

**Reef Fish Committee Report - Corrected  
April 4, 2017  
John Greene – Chair**

*This report corrects the 2017 recreational red snapper ACLs and ACTs that were provided at the Council meeting.*

The agenda was approved with the additions of a discussion of recent court decisions, and a presentation by Acting Assistant Administrator for NOAA Fisheries Sam Rauch. The minutes of the January 30-31, 2017 Committee meeting were approved as written.

**Discussion of Recent Court Rulings**

Mara Levy reviewed the recent court decision regarding Amendment 28 (red snapper reallocation). The court vacated the amendment on the basis that it violated National Standard 4 (management measures must be fair and equitable). As a result, the recreational:commercial red snapper allocation will revert to the previous allocation ratio of 49:51, respectively. The 2017 recreational red snapper season will be based on this allocation, and the allocation that reverted back to the commercial sector will be released to the commercial IFQ system.

Ms. Levy also noted that the court ruled in favor of NMFS in a challenge to Amendment 40 (sector separation). NMFS is waiting to see if the plaintiffs file an appeal.

**Projections for 2017 Federal Recreational Fishing Season and Discussion of State Seasons**

Nick Farmer gave a presentation on factors affecting the 2017 recreational red snapper season projections. Based on preliminary estimates, the private recreational component overfished its allocation by 129,906 lbs ww (125% of allocation), while the federal for-hire component landed just 70% of its allocation. Combined, this resulted in an ACL overharvest of 102%, which triggers the payback provision. As a result of the recent court decision on Amendment 28, the recreational ACL has been adjusted to reflect the original recreational:commercial allocation of 49:51. With this change, and with the overage adjustment applied to the private recreational component, the resulting 2017 ACTs are:

<b>Component</b>	<b>Annual Catch Limit (quota)</b>	<b>Annual Catch Target</b>
All rec	6,603,094**	
Private Angler	3,755,094**	3,004,075 **
Federal For-Hire	2,848,000	2,278,000

\*\* Adjusted by 129,906 lbs ww

The formulas for applying the overage adjustments are as follows:

2017 ACL - overage = adjusted ACL  
Adjusted ACL \* 0.80 = adjusted ACT

3,885,000 - 129,906 = 3,755,094 lbs Private adjusted ACL  
3,755,094 \* 0.80 = 3,004,075 lbs Private adjusted ACT

In 2017, state seasons are projected to catch 77-79% of the ACT, leaving approximately 0.7 MP for the private federal season. Federal seasons will be announced by May 1. The federal for-hire component is expected have about the same or a slightly longer season than in 2016. The private recreational component will likely have a shorter season.

A motion was made to direct staff to start a framework action to modify the red snapper ACT for the federal for-hire sector, however the motion failed by a vote of 7-8.

**Final Action – Amendment 36A – Modifications to Commercial IFQ Programs (Tab B, No. 4)**

Staff reviewed the public comments received on Amendment 36A. Staff then reviewed the actions and preferred alternatives in the amendment. In Action 2.2, the Committee discussed the amount and value of the shares held in non-activated accounts and the proposed recipients of those shares under the alternatives. In Action 4, taking no action remains the preferred alternative. The Committee passed the following motion.

**Without opposition, the Committee recommends and I so move, to recommend to the Council to approve Reef Fish Amendment 36A 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 – Amendment 46 – Gray Triggerfish Rebuilding Plan (Tab B, No. 5a)**

Staff reviewed the public comments received on Amendment 46. Staff then reviewed the actions and preferred alternatives in the final draft amendment. During the review of Action 4 – Commercial Trip Limits – staff noted that the 2016 commercial landings were closer to reaching the ACT than in previous years. The Committee asked staff to summarize the accountability measures for the commercial sector. Staff stated if the commercial sector is expected to reach its ACT (quota), the Regional Administrator will close the fishery and any overages of the ACT would be deducted for the following fishing year. No modifications were made to the preferred alternatives during Committee.

**Without opposition, the Committee recommends and I so move, to recommend to the Council to approve Reef Fish Amendment 46 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 – Framework Action – Mutton Snapper ACL and Management Measures and Gag Commercial Size Limit (Tab B, No. 6a)**

The Committee reviewed the draft framework action that considers changes to mutton snapper and commercial gag management measures. Action 1 considers alternatives to revise the annual catch limits based on the results of the 2015 stock assessment results and SSC recommendation of OFL and ABC.

**Without opposition, the Committee recommends and I so move, in Action 1, to make Alternative 2, Option 2a the Preferred Alternative.**

**Alternative 2:** Accept the OFLs and ABCs recommended by the Gulf and South Atlantic Scientific and Statistical Committees (SSCs) from 2017 through 2020. Apply the Gulf apportionment of the ACL equal to 18% of the stock ABC.

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

Next, the Committee considered Action 2 that would modify the Gulf mutton snapper recreational bag limit.

**Without opposition, the Committee recommends and I so move, in Action 2, to make Alternative 2, Option 2b the Preferred Alternative.**

**Alternative 2:** Retain mutton snapper within the aggregate 10-snapper recreational bag limit in the Gulf, but specify a bag limit for mutton snapper within the aggregate bag limit year round.

**Option 2b:** 5 fish/person/day

The Committee also considered alternatives to increase the mutton snapper minimum size limit that could slow the rate of harvest and improve the spawning potential of the stock. Increasing the minimum size limit to 18 inches total length would also establish compatible regulations throughout the Florida Keys where the vast majority of landings occur.

**Without opposition, the Committee recommends and I so move, in Action 3, to make Alternative 2 the Preferred Alternative.**

**Alternative 2:** Increase the minimum size limit for commercial and recreational mutton snapper in the Gulf to 18 inches TL.

The Committee reviewed Action 4 that considers increasing the minimum size limit of commercially harvested gag to 24 inches total length that would achieve compatible regulations between the recreational and commercial sectors in the Gulf, as well as between the Gulf and South Atlantic Council jurisdictions. This is expected to simplify regulations and increase the spawning potential of the stock.

**Without opposition, the Committee recommends and I so move, in Action 4, to make Alternative 2 the Preferred Alternative.**

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

Finally, the Committee voted to recommend approving the Framework Action.

**Without opposition, the Committee recommends and I so move, to recommend that the Council approve Framework Action Mutton Snapper ACL and Management Measures and Gag Commercial Size Limit and that it be forwarded to the Council for final action and sent 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.**

#### **Options Paper – Update Assessment and Framework Action to Adjust Greater Amberjack ACL (Tab B, No. 7a)**

The Committee reviewed the draft framework action that would adjust the annual catch limit and modify the rebuilding plan for greater amberjack. The SEDAR 33 update stock assessment indicated that greater amberjack is still overfished and is experiencing overfishing. The stock assessment results indicate that the stock is not rebuilding as expected, and modification of the rebuilding plan is necessary to end overfishing and rebuild the stock. The committee reviewed draft options for ACLs and ACTs for 2018-2020. Staff asked if the Committee wanted to consider other management actions such as modifying the fixed closed season and minimum size limits that could be considered as part of the rebuilding program. During full Council, it would be ideal to reduce the range of alternatives for any additional management measures because the tight timeline would require the framework action be implemented expediently. The Committee is expected to be able to review a final draft at the June 2017 meeting.

#### **Presentation by Sam Rauch**

Mr. Sam Rauch, Acting Assistant Administrator for Fisheries provided an overview presentation of the MRIP Strategic Plan. He provided information on the objectives, plan structure, and team makeup. Mr. Rauch stated the strategic plan is now ready for review and feedback, and he requested comments by June 30.

#### **Draft Amendment 47 – Modify Vermilion Snapper ACLs and MSY Proxy (Tab B, No. 8)**

Following review of the actions and alternatives in the amendment by staff, the Committee passed the following motions.

**Without opposition, the Committee recommends and I so move, in Action 1, to make Alternative 2 the Preferred Alternative.**

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

**Without opposition, the Committee recommends and I so move, in Action 1, to add a new Alternative 3.**

**Alternative 3:** The proxy for vermilion snapper MSY is the yield when fishing at  $F_{26\%}$  SPR.

**Without opposition, the Committee recommends and I so move, in Action 2, to make Alternative 3 the Preferred Alternative.**

**Alternative 3:** The ACL for vermilion snapper for the years 2017 through 2021 will be 3.11 mp ww (constant catch average of the 5-year annual ACLs).

Staff suggested that Alternatives 2 and 3 be simplified by deleting the options regarding the vermilion snapper ACL after the 5-year period 2017-2021.

**Without opposition, the Committee recommends and I so move, in Action 2, to remove Options a and b under Alternatives 2 & 3.**

Without these options, the intent would be that the ACL remain at the 2021 level unless changed by subsequent rulemaking.

#### **SEDAR 49 – Stock Assessment for Data-Limited Stocks (Tab B, No. 11a,b,12)**

Luiz Barbieri reviewed the process used under SEDAR 49 for assessing data-limited species using methods included in the NMFS data-limited toolkit. They attempted to use available data beyond just the catch history to estimate a sustainable catch, but not necessarily the maximum sustainable catch. SEDAR 49 began with 8 species. An initial evaluation indicated that 4 species might be feasible for data-limited methods, but further evaluation determined that only one species, lane snapper, had data of sufficient quality to produce results useable for management. Using the Itarget method and applying the results to probability density function, the lane snapper OFL (50% probability of overfishing) was determined to be 364,100 lbs ww, and an ABC (at 30% probability of overfishing) was 355,500 lbs ww. These catch levels are slightly higher than the OFL and ABC previously produced using Tier 3a of the ABC control rule.

Once the data-limited approach has been initially applied to a stock, re-evaluations are a simple matter of updating the catch history. The SSC recommended that reevaluations be conducted at time intervals not to exceed 3 years.

Committee members asked why red drum could not be assessed. Dr. Barbieri explained that the main limitation was data across the entire stock, i.e. there are no indices of abundance or age-

distribution of the offshore portion of the stock since the 1980s. In the South Atlantic, a red drum assessment was completed, but it had high uncertainty and was not considered useful for management.

### **Charter-for-Hire Management Discussion** (Tab B, Nos. 9a-e)

Staff gave an overview presentation of the White Paper on Changes to the Charter For-Hire Allocation-Based Management Program and the Draft Action - Cyclical Redistribution of Red Snapper Shares. The Committee made the following motion:

**Without opposition, the Committee recommends and I so move, to add an action item to include cyclical redistribution of red snapper to Amendment 41.**

The Committee requested an additional alternative be included in the White Paper that uses the same range of years as in sector separation for determining the component ACLs. The Committee asked, for enforcement purposes, if inclusion of cyclical redistribution in Amendment 41 would mean bag limits would no longer be needed for red snapper. Dr. Stephen responded that any type of catch share program could also include a bag limit provision similar to how the Headboat Collaborative (HBC) pilot program was conducted, with both bag limits and allocation requirements.

### **SERO/SEFSC Response to Documentation requested by Gulf Angler Fishing Group** (Tab B, No. 10)

Ms. Gerhart gave a presentation that evaluates potential management options proposed by the Gulf Angler Fishing Group. SERO evaluated the options based on four criteria: 1) Is the option permissible under the Magnuson-Stevens Act, 2) does the option increase the federal red snapper season length for private anglers, 3) what are the assumptions and caveats of each option, 4) will the option achieve a 40-day federal season. Ms. Gerhart summarized all seven options relative to these criteria, based on analyses previously completed, and noted that all analyses are preliminary and would need further refinement based on guidance from the Council. Ms. Gerhart stated that a 40-day federal season could likely be achieved through a combination of one or more of the proposed management options.

Dr. Stunz noted that under the depth/distance option, a portion of the stock would be protected from harvest and could increase the reproductive potential of the stock. He recommended incorporating this into the evaluation of this option, if possible. Mr. Anson asked about eligibility requirements that could be included as part of a potential tagging program. Dr. Crabtree stated that possession of a Gulf state fishing license could be considered as a criterion.

Dr. Lucas asked about the regional component of option G. Ms. Gerhart noted that stock characteristics vary regionally and could be considered as part of the potential options. Dr. Crabtree suggested that this presentation be given to the Ad Hoc Red Snapper Private Angler Advisory Panel (AP) at their May 8-9 meeting. Mr. Banks requested that regional management (Amendment 39) also be provided to the Advisory Panel for review. The recommendations of the Advisory Panel will be presented to the Council at their June 2017 meeting.

**Standing and Reef Fish SSC Summary (for items not discussed elsewhere on agenda**  
(Tab B, No. 11a)

Luiz Barbieri reviewed items that were discussed by the SSC but not included among other Council agenda items. The SSC received a presentation on the NMFS draft Stock Assessment Improvement Plan, which may be useful in beginning the process of integrating ecosystem considerations into the assessment process. The SSC also received a demonstration on the NMFS stock prioritization process from Shannon Calay that is a method of identifying and scoring parameters that can be used to prioritize stock assessments. This will be further reviewed by the SSC at a subsequent meeting.

The SSC was asked to evaluate the addition to the MSST amendment of an alternative to set MSST at 85% of  $B_{MSY}$  vs 75% of  $B_{MSY}$ . The SSC had no scientific concerns about 85% of  $B_{MSY}$ . They felt this was a management decision concerning how conservative the Council wants to be. The SSC also heard a series of presentations on the social and economic aspects of the IFQ programs. This presented a new perspective on IFQs to the biologists on the SSC and possibly provided a window on how to incorporate socioeconomic aspects into the assessment process.

**Other Business**

Mara Levy noted that Amendment 44, which will establish MSST for all reef fish stocks, was originally part of a larger status determination criteria (SDC) that included MSY proxies and OY. For stocks with no SDC, she was concerned about setting MSST but not the other SDC. She suggested that the Council either 1) proceed with MSST definitions only for stocks that currently have SDC, and then follow-up with the other stocks in the SDC amendment, or 2) proceed with all of the SDC assignments in one amendment. Staff noted that the SSC has previously stated that it would be too large a workload to simultaneously work on MSY proxies and ABC control rule revisions. They asked that the Council provide guidance on prioritization of these projects.

Council members discussed the idea of treating red snapper as two stocks, east and west of the Mississippi River. This was one of the alternatives in Amendment 39 (red snapper regional management), which was postponed indefinitely in January 2016. A suggestion was made to bring Amendment 39 back for consideration, or at least the private angler portion.

No motions were made on any of the Other Business items.

Madam chair, this concludes my report.