

**Reef Fish Committee Report****June 4, 2019****Ms. Martha Guyas – Chair**

The agenda was adopted (Tab B, No. 1) after adding discussion items for recreational greater amberjack, size limits for almaco jack, and the status of red grouper. The minutes from the April 2019 Committee meeting (Tab B, No. 2) were approved.

***Review of Reef Fish Landings (Tab B, No. 4)***

SERO staff reviewed final 2018 and preliminary 2019 commercial landings for Gulf greater amberjack and gray triggerfish. Slight commercial overages for both species will result in paybacks. For 2019, commercial gray triggerfish is still open (but presently under a seasonal closure), while greater amberjack will close on June 9. Recreational landings of greater amberjack in the fall season totaled 103% of the annual catch target and the recreational sector will not reopen for its spring season. Gag and red grouper landings for 2018 were under their annual catch limits (ACLs), while gray triggerfish exceeded the ACL by 91.5%. Because gray triggerfish is not overfished, there is no recreational payback for 2019; however, the fishery closed May 11, 2019, to prevent an overage. The for-hire component landed 109.2% of its red snapper ACT in 2018, which was 87.3% of its ACL. The preliminary 2018 landings of cobia were 31.8% of the ACL, hogfish were 34.7% of the ACL, lane snapper were 119.5%, mutton snapper were 116.2%, and vermilion snapper were 102.2%.

Because lane snapper landings exceeded the overfishing limit in 2017 and 2018, in-season monitoring and subsequent projections will determine when the fishing season should be closed early in 2019 to prevent an ACL overage. Staff have been working with the SEFSC to coordinate an update to the SEDAR 49 Itarget model run of lane snapper for review at the September 2019 Gulf SSC meeting. Staff was asked if there were any changes in trends in lane snapper landings to explain the increased landings in recent years. Staff could not recall anything specific from the SEDAR 49 assessment, but will look into it further.

The Committee requested that king mackerel be included in the following landings update if there is not a scheduled meeting of the Mackerel Committee. SERO staff also clarified that commercial landings are received weekly, while recreational landings are received at least 45 days after the end of each MRIP wave, and landings from Texas are received twice per year.

***Joint Enforcement Agreement Discussion (Tab B, No. 5)***

NOAA Enforcement Officer Pete Harwell answered questions from the Committee regarding the scope of federal enforcement activities. Officer Harwell noted that his office enforces compliance of federally managed species in both federal and state water jurisdictions, as well as land-based enforcement. He provided examples including compliance with the Lacey Act, TEDs, and dealer reporting requirements.

***Draft Amendment 36B: Modifications to Commercial IFQ Programs and Presentations***

Mr. Eric Brazer gave a presentation on the Shareholders' Alliance Gulf of Mexico Reef Fish Quota Bank. Staff reviewed the amendment's purpose and need, as developed from previous Council motions, and the amendment's actions. For the action that considers requiring shareholders to possess a commercial reef fish permit, the Committee discussed the alternative to exclude those who hold small amounts of shares, noting that if they enact the requirement, it should apply to all shareholders regardless of the amount of shares held.

**Without opposition, the Committee recommends and I so move,** to remove Alternative 5 from Action 1.1.

**Alternative 5:** Restrict the amount of shares that may be held at any one time by a shareholder account without a valid or renewable commercial reef fish permit to a maximum of:

**Option 5a:** 5% of a share category's share cap.

**Option 5b:** 10% of a share category's share cap.

**Option 5c:** 20% of a share category's share cap.

**Option 5d:** 30% of a share category's share cap.

In the interest of time, staff proceeded to Action 4, which would require accuracy in the estimated weights provided in advanced landing notifications. Cynthia Fenyk of NOAA GC Enforcement Section made a presentation via webinar on applying the penalty schedule for Magnuson-Stevens Act violations. Sergeant Carron, chair of the Council's Law Enforcement Technical Committee discussed the concerns of law enforcement that initiated this action. The Committee discussed the proposed range for which the estimated weights that would provide law enforcement with the tool to address inaccurate estimated weights, without unduly penalizing commercial fishermen.

**Without opposition, the Committee recommends and I so move,** in Action 4, to modify the alternatives to require that the estimated weight reported on advance landing notifications be within 20%, 25%, or 30% of actual landed weight per share category when the total weight on board of that share category is more than:

**Option a:** 100 lbs.

**Option b:** 500 lbs.

**Option c:** 750 lbs.

***FINAL ACTION: Framework Action to Modify Greater Amberjack Commercial Trip Limits***

Staff reviewed the development timeline for the framework action and the Council's requests of staff at the previous April meeting. The public comments submitted were varied with some members of the public preferring no action and indicating target trips for greater amberjack would not be economically viable below the current 1,500 lbs gutted weight (gw) trip limit. Other stakeholders voiced support for a reduced trip limit to extend the commercial season.

A summary from a meeting of the Reef Fish AP, held in May 2019, was reviewed by the Committee. The AP made a motion to recommend a 500 lbs gw commercial trip limit, followed

by a step-down to 250 lbs gw once 75% of the commercial annual catch target (ACT) was met; however, if the commercial season still closed before the end of the fishing year, the Reef Fish AP recommended that the step-down occur once 50% of the ACT was met in the following fishing year. The Committee was unclear as to whether the step-down at 50% of the commercial ACT would be permanent if enacted. The Committee discussed Figure 2.1.1, noting that approximately 50% of commercial trips land less than 500 lbs gw, while approximately 30% of trips are landing more than 1,000 lbs gw indicated a number of targeted commercial trips for greater amberjack occur in the Gulf.

Staff reviewed the action and alternatives, noting that the Committee could select any of Alternatives 1-4 in conjunction with Alternative 6 (the step-down alternative) as its preferred alternative(s). The Committee decided to table the discussion until after the public comment and revisit the document at full Council.

***Draft Framework Action to Modify the Recreational For-Hire Red Snapper Annual Catch Target Buffer***

Staff reviewed the framework action including the purpose and need and the recent landings which show that the federal for-hire component for red snapper has not exceeded its component ACL since 2015. Staff noted the difference between Alternative 2 (ACT set 9% below the ACL) and Alternative 3 (ACT set 5% below the ACL) was based on the results of the ACL/ACT Control Rule, reflecting more certainty in the landings for the more recent time series in Alternative 3 (2015-2018) versus Alternative 2 (2014-2017), and that for the duration of the time series used for Alternative 3, the private angling and for-hire component landings were monitored independent of one another.

**Without opposition, the Committee recommends, and I so move:** In Action 1, to make Alternative 2 the preferred alternative.

**Alternative 2:** Apply the Gulf of Mexico (Gulf) Fishery Management Council's (Council) ACL/ACT Control Rule, using federal for-hire landings data from 2014 – 2017, to set the component ACT buffer for the federal for-hire component. This results in a federal for-hire component ACT set 9% below the federal for-hire component ACL.

Staff will bring a final action version of the framework action to the Council for consideration in August 2019.

***Public Hearing Draft Amendment 51: Establish Gray Snapper Status Determination Criteria, Reference Points, and Modify Annual Catch Limits (Tab B, No 9)***

The Committee reviewed four actions that would establish or modify the status determination criteria and an action to modify the ACLs. Action 1 would establish a maximum sustainable yield (MSY) proxy for gray snapper. The SSC recommended that the MSY proxy be set at the yield when fishing at  $F_{30\%SPR}$  based on their review of the SEDAR 51 stock assessment. However, the Committee discussed that the biology of the species and the characteristics of the fishery may allow for a lower MSY proxy which would allow for a larger harvest for a given stock size.

**Without opposition, the Committee recommends and I so move:** In Action 1, to make Alternative 2 the preferred alternative.

**Alternative 2:** For gray snapper, the MSY proxy is the yield when fishing at 26% spawning potential ratio ( $F_{26\% SPR}$ ).

The Committee also discussed Alternative 5 in Action 1, which would streamline the process of modifying the gray snapper MSY proxy in the future based on a recommendation from the SSC. This alternative would allow, but not require the Council to accept an SSC recommendation for a new MSY proxy by noting the change in a plan amendment.

**Without opposition, the Committee recommends and I so move:** In Action 1, to make Alternative 5 a preferred alternative.

**Alternative 5:** For future assessments of gray snapper, the MSY proxy equals the yield produced by  $F_{MSY}$  or proxy recommended by the Gulf of Mexico Fishery Management Council's (Council) Scientific and Statistical Committee (SSC), and subject to approval by the Council through a plan amendment.

Next, the Committee considered Action 2, which would modify the maximum fishing mortality threshold (MFMT). The Committee discussed that the MFMT should correspond to the MSY definition in Action 1.

**Without opposition, the Committee recommends and I so move:** In Action 2, to make Alternative 2 the preferred alternative.

**Alternative 2:** The gray snapper MFMT is equal to  $F_{26\% SPR}$ .

The Committee reviewed Action 3, which defines the minimum stock size threshold (MSST). The Council previously selected Alternative 4, which defines the minimum stock size threshold for gray snapper =  $0.5 * B_{MSY}$ . Likewise, the Committee reviewed Action 4 and noted they had previously selected Alternative 2, Option 2c as preferred. Finally, the Committee considered alternatives in Action 5 that would modify the ACLs for gray snapper based on the gray snapper stock assessment.

**Without opposition, the Committee recommends and I so move:** In Action 5, to make Alternative 2, Option 2b the preferred.

**Alternative 2:** Use the OFL and ABC yield stream associated with the MSY proxy of  $F_{26\% SPR}$  to set OFL, ABC, and ACL. Do not set an ACT.

**Option 2b:** Apply the ACL/ACT Control Rule (landings from 2014 through 2017) to establish an 11% buffer between the ABC and the ACL. The ACL for gray snapper for the years 2019 through 2021 will be reduced from the ABC by 11%.

Year	OFL (mp ww)	ABC (mp ww)	ACL (mp ww)
2019	2.59	2.52	2.24
2020	2.58	2.51	2.24
2021+	2.57	2.51	2.23

Staff will hold a public hearing via webinar prior to the August 2019 Council meeting and prepare the document for final action at the next meeting.

***Discussion of Commercial Crew Size Requirements***

Staff reviewed the history of the crew size restriction on dual-permitted vessels, which are vessels with both a commercial and a charter/headboat permit for reef fish. In 2012, the Council increased the maximum crew size on dual-permitted vessels fishing commercially from three to four. The Committee discussed the rationale for the restriction. It was noted that the restriction serves as an impediment for dual-permitted vessels to be used for “catch share experience trips.” Presently, dual-permitted vessels engaging in catch-share experience trips are limited by the commercial crew size requirement; however, vessels with only a federal commercial permit and no federal charter/headboat permit are not limited by crew size. Permits can be transferred from one vessel to another, with administrative time needed to conduct the permit transfer between vessels.

***Other Business***

**Red Grouper**

Dr. Crabtree spoke with commercial longline fishermen targeting red grouper during a session after the meeting, who expressed concern over the status of red grouper, but also with the number of dead discards of red snapper. The question posed by the fishermen was whether it was possible to apportion some amount of red snapper quota to avoid dead discards from longline fishing by retaining those fish. Moving the longline component of the fishery to a “total retention” fishery would remove the issue of dead discards, and but would need to be validated via observers, cameras, or some other suitable approach. This would necessitate providing some amount of red snapper allocation to a vessel’s account, and once that allocation is exhausted, that vessel would no longer be allowed to fish. Key to a “total retention” fishery would be high-quality validation that no fish were being discarded, regardless of size or condition, and that the vessel ceases all fishing activity when its allocation is exhausted. Discard mortality for red snapper from bottom longline vessels is thought to be between 50-60% due to the depths in which fishing is occurring. The amount of quota for the incidentally caught fish would be determined through an analysis by the SEFSC, which would identify the total dead discards from longline fishing. That amount of fish in pounds would be vetted by the Council’s SSC, and if approved by the Council, added to the ABC, and then apportioned directly to the longline vessels. The respective plan amendment would include an action for this fleet-specific allocation within the commercial sector’s quota for red snapper. The Committee decided to wait until after hearing public testimony to discuss this topic further.

### Recreational Greater Amberjack

At the recent Florida Fish and Wildlife Conservation Commission meeting, a great deal of consternation was expressed about the lack of a spring season in 2019 for recreational greater amberjack. This issue was also talked about during the Council's Reef Fish AP meeting in May. The AP discussed a split quota, divided between the fall and spring seasons; however, this approach does not allow for a payback to the portion of the season which may exceed its seasonal quota. Generally, the AP desired a solution which would afford the opportunity to fish for greater amberjack in both the spring and the fall seasons, which could also include changing the recreational fishing season back to the calendar year. Committee members noted that if the fishing season changes back to the calendar year, fishermen in the western Gulf of Mexico would lose access to the species in the fall if the recreational ACT is caught in the spring season. One proposed solution was to open the recreational season on May 1 and close it on May 20 until the fall season.

### Minimum Size Limit for Almaco Jack

The South Atlantic Fishery Management Council recently established a commercial minimum size limit for Almaco jack (20" fork length), and the Florida Fish and Wildlife Conservation Commission (FWC) is establishing a consistent size limit for state waters. Gulf fishermen have asked the FWC for a similar minimum size limit to be established in the Gulf. Committee members noted that the species is becoming more popular regionally by commercial and recreational anglers and as a candidate for mariculture.

Mr. Chair, this concludes my report.