



PUBLIC HEARING GUIDE

04/28/2023

Reef Fish Amendment 56: Modifications to the Gag Grouper Catch Limits, Sector Allocations, and Recreational Fishing Seasons



Table of Contents

What is a public hearing?	2
How does a public hearing affect fisheries management?	2
How else can I get involved?	2
Introduction to Amendment 56	3
Action 1 – Modification of Gag Status Determination Criteria	4
Action 2 – Modification of Gag Catch Limits, Sector Allocation, and Rebuilding Timeline	7
Action 3 – Modify the Gulf Gag Sector Annual Catch Targets	11
Action 4 – Modification of Gulf Gag Recreational Fishing Season Start Date and Accountability Measures	14
Public Hearing Meeting Information	16
Send Us Your Comments	16
What's Next?	17



What is a public hearing?

A public hearing gives you an opportunity to comment on a fishery management plan or amendment that the Gulf of Mexico Fishery Management Council (Council) is developing. Public hearings are conducted later in the amendment development process, usually after the Council has selected preferred alternatives for proposed actions, but before taking final action. Suggestions, issues, and concerns expressed during the public hearings will be presented to the Council for review and consideration before final action is taken.

How does a public hearing affect fisheries management?

Comments provided during the public hearing process are reported to the Council prior to final action. Your input is considered as the Council deliberates and chooses the most appropriate management measures to address the issue(s) at hand.

How else can I get involved?

There are many ways you can help the Council identify fishery management needs and develop reasonable management alternatives, each dependent on how actively involved you want to become. The first step to becoming involved is to educate yourself about the management process by visiting our website at www.gulfcouncil.org, signing up to receive our communications, and contacting Council members and staff to discuss management concerns. You can attend meetings, serve on panels and committees that advise the Council on fishery issues, and even apply to become a Council member. Focusing your comments on the pros and cons of specific alternatives in each action provides the most useful guidance to the Council. If you are unable to attend a public hearing in person, you are encouraged to submit your comments online. For online comment forms, video presentations, and full amendment documents, visit our Amendments Under Development webpage at <https://gulfcouncil.org/amendments-under-development/>.

Introduction to Amendment 56

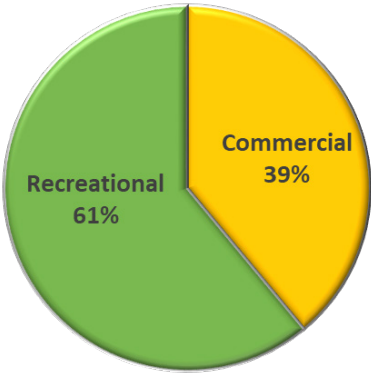
The most recent gag stock assessment (SEDAR 72 2022) estimates that gag is overfished and undergoing overfishing as of 2019. The Council is obligated to end overfishing and implement a rebuilding plan for the stock.

A number of ecological and biological factors influence the status of the gag stock and resulting catch level projections. Since gag is vulnerable to red tide, the stock assessment incorporated an ecosystem-based analysis that accounted for 4 years of red tide events in 2005, 2014, 2018, and 2021. The assessment also incorporated new information about the time it takes gag to reach sexual maturity, and to transition from female to male. The stock assessment identified that the proportion of males in the population is very low (~2%), which negatively impacts the stock's ability to reproduce. Based on this, the Council's scientific advisors, the Scientific and Statistical Committee (SSC), revised the criteria used to determine the status of the stock, to build the stock to a more robust and resilient population.



The stock assessment included updated estimates of the size of gag retained and discarded by private recreational, for-hire, and commercial fleets and utilized improved landings information by way of incorporating Florida's State Reef Fish Survey (SRFS) private recreational landings and discards estimates. The assessment also used MRIP-FES recreational landings data for the for-hire and shore fishing modes, and Southeast Region Headboat Survey data for headboat landing estimates. The majority (>95%) of private angling landings of gag were captured in the State of Florida by the SRFS program. The SRFS-calibrated historical landings data combined with the other modes were utilized in the stock assessment as appropriate estimates of the recreational sector's harvest of gag.

The current sector allocations for gag are 61% recreational and 39% commercial. Updates to the historical recreational time series of landings data could result in the Council considering allocations changes.



The Council is required to end overfishing by preparing and implementing a rebuilding plan within two years of notification that the stock is overfished, per the Magnuson-Stevens Fishery Conservation and Management Act. The Council was notified of the overfished status of gag on January 26, 2022. The Council developed Amendment 56 in order to end overfishing and rebuild the gag stock through modifying status determination criteria, catch limits, sector allocations, and the recreational fishing season for gag.

The amendment is not anticipated to be through the rule making process until 2024; thus, the Council requested that NMFS implement an interim rule to reduce harvest and end overfishing in 2023. The interim management measures in place for 2023 will reduce catch limits to the following in pounds gutted weight:

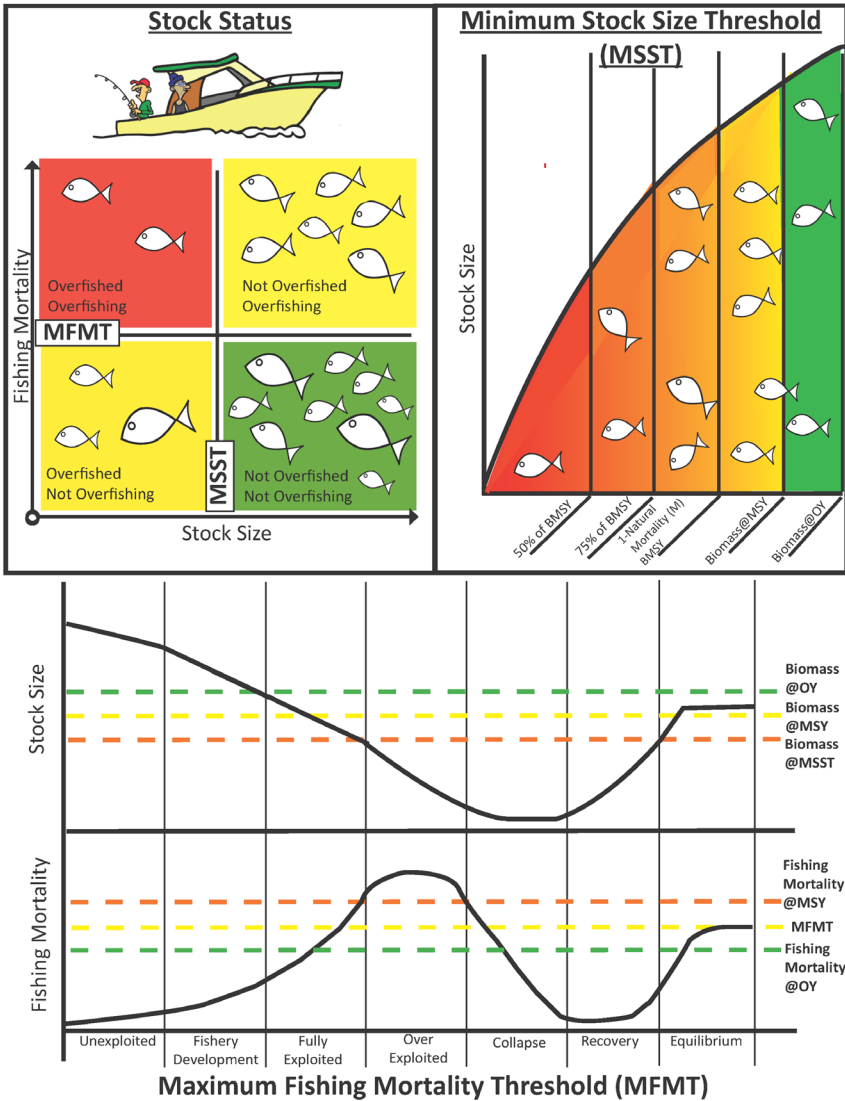
Stock ACL	Recreational ACL	Commercial ACL	Commercial Quota
661,901	403,795	258,142	199,157

Note: The recreational ACL is in MRIP-FES units

Commercial harvest will be automatically constrained to these catch limits through the Individual Fishing Quota (IFQ) Program and the recreational season will be modified to open September 1 and remain open through November 10, 2023 or until the ACL is projected to be met.

Action 1 – Modification of Gag Status Determination Criteria

Status determination criteria (SDC) are values used to determine the overfishing and overfished status for each stock. A detailed explanation of certain status determination criteria can be found on this infographic:



Maximum sustainable yield (MSY), or its proxy, is used to determine if overfishing has occurred, or if the stock is overfished. The Council’s SSC recommends a more conservative approach to setting the MSY, based on the results of the stock assessment, reviewed in July 2022. The SSC reasoned that because gag changes sex from female to male, and because of its susceptibility to red tide events, a 40% spawning potential ratio (F40%SPR) is a more appropriate proxy for MSY than the current proxy of FMAX.

For the same reasons, the SSC recommended that the Maximum Fishing Mortality Threshold (MFMT), which is defined as the rate of fishing mortality above which a stock is declared to be experiencing overfishing (fish are being removed at too rapid a rate), should be set equal to the fishing mortality associated with a 40% spawning potential ratio (F40%SPR).

Minimum Stock Size Threshold (MSST) is the biomass level that a stock can decline to before being declared overfished (stock abundance is too low) and requires a rebuilding plan. Based on the stock assessment, the spawning stock biomass for gag, when accounting for both mature males and females, is below the MSST, or 50% of the biomass associated with MSY. Since the SSC recommends modifying the MSY proxy, the MSST will still be defined as 50% of the biomass at MSY or its proxy; The MSY proxy changes from FMAX to F40%SPR.

Finally, optimum yield (OY) is a level of harvest that will provide the greatest overall benefit to the nation, and is based on MSY as reduced by any relevant economic, social, or ecological factors. It takes the protection of marine ecosystems into account and, in the case of an overfished fishery, provides for rebuilding to a level consistent with producing MSY or its proxy. In this case, the SSC recommended that OY be conditioned on stock status. If the stock is under a rebuilding plan, OY will be equal to the stock ACL; if the stock is not under a rebuilding plan, OY will be equal to 90% of MSY or its proxy.

This action only has one alternative in addition to the 'No Action' alternative because the SSC determined that the best scientific information available supports only one proxy for FMSY based on F40%SPR.



Alternative 1: No Action. Retain the current SDC for gag.

- Maximum sustainable yield (MSY) = yield when fishing at FMAX
- Maximum fishing mortality threshold (MFMT) = FMAX
- Minimum stock size threshold (MSST) = 50% of the biomass at FMAX
- Optimum yield (OY) = 75% of the yield at FMAX

Preferred Alternative 2: Revise the SDC for gag based on the results of the updated Southeast Data, Assessment, and Review (SEDAR) 72 stock assessment.

- Maximum sustainable yield (MSY) = yield when fishing at a 40% spawning potential ratio (SPR) or F40%SPR
- Maximum fishing mortality threshold (MFMT) = F40%SPR
- Minimum stock size threshold (MSST) = 50% of the biomass at F40%SPR
- Optimum yield (OY) = Conditional on the rebuilding plan. If the stock is under a rebuilding plan, OY is equal to the ACL; if the stock is not under a rebuilding plan, OY is equal to 90% of MSY or its proxy.

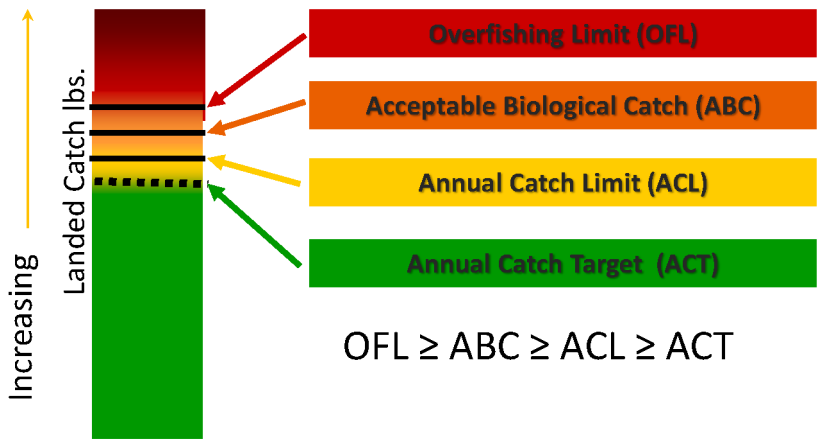
Action 2: Modification of Gag Catch Limits, Sector Allocation, and Rebuilding Timeline

This action aims to end overfishing and rebuild the stock by establishing a rebuilding timeline and modifying catch limits to rebuild gag from its current overfished condition.

The Council is obligated to adjust the gag overfishing limit (OFL) and acceptable biological catch (ABC) based on results of the recent stock assessment and recommendations of its SSC. The recommendations, under all potential rebuilding timelines, represent a large reduction from current catch levels. The Council is responsible for selecting annual catch limits (ACLs) that are at or below the newly recommended ABC.

The current sector allocation allows 61% of the stock ACL to be harvested recreationally and 39% to be harvested by the commercial sector. This allocation was set using average landings based on recreational data in the old MRIP-CHTS currency using landings from the years 1986 through 2005. The recent stock assessment uses new recreational data collection units in Florida's State Reef Fish Survey; thus, the Council is obligated to act to update catch limits so that they are set in the same units that are used in the assessment and quota monitoring.

In general, the stock assessment estimated somewhat greater historical recreational catch and effort than in previous assessments for gag. This prompted the Council to reconsider allocations between sectors to ensure that allocations are reflective of the new understanding of historical landings.



Alternative 1: No Action. Retain the current catch limits and sector allocation of 61% recreational, 39% commercial for gag. The current OFL, ABC, and ACLs are based on the MSY proxy FMAX and were derived, in part, using the MRIP Coastal Household Telephone Survey (CHTS) data. These catch limits are in pounds (lb) gutted weight (gw). The recreational ACL is in MRIP-CHTS units:

OFL	4,180,000
ABC	3,120,000
Stock ACL	3,120,000
Commercial ACL (39% of Stock ACL)	1,217,000
Recreational ACL (61 % of Stock ACL)	1,903,000

Note: This is not a legally viable alternative because it is not based on the best scientific information available, and it would retain catch levels that are above those produced by SEDAR 72 and recommended by the SSC.

Alternative 2: Revise the catch limits for gag and establish a rebuilding time for the gag stock. The OFL, ABC, and ACLs are based on an FMSY proxy of the yield when fishing at F40%SPR.

The ABC is equal to the stock ACL, which equals the combined total ACLs from both sectors. Retain the current sector allocation percentages of 61% recreational, 39% commercial. The recreational ACL is informed by SRFS for private recreational vessels, by MRIP-FES data for the for-hire and shore modes, and by the Southeast Region Headboat Survey for headboats. Each option below modifies the rebuilding timeline.

Option 2a: The minimum time to rebuild (TMin) in the absence of direct fishing pressure ($F = 0$), equal to 11 years. The catch limits in this option do not include dead discards.

$F = F_{40\%SPR}$	OFL	ABC/ Stock ACL	Rec ACL	Com ACL
Year	mp gw	mp gw	mp gw	mp gw
2024	0.603	0	0	0
2025	0.821	0	0	0
2026	1.009	0	0	0
2027	1.222	0	0	0
2028	1.48	0	0	0

Option 2b: 75% of $F_{40\%SPR}$, which would rebuild the stock in 18 years.

$F = F_{40\%SPR}$	OFL	ABC	Rec ACL	Com ACL
Year	mp gw	mp gw	mp gw	mp gw
2024	0.603	0.453	0.276	0.176
2025	0.821	0.627	0.382	0.244
2026	1.009	0.783	0.477	0.305
2027	1.222	0.961	0.586	0.374
2028	1.48	1.177	0.718	0.459



Option 2c: TMin * 2, which would rebuild the stock in 22 years.

F = F40%SPR	OFL	ABC	Rec ACL	Com ACL
Year	mp gw	mp gw	mp gw	mp gw
2024	0.603	0.547	0.333	0.213
2025	0.821	0.749	0.456	0.292
2026	1.009	0.926	0.564	0.361
2027	1.222	1.127	0.687	0.439
2028	1.48	1.371	0.836	0.534

Preferred Alternative 3: Revise the catch limits for gag and establish a rebuilding time. The OFL, ABC, and ACLs are based on the FMSY proxy of the yield when fishing at F40%SPR. The ABC is equal to the stock ACL, which equals the combined total ACLs from both sectors. Revise the sector allocation to 65% recreational, 35% commercial, using average landings from 1986 – 2005, but using SRFS recreational landings data for the private recreational vessel fleet and MRIP-FES for all other recreational landings data. The recreational ACL is informed by SRFS for private recreational vessels, by MRIP-FES data for the for-hire and shore modes, and by the Southeast Region Headboat Survey for headboats. Each option below modifies the rebuilding timeline.

Option 3a: The minimum time to rebuild (TMin) in the absence of direct fishing pressure (F = 0) is equal to 11 years. The catch limits in this option do not include dead discards.

F = F40%SPR	OFL	ABC	Rec ACL	Com ACL
Year	mp gw	mp gw	mp gw	mp gw
2024	0.591	0	0	0
2025	0.805	0	0	0
2026	0.991	0	0	0
2027	1.200	0	0	0
2028	1.454	0	0	0



Preferred Option 3b: 75% of F40%SPR, which would rebuild the stock in 18 years.

F = F40%SPR	OFL	ABC	Rec ACL	Com ACL
Year	mp gw	mp gw	mp gw	mp gw
2024	0.591	0.444	0.288	0.155
2025	0.805	0.615	0.399	0.215
2026	0.991	0.769	0.499	0.269
2027	1.200	0.943	0.613	0.330
2028	1.454	1.156	0.751	0.404

Option 3c: TMin * 2, which would rebuild the stock in 22 years.

F = F40%SPR	OFL	ABC	Rec ACL	Com ACL
Year	mp gw	mp gw	mp gw	mp gw
2024	0.591	0.537	0.349	0.188
2025	0.805	0.736	0.478	0.257
2026	0.991	0.911	0.592	0.319
2027	1.200	1.109	0.720	0.388
2028	1.454	1.349	0.876	0.472

Action 3 – Modify the Gulf Gag Sector Annual Catch Targets (ACT)

Gag is managed using ACTs for both the commercial and recreational sectors. Annual catch targets (ACTs) are used to account for management uncertainty and reduce the likelihood that the ACL is exceeded and that accountability measures are triggered. The ACTs below are linked to the sector annual catch limits selected in Action 2.

The use of ACTs for managing a sector's landings is discretionary for the Council, but it is often utilized for overfished stocks.

The ACTs set in this action are dependent upon the ACLs chosen in Action 2.

Sub-Action 3.1 – Modify the recreational ACT

The recreational sector’s ACT is currently set at 10.25% below the ACL. This value was set using the yield at 75% of the fishing mortality associated with FMax. Typically, the buffer set between the ACT and the ACL accounts for uncertainty associated with setting fishing season projections, which becomes increasingly difficult as season durations shorten.

This Sub-Action 3.1 impacts the alternatives in Action 4 because the recreational season duration will be based on the recreational ACT that is selected.

Alternative 1: No Action. Retain the current buffer between the recreational ACL and ACT. The recreational ACT is set equal to the yield at 75% of FMAX. This resulted in the recreational ACT being set at 89.75% of the recreational ACL.

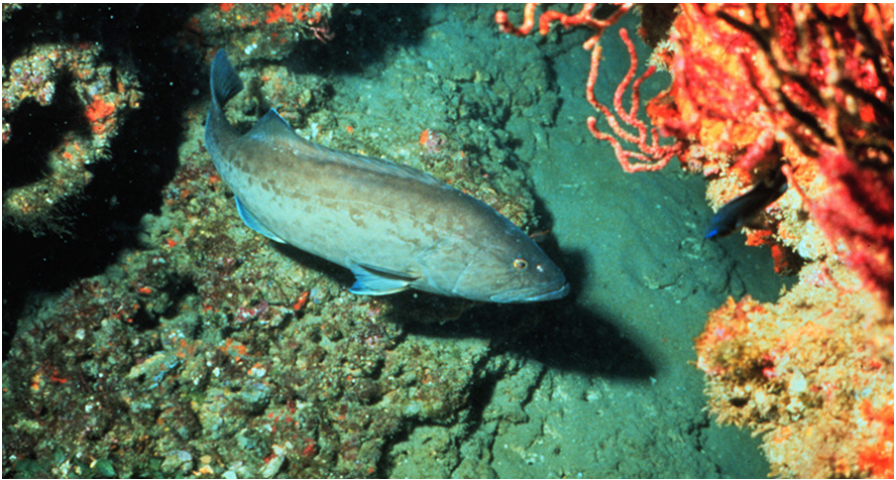
Under Alternative 1 of Action 2, these catch limits are in lb gw, with the recreational ACL and ACT in MRIP-CHTS units:

OFL	4,180,000
ABC	3,120,000
Stock ACL	3,120,000
Recreational ACL (61 % of Stock ACL)	1,903,000
Recreational ACT	1,708,000

Note: This is not a legally viable alternative because using FMax to calculate the buffer is no longer considered to be consistent with the best scientific information available.

Alternative 2: Set the recreational ACT 10% below the recreational ACL. This value is calculated using the Council’s ACL/ACT Control Rule, based on the 2018 – 2021 recreational fishing years, using MRIP-CHTS data units. MRIP-CHTS data units are used to ensure landings are directly comparable in fishing years that had catch limits defined in MRIP-CHTS.

Preferred Alternative 3: Set the recreational ACT 20% below the recreational ACL.



Sub-Action 3.2 – Modify the Commercial ACT and Quota

The commercial ACT is set at 8.85% below the commercial ACL. This value was set using the yield at 75% of the fishing mortality associated with FMax. Additionally, a commercial quota is set 14% below the commercial ACT. This results in a commercial quota that is set about 21.6% below the commercial ACL. For the commercial sector, the IFQ Program serves as the accountability measure.

Alternative 1: No Action. Retain the current buffer between the commercial ACL and ACT. The commercial ACL is equal to 39% of the ABC. The commercial ACT is set equal to the yield at 75% of FMAX, which results in a commercial ACT that is 8.85% below the commercial ACL. The commercial quota is set at 86% of the commercial ACT. This results in a commercial quota that is approximately 78% of the commercial ACL. For the commercial sector, the IFQ program serves as the accountability measure.

Under Alternative 1 of Action 2, these catch limits in lb gw are as follows:

OFL	4,180,000
ABC	3,120,000
Stock ACL	3,120,000
Commercial ACL (39% of Stock ACL)	1,217,000
Commercial ACT	1,091,860
Commercial Quota	939,000

Note: This is not a legally viable alternative because using FMax to calculate the buffer is no longer considered the best scientific information available.

Alternative 2: Set the commercial quota for the gag IFQ program equal to the commercial ACT. The commercial ACT will be fixed at 86% of the commercial ACL.

Preferred Alternative 3: Set the commercial quota for the gag IFQ program equal to the commercial ACT. The commercial ACT will be fixed at 95% of the commercial ACL.

Action 4 – Modification of Gulf Gag Recreational Fishing Season Start Date and Accountability Measures

Accountability measures (AMs) prevent harvest from exceeding the ACL, and if exceeded, can mitigate or correct the overage. Under the current recreational AMs for gag, NMFS can prohibit harvest for the remainder of the year if the recreational ACL is projected to be met. Additionally, if recreational landings exceed the recreational ACL in a year, the recreational ACT for the following fishing year will be maintained at the level of the prior year unless the best scientific information available determines it is unnecessary to do so.

The recreational gag season currently opens on June 1. However, an interim rule shifts the opening date to September 1 in 2023, to reduce overfishing in 2023 while long-term management measures and regulations are developed through this amendment.

Since the recreational catch limits are being reduced, we can expect the recreational fishing season duration to be shortened to ensure the ACL isn't exceeded. The Council is considering shifting the recreational season start date to balance the number of days the season will be open with the need to reduce the overall mortality of gag, specifically male gag fishing mortality.

Alternative 1: No Action. Retain the current June 1 recreational fishing season opening for gag and the requirement that NMFS prohibit harvest when the recreational ACL is projected to be met. In addition, if recreational landings exceed the recreational ACL, NMFS will maintain the recreational ACT for the following fishing year at the level of the prior year's ACT, unless the best scientific information available determines that maintaining the prior year's ACT is unnecessary.

Alternative 2: Retain the current June 1 recreational fishing season opening for gag. Modify the AMs to direct NMFS prohibit harvest when the recreational ACT is projected to be met. In addition, remove the provision that requires NMFS to maintain the prior year's ACT if the ACL is exceeded in the previous year.

Preferred Alternative 3: The federal recreational fishing season for gag would open on 12:01 am local time on September 1. Modify the AMs to direct NMFS to prohibit harvest when the recreational ACT is projected to be met. In addition, remove the provision that requires NMFS to maintain the prior year's ACT if the ACL is exceeded in the previous year.

Alternative 4: The federal recreational fishing season for Gulf gag would open on 12:01 am local time on October 1. Modify the AMs to direct NMFS prohibit harvest when the recreational ACT is projected to be met. In addition, remove the provision that requires NMFS to maintain the prior year's ACT if the ACL is exceeded in the previous year.

Note: *Season duration projections are based on the average daily catch by month and will be refined with time as more data become available. See the Amendment 56 document for more information (Table 2.4.1) or use this link: <https://gulfcouncil.org/wp-content/uploads/B-5b-RF56-Gag-Rebuilding-Plan-Options-03312023.pdf>*



Public Hearing Meeting Information

Public Hearing meetings will be hosted **beginning at 6:00pm local time and may end prior to 9:00 local time** depending on the number of public commenters. The public hearing dates and locations are as follows:

In Person Hearings:

Cedar Key, Florida

May 15, 2023

FWRI Lab
552 1st Street
Cedar Key, FL 32652

Destin, Florida

May 15, 2023

Destin Community Center
101 Stahlman Avenue
Destin, FL 32541

Ft. Myers, Florida

May 15, 2023

Courtyard by Marriott
10050 Gulf Center Drive
Fort Myers, FL 33913

St. Petersburg, Florida

May 17, 2023

FWC Fish and Wildlife Research
Institute
100 8th Ave SE
St. Petersburg, FL 33701

Virtual Hearings:

May 8, 2023

[REGISTER for WEBINAR](#)

May 30, 2023

[REGISTER for WEBINAR](#)

Send Us Your Comments

If you are unable to attend a public hearing, your input is still important. Submit your comments online by visiting: <https://tinyurl.com/2ewfry6b> or scan the QR code with your mobile phone.



What's Next?

Although Reef Fish Amendment 56 makes changes to catch limits, allocations, recreational season length and accountability measures, it does not modify other management measures that can directly affect anglers such as size limits, possession limits, and spatial area closures. The Council initiated work on a separate document that will explore these management measures for gag as stock is being rebuilt, and could also include some of these measures for black grouper as well.





Gulf of Mexico Fishery Management Council

4107 W. Spruce Street
Suite 200
Tampa, FL 33607

Tel: 888-833-1844

Fax: 813-348-1711

Email: gulfcouncil@gulfcouncil.org

Web site: www.gulfcouncil.org

