

Summary
Reef Fish Advisory Panel
Gulf of Mexico Fishery Management Council
Tampa, Florida
Wednesday, October 2, 2019
8:30 a.m. – 5:30 p.m.

The Gulf of Mexico (Gulf) Fishery Management Council's (Council) Reef Fish Advisory Panel (AP) was convened at 8:30 A.M. on October 2, 2019. The meeting agenda and the minutes from the May 9, 2019, webinar were approved.

Election of Chair and Vice Chair

Captain Ed Walker was elected Chair and Captain Troy Frady was elected Vice Chair.

SEDAR 61: Gulf of Mexico Red Grouper Stock Assessment

The terminal year for the data used in the SEDAR 61 stock assessment of Gulf red grouper was 2017. Many modifications were made to the data compared to the previous stock assessment of Gulf red grouper (SEDAR 42). SEDAR 61 used recreational catch and effort data from the Marine Recreational Information Program (MRIP), which was calibrated for catch data from the Access Point Angler Intercept Survey (APAIS) and effort from the Fishing Effort Survey (FES). This new currency of recreational catch and effort data exhibits increases for both compared to the previous red grouper stock assessment (SEDAR 42). However, a revision to the estimate of virgin biomass was made in SEDAR 61 and results in a lower overall estimate of stock size in SEDAR 61 as compared to SEDAR 42. A new method for estimating commercial discards was used, comparing commercial logbook and trip-level observer data. Three separate fishery-independent video surveys from Gulf research labs and known habitat data were used to create a single combined video index of abundance. Growth curve parameters and fecundity estimates were updated, and the Florida Fish and Wildlife Research Institute's Repetitive Time Drop Survey was included for the first time. The estimate of total biomass for Gulf red grouper is very sensitive to episodic mortality from red tide, with events in 2005 and 2014 included in the model. Recruitment is also highly variable, with strong pulses in 1995, 1998, 2001, 2005, and 2013 interspersed with periods of much lower recruitment. Fishing mortality in recent years (2017, 2018) is lower than at any other point in time series (1986 – 2018). As of 2017, the stock status for Gulf red grouper is not overfished and not experiencing overfishing. However, there was a large red tide event that occurred on the west Florida shelf in 2018 and any potential effects of the red tide bloom are not considered in the stock status determinations.

The Council's "Something's Fishy" tool collected stakeholder observational data with respect to red grouper prior to SEDAR 61. These data indicated mostly negative observations across areas where red grouper occur in the Gulf, with stakeholders reporting fewer legal size fish, large numbers of undersized fish, and having to go to deeper water to find any red grouper. Some displacement of the stock to deeper water was thought possible due to storms or increasing red snapper abundance, and many stakeholders thought that the population has not recovered since

the 2014 red tide event. A study by Karnauskas et al. (2019) gathered data from southwestern Florida with respect to red tide by interviewing stakeholders in the counties known to be affected by the bloom. Those interviewees thought red tide blooms are now more frequent and severe.

Harvest projections for red grouper based on the assessment model assumed fixed recruitment, selectivity, retention, and discard mortality based on data from 2010 – 2017, and the present sector allocations (76% commercial and 24% recreational). The observed 2018 landings and the 2019 ACL were used to inform those years, to project yields for 2020+. Projections considered red tide in 2018 at different degrees of severity compared to the red tide events in 2005 and 2014. The probability of overfishing is dependent on the estimate of the severity of the 2018 red tide event. The Scientific and Statistical Committee (SSC) decided that the 2018 red tide event was equivalent to the event in 2005. The SSC ultimately recommended an overfishing limit of 5.35 million pounds (mp) gutted weight (gw), which is equivalent to a 50% probability of overfishing, and an acceptable biological catch of 4.9 mp gw, which is equivalent to a 30% probability of overfishing. These catch level recommendations were made using MRIP-FES data, which constitute a data currency that is different from what is presently used for red grouper (MRIP-AP AIS).

The AP discussed whether the current harvest levels (4.16 mp gw) were sustainable if they are not presently being landed. Staff noted that the SSC discussed this at length, and in doing so chose the lowest bound for the probability of overfishing (30%) for their ABC recommendation under the Council's ABC Control Rule. The SSC also acknowledged that unknown biological and socioeconomic factors may be impacting the ability of the fleets to catch red grouper. Interim analyses were identified as an available tool to help track changes in trends in stock abundance. The Council may request interim analyses annually for red grouper for the next few years, and was encouraged to do so by the SSC.

An AP member noted that separate landings reports are filed when different prices are paid to the fishermen for smaller fish of the same species, and that an increase in these reports has occurred recently. The next most recent time that this trend occurred was just prior to 2013, when recruitment was strong. The Southeast Fisheries Science Center (SEFSC) will follow up on any correlation between the frequency of these dealer reports and spikes in recruitment.

The AP acknowledged that if red grouper are moving to deeper water, then recreational effort may decline with distance from shore; however, discard mortality may increase as the depth of water fished increases. Also, the AP noted that some research has observed large numbers of lionfish in and around red grouper nests, and encouraged more work to be done to investigate any relationship between lionfish abundance and red grouper recruitment.

The AP discussed the high degree of variability in recruitment for red grouper, and its vulnerability to unpredictable red tide events, which they gave as justification for not raising the annual catch limit (ACL) any higher than it is presently. They acknowledged that fishermen are still trying to fish for red grouper, but are not catching them like they used to, providing another indication that landings should probably be constrained to a level lower than the present ACL. Interim analyses would prove useful for tracking trends or changes in the abundance of red grouper over time, and could be used to inform future Council management decisions about

appropriate catch levels. If catch levels are decreased sufficiently to constrain catch, some fishermen may have reduced access to red grouper allocation. Quota allocation prices depend in part on the abundance of red grouper. The AP decided to make its catch recommendation to the Council under the APAIS-adjusted MRIP data currency, since that is the current method used for quota monitoring for red grouper.

Motion: To set the ACL for red grouper at 3.5 mp gw, in MRIP APAIS and adjust accordingly in the future.

Motion carried without opposition.

Motion: To support the Councils request for annual red grouper interim analyses for the next few years for use in providing catch recommendations.

Motion carried without opposition.

Discussion of Removing the Rule Allowing Trolling in the Steamboat Lumps and Madison Swanson MPAs

Captain Ed Walker described his participation in research by FWRI assessing mature gag populations in the Steamboat Lumps Marine Protected Area (MPA). He said he has observed fishermen catching gag and red snapper under the guise of trolling within the MPA boundaries. Bottom fishing is not allowed inside either of the MPAs (Steamboat Lumps and Madison Swanson), and trolling is only permitted from May through October. Captain Walker argued that Steamboat Lumps is not a legitimate trolling destination for fishermen, and that rampant reef fish poaching is occurring in the area, which is known to hold large numbers of mature gag red grouper. Law enforcement officers rarely report encountering typical trolling activity in either of the MPAs. Gags transition from female to male at 10 – 12 years old, with concern expressed in previous stock assessments that gag are not getting old enough to transition from female to male, affecting reproduction. A law enforcement officer present at the meeting added that it is difficult to prove a vessel is bottom fishing over trolling, and that prohibiting trolling would make enforcement easier. It is currently legal to possess reef fish within the MPAs; however, harvest of reef fish is prohibited. Commercial vessels can transit through the MPA boundaries with reef fish on board as long as all fishing gear is stowed.

Motion: To eliminate all fishing in Steamboat Lumps and Madison Swanson MPAs in order to protect spawning aggregations.

Motion carried with 12 in favor and 2 abstentions.

Discussion of SEDAR 61 Executive Summary – Dr. Sagarese and Mr. Rindone

SEFSC and Council staff reviewed the current draft of the stock assessment executive summary for red grouper. The goal of this document is to make it applicable to as many users as possible. AP members agreed that the stock status of the species should be on the first page, and that for red grouper, information about the incorporation of red tide data should be included.

SEDAR 49 Update: Gulf of Mexico Lane Snapper Itarget Assessment

SEFSC staff presented an update of the headboat index for lane snapper, which was rerun to incorporate four more years (2015 – 2018) of headboat landings data, which were presented in APAIS-adjusted MRIP values. FES-adjusted MRIP values were not used, but are available. The update resulted in higher suggested catch advice than what was proposed in SEDAR 49 and the current ACL which is based on Tier 3a of the ABC control rule. The headboat CPUE index is informing the increase in the abundance estimate for lane snapper. Several sensitivity runs conducted during SEDAR 49 indicated that the model was sensitive to changes in the model scalar, and so a scalar of 0.7 was retained for the update. The model outputs a distribution of potential harvest relative to the chance of overfishing, where a 50% probability of overfishing is set as the OFL. The SSC recommended at its September 2019 meeting that the lane snapper stock continue to be monitored frequently, since the stock is considered “data-limited” and updates to the stock assessment are easily completed. The SEFSC recommends a more detailed assessment effort in future to re-examine length frequency and other data.

Motion: To set the ACL equal to the ABC following the SSC recommendation.

Motion carried without opposition.

Florida Keys National Marine Sanctuary Expansion: Sanctuary Plan and Comments

Mr. Stephen Werndli, Florida Keys National Marine Sanctuary (FKNMS) staff, presented an overview of the proposed expansion of the sanctuary boundary. The draft environmental impact statement (EIS) was released on August 2019 with a public comment period ending on January 31, 2020. The goal of this expansion is to protect not just coral cover, which has continued to decline, but other habitats important for restoration, foraging, and fish-spawning areas. The Council will have an opportunity to comment at its October 2019 meeting.

The preferred alternative proposes to expand the sanctuary boundary: southward to align with zones designated as “area to be avoided”, which prevents navigation of large vessels within those areas; and a westward expansion that would include the waters surrounding the Tortugas Ecological Reserves North and South. Mr. Werndli noted this will protect the ecological connectivity between those areas adjacent to the current sanctuary boundary.

The AP requested clarification on the designation of “no motor” as a measure to protect seagrasses in shallow waters. The AP recommended the installation of channel markers that would guide navigation as an alternative to designating a large area as “no motor” or “no entry”. The AP noted alternatives like these might be better received by user groups as it might be a more controlled way to manage an area while still allowing recreational use. Mr. Werndli stated that one of the alternatives proposed the use of navigational aids or signs that would specify depth and allowable draft for passing vessels. The AP also expressed concern about the fishing restrictions proposed for the Tortugas Corridor. Mr. Werndli explained that the proposed corridor is an important area for fish spawning aggregations.

Flower Garden Banks National Marine Sanctuary Expansion Update

Mr. Schmahl gave an update on the Flower Garden Banks National Marine Sanctuary (FGBNMS) expansion. The primary objective of this proposal is to protect bottom communities from physical disturbance related to oil and gas development, anchor damage, shipping vessels, and inappropriate fishing activities. The Draft EIS, released in June 2016, identifies Preferred Alternative 3 which would include 15 reefs and banks and increase the sanctuary area to 383 square miles. After receiving public input, the Sanctuary Advisory Council (SAC) recommended reducing the proposed expansion area by drawing boundaries to more closely coincide with previously identified protective areas (BOEAM No Activity Zones) in order to reduce the impact on historical users of this area. This revision reduced the proposed boundaries from 383 square miles to approximately 160 square miles in size. A proposed rule that will establish the expanded boundaries is expected to be announced in the upcoming months, and this process will also include a public comment period.

The AP requested more information on the types of fishing methods allowed in the sanctuary boundaries. Mr. Schmahl responded that any kind of gear that directly affects bottom structures would be prohibited, such as a bottom longline gear. Hook and line fishing as well as bandit rigs would be allowed as long as the vessel is not anchored. The AP commended the FGBNMS effort to address stakeholders' input throughout the development of this proposal.

Update on Progress for Coral Amendment 9

In lieu of a presentation, the AP was provided with the notice of the proposed rule for Coral Amendment 9 as posted in the *Federal Register*.

Draft Framework Action to Modify Greater Amberjack Recreational Management Measures

The AP received a presentation outlining a new proposed action considering recreational zone management for greater amberjack. The presentation included two preliminary zone delineations. A two-zone approach would create a delineation along the Mississippi/Alabama state border creating a West Zone (Texas, Louisiana, and Mississippi) and an East Zone (Alabama and Florida). Another proposed approach would create three zones: West (Texas, Louisiana, and Mississippi), North (Alabama to the Florida Dixie/Levy county line), and South (Florida Dixie/Levy county line to border of Gulf Council jurisdiction). Additionally, historical landings information (1992-2008) by zone was presented for the AP's consideration. Council staff asked for input from the AP as to whether they would consider zone management for greater amberjack, and if so what would they recommend for zone delineation.

The AP agreed that the greater amberjack stock should be managed by the biology and biomass rather than landings, as landings data are often biased by numerous other factors. Several members stated that current management measures had only been implemented for a short time. Given the frequent modifications to greater amberjack recreational management in the last ten years, they argued that keeping some consistency in management would produce more robust data which could be used to better inform future stock assessments. After some discussion, the

AP decided that while zone management should be considered by the Council for greater amberjack, current management should be continued for some time before implementing another management approach. The AP did provide some guidance to the Council regarding zone management for consideration:

Motion: To recommend that the Council prioritize the current management strategy for greater amberjack, and to also consider options for zone management.

Motion carried without opposition.

Motion: To recommend that the Council consider two zones, east and west (Alternative 2).

Motion carried with 11 in favor, 1 opposed, and 1 abstention.

Motion: The APs goals for greater amberjack are:

- **To manage to sustainability**
- **To rebuild the stock**
- **To provide flexibility**

Motion carried with 1 abstention.

Status Update for Draft Amendment 52: Reallocation of Red Snapper – Dr. Freeman

Council staff presented a status update for Draft Reef Fish Amendment 52 and explained that the Council is currently considering reallocation between the commercial and recreational sectors. Staff noted that, as part of the allocation review process, the Council reviewed and modified the Reef Fish Fishery Management Plan (FMP) Objectives. While Draft Reef Fish Amendment 52 will contain the latest version of the Reef Fish FMP Objectives, the changes to the Reef Fish FMP Objectives will be finalized in Reef Fish Amendment 51. Staff reviewed the Purpose and Need and noted that the Council has developed initial alternatives under Action 1. The Council is next scheduled to review the draft amendment at its January 2020 meeting. AP members asked how MRIP data recalibration is being considered in the potential reallocation. Staff explained that the Council is interested in examining the recalibrated data landings as a part of the reallocation review process, once it is available.

Draft Amendment 36B: Modifications to Commercial IFQ Programs and Presentation

Staff reviewed the two actions in Amendment 36B, and AP members discussed the action that would require shareholders to hold a commercial reef fish permit. There was both support and opposition for requiring all shareholders to have a permit. If the Council intends to require a permit, it was suggested to implement the requirement going forward and to allow existing shareholdings to remain without a permit.

Motion: To recommend that the Council establish a control date, from today forward,

that anyone who buys shares is required to obtain a reef fish permit.

Motion carried with four opposed.

Draft Framework Action to Modify Multi-day Possession Limits for For-hire Vessels – Mr. Rindone

Council staff summarized the data used in the abbreviated framework action, and the history of management as it relates to the possession of more than one daily bag limit on extended for-hire trips. The AP stated that the original rule in Reef Fish Amendment 1 and Coastal Migratory Pelagics Amendment 1 allowed for possession of the second daily bag limit at any time on for-hire trips greater than 24 hours in duration. AP members also noted an ability to move away from certain fish once the bag limits for that species are caught, allowing for increased flexibility and efficiency in operations. It was clarified that the old and revised rules only applied to for-hire trips greater than 24 hours in duration, and that the rule affected only a small percentage of the overall for-hire fleet.

Motion: The AP supports the Council’s preferred option, with preferred sub-option b.

Preferred Option: The on-board possession limit for federal for-hire trips in the Gulf exceeding a given trip duration (Options a – c) will be two daily bag limits per angler (or per vessel for speckled hind and warsaw grouper). The second daily bag limit can be retained anytime during a trip with a minimum trip duration of:

Preferred Sub-Option b: Greater than 30 hours.

Motion carried without opposition.

The meeting was adjourned at 5:30 P.M.

Participants

Reef Fish AP Members

Ed Walker, Chair
Troy Frady, Vice Chair
Doug Boyd
James Bruce
Jane Black-Lee
Patrick Cagle
Jason Delacruz
Josh Ellender
Buddy Guindon
Dylan Hubbard
Chris Jenkins
John Marquez, Jr.
Mike Prasek, Jr.

David Walker

Council Staff

Matthew Freeman
John Froeschke
Karen Hoak
Lisa Hollensead
Ava Lasseter
Natasha Méndez-Ferrer
Ryan Rindone
Carrie Simmons

Council Members

Roy Crabtree, NMFS

John Sanchez

Others

Kelli O’Donnell, NMFS
Martin Fisher
Ashford Rosenberg
Skyler Sagarese, NMFS
Catherine Bruger, OC
Nancie Cummings, NMFS
GP Schmahl, FGBNMS
George Werndli, FKNMS
George Hughes, FWC