable federal charter vessel/headboat permit for reef fish and the private angling component is comprised of other for-hire operators and private recreational anglers. Amendment 40 allocated the red snapper recreational quota and ACT among the federal for-hire (42.3%) and private angling (57.7%) components.

*For-hire permit requirements:* The requirement to have a permit to operate for-hire vessels in the Gulf exclusive economic zone for reef fish fishing was implemented through **Amendment 11** (with its associated EA, RIR, and IRFA) on April 1, 1996 (GMFMC 1995). The initial purpose of the permits was to address potential abuses in the two-day bag limit allowance. It was thought that by having a permit to which sanctions could be applied would improve compliance with the two-day bag limit. In addition, the permit requirement was seen as a way to enhance monitoring of for-hire vessels in the recreational sector. **Amendment 20** (with its associated EA and RIR; GMFMC 2003), implemented on June 16, 2003, established a three-year moratorium on the issuance of new charter and headboat Gulf reef fish permits to limit further expansion in the for-hire fisheries, an industry concern, while the Council considered the need for more comprehensive effort management systems. The moratorium was extended indefinitely in **Amendment 25** (with its Supplemental EIS, RIR, and IRFA, implemented June 15, 2006 [GMFMC 2006]).

*Change in the Minimum Stock Size Threshold (MSST):* Amendment 44 (GMFMC 2017) revises the threshold at which several Gulf reef fish stocks would be declared overfished. The Council's preferred alternative adopted a MSST value of 50% of the biomass at maximum sustainable yield ( $B_{MSY}$ ), thereby reclassified red snapper and gray triggerfish from overfished to not overfished but rebuilding. Despite the reclassification, the rebuilding plans for these stocks would remain in place until the stocks have recovered to their respective  $B_{MSY}$  levels.

## CHAPTER 2. MANAGEMENT ALTERNATIVES

### 2.1 Action 1 – Modify Red Snapper Recreational Annual Catch Target (ACT)

**Alternative 1:** No Action. The red snapper ACTs for the recreational components will remain at 20% below the recreational component annual catch limits (ACLs).

**Alternative 2:** Modify the respective component ACTs for the private angling and for-hire components while maintaining the overall recreational ACT.

Buffer values between the component ACT and ACL:

**Option 2a:** The for-hire component ACT is 15% below the component ACL; the private angling component ACT is 23.7% below the component ACL

**Option 2b:** The for-hire component ACT is 10% below the component ACL; the private angling component ACT is 27.3% below the component ACL

**Option 2c:** The for-hire component ACT is 5% below the component ACL; the private angling component ACT is 31% below the component ACL

**Alternative 3:** Apply the Gulf of Mexico Fishery Management Council’s ACL/ACT Control Rule, using landings from 2014 – 2017, to set the respective component ACT buffers for the private angling and for-hire components. This results in a for-hire component ACT set 9% below the for-hire component ACL. The private angling component ACT would remain at 20% below the private angling component ACL. The total recreational sector ACT would be approximately 15% below the recreational sector ACL.

**Alternative 4:** Establish a sunset provision on the modification of the component ACT buffers of the recreational sector for red snapper. Any changes to the recreational component ACT buffers would end at the end of the 2019 fishing season.

*Note: The Council may only choose a single option from **Alternative 2** OR **Alternative 3**. In addition, the Council may also choose **Alternative 4**.*

#### **Discussion:**

The for-hire and private angling recreational components are part of a single recreational sector. As a result, the total recreational ACL for the for-hire and private angling components combined can be exceeded if one component exceeds its ACL, even though the other component harvests less than its component ACL. However, both components are managed under a single, combined recreational ACL, per Section 407(d) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (2006).

The tool currently used to prevent the ACL from being exceeded in a given year is season length. The ACT is used to address the uncertainty in the projections used to determine season length and to prevent recreational landings from exceeding the ACL. At its January 2016 meeting, the

Standing and Special Reef Fish Scientific and Statistical Committee (SSC) reviewed the methodology used by the National Marine Fisheries Service (NMFS) to set recreational red snapper season lengths. Numerous sources of uncertainty in projecting season length were identified, including:

- Prediction of state season lengths
- Prediction of state catch rates
- Effort compression during the federal season
- Catch rates vs. the rebuilding timeline
- Fuel prices, economy, and angler behavior
- Weather conditions
- States managing toward unofficial “ACLs” vs. “ACTs”
- Time-lag in receiving recreational landings estimates
- Fall re-openings uninformed by Wave 3 recreational landings data
- Challenges estimating fall catch rates
- Precision issues with landings data
- Changes in recreational surveys
- Multiple sources for landings data, often with different methods of estimation

The SSC discussed possible approaches that could be used to evaluate a change in the ACT buffer. However, SSC members thought that, due to the numerous sources of uncertainty, there were too many unknown factors to be able to establish a scientific justification for either changing or retaining the current 20% buffer. In addition, with only two years (2015 and 2016) of landings data under sector separation (Amendment 40 to the Fishery Management Plan [FMP] for Reef Fish Resources in the Gulf of Mexico [Reef Fish FMP]; GMFMC 2014a) available at the time of the SSC review, there were little data on which to base any analysis. The SSC members suggested that the buffer be re-evaluated in three to four years when more landings data under sector separation are available. The Council continued discussions on the buffer between the recreational component ACTs and ACLs at its January 2016 meeting forward to the present.

**Alternative 1** (No Action) retains the recreational ACT, set at 20% below the recreational ACL. The acceptable biological catch (ABC) levels (and the resulting ACLs and ACTs) were projected to decline through 2018, and were updated based on the SEDAR 52 stock assessment for 2019-2021 (Table 2.1.1). Since the implementation of sector separation, landings by the for-hire component of the recreational sector have not exceeded the ACT or ACL, while landings by the private angling component have exceeded the ACT twice and the ACL once. This suggests that while the current 20% buffer (**Alternative 1**) appears to be constraining harvest for the for-hire component, the same cannot be said for the private angling component.



**Table 2.1.1.** Red snapper ABC projections from the September 2015 (2015-2018) and June 2018 (2019-2021) Gulf SSC meetings.

Year	ABC Projection
2015	14.30 mp
2016	13.96 mp
2017	13.74 mp
2018	13.38 mp
2019	16.02 mp
2020	14.98 mp
2021	14.28 mp

Note: Estimates for 2015-2018 assume discards continue at 2013 levels. Estimates for 2019-2021 assume discards continue at 2016 levels, use 2017 provisional landings, and assume 100% of the 2018 ABC will be landed.

**Alternative 2** would maintain the overall recreational ACT, but modify the respective component ACT buffers for the private angling and for-hire components of the recreational sector for red snapper. The options presented only consider decreasing the for-hire buffer while increasing the private angling component’s buffer because only the private angling component has exceeded its ACL during any of the three years for which sector separation (Amendment 40; GMFMC 2014a) has been in effect (twice, in 2016 and 2017). As such, increasing the ACT buffer on the private angling component may decrease the likelihood of that sector component exceeding its ACL; whereas, decreasing the ACT buffer on the for-hire component may increase the likelihood of that sector component reaching its ACL.

Because the recreational sector allocations for the private angling (57.7%) and for-hire (42.3%) components are not equal, the way in which the buffers are modified cannot also be equal. For example, decreasing the for-hire buffer by 5% and increasing the private angling component’s buffer by 5% results in a combined recreational sector ACT which is smaller than it would be if the combined recreational sector ACT was set at 20% less than the recreational ACL. Therefore, the options in **Alternative 2** are adjusted such that a 5% decrease in the for-hire buffer corresponds to a commensurate increase in the private angling component’s buffer, thereby resulting in a combined ACT which is equivalent to the current recreational ACT. **Alternative 2** has three options for modifying the recreational component ACT buffers: **Option 2a** would set the ACT buffers at 15% for the for-hire component and 23.7% for the private angling component; **Option 2b** would set the ACT buffers at 10% for the for-hire component and 27.3% for the private angling component; and **Option 2c** would set the ACT buffers at 5% for the for-hire component; 31.0% for the private angling component. Under each of these options, the component ACTs equal the recreational ACT (Table 2.1.2).

**Table 2.1.2.** Recreational catch limits by sector component for Gulf of Mexico red snapper under Alternative 2 for the 2018 fishing season. Catch limits are in pounds whole weight.

Sector Component	Component ACL	Component ACT: Option 2a	Component ACT: Option 2b	Component ACT: Option 2c
Private Angling	3,885,000	2,964,255	2,824,395	2,680,650
Federal For-hire	2,848,000	2,420,800	2,563,200	2,705,600

In 2014, the Council initially specified a preference for a 15% risk of exceeding the ACL, which at the time corresponded to a 20% buffer between the ACT and the ACL. It is critical to note that the factors which determine the risk of exceeding the ACL will vary by year. This means that a fixed buffer between the ACT and ACL for a sector component will correspond to a variable amount of risk of exceeding the ACL every year. However, as data collection methods improve and so long as changes in the management environment are infrequent, it is possible that the risk of exceeding the ACL associated with a fixed buffer may decrease over time.

The length of state private recreational fishing seasons in recent years (2013+) has increased, resulting in fewer fishing days for private anglers in federal waters (Table 2.1.3). This resulted in approximately 81% of the ACL for the private angling component initially being projected to be landed in state waters in the 2017 fishing season, leaving the remainder to be harvested during the season for federal waters (NMFS 2017).

**Table 2.1.3.** Comparison of state and federal recreational red snapper season lengths applicable to the private angling component of the recreational sector.

Year	Federal Season	State Season				
		FL	AL	MS	LA	TX
2012	46	46	46	46	46	366
2013	42	65	42	42	100	365
2014	9	52	21	21	286	365
2015	10	70	41	118	215	365
2016	12	78	43	120	272	366
2017*	42	78	67	102	135	365

\* The 2017 red snapper fishing season for private anglers was extended by 39 days on June 6<sup>th</sup>, 2018 by the Secretary of Commerce.

**Alternative 3** would modify the for-hire component ACT only, based on the results of the Gulf of Mexico Fishery Management Council’s (Council) ACL/ACT Control Rule, using landings from 2014 – 2017. Because sector separation (GMFMC 2014a) was not implemented until 2015, landings data from 2014 represent the combined landings of both recreational sector components. To make data from 2014 comparable to data from 2015 – 2017, the private angling and for-hire component simulations under the Council’s ACL/ACT Control Rule in Appendix A assume the allocation split used under sector separation and apply it to the landings data from 2014. With respect to how the Council’s ACL/ACT Control Rule determines an appropriate buffer between the ACL and ACT, the actual amount of the landings is not important; only whether the landings exceed the ACL impacts the buffer determination. Based on the Council’s ACL/ACT Control Rule, the recommended weighted buffer for the private angling component would be 18% (Appendix A; Figure A.1.1) and 9% for the for-hire component (Appendix A; Figure A.1.2). It is important to note that these buffers have been determined independent of one another, are component-specific, and should not be combined to represent what the buffer should be for the recreational sector as a whole. Further, the private angling component ACT buffer is not being considered for adjustment under **Alternative 3** because the weighted buffer resulting from the Council’s ACL/ACT Control Rule is 18%, compared to the current buffer of 20%, and the private angling component has exceeded its ACT and ACL in both of the previous two years.

Reducing that component's ACT buffer may further increase the probability of exceeding the private angling component's ACL in the future.

**Alternative 4** would establish a sunset provision on any modification of the red snapper recreational sector component ACTs, if established in **Alternative 2** or **3**. If **Alternative 1** is selected as preferred, then **Alternative 4** would not be functional. If an option in **Alternative 2**, or **Alternative 3**, is selected as preferred, then **Alternative 4** would terminate the management change at the end of 2019. Terminating any changes in management in 2019 would correspond with the end dates of the exempted fishing permits currently being used by the five Gulf states to demonstrate alternative strategies for recreational red snapper management for private anglers. If **Alternative 4** is not selected as preferred, then any change to the component-specific ACTs would end when sector separation is scheduled to sunset in 2022 (Reef Fish Amendment 45; GMFMC 2016) and the buffer on the total recreational ACL will be 20%.

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