

**Reef Fish Advisory Panel Summary  
Gulf of Mexico Fishery Management Council  
Gulf Council Conference Room  
Tampa, Florida  
October 4-5, 2016**

**Reef Fish AP members present:**

Martin Fisher, Chair	Buddy Guindon	Mike Thierry
Patrick Bennett	Scott Hickman	Tom Turke*
Jason DeLaCruz	David Krebs	Ed Walker
F.J. Eicke	Jane Black-Lee	James (Mike) Whitfield
James Eliason	Mike Nugent	Jim Zurbrick

**Gulf Council Staff:**

Steven Atran  
John Froeschke  
Karen Hoak  
Morgan Kilgour  
Ava Lasseter  
Jessica Matos  
Ryan Rindone  
Camilla Shireman  
Carrie Simmons

**Council Member:**

Ed Swindell

**Public:**

Joe O'Hop  
Jay Lucas  
Ed Mancini  
Sharon McBreen  
G.P. Schmahl  
Bob Spaeth

\* AP member was absent the morning of the second day. Eight AP members could not attend out of 23 AP members.

The Reef Fish AP convened at 8:30 a.m. on October 4-5, 2016. The meeting summaries from September 16-17, 2015 and April 1, 2016 the Reef Fish AP and Red Snapper AP were approved without modifications.

**Draft Proposed Fishing Regulations for Flower Garden Banks National Marine Sanctuary (FGBNMS) Expansion**

Staff presented the white paper for the proposed regulations for the FGBNMS Expansion. Staff presented each area in the FGBNMS Draft Environment Impact Statement (DEIS) Preferred Alternative 3 with the proposed Council regulations. The AP was requested to provide input on each of these areas. Specific recommendations that differed from those in the proposed fishing regulations white paper are outlined below. It was clarified that historic fishing was to apply to all types of fishing, not to specific vessels, and the document was updated. The AP asked specific questions regarding existing regulations in each area and made a series of recommendations.

**By a vote of 12 to 0 and 3 abstentions, the AP accepts the Council's recommendations for maintaining the current boundary and fishing regulations for Stetson Bank.**

The AP discussed the fact that spearfishing is not currently allowed in the FGBNMS. One AP member stated that Geyer Bank is a bank where pelagic free-divers target wahoo and the expansion of FGBNMS and current FGBNMS regulations to this area will eliminate them from participating in this activity. A majority of the AP members felt that this activity would have no impact on the coral habitat and should continue to be allowed.

**By a vote of 13 to 1 and 1 abstentions, the AP recommends to allow pelagic free-dive spearfishing at Geyer Bank.**

The AP continued to discuss spearfishing and its minimal impacts to the coral habitat. Several members stated they had little to no interaction with the habitat when spearfishing except the occasional spearhead being lodged in the habitat and sediment being kicked up. Further, several members did not feel it was fair to eliminate spearfishing from the areas, while still allowing hook-and-line fishing.

**By a vote of 8 to 4 and 3 abstentions, the AP recommends that in any additional expansion of the FGBNMS, that all spearfishing be allowed.**

There was discussion about the use of anchors. The AP did not feel that any type of anchor provision was needed for the document, as anchors would not be allowed in the proposed "no bottom tending gear zones," thereby eliminating the need for anchor restrictions. Additionally, anchor restrictions would be difficult to regulate and enforce as anchors necessary for a given activity differ by vessel and tonnage.

**By a vote of 12 to 1 and 2 abstentions, the AP recommends to remove the anchor size and type provisions from the draft proposed fishing regulations for the FGBNMS document.**

With regard to an endorsement program for fishing in the FGBNMS, there was discussion on whether the program should be directed at commercial fishermen, or if it should extend to the recreational sector. The AP had no specific recommendations at this time for the endorsement program requirements; however, they felt any type of education program regarding fishing around these coral areas was a good idea for fishermen.

**By a vote of 12 to 0 and 3 abstentions, the AP recommends that the Council forward the white paper on the FGBNMS regulations as amended by the AP motions.**

### **Draft Scoping Document to Evaluate Recommended Coral Areas as HAPCs**

Staff presented the scoping document to the AP. Staff provided background on the new research about these coral areas and their importance to the fishery resources that the Council manages. Staff also informed the AP that the Council was still planning to convene a working group to focus on the proposed boundary line for Pulley Ridge. Two bottom longline fishermen were present in the audience and helped to provide input on the areas that are off of the West Florida Shelf and Pulley Ridge. The AP reviewed each of the areas with the information about fishing,

using bottom tending vessel monitoring system (VMS) data. The AP requested that all VMS data (not just bottom tending gear VMS) be used in future analyses. Staff informed the AP that it currently does not have all VMS data, but the data will be requested for future analyses. Much of the discussion centered on whether these corals truly need protection, if the reefs are already healthy, while there is active fishing. There was concern expressed that closing areas will only result in fines for fishermen. The AP made the following recommendations:

**By a vote of 12 to 1 and 2 abstentions, the AP recommends that the Council not expand the current Pulley Ridge HAPC with regulations.**

**By a vote of 13 to 1 and 1 abstention, the AP recommends that Long Mound, North Reed Site, and Many Mounds be HAPCs with no fishing regulations.**

**By a vote of 13 to 1 and 1 abstention, the AP recommends that Mississippi Canyon 118, Viosca Knoll 862/906, Alabama Alps Reef, Viosca Knoll 826, L & W Pinnacles and Scamp Reef, and Rough Tongue Reef be HAPCs with no fishing regulations.**

**By a vote of 14 to 0 and 1 abstention, the AP recommends that Southern Bank and Unnamed Bank (Harte Bank) be HAPCs with no fishing regulations.**

**By a vote of 12 to 1 and 2 abstentions, the AP recommends that all the proposed HAPCs in the Gulf of Mexico have no fishing regulations.**

### **Reef Fish Amendment 36A Commercial IFQ Modifications**

Staff reviewed the actions and alternatives in the amendment. For Action 1, the AP discussed whether reef fish permitted vessels not carrying IFQ species should be required to hail-in. Some members noted that the hail-in should not be made any more complex than what is currently required of vessels carrying IFQ species. AP members supported the requirement for all reef fish permitted vessels to hail-in. Based on the current preferred alternative in the Modifications to Charter Vessel and Headboat Reporting Requirements amendment, some members stated that the Council seems to be moving towards a mandatory hail-in requirement for for-hire vessels. Thus, this same rule should apply to commercial vessels, too.

**By a vote of 13 to 0 and 2 abstentions, the AP recommends in Action 1, that Alternative 3 be its preferred alternative.**

**Alternative 3:** The owner or operator of a commercial reef fish permitted vessel landing any commercially caught, federally managed species from the Gulf is responsible for ensuring that NMFS is contacted at least 3 hours, but no more than 24 hours, in advance of landing. If IFQ species are to be landed, all IFQ advance notice of landings regulations must be followed. If no IFQ species are to be landed, information required with the advance notice of landings will include date, time, location of landing, and vessel identification number (Coast Guard certificate of documentation or state registration number).

The AP discussed Action 2, which addresses the return of inactivated shares to NMFS (Action 2.1) and the proposed methods of redistributing the inactivated shares (Action 2.2). AP members supported the action to return the shares in inactivated accounts to NMFS, but noted that the red snapper program has been in place longer than the grouper-tilefish IFQ program. Thus, there was support for providing additional time for shareholders of inactivated accounts in the grouper-tilefish program to divest of their shares.

**By a vote of 12 to 0 and 3 abstentions, the AP recommends in Action 2.1, Alternative 2 Option 2a and Alternative 3, Option 3b as its preferred alternatives.**

**Alternative 2:** For shares in red snapper IFQ program accounts that have never been activated in the current system, return the shares to NMFS:

**Option 2a:** on the effective date of the final rule implementing this amendment.

**Alternative 3:** For shares in grouper-tilefish IFQ program accounts that have never been activated in the current system, return the shares to NMFS:

**Option 3b:** one year following the effective date of the final rule implementing this amendment.

For Action 2.2, the AP discussed the alternatives for redistributing the shares from the inactivated accounts. AP members noted that the amount of quota for each share category was relatively small, and support was expressed for the use of quota banks. Following a failed substitute motion to recommend redistributing the shares to the allocation-only account holders, the AP passed the following motion:

**By a vote of 9 to 4 and 2 abstentions, the AP recommends in Action 2.2, that Alternative 3 be its preferred alternative.**

**Alternative 3:** Redistribute the shares from each share category according to the proportion of shares held by shareholders of that share category at the time the shares are redistributed by NMFS.

Action 3 considers providing authority to NMFS to withhold IFQ annual allocation at the beginning of the year, should a quota reduction be expected to occur during that mid-year. One member noted he could support the reduction in quota mid-year if it was for biological reasons, but not for political reasons. Other AP members noted there are problems with managing quota changes mid-year, as the market is affected, especially if changes occur late in the year.

**By a vote of 13 to 0 and 2 abstentions, the AP recommends in Action 3, that Alternative 1 be its preferred alternative.**

**Alternative 1:** No Action. Distribute 100% of red snapper and grouper-tilefish annual allocation to IFQ shareholders on January 1 of each year.

Staff reviewed Action 4, which the Council requested to be added to the document at its August 2016 meeting. The action would require IFQ dealers to notify NMFS when a commercial vessel will begin offloading IFQ species. AP members discussed whether this is a regional or Gulf-

wide law enforcement issue. Other members responded that it has been a problem among small, mobile operations, rather than at large fish houses. Some AP members were concerned that this would put an additional burden on dealers, including any potential violations from inaccurate or incomplete notifications. Some AP members felt the burden should be on the vessel operators rather than the dealers, but a motion to make this change to the action failed. Another member expressed concern that the details of the notification requirement remain largely unknown and the logistics would be defined by NMFS (e.g., ability to resubmit notification due to delay in offload and window of time for offloading). Additionally, this would be the first time dealers would have to worry about this aspect of enforcement.

**By a vote of 9 to 0 and 6 abstentions the AP recommends in Action 4, that the preferred alternative be Alternative 2.**

**Alternative 2:** Require IFQ dealers to notify NMFS when a vessel will offload IFQ species. The notification must be made at least 1 hour, and no more than 24 hours, before offloading begins.

## **Reef Fish Amendment 46 – Gray Triggerfish Rebuilding Plan**

Staff reviewed the actions and alternatives in draft Amendment 46 – Gray Triggerfish Rebuilding Plan as well as the proposed timeline for implementation of the amendment. All AP members expressed concern with the results of the stock assessment, stating that gray triggerfish were caught on every reef site each member fished, from St. Petersburg, Florida to Galveston, Texas. Off St. Petersburg, one member stated several of the gray triggerfish he caught in 60 feet of water were undersized, however, he was also catching legal fish. Overall the AP felt the stock had recovered and a new stock assessment was needed before making any management changes. Staff informed them this was not possible, based on the SEDAR stock assessment schedule, and by law the Council has to move forward with a rebuilding plan for implementation by November 2017. Based on what AP members were observing on the water, they felt that a 10-year rebuilding plan for gray triggerfish was warranted. (Note: 1 AP member left for the day during this agenda item so the total number of members was 14).

**By a vote of 13-0 with 1 abstention, the AP recommends in Action 1 that the Council select Alternative 5 as the preferred alternative.**

**Alternative 5:** Establish a rebuilding time period of 10 years or by the end of 2026.

**By a vote of 13 to 0 and 1 abstention, the AP recommends for Action 2, that the Council select Alternative 3, Option c as the preferred alternative.**

**Alternative 3:** Use the SSC recommendation of mean ABC yield streams for 2017 through 2019 for each of rebuilding periods (8, 9, and 10 years). Use the ACL/ACT control rule buffer for each sector based on landings from 2012 through 2015. This results in an 8% buffer between the ACL and ACT for the commercial sector and a 20% buffer between the ACL and ACT for the recreational sector.

**Option c.** Corresponds with the mean ABC projections to rebuild the stock in 10 years or by the end of 2026.

Staff explained the three recreational management measures the Council is considering (closed seasons, bag limits, and minimum size limits). Staff also explained that the recreational decision tool model allows for the selection of effort shifting scalars (percentages) for each mode (headboat, charter vessels, and private anglers). The concept was difficult to explain and capture regarding gray triggerfish; therefore, the AP did not make any specific recommendations regarding effort shifting.

**By a vote of 12 to 0 and 2 abstentions, the AP recommends for Action 3, Action 3.1, that the Council select alternative 4 to be the preferred alternative.**

**Alternative 4:** Modify the recreational fixed closed season for gray triggerfish to be January 1 through the end of February and from June 1 through July 31.

The AP felt if modifying the fixed closed season would meet the necessary reductions in catch limits, then it would not be necessary to reduce the bag limit under the preferred ACT for a 10-year building plan. However, if the preferred fixed closed season was not enough to reduce recreational harvest, some members stated that reducing the bag limit would be preferable to an additional closed season later in the year.

**By a vote of 13 to 0 and 1 abstention, the AP recommends for Action 3, Action 3.2, that the Council select Alternative 1 as the preferred alternative.**

**Alternative 1:** No Action. Do not modify the recreational daily bag limit of 2 gray triggerfish per angler per day within the 20-reef fish aggregate bag limit.

The AP felt that a 14-inch FL gray triggerfish was a big triggerfish and greater than the size of reproductive maturity. Therefore, increasing the minimum size limit was recommended at this time.

**By a vote of 13 to 0 and 1 abstention the AP recommends in Action 3, Action 3.3, that the Council select Alternative 1 as the preferred alternative.**

**Alternative 1:** No Action. Do not modify the gray triggerfish recreational minimum size limit of 14 inches fork length (FL).

The AP spent considerable time discussing commercial trip limits. There was extensive discussion regarding the trip limits remaining in numbers of fish versus pounds, and the consensus was that high grading could occur either way. However, for ease of enforcement and monitoring, the AP recommended keeping the trip limits in numbers of fish. One member stated the following specific concern regarding trip limits in pounds: if he or another captain returned from a trip with 1-2 pounds over the trip limit, then he would likely receive a hefty fine. Therefore, leaving the trip limit in numbers of fish would be easier to track, given that it is such a small amount of fish.

**By a vote of 12 to 2 and 1 abstention the AP recommends in Action 4 to modify the commercial trip limit to 16 fish per trip and supports the Law Enforcement AP recommendation.**

### **Framework Action to Modify Mutton Snapper ACLs and Management Measures as well as Modify the Commercial Gag Minimum Size Limit**

Staff presented the Framework Action to Modify Mutton Snapper and Gag Management Measures. Staff presented four actions pertaining to mutton snapper that consider changes to the ACL/ACT, minimum size limits, and recreational and commercial harvest limits. Staff reviewed recent landings (2010 through 2015) for mutton snapper. Several AP members stated that the increasing trend in commercial landings in the Gulf was suspicious and suggested that a dealer in the Florida Panhandle had misreported another species as mutton snapper. Therefore, the AP suggested that staff and stock assessment analysts look into this further.

Overall, the AP was pleased to hear that the joint stock assessment was not overfished or undergoing overfishing and questioned if additional management measures are necessary at this time, as the stock is considered healthy. Joe O'Hop (FWRI) explained that the recent stock assessment estimated a smaller adult population than the previous assessment, which led the SSC to recommend a reduction in OFL and ABC. Based on this information, the AP supported the highest allowable ACL of the alternatives provided and recommended consistent recreational regulations with the SAFMC and the state of Florida while noting that the recreational harvest of mutton snapper in the Gulf is very small.

**By a vote of 12 to 0 and 2 abstentions, the AP recommends in Action 1 that Alternative 2a be the Preferred.**

**Alternative 2:** Accept the OFLs and ABCs recommended by the Gulf and South Atlantic SSCs from 2016 through 2020.

**Option 2a.** Remove Gulf ACT as a management target.

Staff stated that the majority of the mutton snapper recreational landings occur in the South Atlantic Council's jurisdiction, while the majority of the commercial mutton snapper landings occur in the Gulf. Based on this information the AP passed the following motion regarding the recreational management measures and in the spirit of maintaining consistency with the South Atlantic Council and State of Florida.

**By a vote of 14 to 0 (unanimous), the AP recommends in Action 2, that the Council follow the lead of the SAFMC for implementation of recreational bag limits for mutton snapper.**

The AP did not recommended changes in commercial harvest or minimum size limits, stating that minimum size limits are not effective for the commercial fishery and lead to unnecessary discards.

**By a vote of 14 to 0 (unanimous), the AP recommends Action 3, Alternative 1 as the Preferred Alternative.**

**Alternative 1:** No action. There is no trip limit for the commercial sector in the Gulf of Mexico.

Currently, both the South Atlantic and Gulf documents consider commercial trip limits in terms of fish per person per day, which is more often used as a recreational possession limit. The AP did not think that this was a good method of implementing trip limits for the commercial sector, since commercial crew sizes could vary (up to 4 per vessel). After discussion they passed the following motion.

**By a vote of 14 to 0 (unanimous), the AP recommends that commercial crew size should not be considered as a management strategy for trip limits.**

**By a vote of 14 to 0 (unanimous), the AP recommends in Action 4, that Alternative 1 be the Preferred Alternative.**

**Alternative 1:** No Action - The minimum size limit for mutton snapper in the Gulf of Mexico is 16 inches total length (TL).

The AP discussed a similar action to increase the commercial minimum size limit for gag to 24 inches TL. The AP expressed concern with additional discards, but also noted the benefit of consistent regulations between the commercial and recreational sectors for gag. Additionally, the AP noted the substantial increase in gag spawning potential ratio (SPR) achieved by increasing the minimum size limit. Some AP members stated that they had concerns with discard mortality, although several members stated they were already catching gag larger than 24 inches TL. However, one member stated this would reduce his harvest by approximately 20% if the minimum size limit is increased to 24 inches TL.

**By a vote of 8 to 5 and 1 abstention the AP recommends in Action 5, that Alternative 2 be the Preferred Alternative.**

**Alternative 2:** Increase the commercial minimum size limit for gag in the Gulf of Mexico to 24 inches TL.

## **Vermilion Snapper Stock Assessment Results and SSC Recommendations – Draft Options to Modify Vermilion Snapper ACLs and MSY Proxies**

Staff reviewed the SEDAR 45 vermilion snapper standard assessment and OFL and ABC projections. Projections were made for the years 2017 through 2026, but the SSC only recommended OFL's and ABC's for the 5-year period 2017-2021 due to increasing uncertainty with longer range projections. The SSC based OFL on the yield when fishing at  $F_{30\% SPR}$ . The ABC was based on the yield when fishing at 75% of  $F_{30\% SPR}$ , which is also  $F_{OY}$ . Because the current stock status is above 30% SPR (estimated at 35% SPR in 2017), the yield streams decline over time toward equilibrium. Therefore, the SSC recommended two ABC yield streams, one based on a constant fishing mortality (declining yield stream), and the other based on a constant



catch ABC (average of the constant fishing mortality ABC for 2017-2021). The Council will need to decide on whether to base ABCs and ACLs on the constant fishing mortality or constant catch scenario.

Staff noted that, due to uncertainty about the spawner-recruit curve, the SSC had low confidence in the model generated estimate of MSY, and therefore used an MSY proxy of the yield when fishing at  $F_{30\% SPR}$ . This was a change from the previously used proxy of  $F_{MAX}$ . The Council is responsible for setting MSY proxies in the fishery management plan through a plan amendment. This would be a second action in addition to setting the ACL. When an AP member asked if there was a stock the Council currently manages that had a dependable spawner-recruit relationship, staff responded “no” and noted that the SSC and Council are currently re-evaluating MSY proxies for all reef fish stocks.

AP members observed that the western Gulf appears to be more productive for vermilion snapper than the eastern Gulf, and asked if there might be two different stocks. An AP member also suggested that sector-specific allocations be considered. Due to the questions on stock structure, AP members felt that there was insufficient information on which to make a recommendation to the Council on ACLs at this time.

**By a vote of 14 to 0 (unanimous), the AP recommends taking no action on the ACL alternatives for vermilion snapper at this time.**

AP members suggested that NMFS be asked to evaluate if there are two vermilion snapper stocks in the Gulf. Staff noted that the SEDAR 45 assessment document stated that there was some evidence of differences in stock structure between the western and eastern vermilion snapper populations. However, sample sizes were currently insufficient to separate into western and eastern geographical regions.

**By a vote of 14 to 0 (unanimous), the AP requests that the Science Center determine whether there are two separate stocks between the east and the west Gulf.**

## **Modifications to Charter Vessel and Headboat Reporting Requirements**

The AP reviewed the Generic For-Hire Reporting Amendment that would implement trip-level electronic reporting in Gulf for-hire reef fish and coastal migratory pelagic (CMP) fisheries. The current preferred alternatives require electronic reporting with hail-out, hail-in, and VMS with the report completed and submitted before returning to the dock each trip. The AP passed four motions supporting each of the current preferred alternatives (Actions 1-4). One of the members of the AP returned to the meeting, during this portion of the voting and agenda items.

**By a vote of 14 to 0 and 1 abstention in Action 1, the AP supports the Council’s Preferred Alternative 4.**

**By a vote of 14 to 0 and 1 abstention in Action 2, the AP supports the Council’s Preferred Alternative 4.**

**Preferred Alternative 4.** Require that federally permitted headboats submit fishing records to NMFS for each trip via electronic reporting (via NMFS approved hardware/software) prior to arriving at the dock.

**By a vote of 14 to 0 and 1 abstention, in Action 3, the AP supports the Council's Preferred Alternatives 2 and 3, Options 2a, 2b and 3a, 3b.**

*Hail out*

**Preferred Alternative 2.** Prior to departing for each for-hire trip, a vessel is required to declare (hail out) a trip including the expected return time and landing location.

(Technical Committee Recommendation)

**Preferred Option a.** Charter vessels

**Preferred Option b.** Headboats

*Hail in*

**Preferred Alternative 3.** Prior to arriving at the dock/port at the end of each for-hire trip, require the vessel operator to hail in and submit fishing records via electronic reporting. (Technical Committee Recommendation)

**Preferred Option a.** Charter vessels

**Preferred Option b.** Headboats

**By a vote of 14 to 1, the AP supports the Council's Preferred Alternative 4, Options a and b.**

**Preferred Alternative 4.** Require vessel operators to submit fishing records via NMFS approved vessel monitoring system hardware/software that provides vessel position and is permanently affixed to the vessel.

**Preferred Option a.** Charter vessels

**Preferred Option b.** Headboats

The AP discussed that the required use of VMS causes potential complications in the event of failure. The AP wanted to emphasize that adequate backup solutions are in place such that a trip is not lost from a VMS or associated hardware/software malfunction. The AP passed a motion stating their preference for the development of this type of backup system that is not currently considered in the amendment.

**By a vote of 15 to 0 (unanimous) the AP recommends, if the Council adopts Action 4, Preferred Alternative 4, that the Council develop a failsafe/emergency method to run a for-hire trip if the VMS fails.**

**By a vote of 13 to 1 and 1 abstention the AP recommends, that the Council use the existing VMS call in system for hail in/hail out in case of vessel VMS system failure in the for-hire ELB program.**

Based on the fact that the commercial sector received assistance in receiving VMS units, the AP felt it was important to allow the for-hire component the same courtesy. Therefore, the AP requested that funds be made available to offset the purchase of VMS units (hardware/software).

**By a vote of 14 to 0 and 1 abstention the AP recommends in the event that NMFS requires ELBs for the for-hire sector, that funds be made available to offset the purchase of units (hardware/software), as in the case of the commercial industry.**

## **Goliath Grouper Assessment Report and SSC Recommendations**

Joe O’Hop (FWRI) provided a presentation on the SEDAR 47 2016 goliath grouper assessment. AP members asked several questions about the REEF visual survey methods and index. Several members of the AP have observed goliath grouper and thought that the stock is rebounding, particularly in the northern Gulf of Mexico. Further, the AP thought that in order to better inform scientists and managers, there should be a requirement that all fishermen and divers who have an interaction with goliath grouper make a report. The AP suggested anglers should report the time, date and location of the interaction with goliath grouper. Staff stated they have just completed a learning module available on the Gulf Council website with life history information about goliath grouper and the ability for anglers to upload that information and more.

<http://portal.gulfcouncil.org/GoliathGrouper.html>

The AP posed a motion that later failed to recommend a trophy tag program be explored based on the recreational interest in this species. Some of the commercial AP representatives stated that this species would never be a commercially viable species again and that this species had a lot of eco-tourism value. Mr. O’Hop concurred that there were numerous mercury studies that suggested this species was unsafe to consume and would not have commercial value again.

## **Discussion on the Carryover of any Underharvested Red Snapper ACL to the Following Season**

Staff briefly summarized the responses of the Council and the SSC to questions posed concerning a program to carry over uncaught red snapper quota from one year to the following year. The SSC’s position is that it will need to assess the size at age frequency distribution, growth, recruitment, and relative discards data, and possibly other data, in addition to landings, prior to recommending a change in the red snapper ABC levels. This would be tantamount to an update stock assessment, which if done annually, would come at the cost of assessing some other species. Further, the SSC agreed that sector- or component-specific buffers on the amount of quota that could be carried over may be appropriate, and should be directly correlated to the precision with which the landings are known.

Staff explained that the three main barriers to implementing a carry-over program were that 1) the SSC and Council disagrees with using preliminary landings data to rerun yield projections in order to make changes to the ABC; 2) having an update assessment available for the SSC to determine whether to change the ABC each year could involve significant staff resources at the expense of completing assessments of other species; and 3) even if points 1 and 2 could be overcome, final landings data from the previous fishing year are often not available until the end of April (or later).

The AP attempted to pass several different motions with respect to this information; those which were not withdrawn failed when voted upon. The lone exception was:

**By a vote of 7 to 4 and 4 in abstention, the AP recommends that the Council aim to address all hurdles pertaining to data precision and timeliness regarding today's presentation on carryover of uncaught red snapper.**

## **Other Business**

### **Recreational and Commercial Allocation Exchange**

Chairman Fisher presented a white paper to the AP regarding a recreational and commercial allocation exchange. He suggested for stocks such as king mackerel and red grouper where the stock assessments are robust, but the quotas are not being caught by one sector and are close to being exceeded in the other sector, that a portion of the foregone yield could be utilized or exchanged for the sector in need of more fish. One of the recreational AP members was very interested in this concept, but knew it was going to take substantial discussion and information to implement this idea. Some representatives from the commercial industry stated there was some conservation value by leaving uncaught fish from either sector in the water. Other AP members had concerns that there was only one species with sector specific allocations, king mackerel, where the recreational sector was not landing its quota. Some members felt that the red grouper stock assessment was not correct and the quotas were being increased too much and therefore, it was not a good species to consider for this type of allocation exchange. The AP did not make any motions on this agenda item.

### **Withdrawn motions**

#### *Proposed Fishing Regulations Flower Garden Banks National Marine (FGBNMS) Sanctuary*

*Motion: To develop an endorsement for historic commercial fishermen inside the boundaries of preferred alternative 3 and outside the BOEM no activity zones.*

*Motion withdrawn.*

#### *Goliath grouper assessment*

*Motion: The AP recommends to require that all fishermen and divers that interact with goliath grouper make an appropriate notification to FWC of the time, date and location of the interaction.*

*Motion Withdrawn*

#### *Carry over red snapper discussion*

*Motion: The AP recommends to the Council to discontinue consideration of a carryover program for red snapper, so that the rebuilding can be accomplished more quickly.*

*Motion withdrawn*

*Motion: The AP recommends to the Council to discontinue consideration of a carryover program for red snapper until all the hurdles pertaining to data precision and timeliness have been addressed.*

*Motion withdrawn*

**Failed motions:**

**Reef Fish Amendment 36A**

*Substitute Motion: In Action 2.2, to recommend to the Council that Alternative 5 be its preferred alternative.*

*Alternative 5: Redistribute the shares from each share category to the allocation-only account holders with a commercial reef fish permit and landings in 2016 for that share category, but not related to other accounts with shares.*

*Motion fails 5-9.*

*Motion: In Action 2.2, to add an Alternative 6 that recommends that NMFS redistribute shares from all share categories to a designated quota bank.*

*Motion failed 5 – 6 with 4 abstentions.*

*Motion: Require IFQ vessels, instead of the dealer, to notify NMFS when a vessel will offload IFQ species. The notification must be made at least 1 hour, and no more than 24 hours, before offloading begins.*

*Motion fails 3-6.*

**Reef Fish Amendment 46**

*Motion: In Action 4 the AP recommends that the Council select Alternative 1 as the preferred alternative.*

*Alternative 1: No Action. Maintain the commercial trip limit of 12 gray triggerfish per vessel per day. (Equivalent to 51 lbs ww).*

*Motion failed 0-13 with 1 abstention.*

*Substitute Motion: In Action 4 the AP recommends that the Council select Alternative 4 as the preferred alternative.*

*Alternative 4: Increase the commercial trip limit for gray triggerfish to 75 lbs ww equivalent to 18 fish per vessel per day.*

*Motion failed 0-11, with 1 abstention*

*2<sup>nd</sup> Substitute Motion: In Action 4 the AP recommends the Council select Alternative 3 as the preferred alternative.*

*Alternative 3: Increase the commercial trip limit for gray triggerfish to 60 lbs ww equivalent to 14 fish per vessel per day.*

*Motion fails 1 – 11 with 2 abstentions.*

*Mutton snapper and gag minimum size limit framework action*

*Substitute motion carried and instead of this motion: In Action 5, the AP recommends Alternative 1 as the Preferred Alternative. Alternative 1: No Action - The commercial minimum size limit for gag in the Gulf of Mexico is 22 inches total length (TL).*

*Goliath grouper assessment*

*Motion: The AP recommends that a recreational trophy tag program be explored to provide the scientific community with the ability to study goliath grouper after harvest.  
Motion failed 5 to 6*

*Carry over red snapper discussion*

*Motion: The AP recommends that the Council move forward as quickly as possible on this task, to maximize catch availability for all sectors.  
Motion failed 3 to 7 with 2 abstentions*

The AP adjourned at 4:20 p.m. on October 5<sup>th</sup>.