

**Reef Fish Management Committee Report**

**June 20-21, 2016**

**Johnny Greene – Chair**

**Draft Amendment 36A – Red Snapper IFQ Modifications (Tab B, No. 4)**

Staff reviewed the document’s actions and alternatives. The committee discussed requiring all commercial reef fish permitted vessels to hail-in before landing. It was suggested that the Law Enforcement Committee review the action again with the accompanying data on the additional vessels and trips that would be required to hail-in. It was also noted that if vessels are not required to land at approved landing sites accessible to law enforcement, compliance may not be improved through this action.

The committee discussed the methods for redistributing shares held in inactivated accounts. There was support for distributing the shares to assist with bycatch reduction. The committee then passed the following motions.

**By a voice vote with no opposition, the committee recommends and I so move:**

**In Action 2.2, add an alternative to redistribute red snapper shares among grouper-tilefish shareholders in proportion to their grouper tilefish landings and redistribute grouper and tilefish shares among the red snapper shareholders.**

**By a voice vote with no opposition, the committee recommends and I so move:**

**In Action 2.2, add an alternative to redistribute unused red snapper and grouper-tilefish shares to the allocation-only account holders.**

**By a voice vote with no opposition, the committee recommends and I so move:**

**In Action 2.2, move Alternative 4 to Considered but Rejected.**

**Alternative 4: Redistribute the shares equally among small participants (Action 2.3).**

**By a voice vote with one in opposition, the committee recommends and I so move:**

**In Action 2.2, move Alternative 5 to Considered but Rejected.**

**Alternative 5: Do not redistribute shares, but distribute the annual allocation associated with the shares to small participants (Action 2.3) through a NMFS quota bank each year.**

**Options Paper for Amendment 46 – Modify Gray Triggerfish Rebuilding Plan (Tab B, No. 6a)**

Council staff provided an overview presentation on the draft options in Amendment 46 stating the document was still in the early stages of development. A recreational decision tool with dropdown menus of minimum size limits, bag limits, and fixed closed seasons was developed

and reviewed by Dr. Mike Larkin. The SSC reviewed the decision tool and provided recommendations on areas of improvement. Staff intends to move forward with using this recreational decision tool in development of Reef Fish Amendment 46 concurrently with addressing the SSC recommendations for improvements. The commercial decision tool is anticipated to be completed by the July SSC meeting and use by the Council in August.

Staff requested the Committee focus on the ACLs and ACTs they anticipated moving forward with in an effort to streamline the document. Ms. Levy stated it was difficult to justify moving forward with a rebuilding plan for a stock by selecting higher ACLs and ACTs than are currently in place. The Committee discussed their concerns with the stock assessment and the need for another assessment based on the number of gray triggerfish fishermen are catching. The Committee made the following motion:

**Without opposition, the Committee recommends and I so move, that in Action 2, move Alternative 3, Options b and c to Considered but Rejected.**

**Alternative 3:** Use the SSC’s recommended rebuilding period of 8, 9, or 10 years from SEDAR 43 (2015).

**Option b.** Corresponds with the annual ABC’s recommended for 2017 through 2019 by the SSC that are estimated to rebuild the gray triggerfish stock in 9 years or by the end of 2025. 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.

Year	ABC	Commercial ACL	Commercial ACT (quota)	Recreational ACL	Recreational ACT
2017	399,000	83,790	77,087	315,210	252,168
2018	412,000	86,520	79,598	325,480	260,384
2019	417,000	87,570	80,564	329,430	263,544

**Option c.** Corresponds with the annual ABC’s recommended for 2017 through 2019 by the SSC that are estimated to rebuild the gray triggerfish stock in 10 years or by the end of 2026. 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.

Year	ABC	Commercial ACL	Commercial ACT (quota)	Recreational ACL	Recreational ACT
2017	546,000	114,660	105,487	431,340	345,072
2018	554,000	116,340	107,033	437,660	350,128
2019	555,000	116,550	107,226	438,450	350,760

## **Mutton Snapper ACLs and Management Measures (Tab B, No. 7, 8)**

Council staff gave a presentation describing options to revise mutton snapper management measures and the gag commercial minimum size limit (Tab B, No. 8). Dr. Froeschke noted that mutton snapper comprise a single stock in the southeast region and are managed cooperatively by the Gulf and South Atlantic Councils and the State of Florida. The South Atlantic Council is developing an amendment to adjust mutton snapper regulations including specific regulations during the spawning season. The State of Florida is also planning to implement new management measures in 2016.

The current options paper (Tab B, No. 7) contains options that would allow for consistent management regulations for mutton snapper in all three jurisdictions. The current options paper considers May through June as the spawning season whereas the South Atlantic Council considers the spawning season as April through June. A primary objective for the management of this species is to achieve consistency in regulations among the Councils and Florida.

Action 2 considers options that would modify the recreational bag limit during spawning and non-spawning months.

**The committee recommends and I so move that in Action 2, to specify spawning months as April through June.**

Action 3 considers options that would modify the commercial trip limit during spawning and non-spawning months.

**The committee recommends and I so move that in Action 3, to specify spawning months as April through June.**

## **Draft Amendment 41 – Red Snapper Management for Federally Permitted Charter Vessels (Tab B, No. 9a)**

Dr. Barbieri summarized the SSC's comments on the amendment. Staff reviewed the purpose statement and program goals, and the allocation-based management programs provided in Action 1. An alternative for a permit fishing allocation, or PFA, program has been added to the document. A PFA program would not use shares; rather, allocation would be recalculated each year. Due to the time needed for calculating vessel allocations and the required appeals process, staff proposed adding an option to recalculate the allocations every three years. The committee then passed the following motion.

**By a voice vote with no opposition, the Committee recommends and I so move, In Action 1, to add under Alternative 3, Option 3c, every five years and in Action 2, to add Option 2d, every five years.**

Under Action 2, program participation could be voluntary. The action has been revised such that non-participating charter vessels would not be able to harvest red snapper. Staff requested guidance on the Council's intent as to whether charter operators must take action to opt-out of

the program, or take action to join the program. The committee then passed the following motion.

**By a voice vote with no opposition, the committee recommends and I so move, In Action 2, to clarify, that vessels are presumed to be under the program unless they exercise some affirmative action to opt out.**

In Action 3, the committee discussed the terminal year to be used in Option 5a and passed the following motion.

**By a voice vote with no opposition, the committee recommends and I so move,**

**In Action 3, Alternative 5a, to change 2012 to 2013.**

**Option 5a: Average landings for years 2003 to 2012, excluding landings in 2010.**

The committee considered restructuring the harvest tag section by removing it as an allocation-based management program, and including actions for the use of harvest tags as an enforcement tool. Mara Levy noted an action should be added for placing caps on the use of allocation, and pointed out that in Action 5, two alternatives were redundant. Staff will revise the document, appropriately.

Staff reviewed the white paper addressing the bag limit, fishing season, and minimum size limit modifications. The committee discussed alternate dates for the fishing season. The committee then passed the following motion.

**By a voice vote with no opposition, the committee recommends and I so move, To ask staff to evaluate the recreational for-hire red snapper season to open April 20 through May 31 and reopen in September, and open June 1 through June 30, and reopen October 1 until the projected end of the season.**

#### **Draft Amendment 42 – Federal Reef Fish Headboat Management (Tab B, No. 11)**

Staff reviewed the amendment and summarized the recommendations provided by the Ad Hoc Reef Fish Headboat Advisory Panel. Staff noted that the availability of catch histories allows the distinction to be made between headboat survey vessels and for-hire vessels included in Amendment 41. The AP expressed support for an IFQ program for all headboat survey vessels, the establishment of an endorsement to the for-hire reef fish permit, and for a proportional distribution of the quotas to the survey vessels. Additional recommendations and issues addressed by the AP include preferred transferability provisions and ownership caps, new entrants, and support for cost recovery. Committee members inquired about metrics considered for cost recovery. Staff indicated that the commercial ex-vessel price, allocation prices, and fees paid by headboat passengers are among the options considered to determine the ex-vessel value for cost recovery purposes.

**Final Action Amendment 43 – Hogfish Stock Definition, SDC, ACL, and Size Limit** (Tab B, No. 13)

The Committee reviewed its preferred alternatives and made changes as follows.

*Action 1 – Definition of the Management Unit.* There was no change from the previously selected Preferred Alternative 2 (stock boundary line is south of Cape Sable at 25° 09' N latitude).

*Action 2 – Status Determination Criteria for Hogfish in the Gulf of Mexico Fishery Management Unit.* There was no change from the previously selected Preferred Alternative 3 and previously selected Preferred Option 3b.

Preferred Alternative 3:  $MSY = \text{equilibrium yield at } F_{30\% \text{ SPR}}$

$MFMT = F_{30\% \text{ SPR}}$

Preferred Option 3b:  $MSST = 0.75 * SSB_{30\% \text{ SPR}}$

*Action 3 – Annual Catch Limit and Annual Catch Target for Hogfish.* Under Preferred Alternative 3 (constant catch ACL for 2016-2018), staff explained that the SSC passed a motion stating that, if at the end of a declining yield projection period no new assessment is available, and the equilibrium ABC is below the constant catch ABC, the ABC should revert to the equilibrium ABC. SSC representative Luis Barbieri explained that this was because with a declining yield stream the constant catch was based on yields early in the yield stream that might not be sustainable in later years. As a result, this alternative would have to be modified to revert to the equilibrium ABC after 2018 rather than retain the constant catch ABC. Staff noted that Florida FWC had an update assessment planned for 2018 so it was possible that new yield stream projections might be available before the equilibrium yield is actually implemented in 2019. Dr. Barbieri stated that he would see that the hogfish assessment received a high priority so that it could be completed in time to avoid the equilibrium yield from being implemented.

**Without opposition, the Committee recommends and I so move, to recommend to change the language in Action 3, Preferred Alternative 3, from 219,000 lbs to 159,300 lbs after 2018.**

**Preferred Alternative 3: A constant catch ACL is set at 219,000 lbs ww based on the constant catch ABC recommendation for the years 2016-2018 of the SSC. The ACL will revert to 219,000 lbs after 2018 until modified by rulemaking.**

There was no change from the previously selected Preferred Option 3a (ACT will not be defined).

*Action 4 – Hogfish Minimum Size Limit for Commercial and Recreational Sectors.* Staff reviewed public comments that were strongly opposed to increasing the hogfish minimum size limit to 16 inches fork length. Comments indicated that most of the public felt that an increase from 12 inches to 16 inches was too large a jump in size. Most of the hogfish caught were under 16 inches. Council members noted that an increase to 14 inches FL would still allow an extra

year of spawning with less discard mortality, and felt that the benefits of increasing the size limit to just 14 inches FL outweighed the benefits of having a 16-inch FL size limit that would be consistent with the consistent with the Atlantic/Florida Keys stock.

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

**Alternative 2: Set the hogfish minimum size limit at 14 inches FL.**

*Action 5 – Use of Powerheads to Harvest Hogfish in the Stressed Area.*

There was no change from the previously selected Preferred Alternative 2 (remove the provision in 50 CRF 622.35(a)(1) that exempts hogfish from the prohibition on the use of powerheads to take Gulf reef fish in the stressed area).

*Review of Codified Text*

NMFS staff noted that, because of changes to the preferred alternatives in Actions 3 and 4, there would need to be revisions made to the codified text (a revised version of the codified text has been provided to the Council). In addition, there will need to be some changes made to the analyses in the amendment. With this understanding, the Committee passed the following motion.

**Without opposition, the Committee recommends and I so move, that the Council approve Amendment 43, Hogfish Stock Definition, SDC, ACL, and Size Limit, 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 45 – Extend or Eliminate the Red Snapper Sector Separation Sunset Provision (Tab B, No. 16)**

Staff reviewed the amendment and noted that the Council selected Alternative 2 – Option a as its preferred alternative. Motions to modify the preferred alternative failed. Ms. Levy reviewed the codified text. The Committee made the following motion:

**Without opposition, the Committee recommends and I so move to recommend the Council approve Amendment 45 – Extend or Eliminate the Sunset Provision on Sector Separation, 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.**

## **Ad Hoc Advisory Panel for Recreational Red Snapper Management**

The Committee discussed the possible formation of an ad hoc advisory panel of private vessel fishermen to provide recommendation to the Council on management of private recreational anglers. . Although no Committee members expressed opposition to forming an AP, there was debate on the timing of the formation. It takes two Council meetings to make appointments to an AP. The first meeting is to make preliminary selections of candidates, and the second meeting is to receive the results of state and federal enforcement divisions fishing violation background checks. The Recreational Angler Focus Group, an independent group, has met several times and is forming recommendations which are expected to be presented by January. Some Committee members wanted to wait until the Recreational Angler Focus Group recommendations have been presented before forming the AP, while others wanted to begin the process now so that the AP would be ready to meet when the recommendations are presented. A motion was made to assemble an ad hoc advisory panel of private boat recreational fishermen and charge them to develop fair and effective ways to mitigate the red snapper derby. A substitute motion was then made that more clearly defined the timing of the ad hoc AP with respect to the Recreational Angler Focus Group.

**By a voice vote with 3 opposed, the Committee recommends and I so move, that the Council assemble an ad hoc advisory panel of private boat recreational fishermen and charge them to develop fair and effective ways to mitigate the red snapper derby and populate this Committee and convene them for their first meeting after hearing results from the Recreational Angler Focus Group.**

## **Standing and Reef Fish SSC Report (Tab B, No. 19a)**

Luiz Barbieri reviewed issues discussed by the Standing and Reef Fish SSC that were not presented in the earlier agenda items.

### *Vermilion snapper SEDAR 45*

Based on the results of the SEDAR 45 standard assessment, the vermilion snapper stock is neither overfished nor experiencing overfishing. In its calculation of ABC, the SSC rejected the use of the Tier 1 ABC control rule because they felt that it did not capture the magnitude of uncertainty. Instead, the SSC set ABC at the yield corresponding to 75% of  $F_{30\%SPR}$ . The SSC provided two alternative 5-year ABC yield streams beginning in 2017. One was for a series of annual declining ABCs, and the other was for a 5-year constant catch ABC (which is the average of the five declining ACLs). Under both yield streams the current ACL is higher than the projected ABCs, so an action to revise the vermilion snapper ACLs is needed. In addition, the stock assessment used an MSY proxy based on 30% SPR, which was supported by the SSC. However, the Reef Fish FMP's definition for vermilion snapper MSY, from Amendment 23, is to use the actual MSY estimate rather than a proxy. Dr. Barbieri explained that the assessment did not provide adequate information to be able to produce an MSY estimate with enough confidence to use in management, so a proxy was necessary. For the Council to change its definition of MSY for vermilion snapper in the FMP will require a full plan amendment.

**Without opposition, the Committee recommends and I so move, that the Council begin a plan amendment to specify ACL and MSY proxy for vermilion snapper.**

*Grouper/tilefish IFQ 5-year review (market power analysis)*

A market power analysis in the Gulf reef fish IFQ programs was presented to the SSC. The analysis concluded that, to date, there is no evidence of market power in the commercial IFQ programs. The analysis presented will be included in the 5-year review of the Grouper and Tilefish IFQ program.

*SSC members serving as Council state designees*

Several SSC members felt that there could be a potential conflict of interest if an SSC members also served as a Council designee. This could result in the individual voting twice on an issue. However, one SSC member has served simultaneously on the MAFMC and Mid-Atlantic SSC, and did not feel that there was much of an issue regarding conflict of interest

*Methods to address recreational red snapper ACL underharvests*

The SSC reviewed two approaches to dealing with underharvest of red snapper by a sector. One method would open a supplemental season later in the year if it was determined that the sector-ACL had not been harvested. The other method would carry over any underharvest to the following year, with a temporary increase in ABC to allow the underage, or a portion of it, to be taken. The first method involved a lot of uncertainty on current landings, and any supplemental opening would occur on short notice. For this reason, the SSC felt that the second method was preferable, but recommended that it be implemented as a pilot project with a reevaluation after 3 years.

**Without opposition, the Committee recommend, and I so move to direct staff to start a Framework Action to develop a method to carry over the unharvested red snapper ACL to the following season.**

*MSY Proxies*

The SSC had reviewed an early draft options paper of Amendment 44, which addresses MSST and MSY proxies for reef fish. The SSC would like to consider the formation of an ad hoc working group to evaluate MSY proxies. Formation of such a group would require Council authorization if it includes members who are not SSC, Council staff, or NMFS staff. In order to speed up the process, the Committee passed a motion to delegate authority to the Executive Director in appointing members to the ad hoc working group.

**Without opposition, the Committee recommends, and I so move to recommend the Council establish an ad hoc workgroup with the Executive Director's discretion in appointments to assist the SSC in addressing MSY proxies.**

## **Other Business**

Committee members noted that the South Atlantic SSC had recently reviewed alternative MSY proxies for red snapper. The Gulf SSSC had had done a similar review in May 2015. However, the South Atlantic SSC apparently had newly published information, and Committee members felt the Gulf SSC should reevaluate its previous recommendations in light of this new information.

**Without opposition, the Committee recommends and I so move, to ask the Council to direct the Science & Statistical Committee (SSC), for its August 2016 meeting, to review analyses for red snapper at  $F_{MAX}$ ,  $F_{20\% SPR}$ ,  $F_{22\% SPR}$ , and  $F_{24\% SPR}$  and provide advice regarding the risk of overfishing if any of these potential reference points were used for red snapper given their life history characteristics and new scientific information regarding the generic relationship between life histories and productivity.**

Mr. Chairman that concludes my report.