

**Reef Fish Committee Report
January 28, 2020
Ms. Martha Guyas – Chair**

The Committee adopted the agenda (**Tab B, No. 1**) as modified to include discussion of the generic carryover amendment under Other Business, and approved the minutes (**Tab B, No. 2**) of the October 2019 meeting as written.

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

Commercial fishing for greater amberjack and gray triggerfish both closed prior to the end of the 2019 fishing year. Recreational fishing for greater amberjack landed approximately 105% of its ACT, and 87% of its ACL during the 2018/2019 fishing season, which did not include a May 2019 season due to the magnitude of landings in the fall of 2018. The fall 2019 recreational greater amberjack season landed approximately 32% of the ACL, meaning that there will be a May 2020 season for the recreational sector. Recreational landings for gag, red grouper, and the for-hire component for red snapper were all below their ACTs in 2019, while landings for gray triggerfish exceeded the recreational ACT (143%) and ACL (128.3%). Except for Louisiana, landings for the other Gulf states managing the private angling component for recreational red snapper all reported landings below their respective ACLs for 2019.

Species managed with a stock ACL (hogfish, mutton snapper, lane snapper, vermilion snapper, Spanish mackerel, and cobia) saw landings below their respective 2019 ACLs with the exception of lane snapper, which was closed mid-December 2019.

Combined zone landings for the hook-and-line component of commercial king mackerel were below the ACL for the 2018/2019 fishing season, and are presently below the ACL for the 2019/2020 fishing season with the Western Zone closed upon reaching its quota. The Northern and Southern Zones remain open. The gillnet component for commercial king mackerel exceeded its ACL (107.7%) during the 2018/2019 fishing season, and is subject to a payback for the 2019/2020 fishing season. Recreational landings for king mackerel remain well below the recreational ACL.

The Committee asked why the recreational landings for greater amberjack in the fall of 2019 were so much lower than in 2018. NMFS staff replied that some investigation into this difference had been conducted, but no obvious indicator had been identified. Representatives from Florida and Alabama, which historically account for the majority of recreational greater amberjack landings, indicated that the recreational season structure in the fall of 2019 was the same as in 2018.

Draft Amendments 36B and 36C: Modifications to Commercial IFQ Programs and Presentations (Tab B, Nos. 5a-g)

Staff provided a detailed history from 2011 – 2019 of Amendment 36 and the actions addressing potential modifications to the individual fishing quota (IFQ) programs. A motion to sunset the

IFQ programs in 2028 failed. Staff reviewed the alternatives in the first action in Amendment 36B, which would require some or all shareholders to have a commercial reef fish permit. The Committee discussed the potential impacts of a permit requirement. A Committee member noted that the Reef Fish Advisory Panel (AP) recommended adding an alternative that would require shareholder accounts established after the date of the AP meeting to have a commercial reef fish permit. This date would allow more shareholder accounts to be grandfathered in than Alternative 3 (January 1, 2015), but less than under Alternative 4, which would grandfather in all accounts established before the implementation date of this amendment (Alternative 4).

The Committee recommends and I so move, in Action 1, to add an Alternative 5:

Alternative 5: In order to obtain (transfer into a shareholder account), or maintain shares (hold existing shares in a shareholder account), shareholder accounts established after October 2nd, 2019 (Reef Fish AP meeting date) must be associated with a valid or renewable commercial reef fish permit. A shareholder account is considered to be associated with a permit if the permit has the exact same entities listed on both the shareholder account and permit.

Motion carried 13 to 2.

Following a failed motion to make Alternative 3 the preferred alternative, the Committee then passed the following motion.

The Committee recommends and I so move, in Action 1, to make Alternative 2 the preferred.

Alternative 2: In order to obtain (transfer into a shareholder account) or maintain shares (hold existing shares in a shareholder account), all shareholder accounts must be associated with a valid or renewable commercial reef fish permit. A shareholder account is considered to be associated with a permit if the permit has the exact same entities listed on both the shareholder account and permit.

Motion carried 8 to 5.

Staff reviewed the alternatives in the next action that addresses share divestment in the event that shareholders are unable to meet the permit requirement in Action 1. Committee members discussed the proposed time frames for allowing shareholders to comply with the new requirement or sell their shares and passed the following motions.

The Committee recommends and I so move, in Action 2, to add a new Option 2c to Alternative 2 and Option 3c to Alternative 3.

Alternative 2: A shareholder account with shares that is not associated with a commercial reef fish permit must divest of shares as needed to meet the requirements set in Action 1 or the shares will be reclaimed by NMFS:

Option 2c: Within 5 years following the effective date of the final rule implementing this amendment.

Alternative 3: After implementation of this amendment, if a shareholder account no longer has an associated valid or renewable reef fish permit (i.e., the permit is transferred or is not renewed within one year of the expiration date and is terminated), the shareholders must divest of the account's shares as needed to meet the requirements set in Action 1 or the shares will be reclaimed by NMFS:

Option 3c: Within 5 years following the transfer or termination of the permit.

Motion carried with no opposition.

The Committee recommends and I so move, in Action 2, to make Alternative 2, Option 2c the preferred.

Alternative 2: A shareholder account with shares that is not associated with a commercial reef fish permit must divest of shares as needed to meet the requirements set in Action 1 or the shares will be reclaimed by NMFS:

Option 2c: Within 5 years following the effective date of the final rule implementing this amendment.

Motion carried with no opposition.

The Committee recommends and I so move, in Action 2, to make Alternative 3, Option 3a the preferred.

Alternative 3: After implementation of this amendment, if a shareholder account no longer has an associated valid or renewable reef fish permit (i.e., the permit is transferred or is not renewed within one year of the expiration date and is terminated), the shareholders must divest of the account's shares as needed to meet the requirements set in Action 1 or the shares will be reclaimed by NMFS:

Option 3a: Within 1 year following the transfer or termination of the permit.

Motion carried with no opposition.

Mr. McCarthy from the Southeast Fisheries Science Center gave a presentation on red snapper and red grouper discards, which was requested by the Council for consideration of the amount of quota that would be needed in a quota bank to address discards. The Committee then discussed eligibility criteria for the future recipients of quota from the quota bank. Staff will rely on Committee discussions to draft a range of alternatives for the respective actions. Committee members discussed the administrative structure of a third-party quota bank.

Draft Framework Action to Modify Greater Amberjack Recreational Management Measures (Tab B, No. 6a-b)

Staff gave a progress update for recreational management measures for greater amberjack. Staff reported that an operational assessment for greater amberjack should be completed in early 2021. Staff also reiterated an earlier report from the Southeast Regional Office (SERO) that the recreational season will reopen for the May 2020 season. Staff presented a summary outlining the trade-offs and considerations for all the currently proposed Gulf-wide and zone management measures.

Staff then demonstrated the newly developed web-based decision support tool that allows for visualization of the various proposed zone management options. The tool allows for rapid calculation of harvest totals for split-season quotas and zone options for a variety of season length combinations and compares those totals to user determined annual catch targets. Currently, the tool reports data in MRIP-CHTS survey units and does not incorporate the consideration for modifying bag or possession limits.

Committee members asked about the ability to specify multiple seasons within each zone. Staff replied that it is possible to add additional slider options under the portion of the tool specifying fishing seasons. The Committee revisited past concerns about the availability of recreational landings and effort data, especially for the western Gulf. The Committee also inquired how the time lags with the recreational landings data could affect zone management. NOAA General Counsel cautioned Committee members when interpreting results from the decision tool since uncertainty is known to be present in the recreational landings forecast for greater amberjack. Some Committee members suggested not making changes to recreational greater amberjack management in light of the quota available for a spring 2020 season, and an operational stock assessment scheduled for completion in early 2021. Committee members also asked about the ability of the tool to further partition the Gulf, perhaps into zones by state. Staff replied that although the recreational landings and effort data are collected by state, a further division of recreational data would considerably expand the uncertainty of forecasts.

SSC Report: Lane Snapper FES-Adjusted Catch Recommendations (Tab B, Nos. 7 and 7a)

Mr. Doug Gregory represented the Council's Scientific and Statistical Committee (SSC), and reviewed the Fishing Effort Survey-adjusted Marine Recreational Information Program (MRIP-FES) survey data used to update catch recommendations for Gulf lane snapper. Ultimately, the SSC found that the methods applied to determine catch recommendations were sound and constituted the best scientific information available. The SSC will revisit this issue again at its March 2020 meeting, when it will review the data excluding dead discards, which are not typically included in projections resulting from stock assessments. Quota monitoring tracks landed catch only, and does not track dead discards.

SERO staff provided the updated lane snapper landings data to the Council that will be reviewed by the SSC at its March 2020 meeting, excluding dead discards. The overfishing limit and acceptable biological catch advice resulting from these data are marginally lower as compared to the information presented to the SSC at its January 2020 meeting. The Committee asked about

the use of the previous reference period for the headboat index (1998 – 2008) in the iTarget model for lane snapper, and whether that reference period would be revisited. Mr. Gregory replied that the prescribed reference period would likely not be revisited, since it had been identified as a stable period in the fishery during SEDAR 49.

The Committee recommends, and I so move, **to direct staff to prepare a Framework Action to adjust lane snapper catch levels and present it at the April Council 2020 meeting.**

Motion carried with no opposition.

Committee members asked briefly about the timing of other SEDAR assessment activities, including gray triggerfish and red snapper. Staff clarified that the SEDAR 62 assessment of gray triggerfish was scheduled to be delivered to the Council at the end of February 2020, with an SSC review scheduled for March 2020. Red snapper is currently scheduled as a research track assessment for 2021 and 2022, followed by an operational assessment to provide management advice to the Council. The next SEDAR Steering Committee meeting will be in Charleston, South Carolina from May 20 – 21, 2020.

Draft Options Paper for Amendment 53: Red Grouper Allocations and Catch Levels (Tab B, Nos. 8, 7, and 7a)

Mr. Gregory reviewed the SSC's decisions about the effects of using MRIP-FES data to determine catch advice, based on the Council's proposed alternatives in Reef Fish Amendment 53. The SSC noted the deleterious effects of the red tide events over time, and especially the recent 2018 event, on red grouper spawning stock biomass. Further, the red grouper interim analysis reviewed by the SSC at its January 2020 meeting appeared to support their decision to consider the 2018 red tide event to be commensurate in intensity and mortality to the 2005 event. Ultimately, the SSC passed a motion approving the methodology for determining catch advice based on the time series selected by the Council to determine sector allocations using the MRIP-FES data. Mr. Gregory added that although the sector allocations resulting from the time series options currently proposed by the Council had similar allocation fractions for the commercial and recreational sectors, this result should not be expected for all stocks expected to go through this exercise in the future.

Staff reviewed the draft Purpose and Need and the draft alternatives. The Committee proposed including more recent time series in Action 1. A question was raised as to why 2009 was used as the initial year for the proposed Alternative 5, and the motion was withdrawn after explanation that the commercial IFQ program began in 2010.

The Committee inquired about when the SSC would review and potentially approve the MRIP-FES data as the best scientific information available for red grouper. Dr. Simmons noted that the SSC is scheduled to hold an educational workshop on April 14 – 15 on MRIP-FES data. The Committee noted that there would be state data as well for allocation considerations with red snapper. Dr. Crabtree stated that there would be a conversion method developed in order for that state data to be comparable.

The Committee asked about the current buffer and how much of the buffer is being used through the multi-use provision. Staff responded that this could be examined following the Council meeting. The Committee noted that with Alternative 3, the commercial buffer is 0% and does not account for multi-use provisions in the commercial gag grouper IFQ program.

The Committee recommends, and I so move, **in Action 2, to add an Alternative 4: Revise the OFL and ABC as recommended by the SSC and consistent with the allocation selected in Action 1. The total ACL equals the ABC. Apply the ACL/ACT Control Rule to revise the buffer between the ACL and ACT for the recreational sector. The commercial buffer is 5%, and the recreational buffer is 9%.**

Motion carried with no opposition.

Draft Amendment 52: Red Snapper Sector Allocations (Tab B, No. 9)

Staff noted that during the August 2019 Council meeting, the Council requested Amendment 52 be brought back at the January 2020 Council meeting. The Committee noted that further development of the amendment cannot occur until the stock assessment is completed. The Committee asked when the red snapper stock assessment would be completed. Staff noted that under the current SEDAR schedule, the red snapper stock assessment would be completed by 2023. The Committee inquired what information from the red snapper stock assessment would be used for Amendment 52; Dr. Porch noted that OFL and ABC advice would come from the next stock assessment for red snapper. The Committee also asked when results from the Great Snapper Count would be completed; results from the Great Snapper Count would be completed in spring of 2020. The Committee noted that the GAO Allocation Report is also not ready.

The Committee recommends, and I so move, **to delay consideration of Amendment 52 until the red snapper stock assessment is complete.**

Motion carried with no opposition.

State Management Performance Reports for the 2019 Private Angler Red Snapper Fishing Season (Tab B, Nos. 10a-e)

The five Gulf states provided a report on their respective management of the 2019 private recreational red snapper fishing season under each state's exempted fishing permit.

SSC January 2020 Meeting Summary Report (Tab B, Nos. 7 and 7a)

Mr. Gregory summarized a presentation to the SSC by Dr. Christopher Liese, an economist with the SEFSC, which detailed reporting methods designed to gather and better organize economic data on Gulf of Mexico Reef Fish, South Atlantic Snapper-Grouper, and Gulf and South Atlantic Coastal Migratory Pelagics FMP-managed species. The members of the Socioeconomic SSC were impressed with the detail provided in the reports, and encouraged their continued development.

Other Business

Carryover of Unharvested Quota

At the June 2019 Council meeting, the Council chose to postpone further discussion of the Generic Carryover Amendment until the SEFSC had finalized interim analysis procedures. The Committee postulated whether the procedures had been defined with the completion of the two interim analyses for red grouper, and whether it was appropriate to now bring the carryover amendment back for consideration. The SEFSC indicated that interim analyses can be conducted for some species quite readily (January, annually), while other species may need to wait until later in the spring (approximately April, annually). The Committee recalled the necessity to institute payback provisions to balance the addition of the carryover of additional quota, and how paybacks and carryovers were a component of Amendment 50 (state management of the private recreational component of red snapper). Other Committee members thought that first addressing the calibration issues for red snapper (calibrating for the FES survey, and for the state-specific independent/supplemental surveys) would be more prudent.

The Committee recommends, and I so move, **to direct staff to have an agenda item at an upcoming meeting that evaluates possible carryovers of uncaught commercial quota.**

Motion carried with no opposition.

Calibration Models for Recreational Red Snapper Data

Dr. Richard Cody with the NMFS Office of Science and Technology (NMFS S&T) indicated that the calibration models for recreational red snapper would be available in March 2020; however, NMFS S&T would need time to review these methods. A separate workshop for the Gulf SSC will be convened in April 2020 to discuss the MRIP-FES calibrations to historic data and other items; a discussion of the calibration of state survey data for red snapper would occur at a separate meeting. NMFS S&T thought that the state-specific survey calibrations could be available for discussion with the Council at its June 2020 meeting in St. Petersburg, FL. The SSC would have the option of reviewing these calibration methods prior to their use by the Council for management, which the Committee indicated would be their strong preference. The state surveys have been designed to improve the precision of the landings and effort estimates, and their ability to do so is one of the items still outstanding for the completion of the calibration efforts.

Mr. Chair, this concludes my report.