

**Reef Fish Management Committee Report
June 5-6, 2017
Johnny Greene – Chair**

The agenda was adopted with the addition of several items under Other Business. The minutes of the April 4, 2017 Committee meeting were approved with several corrections noted by Committee members.

Final Action – Amendment 44 – Minimum Stock Size Threshold for Reef Fish Stocks (Tab B, No. 4a)

Staff reviewed the alternatives in the amendment, and public comments received. A Committee member noted that the stock status information in Table 2.1.1 was not based on the most recent assessment for red snapper and greater amberjack. Using the most recent assessments, the stock biomass relative to B_{MSY} was corrected as follows.

Red snapper: $SSB_{current}/SSB_{26\% SPR}$ was 54% in the 2014 update assessment. This means that red snapper would no longer be classified as overfished under an MSST of 50% of B_{MSY} .

Greater amberjack: $SSB_{current}/SSB_{30\% SPR}$ was 29% in the 2017 SEDAR 33 update assessment. This means that greater amberjack would continue to be classified as overfished under all MSST alternatives.

A Committee member made a motion to change the Preferred Alternative from Alternative 3 to Alternative 6, which would change the MSST to 50% of B_{MSY} . He felt that this would give the Council the greatest flexibility to end a stock decline before the constraints of a rebuilding plan are imposed. Bonnie Ponwith noted that her colleagues recommended Alternative 5 (MSST = 75% of B_{MSY}), but felt that Alternative 2 or Preferred Alternative 3 were also acceptable. Council staff explained that at 50% of B_{MSY} stocks were considered in danger of collapse. However Committee members noted that preventing overfishing would continue to drive management. If overfishing can be prevented, the stock should remain above this threshold.

Without opposition, the Committee recommends, and I so move, in Action 1 to make Alternative 6 the preferred alternative.

Alternative 6: For the reef fish stocks listed in Table 1.3.1, reef fish stocks MSST = $0.50 * B_{MSY}$ (or proxy).

Staff explained that MSST levels are not included in the Code of Federal Regulations. Therefore, there was no codified text to accompany the amendment.

Without opposition, the Committee recommends, and I so move, to approve Reef Fish Amendment 44, and that it be forwarded to the Secretary of Commerce for review and implementation, giving staff editorial license to make the necessary changes in the document.

Final Action – Amendment 47 – Vermilion Snapper MSY Proxy and ACL (Tab B, No. 5a)

Staff reviewed the actions and alternatives in the amendment, and public comments received, noting that the ACL was dependent upon the combination of preferred alternatives in the two actions. The SSC had approved alternate OFL and ABC yield streams in the event the Council selected the new Alternative 3 in Action 1 (MSY proxy = $F_{26\% SPR}$), but they continued to recommend that 30% SPR be the MSY proxy. There were no motions to change either of the preferred alternatives, i.e.:

Action 1: Preferred Alternative 2. The proxy for vermilion snapper MSY is the yield when fishing at $F_{30\% SPR}$.

Action 2: Preferred Alternative 3. The ACL for vermilion snapper for the years 2017 through 2021 will be the constant catch average of the 5-year ACLs when fishing at 75% of the MSY proxy yield selected in Action 1.

With the selected preferred alternatives, the vermilion snapper ACL would be 3.11 mp whole weight.

Without opposition, the Committee recommends, and I so move, to approve Reef Fish Amendment 47, and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

Final Action – Abbreviated Framework Action to Modify the Number of Unrigged Hooks Carried Onboard Bottom Longline Vessels (Tab B, No. 6a)

Staff provided an overview including the purpose and need of the abbreviated framework action to modify the number of unrigged hooks carried onboard bottom longline vessels. Staff indicated the Council could take final action at this meeting, if warranted. Ms. Gerhart summarized recent reef fish observer data on bottom longline reef fish trips that indicated, since the implementation of Amendment 31 in 2010, average hook loss per trip had increased. Thus, the 250 extra unrigged hooks onboard is not sufficient. The Committee discussed the comments provided by law enforcement officers that indicated counting the number of unrigged hooks onboard could be burdensome if increased, but allowing an unlimited number onboard would be ideal. The regulation of 750 hooks fished or rigged for fishing would not be changed through this action.

Without opposition, the Committee recommends, and I so move, to make Option 3 the preferred option.

Option 3. Modify the total number of hooks to be unlimited of which no more than 750 hooks are fished or rigged for fishing. While the option of greater than 1,500 hooks per vessel was not analyzed in Amendment 31 (GMFMC 2010), the regulation to only allow 750 hooks to be fished or rigged for fishing would remain in place. Therefore, there should not be any additional concern for protected species interactions. Law enforcement would only need to check the number of rigged hooks (750) because there would be an unlimited number of unrigged hooks allowed in this option, reducing any burden on law enforcement.

The Committee then voted to recommend approval and submission of the Abbreviated Framework Action and codified text.

Without opposition, the Committee recommends, and I so move, to approve the Abbreviated Framework Action to Modify the Number of Unrigged Hooks Carried onboard Bottom Longline Vessels, and that it be forwarded to the Secretary of Commerce for review and implementation, and deem the codified text as necessary and appropriate, giving staff editorial license to make the necessary changes in the document. The Council Chair is given the authority to deem any changes to the codified text as necessary and appropriate.

Draft – Framework Action to Modify the ACT for Red Snapper Federal For-Hire and Private Angler Components (Tab B, No. 7)

Staff reviewed options for modifying the ACT buffers for the red snapper recreational components. The current options represent a permanent, as opposed to a fluid, change in the current 20% buffer, based on the landings from the 2017 fishing year. Committee members were pleased with the purpose and need. However, they expressed concern with the inherent lack of flexibility, acknowledging that using only two years of data under the current sector separation management program presented several quantitative challenges. A Committee member expressed concern that the options presented were within the scope of error estimation for the landings data. Another Committee member noted that while data collection programs are improving, catch rates are still quite variable, with weather being an unpredictable yet influential factor. An approach which considers using a moving average was discussed, and was requested to be added. Staff will work to incorporate an alternative which explores a moving average as discussed by the Committee.

Draft – Framework Action - Greater Amberjack ACL and Management Measures (Tab B, No. 8)

The Committee reviewed the draft framework action that considers changes to greater amberjack management measures. The Committee reviewed the alternatives in Action 2 that would modify the fixed recreational closed season. The Committee discussed that opening the greater amberjack recreational season later in the year would allow stability in the season and access to a prized species during the fall.

The Committee recommends and I so move: To add a new alternative under Action 2 that would modify the recreational closed season from January 1 – July 31.

Next, the Committee reviewed Action 3 that has alternatives to change the minimum size limit. Staff stated that the recreational minimum size limit was increased to 34 inches in 2016, but this change was not included in the most recent stock assessment. The Committee determined that it is premature to consider further modification to the minimum size limit until the effect of the most recent minimum size increase is known.

The Committee recommends and I so move: To move Action 3 to considered but rejected.

2.3 Action 3: Modify the Recreational Minimum Size Limit

Alternative 1: No Action – Do not modify the current recreational minimum size limit of 34 inches fork length (FL)

Alternative 2: Modify the minimum recreational size limit for greater amberjack to 30 inches FL

Alternative 3: Modify the minimum recreational size limit for greater amberjack to 32 inches FL

Alternative 4: Modify the minimum recreational size limit for greater amberjack to 36 inches FL

Report of the Ad Hoc Red Snapper Private Angler AP (Tab B, No. 9)

The Committee reviewed the summary report from the May 8-9 Ad Hoc Private Recreational Red Snapper Advisory Panel meeting. The Advisory Panel was asked to provide recommendations to improve access to red snapper in federal waters for private recreational anglers. However, after reviewing the meeting materials and presentations, the Advisory Panel decided that additional background information was necessary prior to recommending changes in management. The Committee supported this request and directed staff to re-convene this Advisory Panel and provide them with the requested background information sometime this fall.

Discussion – Red Snapper Allocation Issues (Tab B, No. 10)

Mara Levy reviewed the recent court decision that vacated the Amendment 28 reallocation of red snapper. She noted that NMFS has just published a rule reinstating the original allocation. The lawsuit addressed four issues: 1) statutory violations; 2) biological issues; 3) economic and social issues; and 4) compliance with National Standard 4. The court found in favor of NMFS on the first three issues. With respect to National Standard 4, the court stated that it was reasonable to pursue a new allocation, but Amendment 28 put the commercial sector at a disadvantage because its landings were constrained by the IFQ system during years used to determine the allocation.

The decision did not imply that reallocation could not be reconsidered, or that historical landings could not be used. However, all factors affected by reallocation decisions, including stock assessments, should be considered.

Options Paper – Amendment 36B – Commercial Reef Fish IFQ Modifications (Tab B, No. 11a)

SERO staff gave a presentation on the Fishery Finance Program. Council staff then reviewed the draft options paper and requested that the Committee discuss the IFQ programs' goals and objectives. The Committee discussed some potential goals the amendment may address. These include reducing bycatch from the expanding red snapper population, requiring shareholders to more actively participate in fishing, assisting the next generation's entrance to the IFQ program, and extracting resource rent through auctions or royalties. Committee members noted that caution was needed in pursuing these potential actions as unintended consequences may undermine the IFQ programs' performance.

After discussing the potential action for a quota redistribution and set-aside, the Committee passed the following motion.

By a voice vote of 11 to 4, the Committee recommends and I so move, that in Section 2.3, to add an alternative for an adaptive management redistribution method based on cyclical redistribution, which depends on fishing participation.

Committee members inquired about the referendum requirements pertaining to redistributing quota by auction. Ms. Levy reviewed the language in the Magnuson-Stevens Act pertaining to auctions. The Committee then passed the following motion.

By a voice vote with no opposition, the Committee recommends and I so move, to direct staff to write a letter to NMFS to request a determination if an auction of commercial red snapper quota above 4.65 mp would require a referendum.

Revised Draft Amendment 41 – Allocation Based Management for Federally Permitted Charter Vessels (Tab B, No. 12a, 12b)

Staff gave a presentation (Tab B, No. 12a) of three new actions contained within Revised Draft Amendment 41 (Tab B, No. 12b). The Council requested these actions at the April meeting, which address the following: species for inclusion; allocation of annual catch limit; adaptive management (cyclical redistribution). The Committee then made the following motions:

Without opposition, the Committee recommends and I so move, in Action 1, make Alternative 2 Option 2b the preferred.

Alternative 2: Establish a fishing quota program that provides participants with shares and annual allocation.

Option 2b: a Permit Fishing Quota (PFQ) program.

Without opposition, the Committee recommends and I so move, in Action 2, make Alternative 1 the preferred alternative.

Alternative 1: No Action. Do not establish a voluntary red snapper management program for charter vessels. The red snapper management program applies to all charter vessels with a valid or renewable Gulf Charter/Headboat permit for Reef Fish.

Without opposition, the Committee recommends and I so move, to move Action 2 (Program Participation) to considered but rejected.

The Committee then discussed the range of species for inclusion in the management program. The Committee made the following motion:

Without opposition, the Committee recommends and I so move, in Action 3, Alternative 2 to make options 2a, 2b, and 2c the preferred.

Alternative 2. Include the following species in the management program:

Option 2a: Red snapper

Option 2b: Greater amberjack

Option 2c: Gray triggerfish

The Committee discussed the benefits and drawbacks of a set cycle and a progressive cycle for use in adaptive management. The Committee made the following motion:

With a voice vote of 2 opposed, the Committee recommends and I so move, in Action 6.1 to make Alternative 3 option 3a the preferred alternative.

Alternative 3: The cycles for adaptive management will occur in an increasing progressive range, starting at X year(s) and incrementing by 1 year until Y years. Thereafter, cycles will be Y years in length.

Option 3a: 1 year incrementing by 1 year till reaching 3 years (cycle 1= 1 year, cycle 2 = 2 years, cycle 3+ = 3 years)

The Committee requested decision tools, similar to that for red snapper, be developed for gray triggerfish, greater amberjack, gag, and red grouper. For enforcement purposes, the Committee inquired if real-time data would be available for use with adaptive management. Dr. Stephen responded that this would be possible for this type of program. The Committee also requested referendum requirements be presented at the August meeting.

Draft Amendment 42 – Federal Reef Fish Headboat Management (Tab B, No. 13)

Staff noted that the Committee previously reviewed the management actions in Amendment 42. Because the allocation of resources to the for-hire components is addressed in both Amendments 41 and 42, staff inquired about removing it from one of the amendments. The Committee discussed the allocation issue and requested that Ms. Levy provide guidance on the potential implications of removing resource allocation considerations from one of the amendments. Committee members requested that staff bring back referendum eligibility criteria to the Committee in August.

Other Business

Status Determination Criteria Amendment

Mara Levy noted that Amendment 43 had not defined OY for hogfish, and the Council was out of compliance for most of its stocks with the requirement that stocks have status determination criteria. Staff recently resumed work on a Status Determination Criteria amendment that would define MSY proxy, MFMT, MSST, and OY for all reef fish stocks and red drum, but this amendment has not been a high priority.

Without opposition, the Committee recommends, and I so move, to make the Status Determination Criteria Amendment a priority on the proposed action schedule.

Turtle Release Gear

Sue Gerhart noted that two new gear types have been approved by the Science Center for use in handling and releasing incidentally caught sea turtles when fishing for reef fish. These are a collapsible net and a new type of dehooking device. Before they can be used by fishermen, they need to be added to the list of approved sea turtle release gear. The South Atlantic Council has a process for adding new gear to the list. However, the Gulf Council has no such process. She suggested that the Council develop a process so that these gear types and future gears can be added to the Gulf list of approved gears.

Without opposition, the Committee recommends, and I so move, to direct staff to begin work on a document to address turtle release gear.

Louisiana Recreational Reef Fish Management Plan

Patrick Banks noted that the Council had recently agreed to begin developing a state management plan for Louisiana for red snapper. To assist in this development, Louisiana DWF had begun working on a draft plan, which he presented to the Committee and was distributed to the Council. Committee members felt that this was a good contribution to the development process; however, it was noted that the allocation to Louisiana would have to be done in combination with the allocations to the other states.

Madam Chair, this concludes my report.

